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Bakalářská práce

Proces devoluce ve Spojeném království (vývoj a srovnání situace ve Walesu, Skotsku a Severním Irsku)

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The process of devolution in the United Kingdom (development and comparison of the situation in Wales, Scotland and Northern Ireland)

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Vedoucí práce:

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Prohlašuji, že jsem práci zpracovala samostatně a použila jen uvedených pramenů a literatury.

Plzeň, duben 2012 ....

Ráda bych poděkovala vedoucímu práce PhDr. Vladimíru Naxerovi za věcné připomínky, rady a odborné vedení.

I would also like to thank my husband for being ever so supportive and great.

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1 INTRODUCTION

The United Kingdom of Great Britain and Northern Ireland is a sovereign unitary state consisting of two main parts: the island of Great Britain, and the north-eastern part of the island of Ireland. The United Kingdom (as the country is usually referred to) is a constitutional monarchy and parliamentary democracy with four main regions: England, Wales, Scotland, and Northern Ireland. The United Kingdom is governed on the basis of devolved government with Her Majesty's Government based in London as well as the devolved administrations of Wales, Scotland, and Northern Ireland implementing executive power. Legislative power in the country is exercised by the Parliament of the United Kingdom, the Scottish Parliament, and Welsh and Northern Irish assemblies. The process of devolution in the United Kingdom is the main focus of this bachelor's thesis.

It is possible to say that prior to devolution, the United Kingdom was one of the most (if not the most) centralised states in Western Europe[1]. Since 1998, however, the constitutional structure of the United Kingdom has undergone some significant changes, with devolution being the most radical of them. Devolution – the process involving the transfer and subsequent sharing of certain powers between the superior central political institution and the inferior regional authorities – in the United Kingdom was the most remarkable constitutional change the, in general politically rather conservative, country has undergone since the Great Reform Act of 1832, due to devolution interconnecting two seemingly conflicting principles – the sovereignty and supremacy of the British Parliament, and the autonomous self-government of the three devolved sub-national units of Wales, Scotland, and Northern Ireland (Bogdanor, 1999, p. 2). The units are now responsible for enforcing primary and delegated legislation in a variety of areas, such as health and safety, and education, with other matters, for example defence, remaining under the control of the supreme Parliament in Westminster.

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[1] House of Commons, 2009. *Devolution: A Decade on – Justice Committee Contents.* [online] Available at: http://www.publications.parliament.uk/pa/cm200809/cmselect/cmjust/529/52904.htm [Accessed 28 December 2011].

The British system of devolution is also unique in its asymmetry with the particular units disposing of various autonomous powers and exercising those on different levels and in diverse forms without any common pattern. Scotland, for instance, has a Parliament, which has the power to pass Acts as well as to adjust the rate of income tax, and an Executive, which can make secondary legislation in devolved areas. The Westminster Parliament can, however, upon a request of the Scottish Parliament, legislate in devolved areas. The main political authority of Wales is the National Assembly for Wales with no de jure separate executive and legislature, which can make delegated legislation in devolved areas. The primary legislation in those areas is, nonetheless, still made by the Westminster Parliament. Finally, in Northern Ireland, both primary and delegated legislation in devolved areas is made by the Northern Ireland Assembly with the Westminster Parliament legislating in "expected" and "reserved" areas. This is a division entirely unique to Northern Irish devolution (Leeke, Sear and Gay, 2003, p. 3).

As far as the aims of this bachelor's thesis are concerned, the two main objectives are to analyse the particular changes the political system of the United Kingdom has undergone since the topic of devolution re-entered the political agenda in 1974 after Labour´s victory in the general election, and to describe and compare the development of the process of devolution and its outcomes in Wales, Scotland, and Northern Ireland. Special attention will be paid to the comparison of the differences in the autonomy and exercise of powers in the particular regions. The possible future development (especially the question of Scottish Independence) of the regions will also be discussed.

In the second, theoretical, chapter of this thesis, the matter of devolution and decentralisation, and its principles will be explained. Special attention will be paid to the specific features of devolution in the United Kingdom. The relationship and the conceivable connection between decentralisation and regionalism (as well as nationalism) in the United Kingdom will also be touched upon in this section.

In the third chapter, the historical development of the distribution of power in the United Kingdom in the context of (de)centralisation will be outlined.

The following part of this bachelor's thesis will be concerned with the analysis of the process of devolution in the United Kingdom. The author will focus on the period from

1974 and then mainly on the course of events following the 1997 Labour victory in the general election, which was crucial to the process of devolution in the country. The reasons, which had led the politicians and the residents of the regions to demand devolution as well as the circumstances under which the central government agreed to devolution being implemented, will also be analysed.

In the fifth chapter, the process of devolution and the level of decentralisation of Wales, Scotland, and Northern Ireland will be explained. Furthermore, the different degrees of self-government in the particular regions will be compared and the newly established regional representative bodies and their acquired powers and competencies will also be described. Finally, this chapter will also include a section on nationalist subjects pursuing a higher level of autonomy, the right for self-determination, or even promoting the concept of full independence of the regions.

In the final part of the thesis, the author will attempt to evaluate the success of devolution in the United Kingdom on the central as well as on the regional level, and to state whether (and to what extent) the expectations of the representatives and the citizens have been fulfilled. Moreover, the possible future devolutionary development of the regions will be discussed.

While conducting the research necessary for the factual basis of this bachelor's thesis, the author employed a variety of well-accessible sources, the majority of which were publications issued within the United Kingdom and concerned either with the process of devolution itself (Aughey 2001, Bogdanor 1999, etc.) or with the particular levels of devolution in the regions (Denver 2000, Murkens ed. 2002, etc.). Various governmental websites as well as reports on devolution, its elements, and its real life impact were also consulted. As far as the author is concerned, those sources, even though they were issued within this thesis' country of interest, offer a sufficiently analytical approach to the topic.

Moreover, in terms of the sources utilised in the writing of this thesis, the author found printed sources to be very helpful while working on the more theoretical chapters, whereas primary sources (such as government websites and those of the major political parties and the devolved administrative bodies), journal articles, and newspaper articles were useful for the research of issues concerning the contemporary development of the

devolution process. This is due to the fact that, given that the process is still in progress, printed sources tend to date very quickly (this, in particular, applies to the issue of Scottish independence, which is currently being discussed in the media on a daily basis, as momentum builds toward a proposed independence referendum in what could be the watershed year of 2014).

The author´s primary motivation for choosing the topic of devolution as the topic of their bachelor's thesis was their immense interest in the issue of devolution and nationalism in Wales, Scotland, and Northern Ireland, as well as its connection with their field of study (International Relations – British and American Studies), to which, in the author´s opinion, the knowledge of the process of devolution in the United Kingdom is rather key. This is due to the amount of constitutional and societal changes it has brought, and their possible implications for the future development of the country on the state as well as international level.

2   DECENTRALISATION AND DEVOLUTION

To fulfil the objectives of this bachelor's thesis, it is essential to generally define the key terms – decentralisation and devolution, and to explain their fundamental principles. Firstly, the terms decentralisation and devolution will be explained and analysed, secondly, the specific features of devolution in the United Kingdom will be discussed. The final part of the chapter will focus on the conceivable connection between decentralisation and regionalism (or nationalism).

2.1   DECENTRALISATION

There exists a myriad of definitions of decentralisation. For the purpose of this bachelor´s thesis, the definition of Crook and Manor (1998) will be used. Crook and Manor define decentralisation as the transfer of powers from central government to lower levels in a political-administrative and territorial hierarchy. According to the United Nations Development Programme, one of the primary aims of decentralisation is to increase the overall quality and effectiveness off the system of governance and, at the same time, to increase the authority and capacities of sub-national levels.[2] Furthermore, most of the available sources recognise four main types of decentralisation: political, administrative, fiscal, and market decentralisation. The impact of decentralisation on the particular country then depends on the type and extent of decentralisation which is taking place. Nevertheless, these types of decentralisation naturally overlap.[3]

The aim of political decentralisation is to give citizens (or their elected representatives) more power in public decision-making. Moreover, political decentralisation is often associated with pluralistic politics and representative government, but it can provide a higher level of democratisation by giving citizens (or their representatives) more possibilities to participate on the formulation and implementation of policies. Political

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[2]   UNDP, *Decentralization: A Sampling of Definitions,* 1999. [online] Available at: http://www.undp.org/evaluation/documents/decentralization_working_report.PDF   [Accessed   12 January 2012].

[3] The World Bank Group, Decentralization & Subnational Regional Economics, 2001. *What, Why, and Where.* [online] Available at: http://www1.worldbank.org/publicsector/decentralization/what.htm [Accessed 7 January 2012].

decentralisation then often requires constitutional or statutory reforms of different extents.[4]

The second type of decentralisation – administrative decentralisation – is the redistribution of authority, responsibility and financial resources for providing public services among different levels of government. The subordinate bodies are responsible for the planning, financing, and management of certain public functions from the central government to local branches of government agencies, semi-autonomous public authorities, or area-wide regional or functional bodies[5]. These subordinate authorities can also be understood as upwardly accountable extensions of the central authority (Ribot, 2002, p. 4).

There are three different types of administrative decentralisation: deconcentration, delegation, and devolution. Deconcentration is often considered the weakest form of decentralisation because it merely shifts responsibilities from central government officials in the capital city to those working in regions, provinces, or districts. Delegation, on the other hand, is a more extensive form of decentralisation with central government's responsibilities for decision-making and administration of public functions being transferred to semi-autonomous organisations, which are not entirely controlled by the central government, but which are still ultimately accountable to it. The third type of administrative decentralisation – devolution – is not going to be discussed here as the following section of this chapter focuses on the definition and principles of devolution more explicitly and in much greater detail.[6]

Fiscal decentralisation – the third type of decentralisation – comprises the financial aspects of decentralisation to regional and local government, and sets the framework of expenditures, revenues and legal discretion within which regional and local governments operate. It, however, does not deal with issues of financial management, budgeting, accounting, auditing, etc. by which particular local authorities manage their financial affairs (Davey, 2003).

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[4] The World Bank Group, Decentralization & Subnational Regional Economics, 2001. *Political Decentralization.* [online] Available at:
http://www1.worldbank.org/publicsector/decentralization/political.htm [Accessed 7 January 2012].
[5] The World Bank Group, Decentralization & Subnational Regional Economics, 2001. *Administrative Decentralization.* [online] Available at:
http://www1.worldbank.org/publicsector/decentralization/admin.htm [Accessed 7 January 2012].
[6] Ibid.

Finally, market decentralisation, which involves the privatisation of certain bodies concerned with the financing and delivery of government services, enables the subordinate bodies to access international capital markets. Through privatisation of public infrastructure, market decentralisation also offers an interesting mechanism for reducing the moral hazard problem in that it can expose the firms to private sector bankruptcy laws and allow other private companies to bid for the assets in case of financial difficulties, which is an option unavailable with public ownership.[7]

2.2   DEVOLUTION

Devolution, in general, involves the transfer of powers from a superior central political authority to an inferior regional administration. To be more precise, we can define devolution as a process consisting of three elements: firstly, the powers are transferred to a subordinate elected body; secondly, the subordinate bodies are established on the basis of the geographical division of the country; and finally, the devolved powers are those that were previously exercised by the central parliament and its ministers. The concerned competencies may be either legislative – those are the powers to make laws, or executive – the powers to make secondary laws, statutory instruments, orders, and the like, all within the primary legal framework determined by the superior authority. The principle of devolution also implies that prior to devolution, power in the particular state was centralised in one supreme and omnicompetent parliament (Bogdanor, 1999, pp. 1–3).

Devolution is also to be distinguished from federalism, which would divide supreme power between the central authority and various regional or provincial bodies. This differs from devolution which, as obvious from its name, devolves such power. Given that, in a federal state, the competencies of the central or federal government and the provincial authorities remain co-ordinate and shared, and the scope of their power is defined by an enacted constitution – this can be observed, for instance, in the United States or Germany. Devolution, on the other hand, does not require the introduction of an enacted constitution (Bogdanor, 1999, p. 3). Furthermore, devolution differs greatly

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[7] The World Bank Group, Decentralization & Subnational Regional Economics, 2001. *Intergovernmental Fiscal Relations.* [online] Available at:
http://www1.worldbank.org/publicsector/decentralization/fiscal.htm [Accessed 7 January 2012].

from a federal system of government also due to the fact that, in compliance with the doctrine of parliamentary sovereignty, it is, in theory, a reversible process (Leeke, Sear and Gay, 2003, p. 3).

Moreover, devolution can also take various forms: administrative, executive, and legislative. Firstly, administrative devolution refers to the practice of transferring responsibilities from central government departments to territorial departments of the same government. Secondly, executive devolution implies the transfer of the prerogative powers of the central government to ministers of devolved governments, and finally, legislative devolution involves the transfer of law-making powers to other legislatures (Leeke, Sear and Gay, 2003, p. 7).

2.3 DEVOLUTION IN THE UNITED KINGDOM

As was already mentioned in this thesis, prior to devolution, the United Kingdom was one of the most centralised states in Europe. Devolution has, therefore, brought many significant and fundamental changes to the constitutional framework of the British state. Nevertheless, it is important to mention that the practice of delegating administrative authority (and, in the case of Northern Ireland after 1920, considerable political home rule) to regional administrations, which were to act on behalf of the central government, is a long-standing feature of British governance (Bulmer, et al., 2002, p. 7). As opposed to, for example, the Spanish experience[8], devolution in the United Kingdom builds upon an existing and well-established system of devolution in which each of the component territories had a distinct way of making or adopting policy and delivering services (Adams and Robinson, 2002, p. 3). It is, therefore, possible to say that devolution in the United Kingdom can, to some extent, be understood as the recognition of deep-seated historic features of the British state and of the need to modernise the system to suit the current situation (Keating, 1998, p. 217).

Another rather unique aspect of British devolution is its asymmetry with the units disposing of different levels of competencies. Moreover, there also exist some

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[8] The 1978 Constitution sought to recognize the deeply rooted cultural differences among the existing nationalities in Spain by allowing for substantial regional autonomy contrasting with the strong level of centralism previously employed by Franco. *The 1978 Constitution.* [online] Available at: http://countrystudies.us/spain/73.htm. [Accessed 7 January 2012].

fundamental differences between the arrangements in each region (Leeke, Sear and Gay, 2003, p. 7). This is due to a model, which 'catered for specific demands for new democratic institutions in those parts of the UK (Scotland, Wales and Northern Ireland), while maintaining the sovereignty of the UK Parliament in Westminster'.[9] To illustrate this with an example, the Scottish Parliament was, up until 2010, when Northern Ireland also assumed this competency, unique in its power to legislate on criminal justice, criminal law and policing. However, the National Assembly for Wales has yet to acquire it (Leeke, Sear and Gay, 2003, p. 7). The particular differences between the levels of devolution in the regions are going to be explicitly discussed at a later stage of this thesis.

The issue of the asymmetry of British devolution is also rather closely connected with the idea of British federalism. It has been pointed out by various authors that even though federalist ideas in the United Kingdom have a long history, they have been vigorously opposed by those believing that any move away from the sovereign, unitary Parliament would threaten the unity of the country. Lord Kilbrandon,[10] one of the critics of British federalism, for example stated that if the constituent nations of the country were to become regional governments, the dominance of England would be unavoidable, which was something Lord Kilbrandon saw, due to the conceivable discontentment of the regions, as an insuperable problem. On the other hand, many authors, for instance Michael Keating, argue that the issues of federalism and devolution in the United Kingdom are closely interconnected as devolution could never take place if the agreement to a perfect symmetrical system was its prerequisite. Keating also states that devolution is naturally supposed to be a rather messy, asymmetrical process (Laffin and Thomas, 1999, p. 90).

Another important feature of British devolution is that, despite all the constitutional changes devolution has brought, the country has remained fairly centralised (Bogdanor, 1999, p. 1) and its rather high degree of centralisation in its form of government has stayed intact. This characteristic was maintained due to the constitutional doctrine of

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[9] House of Commons, 2009. *Devolution: A Decade on – Justice Committee Contents.* [online] Available at: http://www.publications.parliament.uk/pa/cm200809/cmselect/cmjust/529/52904.htm [Accessed 28 December 2011].
[10] Lord Kilbrandon was a Scottish judge, law lord and the chairman of the Royal Commission on the Constitution, which was established in 1969 in order to examine the structures of the Constitution of the United Kingdom.

the sovereignty of the Parliament in Westminster as well as the absence of a written constitution.[11] However, it is necessary to mention that the perception of the United Kingdom as a centralised, unitary country is by no means the only possible interpretation of the British state. There exists another, rather different, interpretation, one that sees the United Kingdom as a balanced constitution, in which no single element can be pushed to extremes at the expense of the others, and in which parliamentary sovereignty is balanced by a limitation within the state, by respect for the independent institutions of civil society. The United Kingdom, therefore, never established a centralised, uniform bureaucracy present in the regions, and many important public matters were left to the self-regulating institutions of civil society (Keating, 1998, p. 218).

2.4 DECENTRALISATION AND REGIONALISM (NATIONALISM)

The issues of regionalism and decentralisation (or, in our case, devolution) in the United Kingdom are closely interconnected. This is due to the rather remarkable regional differences between the English, the Scottish, the Welsh, and the Northern Irish. There exist various definitions of regionalism, depending on what exact form of regionalism they are attempting to define. Some of the available definitions focus on the linguistic aspect of regionalism and define it as 'a linguistic feature peculiar to a particular region and not part of the standard language of a country,'[12] some focus on the aspect of loyalty and define regionalism as 'consciousness of loyalty to a distinct region with a homogenous population',[13] and some focus on regionalism as a whole, with regards to economic, cultural, as well as political aspects: 'Regionalism is the theory or practice of regional rather than central systems of administration or economic,

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[11] House of Commons, 2009. *Devolution: A Decade on – Justice Committee Contents.* [online] Available at: http://www.publications.parliament.uk/pa/cm200809/cmselect/cmjust/529/52904.htm [Accessed 28 December 2011].

[12] Definition for regionalism, Oxford Dictionaries. [online] Available at: http://oxforddictionaries.com/definition/regionalism?q=regionalism&fb_source=message [Accessed 14 January 2012].

[13] Regionalism – Definition, Merriam-Webster. [online] Available at: http://www.merriam-webster.com/dictionary/regionalism [Accessed 14 January 2012].

cultural, or political affiliation'.[14] For the purposes of this bachelor's thesis, the last, general, definition of regionalism will be applied.

Firstly, it is important to say that according to Archie Brown (1998, p. 216), it is generally accepted that nations (the English, the Scottish, the Welsh, and the Northern Irish in our case) living in their historic homelands have a right to self-rule if a majority of their citizens want it. For a long time, however, the idea of British regionalism was only confined to a small number of geographers, planners and political scientists and it was not placed upon the agenda of British politics until the late 1970s (Bogdanor, 1977, p. 157). Nevertheless, socially, culturally, and to some extent also politically, regional distinctions in the particular parts of the United Kingdom were always something fairly obvious (but yet disputable).

According to Harry Lazer (1977, p. 50), even though the Celtic background of the Scottish and Welsh people was recognised and well-known, the prevailing view was that the Scottish and the Welsh were rather 'picturesque cousins' of the English, blending their family differences with the unified British nationality and culture. On the other hand, though, some authors, for example Arthur Aughey, state that the perception of the Scottish as blood-brothers by the English was by no means reciprocal, and that there was never really any common sense of 'Britishness' among the 'British' (Aughey, 2001, pp. 65–66). Most authors, therefore, agree that the relationship between 'Englishness' and 'Britishness' as well as between nationhood and statehood has always been a rather complicated one (Aughey, 2001, p. 67).

As was already mentioned above, the United Kingdom had been for a long time consistently held up as a unitary structure with a high degree of centralisation. However, in the concerned regions of the country, there have always existed nationalist minorities rebelling against such a setting. However, in the eyes of the English, Scottish and Welsh nationalisms were nothing more than 'romantic distractions from the real business of modern government' and nationalism, which feeds off cultural differences had, according to the Conservative British narratives, no right to exist in a modern society

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[14] Definition for regionalism, Oxford Dictionaries. [online] Available at:
http://oxforddictionaries.com/definition/regionalism?q=regionalism&fb_source=message [Accessed 14 January 2012].

which, conversely, erodes those differences (Aughey, 2001, p. 105). Nonetheless, those narratives were proven to be rather wrong.

For a long time, it seemed that only a few people were committed to nationalism enough to vote for a nationalist party. As a result, both the Welsh Plaid Cymru[15] and the Scottish National Party (further referred to as the SNP) were, until 1970, significantly unrepresented in the Parliament (Lazer, 1977, p. 50). However, there was a significant breakthrough in nationalist tendencies in the 1970s, which resulted in the SNP winning 7 and Plaid Cymru winning 2 seats in the Parliament in the general elections in February 1974.[16] It meant that, for the first time since the end of the Second World War, the winning party (the Labour Party) did not receive a majority of seats in the House of Commons, which meant that the balance of power in the Parliament was held by the minor parties, specifically by the SNP and Plaid Cymru (Lazer, 1977, p. 52). The Scottish and Welsh pressure for reform together with the success of the nationalist parties in the elections led to the introduction of a White Paper (Hardill, Graham and Kofman, 2001, p. 167) entitled 'Democracy and Devolution: Proposals for Scotland and Wales' (Lazer, 1977, p. 51), which proposed assemblies for Scotland and Wales, without financial autonomy or control over economic and industrial policy (Cornford, 1975, p. 105).

In the following elections in October 1974, the nationalist parties were even more successful with the SNP winning another four seats and Plaid Cymru winning one more seat in the Parliament. The election of overall 14 nationalist MPs put pressure on the Government and subsequently led to the introduction of the combined Scotland and Wales Bill in November 1976[17] – the process of devolution was now impendent. The course of events following the 1974 general elections as well as the exact impact the nationalist movements in the regions had on the development of the process of devolution in the United Kingdom will, however, be analysed in a greater detail in Chapters 4 and 5 of this thesis.

Some readers might now wonder why the issue of English nationalism has not been discussed in this chapter. It may seem rather surprising that, with Scottish, Welsh, and

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[15] The National Party of Wales.
[16] The Guardian: *Elections Past*, 2011. [online] Available at:
http://politics.guardian.co.uk/electionspast/page/0,,1450592,00.html [Accessed 18 January 2012].
[17] BBC, *Welsh Referendum: The Politics of Devolution – Party Policy.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/wales/briefing/partypolicy.shtml   [Accessed 19 January 2012].

Northern Irish regionalism all being to a certain extent analysed in the literature, English regionalism, on the other hand, has never really been explicitly examined and was often considered 'the English dimension of devolution to Scotland and Wales' (Bogdanor, 1977, p. 157). Some authors, for example Jeremy Paxman (1998, p. 1), state that there is no such thing as English nationalism because the English no longer know who they are, according to Aughey (2001, p. 153), for instance, Englishness is something uncertain. These statements therefore explain why England as such is hardly mentioned in the devolution legislation (Bogdanor, 1999, p. 264).

To conclude, it is fair to say that, as was demonstrated by the example of Scotland and Wales within the United Kingdom, both regionalism and nationalism do have a certain impact on the constitutional development and conceivably also on the process of devolution (decentralisation) in states. This can be explained by the fact that it has been proven to be rather problematic and difficult to govern a state in a unitary, centralised manner without a common sense of nationhood within such a state.

3 THE HISTORICAL DEVELOPMENT OF THE DISTRIBUTION OF POWER IN THE UNITED KINGDOM

To be able to properly and complexly analyse the process of devolution in the United Kingdom, it is necessary to understand the country's historical development and especially the distribution of power within the state. This chapter is, therefore, going to briefly outline the development of the United Kingdom; special attention will be paid to the development of the country from the 17th century onward.

3.1 WALES

Even though the United Kingdom as we know it did not officially come into existence until the beginning of the 19th century, it is necessary to mention the state of affairs prior to 1801. Over the centuries, Great Britain has evolved politically from three independent countries – England, Scotland, and Wales. Wales was later – under the Statute of Rhuddlan in 1284 – incorporated into England.[18] However, Wales did not legally become integrated with England until 1536, when the first 'Act of Union' was passed. This 'Act of Union' enacted the law of England to be the only law of Wales and provided Wales with 26 representatives in the Parliament. Furthermore, the Act established English as the only official language of Welsh courts.[19] Nevertheless, according to many researchers (for example John Davies[20]), the act of 1536 lacked precision and it was essential to amend it. Between the years 1536 and 1543, the English Parliament subsequently passed a number of laws, which resulted in the 'Act of Union' of 1543. This act established a distinct Welsh system of courts, and gave statutory recognition to the council of Wales – a body, which had extensive administrative and legal powers – in Ludlow. The number of Welsh representatives in the Parliament was also increased by one.[21]

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[18] Royal Family History, *Great Britain and the United Kingdom, .* [online] Available at:
http://www.britroyals.com/union.htm [Accessed 30 January 2012].
[19] BBC, *The 1536 Act of Union.* [online] Available at:
http://www.bbc.co.uk/wales/history/sites/themes/periods/tudors_04.shtml [Accessed 29 January 2012].
[20] A Welsh historian.
[21] BBC, *The 1543 Act of Union.* [online] Available at:
http://www.bbc.co.uk/wales/history/sites/themes/periods/tudors_05.shtml [Accessed 29 January 2012].

3.2 SCOTLAND

In 1603, Queen Elizabeth of England died. She did not have any heirs and therefore King James VI of Scotland was the only suitable candidate to take her place. Although he was from a country England had fought for many years, he was a Protestant, and had already proven himself to be a successful ruler[22]. On 24 March, 1603, James VI was proclaimed King James I of England (Smith, 1998, p. 5) and on 19 May, 1603, James I announced the uniting of the Crowns of England and Scotland in the so called 'Union of the Crowns' (Smith, 1998, p. 1). Originally, James I intended to create a full legal and political union with Scotland becoming one of the English shires. The English representation, however, did not agree with this and would only allow a 'Union of the Crowns', which was technically a union of two independent and distinct countries ruled by one king.[23] England and Scotland, therefore, still remained fairly diverse – Scotland, for instance, kept its agrarian economy, highly localised government (Smith, 1998, p. 15), and legal system of a complex blend of Roman law, feudal bonds, and customary law derived from English models (Smith, 1998, p. 16).

At this point, Wales was already firmly bound to England in terms of trade and economy (Smith, 1998, p. 19), and Ireland was a dependent kingdom ruled by an English-born Lord Deputy, who governed the country on behalf of the English monarch (Smith, 1998, p. 20).

After the death of James I in 1625, and due to the cultural disunity of the British Isles, the union started to fall apart. The Scottish did not particularly trust their royal "English" family, and were left without a symbol of independence. This resulted in a series of rebellions and civil wars.[24] Finally, the union of England and Scotland, commonly known as the United Kingdom, came into existence on 1 May, 1707, by the adoption of the 'Treaty of Union'. The treaty, which was based on the Acts of Union passed by both countries in the course of the previous year and approved by Queen Anne, who recommended the creation of the union to the Parliament as far back as 1702,[25] created

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[22] National Library of Scotland, *James IV and the Union of the Crowns: James becomes king.* [online] Available at: http://digital.nls.uk/unionofcrowns/king.html [Accessed 30 January 2012].
[23] National Library of Scotland, *James IV and the Union of the Crowns: Uniting the crowns.* [online] Available at: http://digital.nls.uk/unionofcrowns/crowns.html [Accessed 30 January 2012].
[24] National Library of Scotland, *James IV and the Union of the Crowns: Consequences of union.* [online] Available at: http://digital.nls.uk/unionofcrowns/consequences.html [Accessed 30 January 2012].
[25] Royal Family History, *Great Britain and the United Kingdom .* [online] Available at: http://www.britroyals.com/union.htm [Accessed 30 January 2012].

a political as well as economic coalescence of the two nations (Smout, 1964, p. 455) by dissolving both the English and the Scottish Parliament, and establishing a single Parliament of Great Britain.[26] The treaty was generally regarded as a political necessity for England, which wanted to ensure that Scotland would not choose a different monarch, and a commercial necessity for Scotland (Riley, 1969, p. 498), which needed financial support from England. However, it is important to mention that the formation of the Union and the merging of the two Parliaments with highly divergent traditions and practice into one body were, by no means, easy,[27] and even though the country was now united into one kingdom, the particular differences between England, Scotland, and also Wales, remained fairly strong.[28] Scotland was, for instance, allowed to have its own established Presbyterian Church (The Church of Scotland, or the Kirk), and also to keep its legal system.[29]

3.3 IRELAND

The rest of the 18th century in Great Britain was, as far as the internal development of the country was concerned, rather quiet. However, in the wake of the French Revolution of 1789 and the 1793 French declaration of war on Britain, Irish Roman Catholics started to feel that the existing religious inequality in the hitherto independent Kingdom of Ireland should be abolished. This, together with the Irish Protestants' pursuit for parliamentary reform, led to the situation in the country being of quite an extreme nature, and the possibility of some sort of a rebellion being rather imminent. Even though many Irish politicians wanted to preserve the historical link (the title of the king of Ireland had been, since 1542, held by English monarchs) with Britain and to support England in the war, there still existed a relatively strong wing of extremist politicians – some of those were, for instance, Theobald Wolf Tone and Lord Edward FitzGerald. In 1792, Tone and FitzGerald formed the association of United

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[26] National Library of Scotland, *James IV and the Union of the Crowns: Consequences of union.* [online] Available at: http://digital.nls.uk/unionofcrowns/consequences.html [Accessed 30 January 2012].
[27] Learning and Teaching Scotland, *The Union of the Parliaments 1707.* [online] Available at: http://www.ltscotland.org.uk/scotlandshistory/unioncrownsparliaments/unionofparliaments/ [Accessed 2 February 2012].
[28] The National Archives, *Rise of Parliament: Uniting the kingdom?* [online] Available at: http://www.nationalarchives.gov.uk/pathways/citizenship/rise_parliament/uniting.htm [Accessed 2 February 2012].
[29] Royal Family History, *Great Britain and the United Kingdom.* [online] Available at: http://www.britroyals.com/union.htm [Accessed 2 February 2012].

Irishmen aiming at 'breaking the connection with England, asserting the independence of Ireland, and uniting all Irishmen' (Bloy, 1997). In 1798, United Irishmen organised a rebellion against British rule in Ireland, which both the Irish government and William Pitt the Younger, the British Prime Minister, tried to put down. The rebels were finally defeated on 21 June, 1798, at Vinegar Hill.[30] Subsequently, William Pitt decided that the best solution to the situation was a total union of Great Britain and Ireland as it would strengthen the connection between the two countries as well as provide Ireland with opportunities for economic development. Pitt's proposal did, as would have been expected, provoke strong resistance in the Irish Parliament,[31] but the 'Act of Union' was, nonetheless, passed by both the Irish and the British parliaments in 1800. The act came into effect on 1 January, 1801, and formed the United Kingdom of Great Britain and Ireland (Bloy, 1997).

The so-called 'Irish Question', however, still remained to be resolved. There were a number of rebellions against British rule and in the 1830–1840s, Daniel O'Connell[32] campaigned to repeal the 'Act of Union of 1801'.[33] In 1870, Isaac Butt[34] formed the 'Home Government Association' calling for an Irish parliament[35] and favouring Home Rule. Furthermore, in 1886, the British Liberal government, led by William E. Gladstone and supported by the Irish Parliamentary Party (led by Charles S. Parnell), introduced a Home Rule bill. This bill was, however, defeated by both British and Irish Unionists. Another attempt by Gladstone, in 1893, was, despite passing in the House of Commons, rejected by the House of Lords.[36] The third Home Rule bill was proposed in 1912, passed in 1913, and enacted in September, 1914. Nevertheless, the bill, which proposed the creation of a bi-cameral legislative assembly subordinate to the central parliament in

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[30] Encyclopedia Britannica, *Irish Rebellion.* [online] Available at:
http://www.britannica.com/EBchecked/topic/294143/Irish-Rebellion [Accessed 7 February 2012].
[31] Encyclopedia Britannica, *Act of Union.* [online] Available at:
http://www.britannica.com/EBchecked/topic/614673/Act-of-Union [Accessed 7 February 2012].
[32] The Liberator, a lawyer and the first great 19th century Irish nationalist leader.
[33] BBC, *Irish Home Rule: An Imagined Future.* [online] Available at:
http://www.bbc.co.uk/history/british/victorians/home_rule_movement_01.shtml [Accessed 7 February 2012].
[34] A lawyer and Irish nationalist leader.
[35] Encyclopedia Britannica, *Home Rule.* [online] Available at:
http://www.britannica.com/EBchecked/topic/270116/Home-Rule [Accessed 7 February 2012].
[36] BBC, *Irish Home Rule: An Imagined Future.* [online] Available at:
http://www.bbc.co.uk/history/british/victorians/home_rule_movement_01.shtml [Accessed 7 February 2012].

London,[37] never came into effect (due to the coming of the First World War).[38] The already rather extreme situation in Ireland was even more inflamed by the Easter Rising of 1916 – the Irish republican insurrection against British rule – and subsequently by its immediate and harsh suppression. It soon became clear that the Third Home Rule bill was, despite its offensiveness toward Protestant Ulster,[39] not enough to satisfy the separatist movement in Catholic Ireland. In 1918, Sinn Féin[40] ousted the Home Rule Party, refused to take their seats in the Westminster Parliament, established their own parliament – Dáil Éireann[41] – in Dublin, and declared an independent Irish republic.[42]

In 1919, the conflict escalated into the so-called Anglo-Irish war (or the Irish War of Independence), which was initiated by a number of volunteers commonly known as the Irish Republican Army (IRA) and backed up by the Sinn Féin government. In the course of the war, the Irish Republican Army attacked several government properties, and assassinated many prominent governmental individuals in order to disrupt the British administration.[43] David Lloyd George's coalition government in Britain was facing a difficult task – to find a way to deal with the complicated situation in Ireland. As a result, in 1920, the British government proposed the 'Government of Ireland Act', which partitioned Ireland into Northern Ireland and Southern Ireland. In 1921, Lloyd George's government and Sinn Féin negotiated the 'Anglo-Irish Treaty', which gave the new Irish Free State (Southern Ireland) the status of a dominion within the British Empire; furthermore, Northern Ireland was given the possibility to opt out of the Irish Free State, which it consequently did.[44]

After the Second World War, the Irish Free State left the British Commonwealth, became the Republic of Ireland, and severed all its constitutional ties with the United Kingdom.

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[37] BBC, *Irish Home Rule: An Imagined Future.* [online] Available at:
http://www.bbc.co.uk/history/british/victorians/home_rule_movement_01.shtml [Accessed 7 February 2012].
[38] Encyclopedia Britannica, *Home Rule.* [online] Available at:
http://www.britannica.com/EBchecked/topic/270116/Home-Rule [Accessed 7 February 2012].
[39] A northern province of Ireland.
[40] The Irish Republican Party.
[41] Encyclopedia Britannica, *Northern Ireland.* [online] Available at:
http://www.britannica.com/EBchecked/topic/419739/Northern-Ireland/44666/Home-Rule [Accessed 7 February 2012].
[42] BBC, *The Anglo-Irish War.* [online] Available at:
http://www.bbc.co.uk/history/british/easterrising/aftermath/af04.shtml [Accessed 7 February 2012].
[43] Ibid.
[44] Encyclopedia Britannica, *Northern Ireland.* [online] Available at:
http://www.britannica.com/EBchecked/topic/419739/Northern-Ireland/44666/Home-Rule [Accessed 7 February 2012].

In 1927, the union was renamed as the United Kingdom of Great Britain and Northern Ireland. In 1972, Conservative British Prime Minister Edward Heath suspended the constitution and parliament of Northern Ireland and thus ended Home Rule. Irish nationalists were, however, still unsatisfied with this setup and demanded an additional, all-Irish arrangement.[45] In 1985, British Prime Minister Margaret Thatcher and Irish prime minister Garret FitzGerald signed the 'Anglo-Irish Agreement' giving the government of Ireland an official consultative role in the affairs of Northern Ireland, which was, unsurprisingly, not received very positively by the Northern Irish.[46] In the following years, peace negotiation talks were held between all Northern Irish constitutional parties with the exception of Sinn Féin, which continued engaging itself in terrorist activities, and the cessation of military activity was announced in 1994. In April, 1998, the 'Good Friday Agreement' (also known as the 'Belfast Agreement'), which devolved the responsibility for most local matters to the newly created, elected Northern Ireland Assembly, was ratified by both Ireland and Northern Ireland.[47] In 1999, the Republic of Ireland modified its constitution to give up its territorial claims to the whole island of Ireland, and the United Kingdom yielded direct rule of Northern Ireland.[48]

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[45] Encyclopedia Britannica, *Northern Ireland.* [online] Available at: http://www.britannica.com/EBchecked/topic/419739/Northern-Ireland/44666/Home-Rule [Accessed 7 February 2012].

[46] BBC, *1985: Anglo-Irish Agreement Signed,* [online] Available at: http://news.bbc.co.uk/onthisday/hi/dates/stories/november/15/newsid_2539000/2539849.stm [Accessed 7 February 2012].

[47] Encyclopedia Britannica, *Northern Ireland.* [online] Available at: http://www.britannica.com/EBchecked/topic/419739/Northern-Ireland/44666/Home-Rule [Accessed 7 February 2012].

[48] BBC, *The Good Friday Agreement in Full,* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/4079267.stm [Accessed 7 February 2012].

4   THE PROCESS OF DEVOLUTION IN THE UNITED KINGDOM

In this chapter, the process of devolution in the United Kingdom will be analysed. The author focuses on the period from 1974 onward, and especially on the development of the situation following the 1997 Labour victory in the general election, which they consider, for reasons that will be demonstrated later in this chapter, rather key to the process of devolution in the country.

4.1 DEVOLUTION ON THE AGENDA OF MAJOR BRITISH POLITICAL PARTIES

For the Labour Party, the issues of Home Rule for Scotland and devolution for Wales had waxed and waned over the years. Keir Hardie,[49] for example, pledged the Labour Party's support for Scottish Home Rule as far back as 1888 and, consequently, in the general election of 1918, Scottish Home Rule was one of the party's major priorities. Throughout the 1920s, Labour was formally committed to the issue but in the following years, Home Rule was pretty much removed from the Labour political agenda. In 1932, the pro-Home Rule Independent Labour Party split from the Labour Party,[50] in 1945, the issue of Home Rule was not even included in the party's election manifesto, and in 1958, Labour formally dropped all its commitment to devolution of any kind. Furthermore, the Labour Party's approach toward the issue of devolution to Wales had always been rather resistant.[51]

Nonetheless, in the late 1960s, nationalist parties began to gain support in both Scotland and Wales, and in 1969, Prime Minister Harold Wilson appointed the Kilbrandon Commission,[52] which was to examine the structures of the constitutional setup of the United Kingdom, and the possibility of some changes.[53] The Kilbrandon Commission issued its final report of recommendations, which were put forward by the Labour government, in 1973. In September, 1974, the government published the 'Democracy

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[49] A Scottish nationalist and labour leader.

[50] BBC, Scottish *Referendum: The Devolution Debate This Century.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/scotland/briefing/c20scot.shtml [Accessed 8 February 2012].

[51] BBC, *Welsh Referendum: The Politics of Devolution – Party Policy.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/wales/briefing/partypolicy.shtml [Accessed 8 February 2012].

[52] Ibid.

[53] Cardiff University, *Welsh Devolution: A Timeline.* [online] Available at: http://www.cardiff.ac.uk/insrv/libraries/scolar/digital/devolutionsources.html [Accessed 8 February 2012].

and Devolution: proposals for Scotland and Wales' white paper. In the following general election, 14 nationalist MPs were elected and the Government had to officially commit to the matter of devolution. In 1976, a combined 'Scotland and Wales Bill' was introduced in 1976. The bill was replaced one year later by two separate bills – one for Scotland and one for Wales.[54]

The approach of the Conservative Party is, on the other hand, rather different. In the early 1970s, Conservative Prime Minister Edward Heath promised a Scottish Assembly elected from local Scottish authorities. However, since the beginning of Margaret Thatcher's leadership (1975), the Conservatives had been fairly opposed to devolution. Currently, the Conservative Party promotes a similar policy, regards the union as mutually beneficial, and considers any move toward devolved administrations dangerous for the unity of the United Kingdom. However, the party did claim that if there are devolved institutions established on the basis of a referendum, it would not abolish those institutions.

Furthermore, the Liberal Democrats are committed to a federal United Kingdom, with elected regional bodies. Despite the fact that they did not find the 1997 Labour proposals for Wales extensive enough, they stated that they would not delay referendums on devolution proposed by the Labour Party, and would support devolution to both Scotland and Wales.[55]

Generally, it is possible to say that even though politicians had paid lip service to the issue of local self-government, the majority of them did not make it a priority (Elcock, 1998, p. 3) until they were pretty much 'forced' to do so due to the growing popularity of national parties in the regions.

4.2 THE DEVELOPMENT IN THE MATTER OF DEVOLUTION FROM 1974

In the wake of the 1974 general election and as a result of the growing nationalist support in the regions, the Labour Party had a majority of only three MPs. By 1977, after the introduction of the 'Scotland and Wales Bill', Labour did not have a majority in the

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[54] BBC, *Welsh Referendum: The Politics of Devolution – Party Policy.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/wales/briefing/partypolicy.shtml [Accessed 8 February 2012].
[55] Ibid.

Parliament at all, the government was vulnerable to pressures from the SNP and Plaid Cymru, and it was necessary to take the nationalist tendencies into consideration and potentially bring devolution onto the political agenda. In November, 1977, the separate 'Bills for Scotland and Wales' proposing referendums in Scotland and Wales to 'ascertain the wishes of the populations on issues of independence', were introduced.[56] However, due to a rather controversial amendment[57], 40 % of the eligible electorate would have to vote 'yes' for the 'Scotland and Wales Acts' to be passed and for devolution to be put forward.[58]

The first referendum on devolution took place on 1 March, 1979 and the results were as follows – in Scotland, 52 percent of the voters voted 'yes' and 48 percent voted 'no' – however, those 52 percent only formed 32.9 percent of the eligible electorate; in Wales, 80 percent voted against devolution and only 20 percent in favour of devolution.

On the basis of the referendums results, the Acts were repealed and the issue of devolution was, in spite of some of the home rule politicians, academics and activists' Campaign for a Scottish Assembly, not to be further discussed or put into action for almost another 10 years.[59]

The situation, however, changed significantly in the course of the early 1990s, and the idea of self-government in the regions was no longer seen as a nostalgic remnant of the past, but rather as a central element in political, economic and social modernisation (Elcock, 1998, p. 3). This can be explained by a number of aspects. Firstly, the rise of multinational corporations, mobility of capital, and the imperative of competition, together with the rise of neo-liberal ideology, have undermined the sense of nation-state, and contributed to its crisis. Secondly, states' capacities for territorial management were weakened by increasing European integration. Finally, the remarkable regional differences within the United Kingdom had an impact on the party system in the state with the Conservatives significantly falling back in Scotland and

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[56] Parliamentary Information List: *Bills on devolution in Wales.* [online] Available at: www.parliament.uk/briefing-papers/SN04753.pdf [Accessed 10 February 2012].
[57] The 40% rule or the Cunningham Amendment.
[58] BBC, Scottish *Referendum: The 1979 Referendums.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/scotland/briefing/79referendums.shtml [Accessed 8 February 2012].
[59] BBC, Scottish *Referendum: The Devolution Debate This Century.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/scotland/briefing/c20scot.shtml [Accessed 10 February 2012].

Wales. By 1997, the Conservative Party had lost all its seats in Scotland and Wales, which, of course, strengthened the decentralist credentials of the Labour Party and subsequently led to Labour renewing its commitment to devolution (Elcock, 1998, p. 4–5).

The general election and the Labour victory in May, 1997, put the issue of devolution at the centre of political debate (this was despite the fact that the leader of the Labour Party and the Prime Minister at the time, Tony Blair, later admitted that Scottish devolution was a 'dangerous game', which he never particularly favoured but saw as 'inevitable' for the prevention of the potential dissolution of the union between England and Scotland) (Johnson, 2010). Shortly after the election, the Labour government issued the 'White Paper on Scotland' proposing the reservation of specific powers to Westminster and leaving the soon-to-be-established Scottish Parliament in Edinburgh with a general competence over all other matters. The form of devolution proposed for Wales in the 'White Paper on Wales' was rather less extensive and consisted of the creation of an executive Welsh assembly with tightly defined competences and no legislative powers. The second set of devolution referendums then took place on 11 September, 1997. For Scotland, there were two referendum questions – the first one was concerned with the support for the principle of a Scottish Parliament, and the second one was on the power to vary taxes (Elcock, 1998, p. 7). This time, 74.3 percent and 63.5 percent of the Scots voted respectively in favour of the proposed aspects. The referendum turnout was 60 percent. The result, therefore, passed both simple and complex electoral tests and was considered decisive.[60] The election turnout in Wales was significantly lower – barely 50 percent – and the voters supported the proposed establishment of an assembly by a margin of 50.3 percent to 49.7 percent (Bulmer, et al., 2002, p. 11). This showed that Wales was still rather geographically as well as culturally divided (Elcock, 1998, p. 7), and that those divisions had not been entirely bridged (Keating, 1998, p. 226).

The 'White Papers' formed the basis of the devolution legislation, which entered into law with the 'Government of Wales Act 1998', and the 'Scotland Act 1998', both of which were passed by the Parliament in the course of 1998. This legislation created Scotland's

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[60] BBC, *Scottish Referendum: Scotland Decided.* [online] Available at:
http://www.bbc.co.uk/news/special/politics97/devolution/scotland/briefing/scotbrief2.shtml
[Accessed 10 February 2012].

first parliament (which was to be given primary legislative powers) since the 'Act of Union 1707', a Scottish executive headed by a first minister, and a Welsh Assembly, which will exercise executive and some secondary legislative powers (Keating, 1998, pp. 226–229). The first elections to those newly established bodies were held on 6 May, 1999 (Bulmer, et al., 2002, p. 11).

As for Northern Ireland, the matter of devolution is rather more complicated. As a result of the 'Good Friday Agreement' signed in 1998, the Northern Ireland Assembly with full legislative and executive authority was created.[61] However, in the following years, the activity of the Assembly had been periodically suspended, and on 14 October, 2002, it was suspended uninterruptedly for almost five years. In the course of those five years, according to the public opinion polls, devolution on a 'parliament' model of legislative and taxation powers was the most popular form of devolution among the Northern Irish. The support for devolution on an 'assembly' model was stronger among Northern Irish Protestants. However, even though Catholics generally tend to prefer the unification of Northern Ireland with the Republic of Ireland, the support they showed for devolution was strengthening as well.[62] The idea of devolution to Northern Ireland was brought back in 2007, when the Northern Ireland Assembly was restored, and the previously devolved powers were given to the new Executive Committee, which was set up on 8 May, 2007.[63]

At this stage, some readers might wonder why the issue of English devolution has not yet been mentioned in this thesis. This is simply due to the fact that, to the present day, there have been hardly any plans for the creation of an English parliament equivalent to the devolved institutions in the other regions of the United Kingdom. A possible explanation for this is the rather clear and consistent main preference of English public

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[61] Devolved Parliaments and Assemblies. [online] Available at:
http://www.parliament.uk/about/how/role/devolved/devolved/devolved/ [Accessed 10 February 2012].
[62] Devolution in Northern Ireland. . [online] Available at:
http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20Northern%20Ireland%20rw.pdf [Accessed 10 February 2012].
[63] Devolved Parliaments and Assemblies. [online] Available at:
http://www.parliament.uk/about/how/role/devolved/devolved/devolved/ [Accessed 10 February 2012].

opinion favouring the status quo of the Westminster Parliament and its government,[64] and perhaps also the fact that English regionalism (and, for that matter, English nationalism) has never really been explicitly examined (as was already mentioned on pages 18 and 19 of this thesis). There were, however, recently reported calls for the creation of a devolved English parliament, which were supported by some politicians – for instance by Simon Hughes, the deputy leader of the Liberal Democrats (Barnes, 2012). It is, therefore, fair to say that the matter of English devolution might well be one of the key subjects of British politics in the future.

To summarise, it is possible to say that the reasons which had led the politicians and the residents of the regions to demand devolution, were originally of a nationhood nature, with the regions demanding a certain level of independence and showing a growing support for nationalist parties, and with the political leaders having to take this into account and modify the constitutional setup of the country. Despite the importance of devolution for the United Kingdom, it is necessary to mention that it did not intend to affect neither the unity of the state, nor the form of government in the rest of the country (Bogdanor, 1999, p. 202).

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[64] Devolution in England. [online] Available at:
http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20England.pdf [Accessed 10 February 2012].

5   DEVOLUTION IN THE REGIONS

In this chapter, the author focuses on devolution in the regions. The first three subsections are concerned with the process of devolution and the different levels of decentralisation in the regions. In the fourth subsection, the degrees of self-government and the powers and competencies of the newly established representative bodies in Wales, Scotland, and Northern Ireland are described, analysed, and compared. The next subsection focuses on the nationalist subjects' pursuit for a more extensive level of autonomy and the potential promotion of the idea of full independence of the regions. Finally, in the last subsection of this chapter, the changes devolution brought (and still brings) to the political system of the United Kingdom are analysed.

5.1   WALES

It is fair to say that the level of devolution in Wales was, until 2011, possibly the lowest out of the three regions. Welsh devolution was, unlike Scottish, not inspired by a broad-based campaign. As was already mentioned in the previous chapter of this thesis, the public support for devolution to Wales has always been, due to the remaining internal differences, significantly weaker than in Scotland, and the referendum results in 1997 were a lot less decisive. However, according to public opinion polls, since 1997, the support for devolution to Wales has been gradually strengthening and by the year 2003, more than 65 percent of the Welsh were supporting devolution and, moreover, expressing their favour of a more powerful form of devolution – preferably with the existence of a Parliament with both legislative and taxation powers. On the other hand, though, the Welsh do not generally tend to think that the National Assembly for Wales has made a great difference to matters such as health, education, and economy. This might be due to the fact that the form of devolution in Wales is rather modest, and still reflects the highly influential nature of the Westminster Parliament.[65] However, despite the small majority of 'yes' votes in the referendum, devolution is considered a milestone in Welsh history (Roderick, 2007).

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[65] Devolution in Wales. [online] Available at:
http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20Wales.pdf [Accessed 11 February 2012].

In 1999, as a result of the 1997 devolution referendums, the National Assembly for Wales was officially opened by the Queen in Cardiff. The Assembly was given the power to make secondary legislation, and took over responsibilities previously held by the Secretary of State for Wales in many areas, such as education, the arts and the economy.[66] The role of the 60-membered Assembly is also to scrutinise and monitor the Welsh Assembly Government, which is led by the First Minister (Carwyn Jones of Welsh Labour since 9 December, 2009), and develops and implements policy. The Welsh Assembly Government is, for instance, responsible for health, education, economic development, culture, the environment, and transport.[67]

In 2006, the devolution process in Wales was taken forward to another level by the introduction of the 'Government of Wales Act'. The Act had three elements: firstly, it formally separated the Assembly and the Welsh Assembly Government to avoid confusion and to improve effective scrutiny; secondly, it enhanced the legislative powers of the Assembly and gave the Assembly a new power to make laws – the so called 'Measures of the National Assembly for Wales' (Assembly Measures can do anything an Act of Parliament can within the general constraints set out in the given Act); and finally, it changed the electoral provisions (as a result of this change, unsuccessful candidates in Assembly constituency elections are unable to become Assembly Members).[68]

The current state of devolution affairs in Wales was established in 2011. On 3 March, 2011, a referendum was held in Wales to provide the Welsh nation with a say in the matter of the increase of the law-making powers of the National Assembly. The people of Wales voted in favour of further primary legislation powers for the Assembly (63.5 percent of voters voted 'yes', 36.5 percent voted 'no')[69]. This referendum result enabled the Assembly to make primary legislation in the areas set out by the original devolution settlement; all the previously not devolved areas, such as fiscal, economic and monetary policy, defence and foreign affairs, criminal and civil justice, social security, employment,

[66] Cardiff University, *Welsh Devolution: A Timeline.* [online] Available at: http://www.cardiff.ac.uk/insrv/libraries/scolar/digital/devolutionsources.html [Accessed 11 February 2012].
[67] Directgov, *Government in Wales.* [online] Available at: http://www.direct.gov.uk/en/Governmentcitizensandrights/UKgovernment/Devolvedgovernment/DG_073308 [Accessed 11 February 2012].
[68] Wales Office, *Devolution Settlement.* [online] Available at: http://www.walesoffice.gov.uk/devolution/ [Accessed 11 February 2012].
[69] BBC, *Wales says Yes in referendum vote.* [online] Available at: http://www.bbc.co.uk/news/uk-wales-12482561 [Accessed 11 February 2012].

energy and the like are to remain the responsibility of the central Parliament and Government.[70]

5.2   SCOTLAND

Both the sense of nationhood and the pursuit for devolution (or even full independence) had been some of the key topics of Scottish politics for many years. In 1989, Scottish pro-devolution bodies joined together and formed the Scottish Constitutional Convention, which subsequently adopted a declaration to assert the right of the Scottish people to secure an Assembly or a Parliament for Scotland. The Convention's final report from 30 November, 1995, contained a blueprint for devolution, which had a significant impact on the future development of the situation as it formed one of the main tenets of the Labour Party's 1997 general election manifesto.[71]

As a result of the 1997 referendums, the Scottish Parliament (which currently meets in Holyrood, Edinburgh) of 129 members and Scottish Executive of ministers were established in 1999 (the Scottish Executive was, in 2007, renamed to the Scottish Government, the current First Minister is Alex Salmond of the SNP). Under the 'Scotland Act of 1998', the Scottish Parliament can make both primary and secondary legislation in areas that are not reserved for Westminster. Those reserved areas are specified in the Act; everything else is in the competence of the Scottish Parliament. Some of the reserved areas are, for example, defence and national security, fiscal, economy and monetary system, social security, foreign affairs, and employment. Devolved subjects include, for instance, health, local government, education, tourism, the environment, or law and home affairs. The Parliament does, however, also debate on the reserved matters. Nevertheless, the original level of devolution set in 1997 has been significantly broadened in the years since.

In 2005, the responsibility of Scotland's railways, previously held by the Department of Transport, was taken over by the Scottish Executive. According to the Scottish First

[70] Wales Office, *2011 Welsh Referendum.* [online] Available at:
http://www.walesoffice.gov.uk/about/referendum/ [Accessed 11 February 2012].
[71] House of Commons, 2004. *Devolution in Scotland.* [online] Available at:
http://www.parliament.uk/documents/commons/lib/research/briefings/snpc-03000.pdf [Accessed 11 February 2012].

Minister at the time, Jack McConnell, this was 'the most significant devolution of new powers to Scottish ministers since 1999'.[72]

In December, 2007, the Scottish Parliament passed a motion on the establishment of the so called Calman Commission[73]. The commission, also referred to as the Commission on Scottish Devolution, began work in April, 2008, and it is supposed to review the provision of the 'Scotland Act 1998' in light of experience, and to recommend any changes to the present constitutional arrangement, which would enable the Scottish Parliament to better serve the people of Scotland and to continue to secure Scotland's position within the United Kingdom.[74]

In the course of 2008, an agreement was reached which transferred responsibilities for all planning and nature conservation matters at sea up to 200 miles from the Scottish coast to the Scottish Government. This change had a significant impact on the offshore industry, wind and wave power, and to a lesser extent also on fishing. According to Environment Secretary Richard Lochhead, this was excellent news for Scotland and its economy, in that it allows Scotland to safeguard its seas. Oil and gas licensing and permitting did, however, remain reserved matters; fishing quotas also remained within the competency of the European Union.[75]

In February, 2010, Alex Salmond outlined plans for a draft Referendum Bill on transferring powers to the Scottish Parliament to enable full independence.[76] The referendum proposed in the bill was to take place by the following election in 2011, and it was supposed to ask two questions: the first on more powers for the Scottish Parliament, and the second on the concept of independence for Scotland. However, a decisive 'yes' for independence vote in the referendum would not automatically mean that Scotland would become independent – as Alex Salmond said: 'The Scottish Parliament does not have the authority to declare Scotland an independent country. A

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[72] BBC, *Executive in £325m rail takeover.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/scotland/4185185.stm [Accessed 11 February 2012].
[73] The chairman of the commission is Sir Kenneth Calman.
[74] Commission on Scottish Devolution. [online] Available at:
http://www.commissiononscottishdevolution.org.uk [Accessed 11 February 2012].
[75] BBC, *Scotland handed sea planning role.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/scotland/north_east/7752324.stm [Accessed 11 February 2012].
[76] Draft Referendum Bill. [online] Available at:
http://www.scotland.gov.uk/News/Releases/2010/02/11161034 [Accessed 17 February 2012].

'yes' vote in the referendum would mark the start of talks with the UK government'.[77] Nonetheless, in 2011, it was announced that, due to the insufficient support of the opposition parties in the Scottish Parliament, the bill would not be put to a vote, and it was subsequently withdrawn by the Scottish Government.[78]

Prior to the 2011 election, the SNP published its election manifesto, which contained a vow to bring forward an independence referendum (Stuart, 2011). In May, 2011, the SNP won a majority in the Scottish Parliament and, therefore, acquired enough votes to hold an independence referendum. In January, 2012, Alex Salmond outlined a timetable for the independence referendum and stated that it should be held in autumn 2014 (this year is said to have been chosen because of the 700th anniversary of the Battle of Bannockburn[79]). However, the central British Government suggested that a referendum conducted by the Scottish Parliament would be illegal and potentially struck down by the courts. Subsequently the UK Government proposed a 'Section 30 order', which would require approval from both Westminster and Holyrood for the Scottish Government to be able to deliver the vote.[80] The SNP also proposed a third option – so-called 'devolution max' – which would offer Scotland more control over its governance, including areas such as taxation, in case the option of full independence does not have a decisive support. However, opponents claim that 'devolution max' would give the Scottish Government a chance to change the constitution even if it loses the vote on leaving the Union, and could also eventually create two different and competing tax regimes within the United Kingdom.[81] The issue of Scottish independence and the SNP's motives for pursuing this concept are going to be more explicitly discussed in the last subsection of this chapter.

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[77] BBC. *Q&A: Independence referendum*. [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/scotland/8235428.stm [Accessed 17 February 2012].
[78] BBC. *Scottish independence plan 'an election issue'*. [online] Available at:
http://www.bbc.co.uk/news/uk-scotland-11196967 [Accessed 17 February 2012].
[79] In 1314, the Scottish defeated the English at Bannockburn. It was one of the most significant victories in the First War of Scottish Independence.
[80] The Courier, *Independence referendum: Scotland facing constitutional chaos.* [online] Available at: http://www.thecourier.co.uk/News/Politics/article/20230c1/independence-referendum-scotland-facing-constitutional-chaos.html [Accessed 17 February 2012].
[81] BBC, *Scottish independence: Voters need 'straight choice'.* [online] Available at: http://www.bbc.co.uk/news/uk-politics-17064847 [Accessed 17 February 2012].

5.3   NORTHERN IRELAND

The process of devolution in Northern Ireland is, in many aspects, rather special. Firstly, it is inseparably bound up with the peace process. Secondly, the functioning of the Northern Ireland Assembly has been repeatedly suspended.[82] Due to this, the process of devolution in Northern Ireland has been significantly more fragile and complex than the process of devolution in both Wales and Scotland.

In 1998, as part of the 'Belfast Agreement', the Northern Ireland Assembly and the Northern Ireland Executive were established. The Assembly can pass primary and delegated legislation in the transferred areas, whereas the Westminster Parliament legislates in 'excepted' and 'reserved' matters. 'Excepted' areas are to remain implicitly with the UK Parliament (unless the 'Northern Ireland Act 1998' is amended); 'reserved' subjects can be eventually transferred to the Northern Ireland Assembly (providing there is cross-community consent).[83] The 'transferred' matters include most welfare and some economic policy, social services and development, health and education and, uniquely among the UK devolved arrangements, also most social security, child support, and pensions. However, the social security of Northern Ireland remains consistent with that of the rest of the country (Smith, 2008). The Northern Ireland Executive is the devolved government of Northern Ireland and it is responsible for many issues including economic and social matters, agriculture, culture, education and the like.[84]

As was already mentioned in this thesis, the Northern Ireland Assembly has been repeatedly suspended in the course of the years following its establishment. In February, 2000, the Secretary of State for Northern Ireland at the time, Peter Mandelson, informed the House of Commons that he would suspend the Northern Ireland Assembly if there is no decommissioning of the IRA. Consequently, the IRA announced that it would no longer co-operate with the Independent International Commission on

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[82] Devolution in Northern Ireland. [online] Available at:
http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20Northern%20Ireland%20rw.pdf
[Accessed 17 February 2012].
[83] House of Commons, 2009. *Devolution: A Decade on – Justice Committee Contents.* [online] Available at: http://www.publications.parliament.uk/pa/cm200809/cmselect/cmjust/529/52904.htm [Accessed 17 February 2012].
[84] Directgov, *Government in Northern Ireland. .* [online] Available at:
http://www.direct.gov.uk/en/Governmentcitizensandrights/UKgovernment/Devolvedgovernment/DG_0
73309 [Accessed 18 February 2012].

Decommissioning[85] (because of the suspension of the Northern Ireland Assembly), and in March, 2000, Peter Mandelson claimed that the weapon decommissioning was unlikely to have happened by the 22 May deadline set out in the 'Good Friday Agreement'. In May, 2000, the IRA released a statement announcing that it was ready to 'completely and verifiably' put its arms beyond use, and proposing the restoration of the Assembly. Subsequently, Peter Mandelson announced that he would bring forward an order to restore the Northern Ireland Assembly and on 29 May, 2000, the Assembly was restored.[86]

Throughout the following year, significant pressure was put on the IRA to decommission and many decommission-related talks were held but, nevertheless, all of them failed to find a solution to the seemingly havenless situation. In March, 2001, however, the IRA released a statement saying that it was entering 'further discussions' with the decommissioning body. In May, the US Government declared the Real IRA[87] a foreign terrorist organisation, and the political pressure on decommissioning began to grow. At the beginning of August, the British and Irish Governments unveiled a package of proposals focusing on policing reform, demilitarisation, stability of the devolved institutions, and reiteration of the importance of decommissioning in Northern Ireland. Subsequently, the IRA again put forward a plan to put its weapons beyond use but failed to meet the deadline, which, together with the main political parties failing to agree on the proposed reform package, led to the new Secretary of State for Northern Ireland, John Reid, suspending, for the second time, the Northern Ireland Assembly. This time, the Assembly was suspended on 11 August, 2001, and the suspension lasted 24 hours. Furthermore, there was still considerable disagreement between the two main Irish unionist parties (the Democratic Unionist Party (DUP) and the Ulster Unionist Party (UUP)) and Sinn Féin, as the unionists had refused to participate in the institutions established by the 'Good Friday Agreement' alongside the nationalists unless the IRA discontinued its activities and decommissioned its arms.[88]

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[85] A commission established to oversee the decommissioning of paramilitary weapons in Northern Ireland.
[86] BBC, *Northern Ireland chronology: 2000.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2933941.stm [Accessed 18 February 2012].
[87] A splinter group of the Provisional IRA. The Real IRA did not agree with decommissioning.
[88] BBC, *Northern Ireland chronology: 2001.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2933947.stm [Accessed 18 February 2012].

On 12 August, the Northern Ireland Assembly was restored and the deadline for the agreement of the main political parties on the solution of the ongoing political crisis was set for 21 September. Even though two days before the deadline the IRA released a statement announcing the intensification of its engagement with the decommissioning body and the effort to reach a 'comprehensive resolution', the major Irish political parties failed in meeting the re-set deadline and as a result, the Northern Ireland Assembly was suspended again on 21 September, 2001. One month later, the IRA stated that it had begun the decommissioning, which was subsequently confirmed by the International Commission on Decommissioning. Nonetheless, due to the persisting disagreement between the unionists and the nationalists, it took the Assembly almost two months to finally elect a First Minister (David Trimble).[89] In December, Trimble won a crucial vote allowing him to set the policy of the UUP on the IRA decommissioning.[90]

In early 2002, a series of riots took place in Belfast. John Reid was systematically trying to hold talks with all the involved parties in order to end the continuing sectarian violence but he did not succeed as the rioting between the loyalists[91] and the nationalists continued. On 4 October, 2002, the Sinn Féin offices in Stormont[92] were raided as part of a major police investigation into intelligence gathering by the republicans (this affair is sometimes referred to as 'Stormontgate'), and David Trimble raised concerns that the Assembly might not survive if the British Government does not take action against Sinn Féin. Four days later, Trimble stated that the current situation was unsustainable, and announced that he would withdraw his ministers from the executive in seven days, unless the central government proposed the expulsion of Sinn Féin.[93]

On 14 October, John Reid proclaimed the suspension of devolution and the return of direct rule of Westminster for Northern Ireland. Subsequently, the Prime Minister at the time, Tony Blair, called for acts of completion in the negotiations, and started talks with all engaged parties.[94] It was later reported that Tony Blair played an extremely

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[89] The leader of the Ulster Unionist Party and a Nobel Prize laureate.
[90] BBC, *Northern Ireland chronology: 2001.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2933947.stm [Accessed 18 February 2012].
[91] Those opposing the concept of a united independent republic of Ireland.
[92] The seat of the Northern Ireland Assembly.
[93] BBC, *Northern Ireland chronology: 2002.* [online] Available at:
http://news.bbc.co.uk/1/hi/northern_ireland/2933949.stm [Accessed 18 February 2012].
[94] Ibid.

important role in the peace negotiations as he was able to communicate with both the unionist and the nationalists (Connolly, 2007). In April of the following year, the Assembly was dissolved, and Tony Blair announced that the new elections for the Northern Ireland Assembly were to be held on 29 May, 2003, and claimed that the parties were fairly close to a deal but there prevailed uncertainty regarding the secret commitments given by the IRA. Due to this unclarity, the scheduled elections were postponed to November. Consequently, the IRA released two statements on the peace process, and stated that the full implementation of the 'Good Friday Agreement' would provide circumstances under which the IRA could definitely decommission its arms.[95]

After the November 2003 elections, the balance of power in the Northern Ireland Assembly changed and the DUP became the largest party. Following the elections, the Assembly was restored to a state of suspension and from January, 2004, the parties were engaged in negotiation talks regarding the review of the 'Good Friday Agreement' in order to restore the devolved institutions. In 2006, the 'Northern Ireland Act 2006' was passed, and consequently, the Secretary of State created a non-legislative fixed-term 'Assembly'. This Assembly consisted of the 108 members originally elected in 2003, and met for the first time on 15 May, 2006, and its main objective was to prepare the restoration of devolved government to Northern Ireland.[96]

In October, 2006, the British and Irish Governments met in St Andrews, Scotland, to hold multi-party talks on devolution of power to Northern Ireland, and on 13 October, they reached the so-called 'St Andrews Agreement', which led to the consecutive establishment of the 'Transitional Assembly'. The 'Northern Ireland (St Andrews Agreement) Act 2006' set out a timetable for the restoration of devolution in Northern Ireland, and scheduled new elections for 7 March, 2007. According to this Act, devolution to Northern Ireland was to be restored on 26 March, 2007, and the 'Transitional Assembly' was supposed to take the steps necessary for this restoration. Even though devolved power was not restored on this day, the leader of the DUP at the time, Ian Paisley, and the leader of Sinn Féin at the time, Gerry Adams, met at Stormont and made a commitment to establish an Executive Committee in the Northern Ireland

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95 BBC, *Northern Ireland chronology: 2003.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2933951.stm [Accessed 18 February 2012].
96 Northern Ireland Assembly, *History of the Assembly.* [online] Available at:
http://www.niassembly.gov.uk/Visit-and-Learning/History-of-the-Assembly/ [Accessed 18 February 2012].

Assembly. This was an exceptionally important event to the process of devolution as it, after many years of disputes, brought together the leaders of the unionists and the nationalists, and also provided a long-awaited solution to the political crisis in Northern Ireland. On 8 May, 2007, the devolved powers were restored to the Executive Committee, and Ian Paisley became First Minister (Martin McGuiness of Sinn Féin became Deputy First Minister).[97]

The 'St Andrews Agreement', among other things, also set a target date for the devolution of policing and justice – an issue that had previously been in the background due to the political crisis, but was to become the priority of the Assembly after its restoration – for May, 2008. However, because of the constraint of the DUP toward this matter, it took a significantly long time for the Assembly to pass the proposal of this devolutionary extension.[98] After lengthy negotiations, the Northern Ireland Assembly eventually voted in favour of the devolution of policing and justice powers from Westminster to Stormont in March, 2010. This was by the Prime Minister at the time, Gordon Brown, hailed as 'the final end to decades of strife'. The event was the culmination of years of effort of both the British and the Northern Irish Government, as well as, for example, the US administration and local parties. Nevertheless, there remained a slight disagreement on the matter in the Northern Ireland Assembly as 13 members of the UUP (the third biggest party in the Assembly) considered the timing of this extension of power rather wrong and voted against it. The stance of the UUP was, however, not widely supported as David Cameron, the leader of the Conservative Party, with which the UUP had formed an electoral pact, at the time, stated that the aim of the British Government was to 'see devolution work properly', which was subsequently supported by the Obama administration (McKittrick, 2010).

Following the vote, a new Department of Justice with David Ford[99] as the minister was established. This department took over responsibility for many functions and agencies formerly controlled by the Northern Ireland Office based in London, including, for

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[97] Northern Ireland Assembly, *History of the Assembly.* [online] Available at:
http://www.niassembly.gov.uk/Visit-and-Learning/History-of-the-Assembly/ [Accessed 18 February 2012].
[98] BBC, *Timeline: Devolution of policing and justice.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/8457650.stm [Accessed 18 February 2012].
[99] The leader of the Alliance Party of Northern Ireland.

instance, responsibility for the police, the Northern Ireland Prison Service, and the Court Service.[100]

Overall, it is possible to say that the process of devolution in Northern Ireland has been very much influenced by the peace process and its events. The disputes over various matters connected with peace negotiations, as was demonstrated above, made the devolution process in Northern Ireland a lot less smooth, and the hitherto devolutionary setup a lot more difficult to achieve, than in the other two devolved regions of the United Kingdom.

5.4   COMPARISON

As was already mentioned in this bachelor's thesis, devolution in the United Kingdom is rather unique in its asymmetry. In this subsection, the author attempts to summarise and describe the newly established devolved institutions of the regions, to analyse their competencies and responsibilities, and to compare the extent of devolution they were provided by the central administration.

I. NATIONAL ASSEMBLY FOR WALES AND WELSH ASSEMBLY GOVERNMENT

The National Assembly for Wales is the main political authority in Wales. It was created in 1998 on the basis of the 'Government of Wales Act 1998', and it comprises 60 members (elected for four years) known as the Assembly Members who meet at Senedd, Cardiff. Originally, the Assembly did not have full law-making powers, and primary legislation on Welsh affairs remained in the competency of Westminster. This, however, changed in the course of the years following the 1997 devolution referendum. In 2006, the National Assembly for Wales was given powers to make laws for Wales in defined areas, but, nonetheless, it still could not make laws on all the subjects of the devolved areas.[101] Subsequently, in 2011, as a result of the referendum more explicitly described in the first subsection of this chapter, the National Assembly for Wales was given further powers for making laws. Currently, the Assembly can pass laws on all subjects in the 20 devolved areas without first needing the agreement of the Westminster Parliament.

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[100] BBC, *What will happen when policing and justice is devolved.* [online] Available at: http://news.bbc.co.uk/2/hi/8459824.stm [Accessed 19 February 2012].
[101] National Assembly for Wales. *The National Assembly for Wales Information Pack. .* [online] Available at: http://www.assemblywales.org/newhome/new-mediapack.htm [Accessed 19 February 2012].

However, the number of areas the Assembly can legislate in remained the same as prior to the referendum. Moreover, the Assembly no longer has to negotiate with the central parliament on what law-making powers should or should not be devolved.[102] The devolved areas are as follows: Agriculture (including fisheries and forestry), Ancient monuments and historical buildings, Culture, Economic development, Education, Environment, Fire and rescue services, Food, Health, Highways and transport, Housing, Local government, the National Assembly for Wales, Public administration, Social welfare, Sport and recreation, Tourism, Town and country planning, Water and flood defences, and the Welsh language. The areas currently remaining the responsibility of the Westminster Parliament are general taxation, defence and foreign affairs, and social scrutiny.[103]

The Welsh Assembly Government, established in 2006 and led by the First Minister (currently Carwyn Jones), is answerable to the Assembly. It develops and implements policy, and is responsible for many issues, including, for example, health, education, economic development, culture, and transport.[104]

II. SCOTTISH PARLIAMENT AND SCOTTISH GOVERNMENT

The Scottish Parliament was established in 1999 and it comprises 129 members, referred to as the Members of the Scottish Parliament and elected for four years, who meet in Holyrood, Edinburgh. The Scottish Parliament has the power to make laws on a range of issues known as 'devolved matters'. However, 'devolved' matters are not listed in the 'Scotland Act 1998' and, therefore, any matter, which is not listed in the 'reserved matters' is considered devolved and the Scottish Parliament can legislate within this area. The Scottish Parliament can, after its responsibilities were broadened in 2005 and 2008, currently make laws in the following areas: Agriculture (including fisheries and forestry), Education, Environment, Health and social services, Housing, Law and order, Local government, Sports, Tourism and economic development, and transport. 'Reserved matters', remaining the responsibility of the Westminster Parliament, are: Broadcasting, Consumer rights, Defence, Energy, Employment, Foreign Policy, Social

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[102] National Assembly for Wales, *The Referendum.* [online] Available at: http://www.assemblywales.org/gethome/vote2011/get_involved-referendum.htm [Accessed 19 February 2012].

[103] National Assembly for Wales. *The National Assembly for Wales Information Pack.* [online] Available at: http://www.assemblywales.org/newhome/new-mediapack.htm [Accessed 19 February 2012].

[104] Welsh Government, *History of Devolved Government in Wales.* [online] Available at: http://wales.gov.uk/about/history/devolved/?lang=en [Accessed 19 February 2012].

security, Trade and industry, and the Constitution. At present, the Westminster Parliament is considering a bill containing proposals to extend the powers of the Scottish Parliament to, for example, income tax and borrowing.[105] A similar proposal is also being discussed by the SNP as part of the 'devolution max' concept of the planned 2014 independence referendum.

The Scottish Government (until 2007 known as the Scottish Executive), established in 1999 and led by the First Minister (currently Alex Salmond), is the executive arm of the devolved government of Scotland. It is responsible for most of the issues of day-to-day concern to the Scottish people, including, for example, health, education, justice, rural affairs, and transport.[106]

III. NORTHERN IRELAND ASSEMBLY AND NORTHERN IRELAND EXECUTIVE

The Northern Ireland Assembly was established in 1998 but since then, as was already mentioned in the third subsection of this chapter, its functioning has been repeatedly suspended. The Northern Ireland Assembly comprises 108 elected members, referred to as the Members of the Legislative Assembly, and meets in Stormont, Belfast.[107] The devolved and non-devolved matters are, under the 'Northern Ireland Act 1998', divided into three categories – this division is entirely unique to the Northern Irish devolution. The 'transferred' matters (welfare and economic policy, social services, health, education, policing and justice) are legislated on by the Northern Ireland Assembly; the 'reserved' matters (for example telecommunications, navigation, and genetics) are the subject matters on which the Westminster Parliament retains power to legislate but which might be transferred to the competence of the Northern Ireland Assembly at a future date; and the 'excepted' matters (for instance defence, immigration, elections, or international relations), which remain the responsibility of the central government and parliament (Smith, 2008).

The Northern Ireland Executive (referred to as the Executive Committee in the legislation) is the devolved government of Northern Ireland. It was established in 1999

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[105] The Scottish Parliament, *Devolved and reserved matters explained.* [online] Available at: http://www.scottish.parliament.uk/visitandlearn/25488.aspx [Accessed 19 February 2012].
[106] The Scottish Government, *The Scottish Government.* [online] Available at: http://www.scotland.gov.uk/About [Accessed 19 February 2012].
[107] Northern Ireland Assembly, *History of the Assembly.* [online] Available at: http://www.niassembly.gov.uk/Visit-and-Learning/History-of-the-Assembly/ [Accessed 19 February 2012].

and it is, in a way similar to the Welsh and Scottish executive bodies, led by the First Minister (currently Peter Robinson). The Northern Ireland Executive is responsible for many issues, including, for example, some economic and social matters, agriculture, culture, arts, health, and social services. It puts forward proposals for new laws that are consequently considered by the Northern Ireland Assembly.[108]

In terms of devolution in general, the UK Parliament remains responsible for national policy on all non-devolved matters, including foreign affairs, defence, social security, macro-economic management, and trade. It is also responsible for government policy in England on all the matters devolved to Wales, Scotland, and Northern Ireland. Even though it can technically pass legislation for any part of the United Kingdom, in practice, it only deals with devolved matters providing the devolved governments agree with its involvement. The British Government also comprises the Secretaries of State for Wales, Scotland, and Northern Ireland, who are responsible for the Wales Office, the Scotland Office, and the Northern Ireland Office. They are to represent their parts of the country in the central government and vice versa, and thus to ensure that devolution works smoothly.[109]

IV. THE LEVELS OF DEVOLUTION IN THE REGIONS COMPARED

In the original devolution settlement of 1998, it was possible to say that with the power of both the Scottish and the Northern Irish devolved institutions to pass primary as well as secondary legislation, the processes of devolution in Scotland and Northern Ireland had some common features and, at the same time, differed quite significantly from the setup in Wales. However, as was already mentioned in this chapter, in 2006, the National Assembly for Wales gained some limited law-making powers, which were subsequently enhanced in 2011, when the National Assembly for Wales was given responsibility to legislate on the devolved areas without the consent of the Westminster Parliament. Moreover, it is necessary to point out that, despite the above mentioned similarity of Scottish and Northern Irish devolution, prior to 2010, the Northern Ireland Assembly did not have the power to legislate on policing and justice but was, however,

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[108] Directgov, *Government in Northern Ireland.* [online] Available at:
http://www.direct.gov.uk/en/Governmentcitizensandrights/UKgovernment/Devolvedgovernment/DG_0 73309 [Accessed 19 February 2012].
[109] Directgov, *Devolved government in the UK.* [online] Available at:
http://www.direct.gov.uk/en/Governmentcitizensandrights/UKgovernment/Devolvedgovernment/DG_0 73306 [Accessed 19 February 2012].

given this extended competence in 2010, following the 'St Andrews Agreement'. Both the devolution of policing and justice to Northern Ireland in 2010 and the broadening of primary legislation powers of the National Assembly for Wales in 2011 were some of the aspects contributing to the equality of the devolved powers of the regions. It is, therefore, fair to say that, at the present time, the features of the particular levels of devolution in the regions of the United Kingdom can be considered fairly equal.

The following tables summarise the institutional bodies established in the regions and their major reserved and devolved powers.[110]

Newly established bodies

	Wales[111]	**Scotland**[112]	**Northern Ireland**[113]
Legislative power	National Assembly for Wales	Scottish Parliament	Northern Ireland Assembly
Executive power	Welsh Assembly Government	Scottish Government	Northern Ireland Executive

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[110] All the included tables were, on the basis of the information acquired from the sources referenced below, created by the author of this thesis.
[111] Cabinet Office, *Wales: What is Devolved?* [online] Available at:
http://interim.cabinetoffice.gov.uk/devolution/guidance/devolution_settlements/wales_settlement.aspx [Accessed 25 February 2012].
[112] Cabinet Office, *Scotland: What is Devolved?* [online] Available at:
http://interim.cabinetoffice.gov.uk/devolution/guidance/devolution_settlements/scotland_settlement.as px [Accessed 25 February 2012].
[113] Cabinet Office, *Northern Ireland: What is Devolved?* [online] Available at:
http://interim.cabinetoffice.gov.uk/devolution/guidance/devolution_settlements/northern_ireland_settle ment.aspx [Accessed 25 February 2012].

Powers still in the competence of Westminster

	National Assembly for Wales	Scottish Parliament	Northern Ireland Assembly
Reserved matters (Wales, Scotland) **Excepted matters** (Northern Ireland)	Reserved matters are not explicitly stated. By implication, all matters not included in the 20 listed devolved matters are considered reserved (e.g. general taxation, defence, foreign affairs and social scrutiny).	The Constitution Defence Energy Employment Foreign affairs Immigration National security Trade and industry Social scrutiny Some aspects of transport (air services, international shipping etc.)	Currency Defence Elections Honours Immigration International relations Royal succession Taxation across the UK

	National Assembly for Wales	Scottish Parliament	Northern Ireland Assembly
Reserved matters (Northern Ireland only)			Consumer safety Disqualification from Assembly membership Intellectual property International trade Navigation Telecommunications

Devolved powers

	National Assembly for Wales	**Scottish Parliament**	**Northern Ireland Assembly**
Devolved matters (Wales, Scotland) **Transferred matters** (Northern Ireland)	Agriculture Ancient monuments and historical buildings Culture Economic development Education Fire and rescue services Food Health Housing Local government National Assembly Public administration Social welfare Sport Tourism Town and country planning Transport Water and flood defence Welsh language	All matters that are not reserved (e.g. agriculture, economic development, education environment, health, local government, policing and justice and tourism).	All matters that are not excepted or reserved (e.g. education, health, policing and justice, social services and welfare).

As was demonstrated above, the primary difference between the devolution settlements in the regions of the United Kingdom is that in the case of Scotland and Northern Ireland, the devolved matters are not explicitly stated and all the subjects not reserved for the Westminster Parliament are considered devolved. On the contrary, the devolution setup

of Wales expressly specifies twenty matters, in which the National Assembly for Wales is able to legislate, with all the other subjects remaining in the competence of Westminster.

Overall, it is fair to say that the nature of both the reserved and transferred matters is generally rather similar for all three regions with, for example, national security and defence, foreign affairs, and immigration always remaining the responsibility of the central parliament, and, on the other hand, with, for instance, agriculture, education, health, and tourism being in all three cases devolved to the region. However, as was demonstrated in the first three subsections of this chapter, the processes by which the regions acquired their powers often differed quite significantly, with particular powers being devolved to certain regions at a later stage of devolution.

5.5   A PURSUIT FOR A HIGHER LEVEL OF AUTONOMY

Due to the nature of the pre- as well as post-devolution settlement of the United Kingdom, it was probably inevitable that, at some point, the nationalist movements in the regions would eventually seek a higher level of autonomy or even full independence. In this subsection, the author analyses the regional pursuits for more extensive devolution (or independence), the hitherto outcomes of the nationalist efforts, and their possible future development.

In Wales, nationalism evolves mostly around the Welsh language, which survived centuries of English rule; it is also supported by the persistent cultural distinctiveness and the sense of common history. However, because of industrialisation and the slight decline of the Welsh language in the past, the sense of Welsh identity is not as strong as the sense of nationhood in Scotland and Northern Ireland. Therefore, the idea of Welsh independence is often regarded to have a lot smaller support base than the concept of full independence for Scotland and Northern Ireland. Moreover, the ambiguous position of Plaid Cymru on independence contributes to this. Originally, Plaid Cymru was promoting the idea of 'full nation status' (in relation to membership in the European Union), and it only adopted independence as its objective in 2003. In the following years, political nationalism in Wales, led by Plaid Cymru, was limited to the goal of winning more power from Westminster (which was proven generally successful by the 2006 and

2011 broadening of the powers of the National Assembly for Wales).[114] In 2011, however, Plaid Cymru claimed an explicit commitment to achieving full independence for Wales – there were many parallels drawn with the SNP's pursuit for independence in Scotland and, according to many senior Plaid Cymru figures, Wales should follow a path similar to the one the SNP are taking in Scotland (Browne, 2011).

Nevertheless, in relation to the potential consequences of Scottish independence, the First Minister of Wales, Carwyn Jones, recently raised some concerns that changes as radical as Scottish independence could eventually lead to England dominating in Westminster, and he also stated that Scotland leaving the union would create the need of a convention looking at the nature of the state with its remaining members (Watt, 2012). This, again, signifies the disunity of Plaid Cymru regarding the issue of independence for Wales. Moreover, according to the available figures, the public support for independence is not especially strong, with only 20 percent of the Welsh population being in favour of this concept.[115] It is, therefore, possible to say that, generally, the idea of full independence for Wales is, at the present time, not vastly supported and that its future development is rather closely interconnected with Scottish independence, as it could bring certain shifts in both the public opinion and the position of Plaid Cymru.

In Scotland, the support for the concept of full independence has always been much more significant. As far back as 1928, the National Party for Scotland (later renamed as the Scottish National Party – SNP), which publicly promotes Scottish independence, was established. In the following decades, the SNP was systematically trying to promote the concept of devolution at the Westminster Parliament. In the late 1980s, during Thatcher's rather anti-devolution government, Scottish nationalists decided to take things into their own hands, set up their own constitutional convention, and published plans for a Scottish Parliament. However, it took another ten years for the SNP to finally achieve its goal and for Scotland to gain a certain level of autonomy.[116]

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[114] Politics.co.uk, *Welsh Independence.* [online] Available at: http://www.politics.co.uk/reference/welsh-independence [Accessed 25 February 2012].
[115] BBC, *Welsh firmly back Britain's Union.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/wales/6263807.stm [Accessed 25 February 2012].
[116] BBC, *Scottish Nationalism Timeline.* [online] Available at:
http://www.independent.co.uk/news/uk/politics/scottish-nationalism-2193230.html [Accessed 26 February 2012].

Following the establishment of the Scottish Parliament in 1999, the extent of powers devolved to Scotland was systematically broadened and, as was already mentioned in this thesis, in 2011, after winning the general election, the SNP outlined a timetable for independence with an independence referendum planned for autumn, 2014. However, there are still many problems the SNP will have to deal with in connection with independence. Firstly, there still remains a disagreement between the Scottish and British Governments on how many questions should be asked in the referendum, and on whether 16 and 17 year old Scottish citizens should be allowed to vote. Secondly, according to Scottish Secretary, Michael Moore, the two parties also do not agree on the timing of the planned referendum (Moore claims that the referendum should be held as soon as possible, the SNP, however, insist on the referendum taking place in 2014 – this is due to the fact that, according to Alex Salmond, it is the 'biggest decision Scotland has to make for 300 years' and everything has to be properly debated and settled before the referendum can be held).[117] Furthermore, the Scottish Affairs Select Committee[118] has recently asked the SNP for details needed on issues such as bank regulation, pension payments and the national currency.[119] Other questions, which still remain to be solved, are, for instance, the currency an independent Scotland would have, whether Scotland would take on a share of the UK's national debt, whether there would be a separate Scottish military established, what would happen to Scotland's membership in international organisations, and whether there would be border controls between Scotland and the rest of the United Kingdom (Black, 2012). As far as the public support for independence in Scotland is concerned, the estimates currently vary between 28 and 38 percent in favour of independence. According to the most recent Ipsos MORI[120] opinion poll, four out of ten Scots agree that Scotland should be an independent country.[121]

Moreover, another issue that has to be considered is the SNP's proposal to provide the referendum voters with a third option – the so-called 'devolution max', offering Scotland

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[117] BBC, *Scottish independence: 'Modest progress' at Moore Salmond talks.* [online] Available at: http://www.bbc.co.uk/news/uk-scotland-scotland-politics-17003842 [Accessed 25 February 2012].
[118] A select committee of the House of Commons of the British Parliament.
[119] BBC, *Scottish independence: MPs in 'unanswered questions' call.* [online] Available at: http://www.bbc.co.uk/news/uk-scotland-scotland-politics-17034508 [Accessed 25 February 2012].
[120] A leading market research company in the UK.
[121] *Scottish Independence Poll (January 2012).* [online] Available at: http://www.slideshare.net/IpsosMORI/independence-poll-for-the-times-final-30112 [Accessed 25 February 2012].

more extensive control over its governance (in areas such as taxation), which the opponents of the referendum disagree with as it, by extending the powers of the Scottish Parliament even in case the concept of full independence is not supported by the majority of the voters, would pretty much ensure some kind of a victory for the SNP. Moreover, there exists another concept – the so-called 'devo (devolution) plus', which is promoted by the three main opposition parties in the Scottish Parliament, and which would provide the devolved institution with new responsibility for welfare benefits (except pensions), control over income and corporation tax, control over the Scottish share of UK borrowing, and with a 'geographical' share of oil revenues.[122]

Generally, it is possible to say that the idea of full independence for Scotland is currently being very much promoted by the SNP but there still remain some very significant obstacles that have to be resolved for the SNP to be able to hold the planned 2014 referendum.[123]

There exist two types of Northern Irish nationalism. The first one – Ulster nationalism – seeks the independence of Northern Ireland from the United Kingdom without becoming part of the Republic of Ireland; and the second one – Irish nationalism – is, since the partition of Ireland, usually regarded as the support for a united Ireland, driven by the territorial integrity and self-determination of the Irish (Roche, 1994, p. 70).

Originally, Ulster nationalism referred to the movement promoting the independence of Ulster – a province in North-Eastern Ireland – but the term is currently used as an umbrella term for all nationalist movements, such as the promotion of independence of Northern Ireland itself.[124] Irish constitutional nationalism, which, in terms of objectives and aims, does not differ from republicanism (Roche, 1994, p. 70), is mostly represented by Sinn Féin, which systematically promotes the importance of creating a widespread support for the re-unification of Ireland.[125] To achieve their goal, the party proposes a

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[122] BBC, *Scottish independence: Devo Plus gains support from three MSPs.* [online] Available at: http://www.bbc.co.uk/news/uk-scotland-scotland-politics-17182913 [Accessed 29 February 2012].

[123] The author wishes to state that this bachelor's thesis was completed in February, 2012, and it, therefore, does not include any developments concerning the issue of Scottish independence after that date.

[124] Ulster Nationalist. [online] Available at: http://www.ulsternationalist.freeservers.com/ [Accessed 25 February 2012].

[125] Sinn Féin, *About Sinn Féin.* [online] Available at: http://www.sinnfein.ie/about-sf [Accessed 26 February 2012].

referendum on Irish unity to be held in both Northern Ireland and the Republic of Ireland, some Northern Irish representation in the Dáil,[126] the transfer of fiscal powers from Westminster to Northern Ireland, and the coordination of economic planning on an all-Ireland basis.[127] However, with Northern Irish nationalists being primarily Catholic, there exists a critique that Irish nationalism (or republicanism) does not take into account the diversity, complexity, and religious identity of people living on the entire island of Ireland. Furthermore, Irish nationalism is very closely connected with the ongoing violence some of the nationalist groups (for example the Real IRA and Continuity IRA) have been engaged in (McDonald, 2010). As for the public support for the concept of a united Ireland, the available data surprisingly show that only 33 percent of Northern Irish Catholics are in favour of the re-unification of Ireland, which, compared to the polls from the previous years, suggests that the support for republicanism in Northern Ireland is decreasing (Devenport, 2011).

Generally, it is fair to conclude that Northern Ireland, battling with religious and thus also ideological disunity, would have to overcome quite a significant number of obstacles to be able to get to a stage where the concept of independence would be plausible. Moreover, if independence was to be decided on the basis of a referendum, there is currently not enough a support for the concept and it is, therefore, possible that even if the above mentioned issues were resolved, independence would still not be approved of by the public.

As far as independence of the regions of the United Kingdom on the whole is concerned, it is fair to say that the future development very much depends on the progression of the concept of independence for Scotland in the upcoming years. It is conceivable that, if Scotland in 2014 votes for independence, the nationalist movements in both Wales and Northern Ireland might strengthen, and that there might have to be a fundamental rethink of the nature of the relationship between the remaining members of the union, as the unity of the country might be, to some extent, disrupted (Watt, 2012).

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[126] The lower house of the Oireachtas (the national parliament of the Republic of Ireland).
[127] Sinn Féin, *What Sinn Féin stands for.* [online] Available at: http://www.sinnfein.ie/what-sinn-fein-stands-for [Accessed 26 February 2012].

5.6   WHAT DOES DEVOLUTION MEAN FOR THE CENTRAL POWER?

Devolution has undoubtedly brought many changes to the constitutional setup of the United Kingdom. Firstly (and the most importantly), it transferred certain powers from the competence of the Westminster Parliament to the competence of the newly established bodies and thus prevented the central administration from deciding in certain (devolved) matters. This significantly transformed the unitary pre-devolution nature of the country. Secondly, it brought some new issues, such as the West Lothian Question[128] or the concepts of full independence for the regions, onto the political agenda of the central government as well as the local administrations.

The West Lothian Question, firstly posed by Tam Dalyell[129] in 1977, asks whether or not Scottish, Welsh or Northern Irish MPs have the same right to vote at Westminster since large areas of policy are devolved to national institutions. After devolution took place, Tory MPs were aggrieved that Labour could rely on scores of Scottish and Welsh MPs to push through unpopular measures concerning England only. In most cases, due to the base of English Labour MPs being fairly numerous itself, the West Lothian Question was not a problem. However, there were two 'incidents' when Scottish and Welsh Labour MPs' votes were needed to support Labour bills – in 2003, when Blair's government needed Scottish and Welsh MPs to push through the setup of foundation trusts in the English NHS, and in 2004, when university tuition fees were introduced in England. Nevertheless, it is not clear how the West Lothian Question should be solved as even bills concerning only England can potentially have a financial impact on the United Kingdom as a whole (Carrell, 2012). As a consequence of the West Lothian Question and to lower the regional representation in Westminster, the number of Scottish MPs in the central Parliament has been reduced from a pre-devolution 72 to the current 59. Moreover, the number of Scottish MPs is, according to the Boundary Commission for Scotland, to be reduced again (from 59 to 52) in 2013.[130] The number of Welsh MPs is,

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128 An issue of whether it is fair for the Welsh, Scottish and Northern Irish MPs to vote on matters only concerning England.
129 A British Labour politician and anti-devolutionist.
130 Boundary Commission for Scotland, *Constituencies* [online] Available at: http://www.bcomm-scotland.gov.uk/faqs/constituencies.asp [Accessed 26 February 2012].

according to the 2013 Review of the Boundary Commission for Wales, also supposed to be reduced (from the current 40 to 30).[131]

Finally, due to devolution, many aspects of the structure of Westminster have changed. For instance, the positions of the Secretary of State for Scotland and Wales were, in 2003, moved to the Department for Constitutional Affairs (which was subsequently renamed as the Ministry of Justice). But, nonetheless, it is important to mention that despite all the changes devolution has brought to the Westminster Parliament, some aspects remained the same as in the pre-devolution era: there, for instance, still exist Grand Committees and Select Committees for Scotland, Wales and Northern Ireland (Leeke, Sear and Gay, 2003, pp. 33–36). Moreover, the central parliament is still responsible for all matters concerning England, which, as was already mentioned in this thesis, does not have its own devolved administration.[132]

Devolution also provided the United Kingdom with an opportunity to try new and innovative procedures. For instance, in the first election to the devolved assemblies, none of the three bodies were governed by a single party or an overall majority (this was due to the proportional representation aspect used in all three cases), and thus there was a new, for the usual one-large-party-majority setup at the Westminster Parliament, unconventional need for coalition building. There was also a higher participation among women and young people reported in relation to the elections of the devolved bodies (Leeke, Sear and Gay, 2003, pp. 35–36).

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[131] Boundary Commission for Wales, *2013 Review* [online] Available at: http://www.bcomm-wales.gov.uk/2013_review_faqs_e.htm [Accessed 26 February 2012].
[132] BBC, *Devolution: A beginner's guide.* [online] Available at:
http://news.bbc.co.uk/2/hi/uk_news/politics/election_2010/first_time_voter/8589835.stm [Accessed 26 February 2012].

6   CONCLUSION

In this concluding chapter of the thesis, the author attempts (on the basis of the available information) to evaluate the outcomes and, in general, the success of the process of devolution in the United Kingdom. The second subsection of this chapter will be concerned with the possible future development in the matter of devolution.

6.1   DEVOLUTION IN THE UNITED KINGDOM: SUCCESSFUL OR NOT?

The process of devolution in the United Kingdom is generally regarded as fairly successful. Even though the road to devolution has not always been exactly smooth (this specifically applies to the case of Northern Ireland) the process in Wales and Scotland has developed with pretty much no greater problems. It is fair to say that, in the first place, devolution represents a significant achievement for the nationalist parties of the regions, many of which had been striving for an extended level of autonomy for many years prior to devolution. Moreover, thanks to the establishment of the new administration bodies, the government of the regions became a lot more accessible for their respective citizens, which should contribute to their contentment with the political situation in their region.

Due to the very active ongoing pursuit for full independence by the SNP in Scotland, it is Scottish devolution, which has generally been paid special attention to. Overall, the devolutionary process in Scotland is seen as the most successful out of the three regions, as the extent of devolution in Scotland has been systematically enhanced, and the region is in a position closest to a further broadening of its devolved powers or even to achieving full independence. According to Professor James Mitchell (University of Strathclyde), devolution to Scotland renewed the faith in the political system as, thanks to devolution, Scotland is no longer governed by those who, in compliance with the public opinion showed in the 1997 referendum, have no authority or legitimacy to govern it (Martin, 2009). Besides, we can draw the conclusion that the Scots generally see devolution as fairly successful from the support for the SNP they have shown in the

past two elections[133]. Moreover, judging from the available data, the public support for devolution itself in Scotland steadily remains fairly high.[134]

In Wales, the support for devolution has been strengthening since 1997. This should, again, imply that the Welsh are generally happy with what devolution brought to Wales. Furthermore, the Welsh have shown a preference for a more powerful form of devolution, which they did, firstly in 2006 and subsequently in 2011, to a certain extent, acquire.[135] From this point of view, it is possible to consider devolution to Wales successful, as the original devolutionary settlement was subsequently enhanced and the National Assembly of Wales acquired extended powers, which is something that, if devolution to Wales was proven to be unsuccessful, would probably not have happened.

It is fair to say that devolution in Northern Ireland was the most complicated and disrupted process out of the three regions and it is, therefore, also the most complicated one to evaluate. Interestingly, despite the previous repetitious failures of the major Northern Irish political parties to make devolution work, the public support for devolution among Irish Protestants remained steadily strong. However, due to the fact that Catholics tend to support the unification with the Republic of Ireland, it is very difficult to provide a clear and unanimous general opinion poll.

Devolution to Northern Ireland did, however, bring some positive aspects to Northern Irish politics, the most significant of which was the mutual 'St Andrews Agreement' reached by both the nationalists and the unionists, following which there were elected a First Minister from the Democratic Unionist Party and a Deputy First Minister from Sinn Féin. We can consider this a step toward some sort of 'reconciliation' between the nationalists and the unionists, which would, without the need to form a functioning devolved body brought by devolution, probably not have happened (or which would take significantly longer to have happened).

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[133]In 2007, the SNP won 47 seats (more than the other major political parties), which allowed them to form a minority government. In 2011, the SNP won 69 seats in the Scottish Parliament, which surpasses the 65 required to form a majority government.

[134] Devolution in Scotland. [online] Available at:
http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20Scotland.pdf [Accessed 26 February 2012].

[135] Devolution in Wales. [online] Available at:
http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20Wales.pdf [Accessed 26 February 2012].

In summing up, it is possible to say that devolution has been fairly successful and, considering the historical development of the country with regards to its regional differences, devolution is perhaps the ideal constitutional setup for the highly diverse yet strongly interconnected state. It cannot be considered unusual that the regions desire some autonomy in the decision-making processes that directly affect themselves, and, therefore, devolution allows for this to happen, while still keeping the country united.

6.2 WHAT DOES THE FUTURE HOLD?

We can only speculate about what the future holds for the constitutional setup of the United Kingdom. It is fair to say that the future development of the country (in terms of its decentralisation and unity) very much depends on what happens in Scotland. With the concept of full independence to Scotland being very strongly promoted by the SNP, there exists a possibility that in 2014, when the SNP plans to hold the Scottish independence referendum, Scotland will vote for independence and then, subsequently, secede from the union. This would, besides all the changes it would bring to the constitutional framework of Scotland itself, also certainly require certain alterations for the union as a whole. As was already mentioned in the previous chapter of this bachelor's thesis, the secession of Scotland from the union might possibly mean a significant strengthening of the nationalist tendencies in both Wales and Northern Ireland. It is, therefore, conceivable that, especially in the case the process of full independence to Scotland is proven to be fairly successful and smooth, the regions would try to follow Scotland's path and possibly introduce some concepts of independence themselves. On the other hand, though, the regions might turn toward a path entirely different from the Scottish one, and consider their future presence in the union vital for both their well-being as well as the well-being of the United Kingdom. In this case, there would certainly have to be some changes made to the current setup, to ensure the stability of the union without Scotland.

In case Scotland does not vote for independence in 2014, it will probably strive for at least some enhancement of the powers of the Scottish Parliament (as was already mentioned in this thesis, the SNP proposed the concept of so-called 'devolution max' which would, in case the concept of full independence is not sufficiently supported in the

referendum, provide Scotland with a higher level of autonomy)[136]. If those requirements are fulfilled, it is possible that the Wales and Northern Ireland might also express a desire for some further extensions of devolution. On the basis of the precedent events, with the level of devolution being systematically broadened in all three regions, it is fair to say that, unless something entirely unexpected, something that would lead to devolution being suspended or even totally stopped, happens, devolution will supposedly keep going forward and then the question we need to ask ourselves is whether the eventuality of full independence is not just the natural course of things and the logical conclusion of the devolution process? Nevertheless, we cannot predict the future and we will probably not be able to provide a clearer picture of what is going to happen until we know the results of the 2014 independence referendum in Scotland.

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[136] BBC, *Scottish independence: Voters need 'straight choice'.* [online] Available at: http://www.bbc.co.uk/news/uk-politics-17064847 [Accessed 17 February 2012].

7   SUMMARY

As was demonstrated above, devolution in the United Kingdom was by no means an easy and quick process. After the first, unsuccessful, devolution referendum in 1979, it took eighteen years for devolution to be brought back onto the political agenda of the Westminster Parliament and for the process of devolution to finally gain momentum. In 1997, the devolution referendums in Wales, Scotland and Northern Ireland proved that the public support for devolution was sufficient enough for the process to really begin to take shape and in 1998 (1999 in the case of the Scottish Parliament), the devolved administrative bodies in the regions were established. Since then, the debate over devolution has broadened and the current devolution settlement is rather different from the original one. Firstly, the secondary legislative powers of the National Assembly for Wales were, in 2006, significantly enhanced and, furthermore, in 2011, its scope of competence was enlarged and it was enabled to make primary legislation as well. Secondly, between the years 2005 and 2008, the Scottish Parliament gained responsibilities over some issues originally under the competence of the Westminster Parliament, and, moreover, after the 2011 general election victory, the SNP proposed a timetable for Scottish independence, with an independence referendum provisionally planned for autumn 2014. Finally, the issue of policing and justice was added to the powers transferred to the Northern Ireland Assembly in 2010. From this it is possible to draw the conclusion that devolution in the United Kingdom remains firmly on the political agenda, especially in the case of Scotland and its independence, which can, in the next several years, bring about some very significant changes to the constitutional framework of the United Kingdom.

The aims of this bachelor's thesis were to analyse the particular changes the political system of the United Kingdom has undergone since the topic of devolution was more specifically introduced in 1974, and to describe and compare the development of the process of devolution and its outcomes in the particular regions of the country – in Wales, Scotland, and Northern Ireland. While analysing the process of devolution, the author paid special attention to the course of events following the 1997 Labour victory in the general election, which they consider rather crucial to the advancement of the process. In the final part of the thesis, the author also attempted to evaluate the fruitfulness of devolution with regards to the original requirements of the major

nationalist parties in the regions as well as in connection with the feedback on devolution provided by public opinion polls in the regions. Furthermore, the author outlined some possibilities for the future development of the situation, with special attention paid to the issue (and its conceivable impact on the United Kingdom as a whole) of full independence for Scotland recently proposed by the SNP government.

To provide a theoretical basis necessary for analysing the process of devolution in the United Kingdom, the author included a theoretical chapter explaining the principles of decentralisation and devolution and describing the conceivable connection between decentralisation and regionalism (as well as nationalism). Furthermore, the third chapter of this thesis was concerned with the historical development of the distribution of power in the United Kingdom in the context of (de)centralisation, which, in the author's opinion, is key for understanding the reasons that led the nationalist subjects in the regions to demand a certain level of autonomy.

To conclude, it is possible to say that, at the present moment, the process of devolution is one of the most important and most frequently debated topics in British politics. Events in the next several years, particularly in the case of Scotland, could very well set devolution on the path it will take for the foreseeable future. Furthermore, this does not only have repercussions for the internal development of the United Kingdom but also for the role it plays in European as well as world politics. Therefore, the process of devolution in the United Kingdom remains a key issue which can be set into the backdrop of the greater social and political changes the world will experience in the rest of the 21st century.

8   BIBLIOGRAPHY

Adams, J. and Robinson, P., 2002. *Devolution in Practice: Public Policy Differences within the UK.* London: Institute for Public Policy Research.

Aughey, A., 2001. *Nationalism, Devolution and the Challenge to the United Kingdom State.* London: Pluto Press.

Barnes, E., 2012. Scottish Independence Referendum: Liberal Democrats deputy leader Simon Hughes calls for English devolution. *The Scotsman,* 22 January. [online]]Available at: http://www.scotsman.com/scotland-on-sunday/uk/scottish_independence_referendum_liberal_democrats_deputy_leader_simon _hughes_calls_for_english_devolution_1_2070894 [Accessed 10 February 2012].

BBC, *1985: Anglo-Irish Agreement Signed,* [online] Available at: http://news.bbc.co.uk/onthisday/hi/dates/stories/november/15/newsid_2539000/25 39849.stm [Accessed 7 February 2012].

BBC, *Devolution: A beginner's guide.* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/politics/election_2010/first_time_voter/858983 5.stm [Accessed 26 February 2012].

BBC, *Irish Home Rule: An Imagined Future.* [online] Available at: http://www.bbc.co.uk/history/british/victorians/home_rule_movement_01.shtml [Accessed 7 February 2012].

BBC, *Northern Ireland chronology: 2000.* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2933941.stm [Accessed 18 February 2012].

BBC, *Northern Ireland chronology: 2001.* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2933947.stm [Accessed 18 February 2012].

BBC, *Northern Ireland chronology: 2002.* [online] Available at: http://news.bbc.co.uk/1/hi/northern_ireland/2933949.stm [Accessed 18 February 2012].

BBC, *Northern Ireland chronology: 2003.* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/2933951.stm [Accessed 18 February 2012].

BBC. *Q&A: Independence referendum*. [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/scotland/8235428.stm [Accessed 17 February 2012].

BBC, *Scotland handed sea planning role.* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/scotland/north_east/7752324.stm [Accessed 11 February 2012].

BBC, *Scottish independence: Devo Plus gains support from three MSPs.* [online] Available at: http://www.bbc.co.uk/news/uk-scotland-scotland-politics-17182913 [Accessed 29 February 2012].

BBC, *Scottish independence: 'Modest progress' at Moore Salmond talks.* [online] Available at: http://www.bbc.co.uk/news/uk-scotland-scotland-politics-17003842 [Accessed 25 February 2012].

BBC, *Scottish independence: MPs in 'unanswered questions' call.* [online] Available at: http://www.bbc.co.uk/news/uk-scotland-scotland-politics-17034508 [Accessed 25 February 2012].

BBC. *Scottish independence plan 'an election issue'*. [online] Available at: http://www.bbc.co.uk/news/uk-scotland-11196967 [Accessed 17 February 2012].

BBC, *Scottish independence: Voters need 'straight choice'. .* [online] Available at: http://www.bbc.co.uk/news/uk-politics-17064847 [Accessed 17 February 2012].

BBC, *Scottish Nationalism Timeline.* [online] Available at: http://www.independent.co.uk/news/uk/politics/scottish-nationalism-2193230.html [Accessed 26 February 2012].

BBC, *Scottish Referendum: Scotland Decided.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/scotland/briefing/scotbrief 2.shtml [Accessed 10 February 2012].

BBC, Scottish *Referendum: The Devolution Debate This Century.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/scotland/briefing/c20scot. shtml [Accessed 8 February 2012].

BBC, Scottish *Referendum: The 1979 Referendums.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/scotland/briefing/79refere ndums.shtml [Accessed 8 February 2012].

BBC, *Welsh firmly back Britain's Union.* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/wales/6263807.stm [Accessed 25 February 2012].

BBC, *Welsh Referendum: The Politics of Devolution – Party Policy.* [online] Available at: http://www.bbc.co.uk/news/special/politics97/devolution/wales/briefing/partypolicy .shtml [Accessed 19 January 2012].

BBC, *Timeline: Devolution of policing and justice.* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/8457650.stm [Accessed 18 February 2012].

BBC, *The Anglo-Irish War.* [online] Available at: http://www.bbc.co.uk/history/british/easterrising/aftermath/af04.shtml [Accessed 7 February 2012].

BBC, *The Good Friday Agreement in Full,* [online] Available at: http://news.bbc.co.uk/2/hi/uk_news/northern_ireland/4079267.stm [Accessed 7 February 2012].

BBC, *The 1536 Act of Union.* [online] Available at: http://www.bbc.co.uk/wales/history/sites/themes/periods/tudors_04.shtml [Accessed 29 January 2012].

BBC, *The 1543 Act of Union.* [online] Available at: http://www.bbc.co.uk/wales/history/sites/themes/periods/tudors_05.shtml [Accessed 29 January 2012].

BBC, *Wales says Yes in referendum vote.* [online] Available at: http://www.bbc.co.uk/news/uk-wales-12482561 [Accessed 11 February 2012].

BBC, *What will happen when policing and justice is devolved.* [online] Available at: http://news.bbc.co.uk/2/hi/8459824.stm [Accessed 19 February 2012].

Black, A., 2012. *Twelve unresolved questions on Scottish independence.* BBC. [online] 25 January. Available at: http://www.bbc.co.uk/news/uk-scotland-scotland-politics-16636325 [Accessed 25 February 2012

Bloy, M., 1997. *Britain and Ireland 1789-1801.* The Victorian Web,. [online] Available at: http://www.victorianweb.org/history/ireland1.html [Accessed 2 February 2012].

Bogdanor, V., 1999. *Devolution in the United Kingdom.* Oxford: Oxford University Press.

Bogdanor, V., 1977. Regionalism, Devolution and Education. *Oxford Review of Education* 3 (2), pp. 157–170.

Boundary Commission for Scotland, *Constituencies* [online] Available at: http://www.bcomm-scotland.gov.uk/faqs/constituencies.asp [Accessed 26 February 2012].

Boundary Commission for Wales, *2013 Review* [online] Available at: http://www.bcomm-wales.gov.uk/2013_review_faqs_e.htm [Accessed 26 February 2012].

Brown, A., 1998. Asymmetrical Devolution: The Scottish Case. *The Political Quarterly* 69 (3), pp. 215–223.

Browne, A., 2011. *Plaid Cymru conference calls for independence for Wales.* BBC. [online] 10 September. Available at: http://www.bbc.co.uk/news/uk-wales-politics-14865114 [Accessed 25 February 2012].

Bradbury, J., 2008. *Devolution, Regionalism and Regional Development: the UK Experience.* London: Routledge.

Bulmer, S. et al., 2002. *British Devolution and European Policy-making.* Basingstoke: Palgrave Macmillan.

Cabinet Office, *Northern Ireland: What is Devolved?* [online] Available at: http://interim.cabinetoffice.gov.uk/devolution/guidance/devolution_settlements/northern_ireland_settlement.aspx [Accessed 25 February 2012].

Cabinet Office, *Scotland: What is Devolved?* [online] Available at: http://interim.cabinetoffice.gov.uk/devolution/guidance/devolution_settlements/scotland_settlement.aspx [Accessed 25 February 2012].

Cabinet Office, *Wales: What is Devolved?* [online] Available at: http://interim.cabinetoffice.gov.uk/devolution/guidance/devolution_settlements/wales_settlement.aspx [Accessed 25 February 2012].

Cardiff University, *Welsh Devolution: A Timeline.* [online] Available at: http://www.cardiff.ac.uk/insrv/libraries/scolar/digital/devolutionsources.html [Accessed 8 February 2012].

Carrell, S., 2012. *What is the West Lothian question and why does it matter?* The Guardian. [online] 17 January. Available at: http://www.guardian.co.uk/politics/2012/jan/17/what-is-west-lothian-question [Accessed 26 February 2012].

Commission on Scottish Devolution. [online] Available at: http://www.commissiononscottishdevolution.org.uk [Accessed 11 February 2012].

Connolly, K., 2007. *Restoring devolution under Blair.* BBC. [online] 10 May. Available at: http://news.bbc.co.uk/2/hi/uk_news/politics/6639107.stm [Accessed 18 February 2012].

Cornford, J., 1975. *The Failure of the State on the Distribution of Political and Economic Power in Europe.* London: Croom Helm.

Crook, R. and Manor, J., 1998. *Democracy and Descentralisation in South Asia and West Africa*. Cambridge: Cambridge University Press.

Davey, K., 2003. *Fiscal Decentralisation,* [online] Available at: http://unpan1.un.org/intradoc/groups/public/documents/untc/unpan017650.pdf [Accessed 7 January 2012].

Definition for regionalism, Oxford Dictionaries. [online] Available at: http://oxforddictionaries.com/definition/regionalism?q=regionalism [Accessed 14 January 2012].

Devenport, M. 2011. *United Ireland – what has changed.* BBC. [online] 17 June. Available at: http://www.bbc.co.uk/news/uk-northern-ireland-13815069 [Accessed 26 February 2012].

Devolution in England. [online] Available at: http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20England.pdf [Accessed 10 February 2012].

Devolution in Northern Ireland. . [online] Available at: http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20Northern%20Ireland%20rw.pdf [Accessed 10 February 2012].

Devolution in Scotland. [online] Available at: http://www.devolution.ac.uk/Final%20Conf/Devolution%20in%20Scotland.pdf [Accessed 26 February 2012].

Devolved Parliaments and Assemblies. [online] Available at: http://www.parliament.uk/about/how/role/devolved/devolved/devolved/ [Accessed 10 February 2012].

Directgov, *Devolved government in the UK.* [online] Available at: http://www.direct.gov.uk/en/Governmentcitizensandrights/UKgovernment/Devolvedgovernment/DG_073306 [Accessed 19 February 2012].

Directgov, *Government in Northern Ireland. .* [online] Available at: http://www.direct.gov.uk/en/Governmentcitizensandrights/UKgovernment/Devolvedgovernment/DG_073309 [Accessed 18 February 2012].

Directgov, *Government in Wales.* [online] Available at: http://www.direct.gov.uk/en/Governmentcitizensandrights/UKgovernment/Devolvedgovernment/DG_073308 [Accessed 11 February 2012].

Draft Referendum Bill. [online] Available at: http://www.scotland.gov.uk/News/Releases/2010/02/11161034 [Accessed 17 February 2012].

Elcock, H. And Keating, M., 1998. *Remaking the Union: Devolution and British Politics in the 1990s.* London: Frank Cass Publishers.

Encyclopedia Britannica, *Act of Union.* [online] Available at: http://www.britannica.com/EBchecked/topic/614673/Act-of-Union [Accessed 7 February 2012].

Encyclopedia Britannica, *Home Rule.* [online] Available at: http://www.britannica.com/EBchecked/topic/270116/Home-Rule [Accessed 7 February 2012].

Encyclopedia Britannica, *Irish Rebellion.* [online] Available at: http://www.britannica.com/EBchecked/topic/294143/Irish-Rebellion [Accessed 7 February 2012].

Encyclopedia Britannica, *Northern Ireland.* [online] Available at: http://www.britannica.com/EBchecked/topic/419739/Northern-Ireland/44666/Home-Rule [Accessed 7 February 2012].

Hardill, I., Graham, D. T. and Kofman, E., 2001. *Human Geography of the UK.* London: Routledge.

House of Commons, 2009. *Devolution: A Decade on – Justice Committee Contents.* [online] Available at: http://www.publications.parliament.uk/pa/cm200809/cmselect/cmjust/529/52904.htm [Accessed 10 December 2011].

House of Commons, 2004. *Devolution in Scotland.* [online] Available at: http://www.parliament.uk/documents/commons/lib/research/briefings/snpc-03000.pdf [Accessed 10 December 2011].

Johnson, S., 2010. *Tony Blair brands Scottish devolution a 'dangerous game'.* The Telegraph. [online] 1 September. Available at: http://www.telegraph.co.uk/news/politics/tony-blair/7976054/Tony-Blair-brands-Scottish-devolution-a-dangerous-game.html [Accessed 17 February 2012].

Keating, M., 1998. Reforging the Union: Devolution and Constitutional Change in the United Kingdom. *Publius* 28 (1), pp. 217–234.

Laffin, M., Thomas, A., 1999. The United Kingdom: Federalism in Denial? *Publius* 29 (3), pp. 89–107.

Lazer, H., 1977. Devolution, Ethnic Nationalism, and Populism in the United Kingdom. *Publius* 7 (4), pp. 49–49.

Learning and Teaching Scotland, *The Union of the Parliaments 1707.* [online] Available at: http://www.ltscotland.org.uk/scotlandshistory/unioncrownsparliaments/unionofparliaments/ [Accessed 2 February 2012].

Leeke, M., Sear, C., Gay, O., 2003. *An introduction to devolution in the UK.* [online] Available at: http://www.parliament.uk/documents/commons/lib/research/rp2003/rp03-084.pdf [Accessed 10 December 2011].

Martin, L., 2009. *A decade after Scottish devolution, what is the verdict?* The Guardian. [online] 3 May. Available at: http://www.guardian.co.uk/uk/2009/may/03/scotland-devolution-decade-anniversary [Accessed 26 February 2012].

McDonald, H., 2010. *One in seven Northern Irish nationalists sympathise with dissident terrorists.* The Guardian. [online] 6 October. Available at: http://www.guardian.co.uk/uk/2010/oct/06/one-in-seven-nationalists-support-terrorists [Accessed 26 February 2012].

McKittrick, D., 2010. *Last piece of devolution to Northern Ireland in place as Brown hails 'end to decades of strife'.* Belfast Telegraph. [online] 1 September. Available at: http://www.belfasttelegraph.co.uk/news/local-national/last-p.html-of-devolution-to-northern-ireland-in-place-as-brown-hails-end-to-decades-of-strife-14713060.html [Accessed 19 February 2012].

National Assembly for Wales. *The National Assembly for Wales Information Pack. .* [online] Available at: http://www.assemblywales.org/newhome/new-mediapack.htm [Accessed 19 February 2012].

National Assembly for Wales, *The Referendum.* [online] Available at: http://www.assemblywales.org/gethome/vote2011/get_involved-referendum.htm [Accessed 19 February 2012].

National Library of Scotland, *James VI and the Union of the Crowns* [online] Available at: http://digital.nls.uk/unionofcrowns.html [Accessed 30 January 2012].

Northern Ireland Assembly, *History of the Assembly.* [online] Available at: http://www.niassembly.gov.uk/Visit-and-Learning/History-of-the-Assembly/ [Accessed 18 February 2012].

Parliamentary Information List: *Bills on devolution in Wales.* [online] Available at: www.parliament.uk/briefing-papers/SN04753.pdf [Accessed 9 February 2012].

Paxman, J., 1998. *The English: A Portrait of a People.* London: Michael Joseph.

Politics.co.uk, *Welsh Independence.* [online] Available at: http://www.politics.co.uk/reference/welsh-independence [Accessed 25 February 2012].

Regionalism – Definition, Merriam-Webster. [online] Available at: http://www.merriam-webster.com/dictionary/regionalism [Accessed 14 January 2012].

Ribot, J., 2002. *Democratic Decentralization of Natural Resources: Institutionalizing Popular Participation.* Washington, DC: World Resources Institute.

Riley, P. W. J., 1969. The union of 1707 as an episode in English politics. *The English Historical Review* 84 (332), pp. 498–527.

Roche, P. J., 1994. Northern Ireland and Irish Nationalism – A Unionist Perspective. *The Irish Review* (15) pp. 70–78.

Royal Family History, *Great Britain and the United Kingdom, .* [online] Available at: http://www.britroyals.com/union.htm [Accessed 30 January 2012].

Scottish Independence Poll (January 2012). [online] Available at: http://www.slideshare.net/IpsosMORI/independence-poll-for-the-times-final-30112 [Accessed 25 February 2012].

Sinn Féin, *About Sinn Féin,* [online] Available at: http://www.sinnfein.ie/about-sf [Accessed 26 February 2012].

Sinn Féin, *What Sinn Féin stands for.* [online] Available at: http://www.sinnfein.ie/what-sinn-fein-stands-for [Accessed 26 February 2012].

Smith, C., 2008. *Devolution in the UK: Powers and Structures in Scotland, Wales and Northern Ireland.* [online] Available at: http://www.clicp.ed.ac.uk/publications/briefings/briefing01.pdf [Accessed 18 February 2012].

Smith, D. L., 1998. *A History of the Modern British Isles, 1603–1707: The Double Crown.* Oxford: Blackwell Publishing Ltd.

Smout, T. C., 1964. The Anglo-Scottish Union of 1707. I. The Economic Background. *The Economic History Review* 16 (3), pp. 455–467.

Stuart, G., 2011. *SNP launch 'Re-elect' manifesto with independence referendum vow.* STV, [online] 14 April. Available at: http://news.stv.tv/scotland/243521-snp-launch-manifesto-with-50m-fund-for-young-scots/ [Accessed 17 February 2012].

The Courier, *Independence referendum: Scotland facing constitutional chaos.* [online] Available at: http://www.thecourier.co.uk/News/Politics/article/20230c1/independence-referendum-scotland-facing-constitutional-chaos.html [Accessed 17 February 2012].

The National Archives, *Rise of Parliament: Uniting the kingdom?* [online] Available at: http://www.nationalarchives.gov.uk/pathways/citizenship/rise_parliament/uniting.htm [Accessed 2 February 2012].

The Guardian: Elections Past, 2011. [online] Available at: http://politics.guardian.co.uk/electionspast/page/0,,1450592,00.html [Accessed 18 January 2012].

The Scottish Government, *The Scottish Government.* [online] Available at: http://www.scotland.gov.uk/About [Accessed 19 February 2012].

The Scottish Parliament, *Devolved and reserved matters explained.* [online] Available at: http://www.scottish.parliament.uk/visitandlearn/25488.aspx [Accessed 19 February 2012].

The World Bank Group, 2012. [online] Available at: http://www.worldbank.org/ [Accessed 7 January 2012].

The 1978 Constitution. [online] Available at: http://countrystudies.us/spain/73.htm. [Accessed 7 January 2012].

Ulster Nationalist. [online] Available at: http://www.ulsternationalist.freeservers.com/ [Accessed 25 February 2012].

UNDP, *Decentralization: A Sampling of Definitions,* 1999. [online] Available at: http://www.undp.org/evaluation/documents/decentralization_working_report.PDF [Accessed 12 January 2012].

Watt, N., 2012. *Scottish independence: Wales and Northern Ireland make unity plea.* BBC. [online] 13 January. Available at:

http://www.guardian.co.uk/politics/2012/jan/13/scottish-independence-wales-northern-ireland [Accessed 25 February 2012].

Wales Office, *Devolution Settlement.* [online] Available at: http://www.walesoffice.gov.uk/devolution/ [Accessed 11 February 2012].

Wales Office, *2011 Welsh Referendum.* [online] Available at: http://www.walesoffice.gov.uk/about/referendum/ [Accessed 11 February 2012].

Welsh Government, *History of Devolved Government in Wales.* [online] Available at: http://wales.gov.uk/about/history/devolved/?lang=en [Accessed 19 February 2012].

9   RESUMÉ

Dans cette thèse nous traitons la question du processus de dévolution au Royaume-Uni. Le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord est une monarchie constitutionnelle ainsi qu'une démocratie parlementaire composée de quatre régions – L'Angleterre, Le Pays de Galles, L'Écosse et L'Irlande du Nord. Le Royaume-Uni est régi sur la base du gouvernement décentralisé avec le Gouvernement de Sa Majesté, basé à Londres et avec les administrations régionales dans les différentes régions.

Les objectifs de la thèse ont été d'analyser les changements particuliers du système politique du Royaume-Uni après l'introduction plus spécifique du sujet de la dévolution en 1974, mais également de décrire et comparer l'évolution du processus de déconcentration ainsi que de se pencher sur les résultats dans certaines régions du pays. L'auteur s'été concentré, en particulier, sur le développement de la situation après 1997. En 1997, les référendums dans les régions ont prouvé que le soutien public à la dévolution était suffisant, le processus a donc officiellement commencé. En 1998 (1999 dans le cas de l'Écosse), les administrations décentralisées ont été mises en place dans les régions. Mais le règlement actuel de la dévolution est très différent de celui d'origine. En effet, en 2006, les compétences de l'Assemblée Nationale du Pays de Galles ont été élargies et depuis 2011, l'Assemblée Nationale du Pays de Galles peut aussi rendre la législation primaire. Entre 2005 et 2008, le Parlement écossais a gagné plus de responsabilités et en 2011, le SNP a proposé un calendrier pour l'indépendance, avec un referendum pour l'indépendance prévu pour l'automne 2014. En outre, la question de la police et la justice a été ajouté aux compétences transférées à l'Assemblée nord-irlandaise.

Pour être en mesure d'analyse la dévolution, l'auteur a aussi inclus un chapitre théorique sur la décentralisation en général et un chapitre plus historique sur l'évolution historique du Royaume-Uni.

Il est possible de dire que la dévolution était tout à fait essentiel pour le développement interne du Royaume-Uni, et qu'il est aujourd'hui encore l'un de sujets les plus importants et les plus souvent débattus dans la politique britannique. Le développement futur de la situation en Écosse peut apporter des changements très importants pour la

configuration politique du Royaume-Uni ainsi que pour le rôle que le Royaume-Uni joue dans la politique internationale.