

## ***Impact Case Study***

### **UoA 21: Politics and International Studies**

#### **England and the British Question: identity, finance and intergovernmental relations after devolution**

##### **Summary of the impact**

Though the individual research agendas have distinctive emphases, the contributions of Aughey, Birrell and Trench have become integral elements in understanding the development of devolution in the United Kingdom (UK). The impact of this work, through engagement with Parliamentary Commissions, Parliamentary and Assembly Committees and policy think tanks, helps define for politicians, administrators, interest groups as well as the general public the relationship between English and British identity, how devolved institutions operate in the context of central government programmes and the options for policy makers in devising financial arrangements which respect devolved autonomy, English interests and UK equity.

##### **Underpinning research**

It has become commonplace to speak of devolution as ‘unfinished business’. Yet what is to be ‘finished’ and what is the ‘business’ are matters of debate. Professor Robert Hazell once said that the gaping hole in the devolution settlement is England. This is not only a matter of English governance alone but also of England’s relationship with the other devolved regions, its position within the UK as a whole and the integrity of the UK in terms of financing devolution. In tackling this omission, the underpinning research for this case study was conducted by Professor Arthur Aughey (appointed to Ulster in 1979), Professor Derek Birrell (appointed to Ulster in 1969) and Professor Alan Trench (appointed to Ulster in 2013) who continue to be in University of Ulster employment now. Their findings help shape the current debates on the asymmetrical nature of devolution in the UK, especially in relation to the government of England and the divergent policy outcomes as a consequence of administrative arrangements in England, Northern Ireland, Scotland and Wales. Aughey has concentrated mainly on English identity, Birrell on comparative institutions and policy divergence, and Trench on framing a financial model of stronger devolution sustained by shared interests and structures as well as autonomous ones.

Aughey has published widely on the politics of England with support from a British Academy Small Grant (2007: £740, 1224R0065) as well as a Leverhulme Major Research Fellowship (2008-2011: £126,167, 1224R0072) and the Foundation for Canadian Studies (2007-2013: £13,847), 1234R0181). He framed the issue originally in the chapter ‘Missing England’ in *Nationalism, Devolution and the Challenge to the UK State* (Pluto 2001). The idea mooted in that chapter was developed in collaboration with the Constitution Unit at UCL appearing in R Hazell (ed) *The English Question* (MUP 2006) and a substantial part of a further chapter in R Hazell (ed) *Constitutional Futures Revisited* (Palgrave 2008). Subsequently, *The Politics of Englishness* (MUP 2007) (reference 1) was the first academic text which looked in depth at the debate about Englishness, identity and nation in the period after devolution, aspects of which were re-examined in *The British Question* (2013) (reference 2). An article in the journal *Nations and Nationalism* (2010) related ideas from the monograph directly to the Campaign for an English Parliament (reference 3). Key findings showed that there was a growth in a sense of English identity without any consensus about how that identity should or could be

expressed institutionally and politically within the Union. Dealing with the English question in the UK is one that the coalition government identified in its programme for government, establishing the Commission on the Consequences of Devolution for the House of Commons (McKay Commission) to which Aughey contributed.

Birrell has carried out comparative research on the operation of devolved government. In his book *Direct Rule and the Governance of Northern Ireland* (MUP 2009) he makes a comparison between governance by Westminster's Direct Rule in Northern Ireland and governance under devolved arrangements (reference 6). In particular this covers the legislative and parliamentary processes, including the territorial scope of legislation enacted at Westminster as well as the local system of public administration. Birrell has also undertaken a major study comparing the operation of devolution between Scotland, Wales and Northern Ireland. *Comparing Devolved Governance* (Palgrave 2012) examines the extent to which there has been a movement towards greater procedural symmetry (reference 4). The book analyses the powers, resources and operation of the Scottish Parliament and the two Assemblies as well as the operation of government departments, quangos and local government. Inter-governmental cooperation is identified as a new aspect of governance (reference 6). Related academic work has had a focus on policy outcomes, policy making, policy capacity and public sector reform. Key findings have been to detect a growing similarity in the operation of the institutions of governance between the three devolved systems in the period 2007-12 except in a few core areas such as executive government in Northern Ireland. At the same time there has been a continuing divergence in policy outcomes in some key areas between the devolved administrations and also between the devolved administrations and England. Also identified is an emerging area of controversy about overlaps between powers exercised by devolved governments and UK government.

Trench's work since his arrival at Ulster has built on his earlier research on intergovernmental relations and devolution. He was the editor of and contributor to 'The State of the Nation' series which documented the development of devolution in the UK. His recent work has focused chiefly on constitutional developments relating to Wales, debates about devolution finance, fiscal devolution and the Barnett formula in the context of Northern Ireland, and developing a model of enhanced devolution for Scotland within the UK. His findings suggest that that present UK financial arrangements relying on the Barnett formula are no longer fit for purpose and require significant changes not just on an administrative level but also by way of greater tax raising powers by devolved governments. Reconciling greater reliance on own tax resources, with UK wide equity, involves a delicate balancing act and Trench's research shows how this might be done.

#### **References to the research** (books available from HEI on request)

1 Aughey, A. (2007) *The Politics of Englishness* (Manchester: Manchester University Press). ISBN: 978 0 71906 873 7

2 Aughey, A. (2013) *The British Question* (Manchester: Manchester University Press). ISBN: 978 0 71908 340 2

3 Aughey, A. (2010) 'Anxiety and Injustice: the anatomy of contemporary English nationalism', *Nations and Nationalism*, 16 (3), 506-24. DOI: 10.1111/j.1469-8129.2009.00422.x

4 Birrell, D. (2012) *Comparing Devolved Governance* (Basingstoke: Palgrave Macmillan). ISBN: 978 0 23027 320 7

5 Birrell, D. (2012) 'Intergovernmental relations and political parties in Northern Ireland', *British Journal of Politics and International Relations*, 14 (2), 270-284. DOI: 10.1111/j1467-856x.2011.00503.x

6 Birrell, D. (2009) *Direct Rule and the Governance of Northern Ireland* (Manchester: Manchester University Press). DOI: 978 0 71907 7579

### **Details of the impact**

This research on devolution has been disseminated extensively through social media outlets: *Devolution Matters* (Professor Alan Trench's blog - <http://devolutionmatters.wordpress.com>); and *What England Means to Me* (Professor Arthur Aughey's blog-<http://whatenglandmeanstome.co.uk/>) have respectively on average 40,000 and 50,000 hits per year. It has also been disseminated in local, national and international broadcasts and through the publication of articles in local and national newspapers. Through the active dissemination of the research and using the media as an impact generating interface, the team's work has impacted on the tone, language and framing of the debates about the English question and the asymmetrical nature of devolution in the UK.

To establish a direct relationship between research and effect is always problematic. However it is clear that the public and policy debates have been stimulated by the research undertaken and subsequent analyses of Aughey, Birrell and Trench. A major institutional context for these debates about Englishness, and by extension Britishness, is the Parliament at Westminster. In a House of Lords debate in 2009, Lord Bew referred to Aughey's research as a major political science intervention in the debate which the government needed to note: 'Now, when new Labour wants to define positive Britishness and turns to its natural historical intelligentsia, it does not receive much help. In fact, the most relevant academic interventions may now come from the community of political science—the noble Lord, Lord Parekh, being a striking example in his fine speech earlier today, the work of the Constitution Unit, Professor Arthur Aughey's important work in Belfast, and even old hands such as Professor Sir Bernard Crick' (source 1). As a consequence of this citation, in December 2009 Aughey was invited to participate in a roundtable discussion at Number 10 Downing Street on the question of a written constitution for the UK, one proposal to resolve the outstanding problems specifically related to the asymmetry of devolution. Convened by a member of the Number 10 Private Office's Policy Unit Aughey's specific contribution was on the implications of constitutional change for England and its distinctive place within the post-devolution constitution. Subsequently, contact was maintained with the convenor of that event after the 2010 General Election and the change of government, now as Director of the Institute for Public Policy Research (IPPR). IPPR took up the English Question as one of its projects and Aughey's input into that project was both direct (being consulted by the director of the project) and indirect, through participation in a number of seminars run at the IPPR's offices in London between 2010-2013. The Director of IPPR said that: 'Aughey ...pinpoints the factors that have led to an emergent English anxiety, as well as those that weigh against the expression of that anxiety in a new English nationalism' (source 2). A subsequent IPPR policy paper by Professor Richard English referred specifically to the excellence of Aughey's monograph on England in terms of the comprehensive nature of the research as a vital reference point for framing future discussions about English nationalism (source 3). The key impact has been the realisation that English nationalism is (at the moment) 'a mood not a movement' and both sources indicate clearly how

Aughey's work has enhanced cultural understandings of the English identity among those tasked with the formulation of new policy directions for England. This 'mood not a movement' finding was explicit in his written submission to the McKay Commission on the Consequences of Devolution for the House of Commons (2012). Subsequently Aughey was invited to give further oral evidence when the Commission held its hearings in Belfast (June 2012) and led to specific reference to his contribution to the Commission's findings (see 4).

Birrell's work on the comparative functioning of the devolved institutions and their relationship to the Westminster Parliament led to the invitation by the David Hume Institute in February 2013 to contribute to their ESRC funded 'conversation' on issues relating to constitutional change in Scotland particularly as they related to social security and welfare in Northern Ireland. Jeremy Peat, the Director of the David Hume Institute referred to this paper amongst others as 'an important, evidenced based and transparent contribution within the critical debate in Scotland on possible constitutional change' (source 5). In Northern Ireland, Birrell was invited to give evidence to the Assembly and Executive Review Committee in Northern Ireland as part of their 'Review of D'Hondt, Community Designation and Provisions for Opposition'. His contribution focused on the question of reducing the number of departments and the operation of the Northern Ireland Executive. His evidence suggested that departmental reduction was a complex issue and drew on comparative material to explain executive functions (source 6). The evidence was referred to in the final published report and an article based on his evidence was published in the Belfast Telegraph (9 May 2013) indicated that his work had public resonance, helping to shape the debate. The final report, as Birrell advised, did not recommend a reduction in departments. Birrell's research has highlighted issues and difficulties in policy making processes in the Northern Ireland Executive and Assembly due to both the mandatory power-sharing coalition and weaknesses in the policy capacity of government departments. His work on the policy process, the devolved policy style, policy copying and forms of delegated governance has been presented in seminars and discussions with senior civil servants, MLAs and NGOs through the Knowledge Exchange Seminar Series (KESS) which seeks to promote 'evidence-led policy and law-making within Northern Ireland'. It is sponsored collaboratively by Queen's University of Belfast, University of Ulster and the Assembly's Research and Information Service (RaISe) (source 7). His participation in an IPPR Project on devolution in practice – on issues of policy divergence between the devolved administrations and England - and his paper comparing devolution and asymmetric devolution in the yearbook series "Contemporary Wales" informed discussion on the future of Welsh devolution in context of the Silk Commission's deliberations.

Indeed, informing and advising government has been a constant theme of the research team on devolution and Trench's impact has come largely from advisory roles based on his research findings. Prior to his appointment at the University of Ulster, he has acted as a specialist adviser on constitutional matters to the House of Commons Welsh Affairs Committee (since 2010). Since joining the University of Ulster, he has also submitted written evidence to Part II of the Silk Commission on the implications of a Welsh legal jurisdiction (source 8). Regarding finance, and building on earlier submissions to such bodies as the Calman Commission in Scotland, the Silk Commission in Wales, the Scottish Parliament's Scotland Bill Committees and the Finance and Personnel Committee of the Northern Ireland Assembly, he has been involved in a major IPPR project, 'Devo More', with one report published in January 2013 and another (Devo More and Welfare) due in February 2014. This research has led to his appointment to advise the Scottish Conservatives' devolution commission. Trench is also participating in the emergent debate in Northern Ireland, commenting at a launch of a

paper commissioned by the Northern Ireland Council for Voluntary Action's (NICVA) Centre for Economic Empowerment on the potential fiscal powers of the Northern Ireland Assembly. Finance Minister Sammy Wilson launched the report with both Trench and Daithi McKay, Chairperson of the Finance and Personnel Committee as keynote speakers on the day (source 10), and he has been a keynote speaker at the Northern Ireland Assembly as part of the aforementioned Knowledge Exchange Seminar Series.

Collectively, this research has been consumed and used in deliberations by Parliamentary Commissions, Parliamentary and Assembly Committees and public policy think tanks. The general conclusions have shaped and defined for politicians, administrators, interest groups as well as the general public what the nature of 'unfinished business' of devolution entails, the opportunities and constraints of the processes and how the gaping hole of England might be filled.

### **Sources to corroborate the impact**

1. Debate on Britishness, House of Lords, 19 June 2008. Hansard text for 19 June 2008, column 1165. Available online at: <http://tinyurl.com/ptgftqto>
2. Director of the Institute for Public Policy (Contactable), 'This Enchanted Isle', Institute for Public Policy Research (IPPR) Blog, 18 November 2010. Available online at <http://tinyurl.com/ouxt7rf>
3. Richard English, 'Is There an English Nationalism', IPPR, April 2011, p.3. Available online at: <http://tinyurl.com/p79yh63>
4. The submission of Aughey's written evidence can be found here: <http://tinyurl.com/pdsplaa> and the text of Aughey's oral evidence can be found here: <http://tinyurl.com/q78n4r5>. The final report including specific references to Aughey, The McKay Commission, Report of the Commission on the Consequences of Devolution for the House of Commons, March 2013. Available online at: <http://tinyurl.com/pf8hkb4> (see pages 21, 71 & 72).
5. Birrell, D. and Gray, A. (2013) Devolution, Parity and Welfare Reform in Northern Ireland. Research Paper no 2/2013. Edinburgh: David Hume Institute. See page 4. Available online at: <http://tinyurl.com/o9ogwp2>
6. Official Report (Hansard) Assembly and Executive Review Committee 'Review of D'Hondt, Community Designation and Provision for Opposition: Briefing from Professor Derek Birrell', 19 March 2013. Available online at: <http://tinyurl.com/p9t4ojm>
7. Knowledge Exchange Seminar Series, Northern Ireland Assembly. 'Is The Idea That Northern Ireland is Over Governed A Myth?', 24 January 2013. Video available online at: <http://tinyurl.com/nosazzb>
8. The submission of Trench's written evidence to the Silk Commission can be found here: <http://commissionondevolutioninwales.independent.gov.uk/files/2013/07/Alan-Trench.pdf>
9. Centre for Economic Empowerment (NICVA) 'CEE Research Launch - Initial review of Northern Ireland's Fiscal Powers'. Available online at: <http://tinyurl.com/kavb6vj>