

REVIEW: THE STATE OF THE NATIONS 2003

Peter Lynch

Robert Hazell (ed.), **The State of the Nations 2003 – The Third Year of Devolution in the United Kingdom**, Exeter: Imprint Academic, 2003, 310pp, pb, £14.95., ISBN 0-907845-45-5.

This is the third volume in the annual **State of the Nations** series, funded by the Leverhulme Trust to track the progress of devolution across the UK. Each volume has given space to a number of academic teams to report on the evolution of devolution in Northern Ireland, Scotland, Wales and England, in addition to reporting on administrative and constitutional developments at the centre of UK politics – Westminster and Whitehall – and the moves to adjust to the emerging frameworks of multi-level governance. However, whilst these two standard features tell us much about the progress of devolution – particularly in England and Wales – this third volume breaks new ground by considering policy divergence from Westminster. Two chapters, by Scott Greer on health (helpfully subtitled ‘will anything change in Greenock?’), and Rachel Simeon on Free Personal Care, make a substantial contribution to this volume by moving away from constitutional and institutional mechanics and events to examine the big question of devolution: does it make a difference in policy terms? Each provides interesting conclusions on the long-term effects of policy divergence in these two areas.

The first section of the book looks directly at developments in the four component parts of the UK in the 2001-2 period. In Scotland, which is actually the least interesting of the four chapters, the emphasis is very much on the events surrounding the fall of Henry McLeish and the election of Jack

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McConnell as the third First Minister, with discussion of McConnell's cabinet and political style. The Scottish chapter also deals with the legislative programme and achievements of the Parliament and Executive. However, compared to Wales, Northern Ireland and England, Scottish devolution is stable and focused on legislation and policy, with the Scottish case lacking some of the dynamism and fluidity of the other nations and regions. In any case, if you have been knee-deep in Scottish devolution, developments in other parts of the UK make a refreshing change.

For example, in Wales, unbeknownst to us, the coalition Executive has been busy rewriting the Wales Act without reference to Westminster. Henry McLeish may have shied away from rebranding his Executive as a 'Government', but the Welsh showed no such inhibitions. First, the Assembly agreed to establish a clear division between the Assembly and the government – with a division of staff and functions in March 2002. This change was more than symbolic as it effectively created a quasi-parliament and an accountable government; effectively unpicking the Wales Act. Second, the Assembly established the Richard Commission to examine the case for the extension of the powers of the National Assembly for Wales. Notably, this constitutional convention of sorts has more cross-party support than that which existed in Scotland in the 1990s. The coalition for increasing the powers of the Assembly extends from the Lib-Lab coalition to the nationalist opposition and to most outside commentators and experts. The outcome of the Commission's proposals will be strongly conditioned by the type of government formed after 1 May – coalition or not – but there is clear evidence that Wales has chosen to move beyond the confines of the Wales Act 1998.

Wales is not the only part of the UK to see some constitutional innovation with devolution. Perhaps surprisingly, England has now joined the devolution bandwagon, though rather late in the day. Whilst, at the constitutional level, little appears to have been going on in England on the ground, institutional developments with constitutional implications have gathered pace. Since 1997, Labour created regional development agencies across the English regions and created the political and administrative circumstances in which 'regional chambers' would emerge. The chambers are collections of local authorities and other regional stakeholders. Some of them have branded themselves as 'assemblies', and they are seen as the genesis of 'real' regional assemblies. Also, let us not forget the creation of the Greater London Authority and Mayor. Moreover, as this chapter by Tomaney and

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Hetherington illustrates, there is a considerable amount of government activity in the English regions and in local government, with initiatives on planning, housing, elected mayors, etc., which have substantial implications for the regional question in England.

Of course, English regional devolution was cautiously touted in Labour's general election manifesto in 1997, only to be placed on the backburner. Yet, following Whitehall reorganisation in 2002 and the creation of the Office of the Deputy Prime Minister with responsibility for regional government, English regionalism is back on the agenda. The government published a White Paper on English regional government – **Your Region, Your Choice**, in May 2002 – with Prescott's new office responsible for delivering it. The White Paper offered few surprises from the weak model of regional government originally offered by Jack Straw in 1995 – though the assemblies were to be given borrowing powers denied to the Scottish Parliament. The chapter gives a useful critique of the regional assembly policy as well as some indication of its likely success. And, though English regionalism might appear as 'the dog that didn't bark', to quote Bernard Crick (and Arthur Conan Doyle), the White Paper led to the publication of a bill on referendums for the English regions in November 2002, with the expectation of the first referendum in 2004 – if the regions give 'their permission', to employ a contemporary Swinneyism. Thus, even in the least likely area of the UK to gain devolution, something is happening.

Whilst Wales and England offer examples of evolution towards devolution, Northern Ireland, typically, offers something entirely different. Indeed, Wilford and Wilson's chapter forms a useful antidote to the notion that devolution is progressing across the UK. For sure, there are a host of special circumstances in Northern Ireland, and the authors provide a detailed and witty analysis of the ups and downs of devolution which stresses its uniqueness. Outside of a Christopher Brookmyre novel, where else would you find devolution threatened by a break-in at a police station or a major spying operation mounted by a political party that was actually in government? Despite the 'now you see it, now you don't' quality of Northern Irish devolution – four suspensions since 1999 – the assembly itself managed to pass 29 pieces of legislation since December 1999. Given the state of the peace process, probably nobody noticed. Indeed, whilst some legislative progress has been made, the authors' overall conclusion is that the area in which the NI Assembly and parties have failed miserably is over the Northern Ireland question itself. They argue that laws on social security, pension

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credits and children in care are no substitute for an effective peace process and improved community relations.

Besides assessing the third year of devolution in the nations and regions, **The State of the Nations 2003** also turns its attention to developments at Whitehall and Westminster, and focused on the then forthcoming devolved elections of 2003 with chapters on multi-level electoral systems by Jeffery and Hough and on voter attitudes to devolution by John Curtice. Overall, the book is packed with information and analysis on the development of devolution but also on the beginnings of its policy impact, too. It is recommended reading for anyone seeking to assess the performance of the devolved institutions or the longer-term trajectories of New Labour's devolution plans.

April 2003