

# ENGLISH DEMOCRACY

**Electoral Reform, England  
and the Future of the  
United Kingdom**

**John Denham**

**UNLOCK**  
DEMOCRACY

**Compass**



Published June 2022 by Compass and Unlock Democracy

By John Denham

**About the author:**

John Denham is Professorial Research Fellow at Southampton University where he runs the Centre for English Identity and Politics. He is also Director of the English Labour Network, which works to help Labour win in every part of England and to raise awareness of English issues within the Labour Party.

John was MP for Southampton Itchen for 23 years. He served as a Minister for ten years in the Labour Government, including time as Secretary of State for Communities and Local Government in Gordon Brown's Cabinet. John also chaired the Home Affairs Select Committee from 2003–2007 after resigning from government over the Iraq War.



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#### **About the Powering Up Project**

Unlock Democracy and Compass are working together on a Joseph Rowntree Reform Trust funded project to build consensus around a new democratic settlement. With a focus on the Labour Party, other progressive parties and civil society campaigners, we are looking to create the conditions for a new 21st century democratic settlement for our nations, communities and citizens. For further information please contact [Tom Brake](#) or [Neal Lawson](#).

#### **About Unlock Democracy**

Unlock Democracy argues and campaigns for a vibrant, inclusive democracy that puts power in the hands of the people. We seek a democratic participative process resulting in a written constitution that serves and protects the people. That constitution would define the roles of, and relationships between, the Executive, Legislature and Judiciary. It would determine how, and to what extent, power is shared between representatives at local, national and United Kingdom levels, and with international organisations. It would enshrine basic liberties and human rights for all.

#### **About Compass**

Compass is a platform for a good society, a world that is much more equal, sustainable and democratic. We build networks of ideas, parties and organisations to help make systemic change happen. Our strategic focus is to understand, build, support and accelerate new forms of democratic practice and collaborative action that are taking place in civil society and the economy, and to link those with state reforms and policy. The meeting point of emerging horizontal participation and vertical resources and policy we call [45° Change](#). Our practical focus is a [Progressive Alliance](#), the coalition of values, policies, parties, activists and voters which can form a new government to break the log jam of old politics and usher in a new politics for a new society.

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## Introduction

At its 2021 conference, 83% of Labour's constituency delegates supported electoral reform for the House of Commons, a powerful indicator of the mood amongst grassroots activists.<sup>1</sup> At the same time, the party's Commission on the Future of the United Kingdom has now been established under the leadership of former prime minister Gordon Brown.

Both address key democratic questions, but the links between electoral reform and the future of the union are rarely drawn. Electoral reformers demand change to the first-past-the-post (FPTP) system for the House of Commons but the movement has largely ducked the democratic deficit represented by the absence of any national democracy for England. (For as long as the domestic policies of Scotland, Wales and Northern Ireland have been settled by national legislatures (elected proportionally), a settled majority of England's voters have wanted laws only affecting England to be made by MPs elected from England.<sup>2</sup> It is surprising that electoral reformers have not thrown their weight behind this simple democratic demand).<sup>3</sup>

Constitutional reformers have usually focussed on the nature and power of UK and national institutions and the relationships between them.<sup>4</sup> They have rarely considered England's place as a separate national entity within the union,<sup>5</sup> and the electoral system is frequently regarded as an issue to be determined in a separate discussion.

England lacks any coherent machinery of government at national level and, at the same time, numerous reports have highlighted how the centralisation of the union state has left England's localities without the powers and resources they need to bring about effective economic and social change.<sup>6</sup> 'English devolution' has offered little more than localised 'deals' controlled by Whitehall.<sup>7</sup> England remains the most centralised and unequal nation in Europe. While power is hoarded at the centre in Westminster and Whitehall, no government will be able to deliver radical social and economic reforms.<sup>8</sup>

With tensions manifest across the United Kingdom, a union can only prosper if it can find shared purpose and aspirations for a 21<sup>st</sup> century in which each nation's rights are guaranteed and shared institutions reflect common interests. FPTP exacerbates tensions within the union by exaggerating Conservative dominance in England and Scottish National Party strength in Scotland. It feeds the perception of an 'English' UK government dominating the rest of the union yet also sustains a centralised state that has left England without a machinery of government, political leadership or democratic structures that can coordinate policy across nation. It drives the adversarial mentality that has left relationships between the devolved administrations and the UK government at an all-time low.

This report aims to bring these separate debates about the exercise of state power, electoral reform, the future of the union and English democracy together. They are closely inter-related and must be tackled together if Labour hopes to implement its aspirations for radical and wide-ranging social, economic and democratic reform.

The report has five sections.

**Section One** examines the underlying causes of the strains within the union and argues that a reformed union for the 21<sup>st</sup> century needs a new shared purpose and must resolve England's role within it.

**Section Two** shows how Labour defeats have been closely linked to its inability to respond to the growing importance of nation and identity in the politics of the UK. English national democracy in the form of English Votes for English Laws can help Labour in England and, by unlocking a reformed union, in Scotland too.

**Section Three** sets out how FPTP has exacerbated tensions within the United Kingdom, giving an unrepresentative government elected largely in England dominance over the whole union, and keeping England as the most centralised nation in Europe. It outlines how Labour will be unable to implement its policies unless power is devolved from the union state in Whitehall to all the nations and localities of the United Kingdom and why this inevitably means embracing the politics of pluralism.

**Section Four** argues that changes to the UK constitution, including English national democracy within a proportionally elected Commons can, with other incremental changes, bring in a new union that will be more open to progressive and pluralist politics.

**Section Five** looks at how Labour could win support for radical change in its next manifesto.

## **SECTION 1**

# **The future of the union and the English question**

It should go without saying that there is little point in ‘saving the union’ because of what it may have represented in the past. The union can and should only continue if it represents shared aims, values, and purpose for the 21<sup>st</sup> century. Certainly, the great challenges of the transition to zero-carbon, building a post-Brexit economy and of creating a society that is inclusive and prosperous would all be easier in a union that works for all its parts and all its people. Although nationalists will argue that the British union state cannot be reformed, the depth of family, social, economic and institutional relationships across the United Kingdom, the importance of fiscal solidarity between its wealthier parts and the rest, and the sheer practical ease of daily life within the union should all impel us to show that change is possible.

It is important to appreciate that break-up through secession is not the only threat to the union. It is equally possible that the UK simply staggers on in a fractured and unhappy state in which millions of people feel no investment in its long-term success. Being ‘British’ no longer provides a unifying identity across the union. In the second referendum sought by the SNP the balance of power in Scotland would lie with some voters who favour independence but worry about its costs and other voters who favour the union but resent Johnson’s domineering ‘English’ government. Polling in Northern Ireland falls well short of triggering a ‘border poll’ on reunification, but as Brexit accelerates the North’s integration into the Republic’s the long-term future of the province is not certain.<sup>9</sup> Support for Welsh independence reached nearly 40% in one poll in 2021.<sup>10</sup> The observation of former first minister Carwyn Jones that ‘the emotional hold of the union has been broken’ may apply far more widely than in Wales. It is not only Scotland, Northern Ireland and Wales that have many ‘union-sceptics’. ‘Devo-anxiety’ – the belief that devolution has been damaging and unfair to England – is widely shared amongst English-identifying and Leave voters (who also prioritised Brexit over the future of the UK).<sup>11</sup>

An unhappy union might satisfy those English Conservatives who equate the union with the dominance of England, but it would be an uncomfortable place for the left. Progressive politics depends on a level of unity, of shared commitment and shared ambition, that is sadly lacking across today’s United Kingdom. This paper aims to show how the conditions for that shared purpose can best be created.

### **The tensions that threaten the union**

The forces that once held the union together are weakening. Nationalist and separatist politics are more a symptom than a cause of deeper challenges to the union itself. At their heart lies the conflation of the governance of the union with the governance of England. At one and the same time a government based almost entirely in England dictates its terms to the rest of the union while England itself is badly governed by a centralist union state.



The union has always accommodated asymmetric understandings of its nature.<sup>12</sup> England could regard the union as the institutional extension of English interests and institutions, underpinned by the supremacy of parliamentary sovereignty. Scotland could believe it was a union of consent that respected Scotland's national, religious, education and legal identity. In Scotland parliamentary sovereignty, though acknowledged in practice, was never entirely conceded as a principle. Wales, long integrated into the governance of England, sustained its identity through language, church and chapel.

The obvious tensions between Anglocentric and Scottish unionism could be managed so long as they shared a greater interest in a common endeavour. The joint enterprise of empire brought profits to both. More recently, the post-war unitary state fashioned by the Atlee government fostered a British national economy and shared British interest in a successful state.<sup>13</sup>

These material interests both sustained and were sustained by an Anglo-Scottish elite that prospered most from empire and the prosperity of the union. It shared economic, cultural and political interests and, while never without conflicts, shared a view of the importance of the union. Post war, the same elites, though further fractured by finance, industry and trade, still shared a clear interest in the economic and political success of the union, although increasingly saw the national interest as European.

The ambiguity of the union never worked for Ireland, leading to partition in the 1920s. Despite the close links between Conservatism and Unionism, and Labour and the SDLP, Northern Ireland was never fully integrated into the politics of the rest of the UK.

On the island of Britain, unionism was sustained by a distinct 'British' politics. The political parties each internalised different English, Scottish, and Welsh perspectives within a British politics in which elections in each nation of Britain were contested by the same (two) parties on broadly the same issues.

These conditions no longer exist. There is no empire. Support for a centralised unitary British state is at a low ebb. The fragmentation of British politics was already emerging in the 1960s. Scottish nationalists won a by-election in 1967 only eight years after Labour had first gained a majority of Scottish MPs. The Welsh language movement fostered a distinctive Welsh nationalism and gave the nation's politics a Welsh dimension. In Northern Ireland the unsatisfactory post-colonial settlement was re-opened, leading to years of conflict.

Globalisation, financialisation and the restructuring of the UK economy have weakened the sense of a distinct British national interest. The Conservative Party no longer represents an identifiably British economic elite, nor is Labour the unchallenged voice of a unified British

working class. British politics seems to be dying. The last three general elections saw British nations contested by different parties, often on different issues, and different parties have 'won' in each. To many English people, at least, the different national responses to Covid revealed for the first time the practical impact of divergent politics. As we shall see in section three, the extent of the divergence between the politics of each nation is exaggerated by the FPTP electoral system, but it is, nonetheless, real and an entrenched feature of the UK's politics.

## England and the union

Devolution to Scotland and Wales by the New Labour government was intended to take the energy out of nationalism. One minister talked of 'killing Scottish nationalism stone-dead'! While the pressure for devolved national democracy was irresistible, Labour's mistake was to believe that a one-off change would stabilise the union. Labour had no long-term vision for the United Kingdom.

From 19<sup>th</sup> century Irish Home Rule debates to the Kilbrandon Report in the 1970s, England has been seen as too big to have a government or democracy of its own. England's size, it was claimed, meant that English institutions would overwhelm and fracture the union. This assumption must now be challenged.

Twenty years of devolution have made England's size and influence more, not less, obvious. Its weight is no longer concealed within a UK government but is made more obvious by it. The changed economic, political, and social conditions now allow a uniquely England-based politics to dominate the union in a way that has never happened before. In the eyes of many the union is now synonymous with a London-based Anglocentric state that has been unable to respond to the realities of devolution.

The demise of British politics was starkly highlighted when the SNP won control of the Scottish Parliament and then came to dominate Scotland's Westminster representation. It has been made far worse by Boris Johnson's Conservatism. This Conservatism is best characterised as Anglocentric British Nationalism. It promotes the union, not England, but it takes the Anglocentric view that the union's interests are the same as the interests of England. It makes no concession to the Scottish, Welsh, or Northern Irish views of their particular interests in the union.

This has been clear in the implementation of Brexit. No respect was shown to Northern Ireland or Scotland, which both voted against Brexit, or to case of Leave-voting Wales, which has criticised the way Brexit has been handled. In the negotiation of the flawed Northern Ireland Protocol, Northern Ireland was first lied to, then treated as a marginal concern and then as a political football. In drafting the Internal Markets Act the UK government over-ruled the concerns of Wales and Scotland.<sup>14</sup>

It is a paradox that, despite the ascendancy of Anglocentric British Nationalism, England remains the most highly centralised nation in Europe and one of the most badly governed. The limited and conditional powers of mayors and combined local authorities hardly touch the deeply embedded centralist culture of Westminster and Whitehall that can be traced back to empire and the post-war unitary state. The constitution conflates union government with the government of England and imposes a London-centric view of both.

Twenty years after English domestic policy on health, education, transport, social care, childcare, agriculture and many other issues was separated from that of the devolved nations, these policies remain the responsibility of the union government. England has neither a senior minister nor a committee of ministers, nor a committee of civil servants that is responsible for coordinating English national policy. It has no machinery of accountable government. One reason that policy so rarely seems 'joined up' is that there is simply nowhere at the centre of England's governance that attempts to join it up.

The cumulative impact is to sustain a union in which the UK government reflects an English view of what is best for all. The UK Cabinet includes many members whose responsibilities lie almost exclusively in England. Yet the Cabinet both lacks a focus on England as England and confuses English interests with those of the UK. England's health and education ministers sit in the UK Cabinet, but those with equivalent responsibilities in the devolved nations have no representation. The essential coordination of policy between the devolved administrations and the union government in London has largely broken down, as even the Government's own Dunlop report confirmed.<sup>15</sup>

This constitutional mess does not work for anyone. An English-dominated union government imposes English Conservative priorities on all. England itself is badly governed: centralised with an imbalanced economy, underfunding its poorer regions and shorn of entrenched democratic rights to determine policy at any level. The deep fracturing of English society that was apparent in the Brexit vote cannot be healed in a nation that has no forum or institutions in which its future can be debated.

For the union to have a future, union governments in Westminster must be constrained from imposing Anglocentric British nationalist priorities on the whole of the union. At the same time, England needs to be able to function as a democratic nation with the union. To avoid the twin dead-ends of break-up or unhappy stasis, the United Kingdom must evolve to feel more like a union of nations than a unitary British state.<sup>16</sup>

In section four we set out the key changes that must be made. But first we need to understand why Labour has failed to negotiate the politics of a devolved union.

## **SECTION 2**

# **Labour and the politics of nations**

Every Labour defeat after 2005 hinged on a failure to frame Labour politics within a clear vision of nation and nations: their people, what they stood for and what their future would be.<sup>17</sup> The left has lost battles about what is to be British, to be English or to be Scottish in the 21<sup>st</sup> century. Preferring to talk of anything but nation and identity, Labour opposed Scottish independence on narrow economic grounds but conceded the progressive debate about Scotland's future to the nationalists. Labour's failures were crystalised in 2015: facing wipe-out in Scotland it was simultaneously unable to answer Tory claims that a minority government would hand power to the SNP.<sup>18</sup> The issue helped deliver David Cameron a surprise majority and the country was plunged into the EU referendum. Labour again fought on narrow economic grounds, failing to address the core issues of nation, identity, democracy and sovereignty that worried many voters.

Welsh Labour has developed a politics that is progressive and distinctly Welsh, pro-union but demanding of reform. The rest of the Labour Party has shown remarkably little interest in its one beacon of success.<sup>19</sup>

Scottish Labour wants to project itself as best for Scotland but is too often drawn into a status quo defence of the union. It will be impaled on the constitutional question so long as Scotland lacks clearly defined national rights and is excluded from influence within a union dominated by an Anglocentric British Nationalist Conservative party.<sup>20</sup>

Beyond vague platitudes, Labour has nothing to say about how England is governed at national level and little about the devolution of power within the nation. Labour routinely calls England 'Britain' and is frequently unable to distinguish between England, Britain, the union and the United Kingdom.

Labour's challenge in England is amongst voters who identify as English and have a heightened sense of English democracy and English interests. Two decades ago, voters who were 'more English than British' were more likely to vote Labour than Conservative. In 2019, the Conservatives took 68% of their votes. They lead Labour by 20% amongst the 'equally English and British'. (Remarkably, Labour actually beat the Conservatives narrowly in 2019 amongst the 'more British than English'.)<sup>21</sup>

These voters want political parties to stand up for English interests. They want English MPs to make English laws. Their strong sense of national sovereignty led most to vote Brexit, and their social conservatism was reflected in their greater concerns about immigration.<sup>22</sup> This may make uncomfortable reading for some activists, but Labour must win back a substantial number of these English-identifying voters.

Labour refused to engage constructively with the concerns of these voters even while it was steadily losing their support. Polling in 2010 showed that ‘more English than British’ voters were less supportive of the union, more worried about immigration, more Eurosceptic and wanted to defend national sovereignty.<sup>23</sup> Some had always been Conservative, but a growing number were working-class former Labour voters who drifted away from 2001 onwards as Labour seemed increasingly out of touch with their concerns about economic and social change. English identifiers provided the bulk of the vote that took the UK out the EU and swung decisively behind Boris Johnson in the ‘Get Brexit Done’ election of 2019.

That trend was briefly halted in Jeremy Corbyn’s first election in 2017. All parties promised to uphold Brexit and, as a result, sovereignty and immigration were less salient issues. A radical Labour message on economic and social policy attracted back at least some lost English voters only to lose them again even more disastrously in the election of 2019.

Despite this sad history, a clear appeal to England could still help Labour win. Talking about England and about people who are English is not enough, but it is essential. While issues of policy, competence and values are of great importance, identity is an essential part of any political relationship.<sup>24</sup> When Labour ignores England and Englishness or, worse, sneers at and disparages both, it creates a barrier of distrust that is hard to overcome. And Labour needs to understand that behind the anger that led to Brexit lies a deep-seated demand to be heard that can be mobilised for radical and democratic reform.

Most of the voters Labour needs are left of centre on issues like social ownership and the welfare state. They don’t believe the country is run in their interests. Concerns about immigration have softened. Brexit has been ‘done’ but done badly. There is no sign of a ‘levelling up’ and money for the NHS is coming from working people, not savings from leaving the EU. But an appeal on policy is not enough. Labour must talk about England.

### **English votes for English laws**

The party’s appeal can be civic and democratic as well economically radical. It must address English voters’ desire to see institutions of English national democracy. England needs a machinery of government, ministers to lead it and proper parliamentary accountability. By far the most popular option for change is for English laws to be made by MPs elected from England. English Votes for English Laws (EVEL) receives overwhelming support from the ‘more English than British’ and the ‘equally English and British’. But EVEL also has majority support amongst the ‘more British than English’. While the case for English nationhood is barely articulated by any leading political figures, a majority of all England’s votes have steadfastly expressed support for EVEL for 20 years.<sup>25</sup>

After the Scottish referendum in 2015, David Cameron promised that EVEL would 'give a voice to millions of English people'. The complex and bureaucratic procedure finally introduced attracted little interest.<sup>26</sup> Labour could have exploited the new mechanism to debate the state of England but chose not to.

Labour was clinging to a defence of Westminster parliamentary sovereignty, but this very English view of the union is increasingly outdated. It was never conceded in Scotland, and devolution has undermined Westminster's sovereignty in practice if not in principle. Faced with uncertainty and an increasing reliance on the Supreme Court to determine constitutional law, the Welsh Labour Party published '*We the people: the case for radical federalism*' which at least implicitly questions the idea of a single sovereign union Parliament.<sup>27</sup>

Labour also worried that EVEL created a two-tier Parliament with different classes of MPs, but this too was an out-of-date concern. It was devolution to Wales and Scotland that gave Welsh and Scottish MPs a right to make laws for the English NHS, when English MPs cannot legislate for NHS Scotland. And Labour clings to the out-dated fear that allowing England its own distinct national institutions would overwhelm the rest of the union. As we have seen, it is the conflation of the governance of England with that of the union that actually now enhances England's dominance. EVEL was abolished in 2021 as part of Boris Johnson's drive to assert the primacy of union institutions over the nations.<sup>28</sup> Although it was an ineffective procedure that will not be mourned, the abolition of EVEL creates a huge opportunity for Labour to appeal to England's voters.

Labour should now promise to introduce a fully fledged EVEL in which English MPs make England's laws at every stage. This would be part of a wider process of constitutional reform that gives the currently devolved nations defined rights and a role in the governance of the United Kingdom. Taken together, those changes would also enable Scottish Labour to make its case to be the best party for Scotland within a union that meets Scotland's needs.

There has been, of course, a more naked reason for resisting EVEL and any English institutions. Labour, in its heart of hearts, increasingly believes that it can never win England again. Even though all majority Labour governments but two have enjoyed English majorities, the loss of former safe Labour seats since 2005 has convinced many that any English national democracy must mean permanent Conservative dominance.

This pessimistic (and profoundly anti-democratic and unprincipled) point of view rests on the assumption that English democracy must be based on FPTP. For Labour the election of England's MPs on a proportional basis would help mitigate fears that England would always be dominated by the Conservatives. In the past four general

elections the Conservatives have always polled less than half – 39.6%, 41%, 45.4% and 47.2% – of English votes. While there can never be a guarantee against other parties putting the Conservatives in power, as happened in 2010-2015, reform will prevent England being dominated by the Conservatives on a minority vote and increase the likelihood of a government for England in which Labour is the most powerful party. Labour must do better in England and, in particular, it must win the support of English-identifying voters across a range of policies. Support for EVEL is overwhelming amongst these voters and Labour would be going with the grain of the voters it most needs to win.

Less narrowly, the electoral system plays a major part in the troubles facing the union, and its reform is key to enabling the union to have a stronger future.



## **SECTION 3**

# **FPTP, pluralism and the threat to the union**

The United Kingdom needs to evolve from a unitary state, through its current phase as a partially devolved polity, towards something that feels much more like a union of nations with shared institutions, rights and obligations. If it doesn't, the union will either break up or reach a dysfunctional and unhappy stasis.

The union needs a shared purpose for the 21<sup>st</sup> century that can only be found in shared challenges that can be met more easily together. These include the transition to zero-carbon and mitigation of climate change, building a post-Brexit economy, and ensuring inclusive prosperity across the union. Delivering these shared aims will need collaboration between the nations and the government of the union. But they need to be developed and expressed within the Westminster Parliament also. An electoral system that magnifies differences and minimises common ground is a threat to the union itself.

FPTP disproportionately favours parties that combine public support with a geographical concentration of voters sufficient to win seats. Strong public support spread too thinly wins few seats: the traditional fate of the Liberal Democrats now suffered by the Green Party. Too much geographical concentration and votes are 'wasted' in excessive majorities, the current fate of Labour in metropolitan constituencies.<sup>29</sup> When a party is both in the ascendant and has its votes in the right places, FPTP will always exaggerate its level of support.

Labour, of course, has benefitted from FPTP, including in England – most recently in 2005, when it polled 0.3% fewer votes than the Conservatives but won 92 more seats. Its 42% vote share in Scotland in 2010 yielded 70% of the seats. In Wales in 2019, 41% of the vote gave it 55% of the seats.

The arguments between FPTP and more proportional systems have been widely rehearsed but relatively little attention has been given to the impact of FPTP on the politics of the union. The different nations have increasingly developed their own distinct political identities. This seems unlikely to change in the foreseeable future. But FPTP has unhelpfully exaggerated the political differences, making England appear much more Conservative, Scotland much more SNP and Wales much more Labour than their real electorates.

English Conservatism has been able to impose its will on the entire union without once gaining a majority of the votes cast in England and while badly losing Westminster elections in Wales and Scotland. Even in the crushing defeat of Labour in 2019, Boris Johnson won just under 50% of England's votes, but gained 65% of English seats. The Conservatives' majority in England of 158 supports a UK majority of just 80. England's size will always give its MPs the most weight within the union, but FPTP makes that weight vastly disproportionate.

The union Parliament gives a distorted picture of the politics of the union. There are, for example, only 11 Scottish MPs out of 59 to speak from Scottish unionist parties (1 Labour, 4 Liberal Democrat and 6 Conservative) who collectively represent over half of Scottish voters. British politics is in decline, but not to the extent that a look at Westminster might currently suggest. This matters because, even in a union of nations, the union Parliament will be the crucial forum for the debate of United Kingdom issues. Westminster frequently gives the impression that Scotland is united in its hostility to the union and that the English view of the United Kingdom is the only one that matters.

By exaggerating the strength of the Conservative Party in England and the SNP in Scotland it exacerbates the tensions between the union state and the devolved nations. It worsens relations between the nations by keeping in place an unrepresentative and largely England-based Anglocentric British Nationalist Conservative government. At the same time Labour won't back a more democratic England for the entirely unprincipled reason that it might not win.

Defenders of FPTP argue that it can more often deliver clear cut majorities.<sup>30</sup> However, this culture of 'winner takes all' fosters the view that there is only one centre of power – in Westminster where FPTP delivers its majority. In this way FPTP reinforces the centralising instincts of the union state. While in principle a government elected by FPTP could introduce devolution – as Labour did for Scotland and Wales – the repeated history of failed English devolution and the current attempts to roll back the 1997 settlement are clear evidence of the Westminster and Whitehall desire to hold on to power. The winner-takes-all culture is how England is governed at present and how Johnsonian Conservatism seeks to impose its will on the rest of the union.

Once significant power has been devolved it creates a challenge to the power of the centre. In the current settlement the First Ministers of Scotland, Wales and Northern Ireland are democratically elected leaders with their own legitimate power and autonomy. They have a right to be respected and to enjoy a collaborative relationship with Whitehall and Westminster. The same is true, though to a far more limited extent, with local authority leaders and elected mayors in England. In practice the centre clings to power because, under the culture of FPTP, the centre claims it is the only real source of democratic legitimacy. This is a fundamental reason why relationships between Whitehall and the devolved administrations are so poor and why 'devolution' in England is so tightly controlled from the centre.

National elections to Scottish Parliament and the Welsh Senedd have shown that more proportional systems do not prevent the most popular party exercising most power. But the largest party has usually had to govern in partnership with others or to gain support from other parties for parts of their programme. Proportional systems inevitably

require a measure of collaborative pluralist politics that is absent from FPTP. The case for electoral reform usually rests on the need for an electoral system where ‘every voice is heard, every vote is valued equally, and every citizen is empowered to take part’.<sup>31</sup> It should now be clear that a reformed electoral system for the Westminster Parliament is also essential to reduce the distortions of power and representation within the United Kingdom and the relationships between the its government and its nations.

### **Pluralism in a devolved and multi-nation union**

There is a second reason for embracing the politics of pluralism that is not strictly related to the electoral system. Those on the left who want to see more power devolved from Whitehall must embrace pluralist politics as a necessity. Decades of centralist politics have failed to deliver just social and economic outcomes across the union and, for all the rhetoric about ‘levelling up’, they will fail in the future. Labour can only deliver its ambitions if it takes a different approach to its statecraft.

Only a radical decentralisation can enable localities and nations to shape their own communities and economy. Labour must disperse and devolve power to nations and localities. At the same, Labour needs to find the mechanisms that can coordinate with devolved institutions across the UK. Meeting zero-carbon targets can be delivered neither from the centre nor simply through devolution: leadership means finding effective ways of coordinating those empowered institutions.

England’s localities need to develop the institutions they need for their areas. Rather than imposed structures from London (regions drawn up in Whitehall departments or London think tanks), local councils and combined authorities should have a statutory right to draw down defined powers and resources from the centre. They should also be enabled to form broader sub-regional or regional structures as needed to tackle challenges at that level. A bottom-up approach will enable local institutions to develop and entrench public support. Disappointing though it may be to those of us who advocate English devolution, it is important to acknowledge that polling consistently shows rather half-hearted support for empowering localities. English devolution must be given time to become embedded in local institutions that gain popular support then legitimacy. This is a further reason for building up from localities and institutions people recognise and not imposing from above.

With devolved nations and devolved localities, representatives from different parties will win inevitably elections in different parts of England, Scotland, Wales and Northern Ireland, and in local government in those nations. Central government must recognise and respect the legitimacy and autonomy of those who win power locally and at national level. A Labour government could not empower the Labour mayor

of Manchester without also empowering the Conservative mayors of Tees Valley and the West Midlands. It could not give more favourable treatment to Labour Wales than to an SNP Scotland. In a devolved polity the art and craft of government will be less about pulling levers at the centre and more about leading and managing collaborations across these diverse centres of power and different politics. Understanding that the future must be pluralist is essential.

## **SECTION 4**

# **Towards a union of democratic nations**

In political reality there is unlikely to be a single 'constitutional moment' that resets every part of the union constitution. Any attempt to settle every issue from sovereignty to finance, from parliamentary representation to the rights of the nations, from the current Westminster to an English Parliament, and to gain public and parliamentary support, would be doomed to fail. Such a radical new start is only possible in countries that have been invaded, had a revolution or won independence. In long-established democracies, and certainly in Britain, incremental change is a far more familiar process. While deliberative constitutional assemblies and similar initiatives can provide valuable insight into the types of change that make most sense to the public, they can only be used to inform debate. An incoming Labour government will be impatient to begin tackling the legacy of a dozen years of Conservatism and will not want to have an extended period of constitutional reflection.

Instead, Labour should advocate a series of incremental steps, some of which put into place immediately after an election, that over time move the union from a unitary state towards a union of nations. This process can be called 'strategic incrementalism'. The direction of travel is clear, but each reform can be justified in its own right. Each further form will be built on the changes that have gone before. In time New Labour's devolution will be understood as one stage in that process, rather than the one-off reform that was imagined at the time.

There will be four key, early steps in this 'strategic incrementalism'.

Firstly, the rights of the devolved nations to exercise their own powers need to be defined in statute and mechanisms for cooperation across the union, and their rights to shape union policy must be put on a legal basis.

Second, the machinery of government for England must be delineated from the union, with a Cabinet Committee and civil service structure focussed solely on England and answerable to a Secretary of State for England.

Third, a coherent system of national government for England will and must facilitate radical devolution from Westminster and Whitehall.

Fourth, a consultative Senate of all the nations (including England), the UK government and local government from across the union should be created. This could be as a replacement for the House of Lords, although its establishment should not be delayed by Lords' resistance.

Over time, we can expect the new institutions to evolve further. As the initial reforms bed down, support can be won for further change.

Strategic incrementalism should advocate a reformed electoral system, endorsed by a referendum that should take place in time for the new

government's first general election. Electoral reform would require the development of a more pluralist politics within the institutions of the union. But far from being disruptive, this is a change that will have to take place anyway if power is going to be more widely dispersed across the union.

The reformed electoral system would ease the introduction of the full system of English Votes for English Laws that is backed by most voters in England. The simplest, and most popular, way of doing this is to evolve the Commons into a dual-mandate parliament. (This can be done by resolution of the Commons and does not affect the rest of the devolution settlement.) As a dual-mandate parliament the Commons would sit at times as a parliament for the whole of the United Kingdom and be the crucial forum for all those union-wide issues – macro-economy policy, fiscal solidarity, trade, foreign policy, defence, zero-carbon transition, and social and economic inclusion – in which the nations will share a common interest. At other times, the Commons would consider England-only business; legislating (delivering English Votes for English Laws), holding ministers to account and providing a forum for national debate. It would bring English law-making into line with Scotland, Wales, and Northern Ireland whose legislatures are already elected proportionately.

As this legislature for England developed, and England gained its own Secretary of State, it would aid the formation of a new form of UK government in which all four nations were represented, irrespective of party. The UK Senate could initially be established without abolishing the House of Lords, but in due course would come to replace it.

As relations between the nations of the UK improve and the politics of pluralism become embedded, it is possible that the UK Cabinet might include only ministers with union responsibilities and to include the first ministers of the nations and the secretary of state for England.

Over time, a new UK-wide, needs-based, fair funding system for localities and nations should replace the flawed Barnett formula. However, this could only be done by levelling up the underfunded regions of England, and Wales as a nation and not by cutting support for Scotland or Northern Ireland. It is a process that would require far greater trust between the nations and the UK government than exists today

The rights of the nations to shape union policy and to exercise their own powers might be 'entrenched', ensuring that they cannot simply be removed by a narrow parliamentary majority and preventing legal appeals to parliamentary sovereignty being used to overturn decisions. This would be a transition from the sovereignty of the Westminster Parliament towards a dispersed and popular sovereignty that might, at some point, be codified in a legal constitution.



Far from undermining the union, the creation of an English machinery of government – and of a proper English democracy by allowing English MPs to make English laws – would, as part of a system of union-wide incremental reform, allow the possibility of a stronger union.

## **SECTION 5**

# **Labour's next manifesto**

As the general election approaches, Labour will need to outline its approach to the issues we have discussed here. There is good reason to believe that, properly presented, the reforms advocated here would strengthen the popularity of Labour's manifesto.

Pluralism - the willingness to work with other parties where they exercise democratic and legitimate power - also runs with the grain of public opinion across the union. Labour could present this as a decisive change from the way it has governed before.

Putting relationships between the devolved nations and the union government on a statutory basis will make sense to these voters and cause little concern in England.

England's MPs making English laws is already supported by a settled majority of England voters, who also want improvements made in the way that England is governed at national level. Creating an English machinery of government, an English Secretary of State and consulting on the creation of a dual-mandate Parliament after the next election would be popular in England.

While support for top-down devolution within England gets relatively muted support from the public, enabling local bottom-up devolution, by right, goes with a general public desire to see more decisions taken close to home.

Strategic incrementalism also allows Labour to set out its direction of travel, while only asking voters to endorse reforms that would actually be delivered in the first Parliament.

The vision of a union of nations is already shared by Labour in Wales and must, surely, appeal to the key section of Scottish voters who want a strong nation but are not committed to independence.

Labour's manifesto needs to go no further than to commit to a referendum on changing the voting system for Westminster, ensuring that the public will get the final say.

Taken together, these reforms will create new opportunities to resolve the challenges that stem from England's inescapable size that lie at the root of current threats to the union. Labour's new approach will allow time to develop the shared objectives, common ways of working and trust between the nations that are lacking today.

# Endnotes

- 1 The resolution was lost on trade union votes but the Political Conference of the United Kingdom has since voted to embrace reform, suggesting that a re-run of the vote would now win conference.
- 2 John Curtice, 'How Do People in England Want to Be Governed?', in Michael Kenny, Iain McLean and Akash Paun (eds.), *Governing England: English Identity and Institutions in a Changing United Kingdom* (British Academy), 2018.
- 3 Indeed, unlike the devolved nations, England also does not have a proportional system for local government, and mayoral elections will in future revert to FPTP.
- 4 Labour's current constitutional discussions also include references to English 'regions', a concept that is either nebulous or a re-run of the regional policy that failed to gain public support last time Labour was in power.
- 5 Two reports that have addressed English issues are from the [Constitution Reform Group](#) and the [Constitution Unit](#).
- 6 Including [UK 2070 Commission](#), [IPPR](#) and [LIPSIT](#). All say they are addressing the UK but in practice are focussed almost entirely on England.
- 7 'A mess of pottage? North of Tyne devolution criticised by professor', *Northumberland Gazette*, 20 January 2018, <https://www.northumberlandgazette.co.uk/news/a-mess-of-pottage-north-of-tyne-devolution-criticised-by-professor-400751>; Mark Sandford, 'Is this the way to English devolution? Voice, delegation, levelling up?', *UK in a Changing Europe*, 6 September 2021, <https://ukandeu.ac.uk/english-devolution/>.
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- 11 See, for example, Ailsa Henderson and Richard Wyn Jones, *Englishness: The Political Force Reshaping Britain* (Oxford University Press), 2021.
- 12 Paun, 2018.
- 13 David Edgerton, *The Rise and Fall of the British Nation: A Twentieth Century History* (Penguin), 2019.
- 14 Nicola McEwen, 'The Internal Market Bill: implications for devolution', Centre on Constitutional Change, 11 September 2020, <https://www.centreonconstitutionalchange.ac.uk/news-and-opinion/internal-market-bill-implications-devolution>.
- 15 *The Dunlop Review into UK Government Union capability*, UK Government Cabinet Office, 24 March 2021, <https://www.gov.uk/government/publications/the-dunlop-review-into-uk-government-union-capability>.
- 16 The argument for the delineation of England's governance from that of the UK is set out in more detail in my [evidence to the Lords Constitution Committee](#), although this submission did not consider electoral reform.
- 17 John Denham, 'The purpose of patriotism', *Renewal* 29/4, <https://renewal.org.uk/nationhood-and-belonging-the-purpose-of-patriotism/>.
- 18 Tim Ross, *Why the Tories Won: The Inside Story of the 2015 Election* (Biteback), 2015.
- 19 Mick Antoniv, Counsel General of Wales, 'Progressive Patriotism – lesson from Wales?', Centre for English Identity and Politics, YouTube, 3 December 2021, <https://www.youtube.com/watch?v=soRdhB4vcMQ>.
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- 21 John Denham and Lawrence McKay, 'England: the forgotten nation that remade the politics of the UK', *Prospect*, 14 June 2021, <https://www.prospectmagazine.co.uk/politics/england-the-forgotten-nation-that-remade-the-politics-of-the-uk>.
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- 30 Its failure to do so in 2010 and 2017 was one symptom of the decreasing influence of 'British' politics which may make clear-cut majorities less likely in future.
- 31 Electoral Reform Society, 'What We Stand For', <https://www.electoral-reform.org.uk/who-we-are/what-we-stand-for/>.

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