

## **PARLIAMENTARY REFORM**

### **DEVOLUTION - An Independent View**

During the winter of 1994/1995 the Russian President, Boris Yeltsin attacked Chechnya simply because those peoples wanted self-determination, and the then UK Prime Minister said that Scots and Welsh aspirations for self-determination were dangerous in the extreme and would lead to the break-up of the United Kingdom and hence "will be resisted with all vigour." The Yeltsin action and the Major statement reveal the total lack of political understanding and moral thought of each of them.

What examples in all history can be cited where oppressed peoples praised and enjoyed their oppression. Self-determination is a "Back to Basics" fundamental moral right, and it is the Yeltsin Major denial of the people's expressed will that will lead to the break-up of any Federation or United Kingdom.

On all the available evidence, no such danger exists from devolution, and the observable consequences are totally opposite to any federal disruptive scaremongering. Not only that, all such examples of devolved Government that presently exist around the world prove exactly the opposite of any disruptive tendencies.

The Federal Republic of Germany has State Legislatures, and the United States of America has State Governments. Why do these strong Federations not break-up, for they are clearly founded on "Dangerous devolutionary" concepts?

The evidence is that the contrary circumstance is true, as exemplified by, Australia, Canada, the USA, New Zealand, and Switzerland, all stable parts of the world with devolved governing legislatures.

On all the available evidence the Labour Party's proposal to set-up devolved Government was unchallengeable, and should have been promoted as a means of strengthening the Federation of the United Kingdom. Towards that end, I have devised a constitutional structure as described below which both extends devolved self-Government to Wales and Scotland whilst at the same time cements the existing Sovereign UK constitutional arrangement.

Firstly, for conceptual understanding I refer to the basic text book portrayal of the principle of separation of powers as depicted by the following diagram:

Building upon the below graphical example that areas of political domain and their inter-relationships may be portrayed pictorially, the following diagrams describe a revised British constitutional structure providing for Devolved Regional Government within a strengthened Federal United Kingdom.

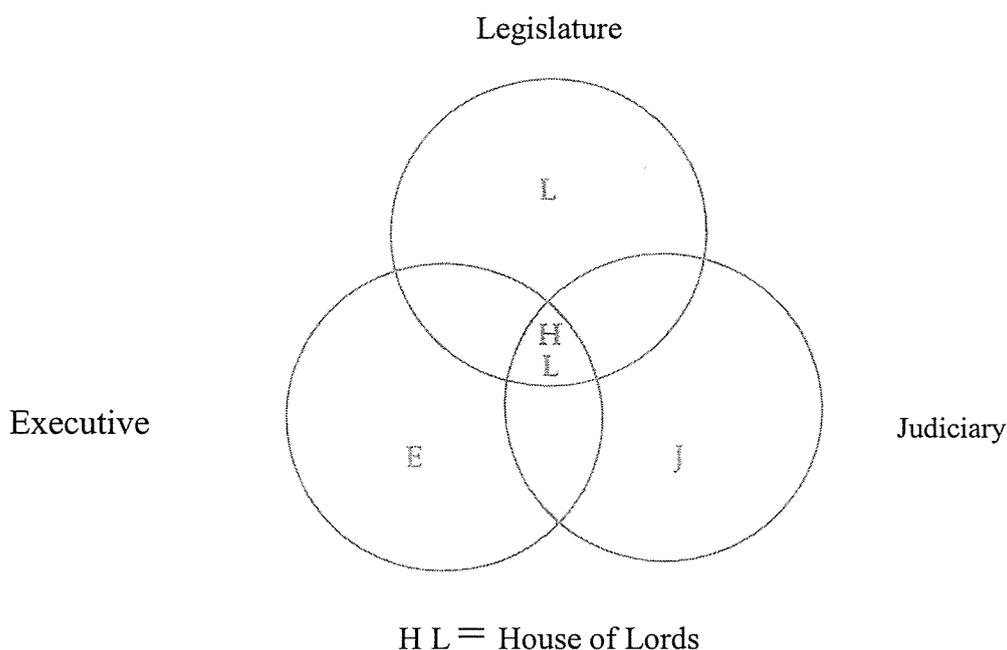
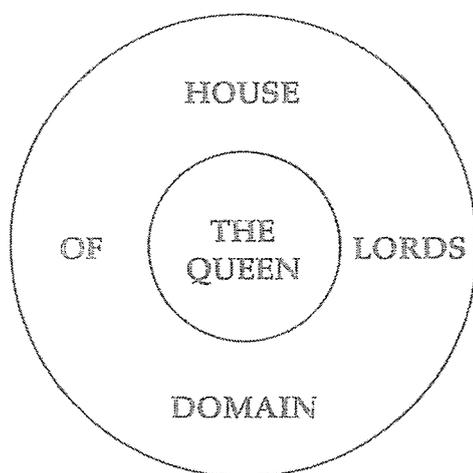
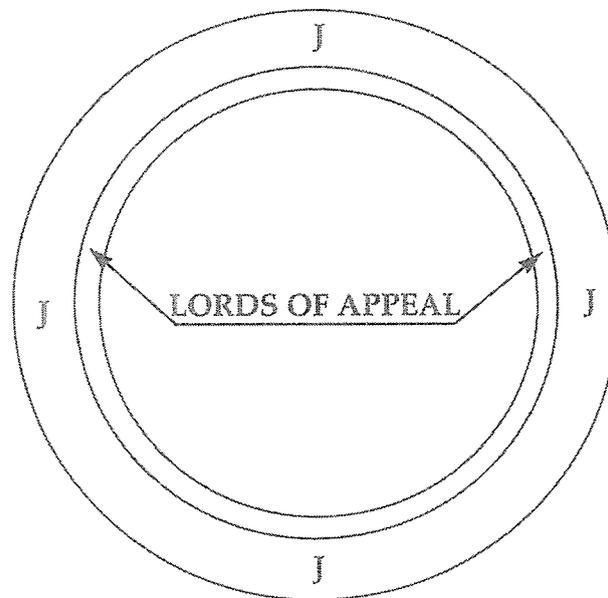


Figure 1



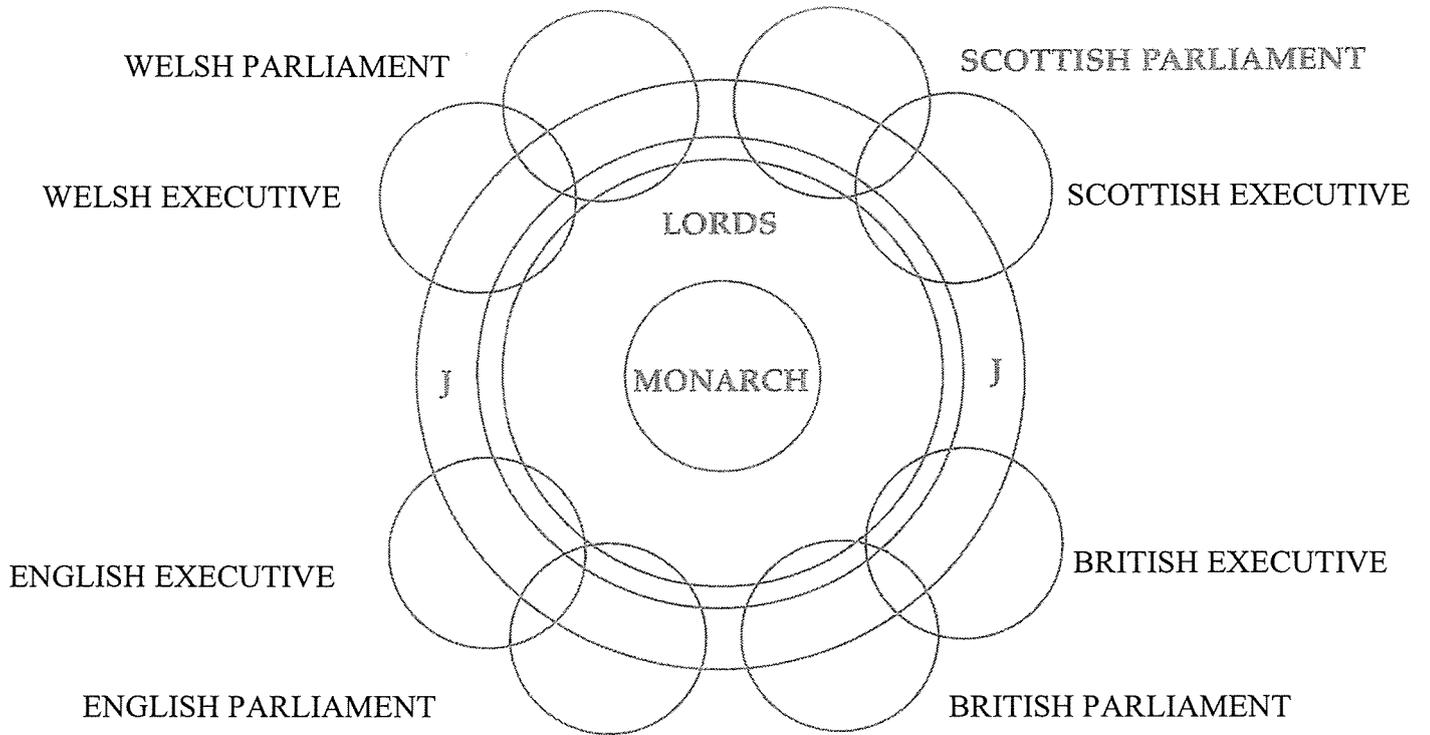
The basic central concept is that The Queen maintains her Dominion over the House of Lords, and thereby over her Government and the Union.

FIGURE 2



The Judiciary operates external to and independent of the Lords except when the Law Lords sit as the Final Court of Appeal.

FIGURE 3



Four Equal Independent Executives and Parliaments with the established principles of power separation and the same relationships between Legislative Executive, Judiciary, Lords and Monarch maintained.

The above Figure 3 represents a first option for four separate Regional Parliaments, each with the same constitutional relationship with the House of Lords and The Queen. Each Parliament would be passing its own legislation; independent of each other.

Prima facie, some observers (naive) may presume an anomaly by assuming two tiers of Government dealing with the same subject, leading, for example, to the West Lothian question on education. Such is not the case as the areas of competence would be clearly and legally defined; without overlap.

The British Parliament's responsibility would cover all Federal United Kingdom interests, ego Defence, Foreign Affairs, Treasury, Bank of Britain, Interest Rates, Federal Tax, International Transport, Customs, and Motorways etc.

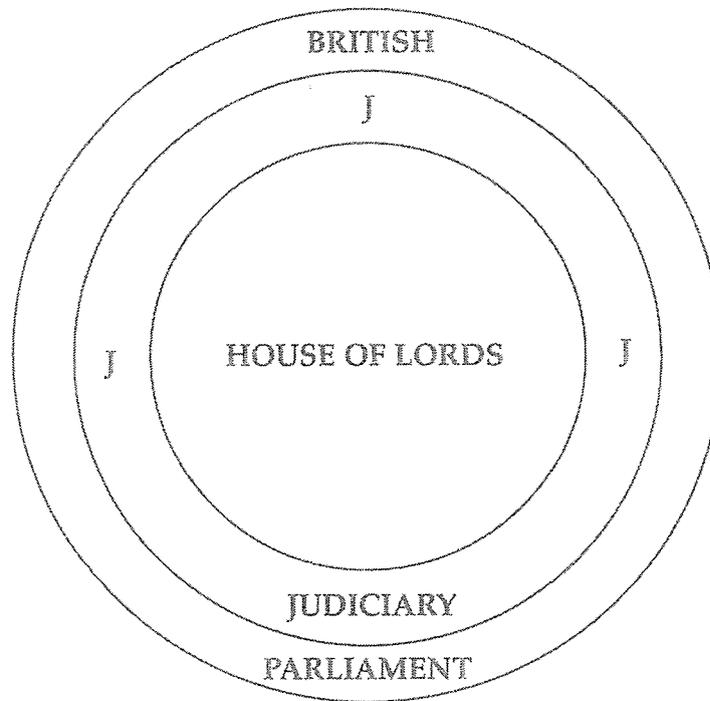
The Regional, Country Parliaments would have responsibility for; eg Education, Housing/Social Services, Regional Tax/Treasury, Environment, National Resources, Local Transport/Roads.

Obviously, both of the above lists would be tailored dependent upon the level of devolvement desired, and the West Lothian question would never arise. Wales and Scotland would not necessarily need to have identical spheres of competence.

Whatever model of devolved regional Government is adopted, the need to revise the House of Lords will be imperative. However, this is a simple matter, structurally, and does not require analysis in this first paper.

If, for political reasons, not here defined, it is judged not to be acceptable to create Regional Governments on an equal footing to the present and future British Parliaments, the above described model may be adapted whereby the Regional Governments are structured subservient to the British Parliament which would have the power of veto in specific circumstances. I would have in mind, and limit this to, areas touching upon British National Interest only, and only after a British Parliamentary debate and vote.

FIGURE 4

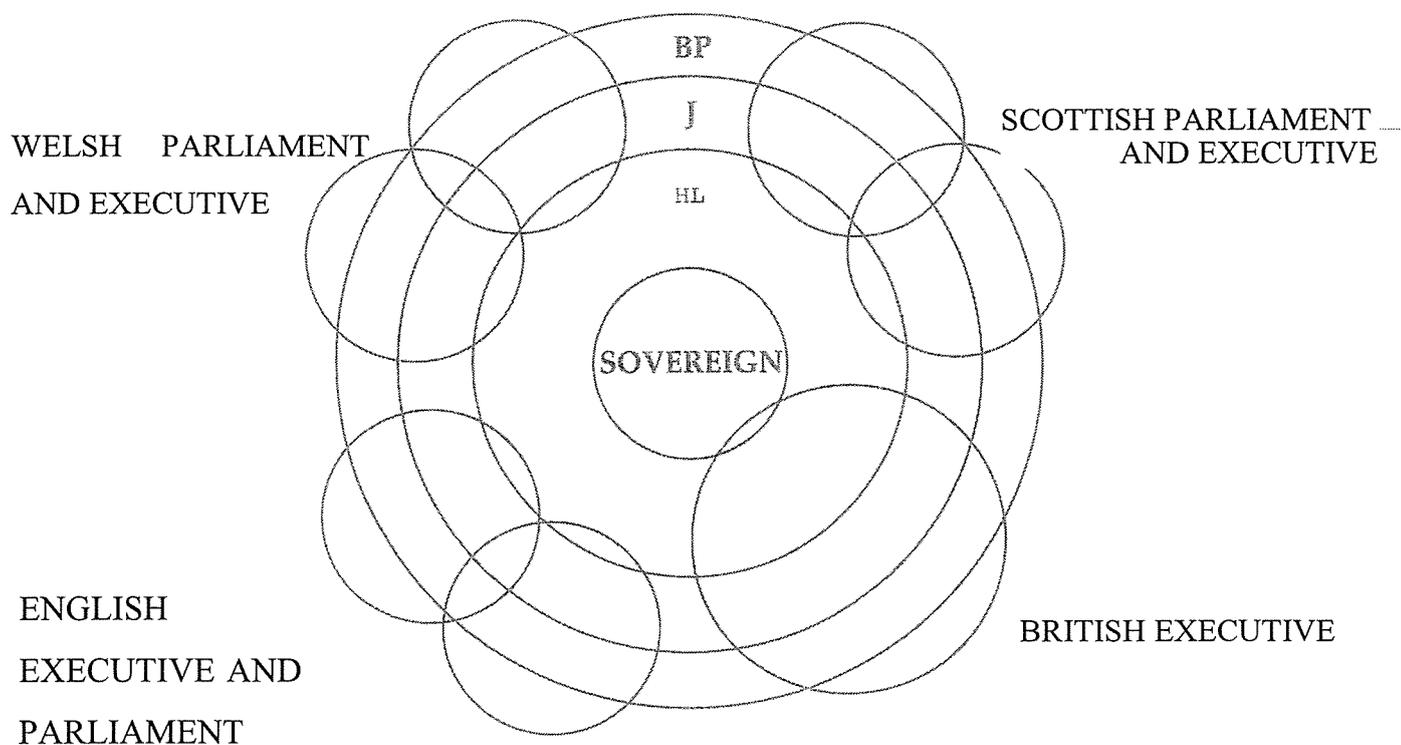


The superior, all embracing, British Parliament is shown external to the Judiciary/House of Lords.

NB. The Law Lords overlap is not shown for pictorial clarity.

This Second Option Model is given here below, and is seen to be an expansion of option one.

FIGURE 5



The British Executive is depicted with direct access to the Sovereign, as distinct from the Regional Executives, representing the established contacts via the British Prime Minister, Privy Council and Speaker (theoretical).

As the British Parliament will be dealing with a lesser range and magnitude of business it would seem reasonable that the total number of British MP's should be reduced. There would, of course, be a commensurate creation of Regional Country Parliamentary representation and it would seem to be eminently reasonable that the membership of all four Parliaments should reflect the prevailing constituency structure thereby aggregating to the present six hundred and forty six members (approximately). The geographical area of all constituencies would be rather larger than at present but as there would be two elected members (British & National) each dealing with a separate sphere of activity, there would be no increase of work load.

Whilst the above proposition(s) stand alone, and are each feasible in their own right, they both lend themselves to further refinement to cement ever stronger the UK bonding. This is achieved by establishing the British Parliamentary representation boundaries straddling the Welsh and Scottish geographic borders with cross boarder constituencies: see the theoretical Exhibits A&B herewith. Such an arrangement not only binds the British Parliament geographically, but also ensures trans-national representation.

The above modelling lends itself to tailoring for any circumstance - the level and range of Devolution is infinite - so long as the concept of cross territorial constituencies is entrenched: at the top level only, and with total autonomy at the local level.

Such a constitutional structure would solve so many ongoing problems and conflicts e.g. in Africa's tribally fractured nations, suffering from the legacy of colonialism; by Britain and others.

The FDP postulates, if Tito had structured the Yugoslav constitution on the FDP model for unified multinational autonomous territories, with cross border constituencies, Yugoslavia would not have fractured into its constituent parts; with all the attendant agonies.

The FDP proposition is that such a proposal be piloted in a country, say Cyprus, a country with great potential for unification as one unified nation state whilst each constituent part retains its national independence.

With mature diplomatic approaches to Greece, Turkey and Cyprus it may just be possible to generate sufficient international support, particularly so as Greece and Turkey have avowed to discuss their long term relationship vis a vis Cyprus, and for both to enter the European Union.

## EXHIBIT (A)

# THEORETICAL WELSH CROSS BORDER BRITISH CONSTITUENCIES

