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# The Conservative Party's Devolution Dilemma

*Le dilemme de la dévolution pour le parti conservateur*

01 January 2008.

**David Seawright**

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PREO

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Introduction

1. Playing the Scottish Card and its Boomerang Effect
2. « Wake up, wake up » to the Valence Problem
3. The English Question?
4. In Conclusion: One Nation but which?

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## **Introduction**

- 1 In the very year that sees the three hundredth anniversary of the signing of the Act of Union between Scotland and England in 1707 the Conservative and Unionist Party, a party that parades itself as *the* party of the union, faces a considerable dilemma regarding the formulation of policy that will underpin the future of that union. An increasing body of evidence points to an inexorable road towards separation; not least of which was the victory for the Scottish National Party at the 2007 Scottish Parliamentary election. And in an ICM opinion poll in November 2006, 52 per cent of Scots favoured independence while 31 per cent were against but more importantly the poll also found that 59 per cent of English respondents believed « it

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was time to let Scotland go it alone » with just 25 per cent disagreeing (*Sunday Telegraph*, 26 November 2006). The rise in the level of resentment found south of the border concerning a putative favourable position of Scotland and Wales vis-à-vis England, post devolution of 1999, has thrown into sharp relief the dilemma that faces the Conservative Party over its policy on devolution. As we shall see, throughout the 1980s and for most of the 1990s the party was virtually alone in its position of defending the constitutional *status quo* while warning against the anomalies that devolution entailed being a slippery slope to dissolving the union.

- 2 However, in the wake of the New Labour victory of 1997 and the setting up of the Scottish Parliament and Welsh Assembly there was a volte-face on such policy; the Conservative Party now wholeheartedly supported devolution while espousing the mantra that only they « could make devolution work ». What was meant by this was that the Conservative Party would address the major anomaly of the West Lothian Question, which was now increasingly referred to as the « English Question », and which, in conjunction with the Barnett formula, were the main grievances of those English respondents mentioned above. In the same ICM opinion poll 62 per cent of English respondents thought that Scots MPs should not be able to vote on English laws while 60 per cent thought it unjustified that spending per head was higher in Scotland than in England (*ibid*). But, we will see below that such a mantra as « making devolution work » bore more the hallmark of an oxymoron than the intended effective electioneering slogan it was meant to be, particularly for Scotland and Wales. In short, in developing the «English votes for English laws» policy which was meant to address the anomalous position whereby Scots MPs (and to a lesser extent Welsh MPs) could be the arbiters of legislation for English constituencies while not having the ability to pronounce on such policy for their own constituents merely highlighted the constitutional imbroglio that asymmetrical devolution had now become and which further endangered the very union that the party wished to protect. Very soon after becoming leader David Cameron tasked Ken Clarke with setting up a Democracy Task Force to address such problems arising from Tony Blair's constitutional changes but one year later and the problem of the « English Question » was conspicuous by its absence in its first report (Conservative

Party, 2007). Indeed, in the summer of 2006 a Scottish newspaper claimed that David Cameron, fearing that the argument over the constitution could get out of hand, « has ordered his troops to stop talking about it » (*The Herald*, 12 July 2006). But, with the increasing level of resentment found in England that will be no easy task and it is not only asymmetrical governance which is an issue for Conservative concern; for some time now the Party has had to face the reality of asymmetrical support, as outlined in table 1.1.

**Table 1.1. The Conservative Share of the vote in England, Scotland and Wales, 1950-2005**

|  |      |      |      |      |      |      |      |       |       |      |      |      |      |      |
|--|------|------|------|------|------|------|------|-------|-------|------|------|------|------|------|
|  | 1950 | 1951 | 1955 | 1959 | 1964 | 1966 | 1970 | 1974F | 1974O | 1979 | 1983 | 1987 | 1987 | 1997 |
|--|------|------|------|------|------|------|------|-------|-------|------|------|------|------|------|

| 1999*     | 2001 | 2003* | 2005 |      |      |      |      |      |      |      |      |      |      |       |      |      |      |
|-----------|------|-------|------|------|------|------|------|------|------|------|------|------|------|-------|------|------|------|
| Eng-land  | 44.0 | 49.2  | 50.6 | 50.2 | 44.1 | 42.8 | 48.4 | 38.9 | 40.2 | 47.2 | 46.0 | 46.2 | 45.5 | 33.7  | n/a  | 35.2 | n/a  |
| Scot-land | 46.2 | 49.6  | 50.1 | 47.6 | 40.6 | 37.6 | 38.5 | 24.7 | 32.9 | 31.4 | 28.4 | 24.0 | 25.7 | 17.56 | 15.6 | 16.6 | 16.6 |
| Wales     | 28.3 | 33.1  | 33.5 | 33.8 | 29.4 | 27.9 | 27.7 | 23.9 | 25.9 | 32.2 | 31.0 | 29.5 | 28.6 | 19.6  | 15.8 | 21.0 | 19.9 |

\*These are the « devolved » elections for Scotland and Wales and figures represent the « first or constituency vote » of the Additional Member Electoral system for direct comparability with the Single Member Plurality System used for Westminster elections.

Sources: Westminster Elections: data from the Nuffield Studies, *The British General Election of 19xx - 2005*. Scottish and Welsh Elections: data from Jones, R. W. and Scully, R. (2006). "Devolution and Electoral Politics in Scotland and Wales", *Publius: The Journal of Federalism*, 36 / 1.

3 Table 1.1 delineates the Conservative share of the vote in England, Scotland and Wales between 1950 and 2005 and neatly encapsulates for us the reality that the party is now more the party of England than of Britain. Indeed, the fact that it won a greater share of the popular vote in England than Labour did in 2005 ironically added to this image problem and exacerbated its devolution dilemma. The party had never had a tradition of winning in Wales and its share of the vote there varies from a third to a fifth over the period but in Scotland the trend is one of precipitous decline with its marginality very clear from 1997 onwards. But, this was not always the case as in the 1950s and early 1960s the conventional approach was to refer to British homogeneity in voting behaviour (Budge and Urwin 1966). And, in the following section we note that the Conservative Party in Scotland (or more accurately the Scottish Unionist Party between 1912 and 1965) was adept at playing « the Scottish Card » in its « successful » post war period but such a strategy had concomitant political dangers and would eventually rebound on a party that looked increasingly English. With this in mind we then explore the problem of a party being on the wrong side of a valence issue that devolution had now become. This then leads us to an examination of the contemporary issue of the «English Question» for the Conservative Party before concluding with a view on the future prospects for party policy on devolution. After all, Disraeli was fond of the refrain that the « Tory party, unless it is a national party is nothing » (Kebbel 1882 : 524) but the party's claim for One Nation (see Seawright, forthcoming) begs the question, which nation? The emphasis here is on England's rela-