

# Ex Uno Plura? The British Experience

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The purpose of this paper is to explore, in at least some of their aspects, the forces and processes that have led to, and the concepts and principles that have governed, the establishment and the possible dismantling of a United Kingdom in the British Isles. To discuss this subject in 1979 is, manifestly, to discuss something that is very much part of the stuff of current politics in Britain, and I shall indeed be concerned later with recent - even very recent - developments. But it is above all an historical perspective that I wish to present; and while recent and contemporary history has an obvious and immediate relevance, the problems must be understood in a chronological context of some considerable length. We need not indeed return to the days of the Heptarchy in England and the vexed question of the status of the Bretwalda. We shall not have to wrestle with the intricacies of Welsh kingship in the Dark Ages or of the evolving relationships between the Picts and the Scots in what some Victorians called, and may have thought of as, North Britain. The High Kings of Ireland need not detain us. Yet there is a medieval dimension to our subject, for it was in the Middle Ages that the notion was in some sense conceived of what, in the event, was to exist in practice for little more than an uneasy century, from 1800 to 1921: the notion of a comprehensive union under one authority of all the British Isles. It goes without saying that the notion was an English notion - though indeed one should perhaps say that it was in origin an Anglo-Norman notion. It was the penetration of Wales, of Scotland, and of Ireland by a Norman baronage backed by the Norman and Angevin kings of England that laid the foundations for the medieval phase in the process with which we are concerned. This is no more than a preamble to my main theme; but it may be worthwhile to pause briefly over it.

One reason for pausing in this way is that we can perhaps see in these medieval developments something which it might not be too fanciful to regard as a kind of feudal *Urfoederalismus*. Thus, in the thirteenth century, the relationship between the English crown and the princes or lords of North Wales, with one of their number embodying their homage and fealty, was one in which a substantial measure of Welsh independence might have been conserved. Nor is it impossible to

imagine that a similar arrangement, cemented by dynastic marriage-ties, might have come to govern the relationship between England and Scotland. In the event these possibilities did not materialize. Conquest - successful and complete (though not unchallenged) in Wales; unsuccessful (though more than once attempted) in Schotland - took the place of smoother evolutionary paths. Conquest and resistance also dominated the medieval stages of the bitter relationship between England and Ireland. Yet even in Ireland some trends in the late thirteenth and early fourteenth centuries might have seemed to hold out hope of a viable compromise between English overlordship and Irish, or at least Anglo-Irish autonomy. In fact, of course, the alienation between the English and non-English elements in the problem reached its height in Ireland; and alienation, to a greater or lesser extent, characterized the situation in the British Isles as the medieval period ended.

The modern British experience of unification and disintegration begins in the sixteenth century, in a situation profoundly affected by the consequences of the break with Rome and the protestant Reformation. The latter part of the reign of Henry VIII (1534-47) saw one decisive achievement and two abortive but important attempts in the direction of unity under English domination. These three developments merit some degree of individual attention.

By two acts (of 1536 and 1542) Wales was effectively united with England. Despite the extinction of the native principality at the end of the thirteenth century, late medieval Wales had retained distinctive elements in social life and structure, though its indigenous legal system had indeed been gradually and considerably eroded by the availability and extensive adoption of English legal processes. Erosion was now succeeded by total and authoritative replacement, most importantly in the area of the inheritance of land. The law here was now assimilated to that of England. Moreover, English became mandatory as the language of legal proceedings - a rule not changed until 1942, so that for four hundred years Welsh-speakers could not use their native language in the courts. Office was barred to all save English-speakers. On the other hand, equality before the law was guaranteed to Welshmen in a way that had hitherto been denied them, and the counties and towns of Wales were brought fully into the English parliamentary system. At the same time - and, at least at this stage, without much opposition - the Reformation settlement was imposed, so that the church in Wales became an integral part of the established Church of England.

Neither in law nor in religion and ecclesiastical polity, then, did Wales retain any distinctive status or autonomy. Yet, total though the process of unification may seem to have been, there were some reservations. Thus the judicial and administrative powers of the council of Wales received statutory authority, and this body did not finally disappear until the Revolution settlement of 1689. The four

separate circuit courts for Wales survived even longer: they were not abolished until 1830. Much more important, however, than these very limited institutional provisions, was a development early in the reign of Elizabeth I. This was the act of 1563 providing for the translation into Welsh of the Bible and the Anglican prayer-book - a provision finally fulfilled a quarter of a century later, in 1588. The immense importance of the Welsh language in the survival of a sense of national identity, especially given the ban on its use in legal proceedings, makes this certainly the most important factor telling against the forces of assimilation and anglicization in modern Welsh history. It is also a salutary reminder of the fact that the British experience in these matters have never been simple or unilinear.

At the same period as the consummation of the union with Wales, decisive changes took place in the pattern of English relationships with Ireland. The late medieval period, dominated for England first by the Hundred Years War with France and then by the civil strife between the houses of York and Lancaster, had favoured the powerfully centrifugal forces in Irish society. Not only was there a substantial reassertion of the influence and authority of native Irish leaders. The Anglo-Irish ruling class in those substantial parts of the country they controlled had also taken advantage of royal preoccupations elsewhere and the weakening of royal authority during the Wars of the Roses. For three-quarters of a century before the initiatives taken by Henry VIII and his ministers in the 1530s, the Anglo-Irish nobility had asserted in practice a remarkable degree of autonomy, based in part on a considerable advance towards the fusion of the feudal and native Irish elements in Irish society. Tudor policy was directed, from the reign of Henry VII onwards, to the reversal of this centrifugal tendency. Symbolically this was reflected in Henry VIII's proclamation as king (instead of merely lord) of Ireland in 1541. More substantially it was manifested in limitations placed upon the Irish parliament, and the concentration of governmental control (where it existed) in the hand of English officials, under an English governor, backed by an English garrison. But native Irish resistance - in a situation complicated by the post-Reformation divergence between the establishment and the immense majority of the population, who remained catholic - was sufficiently stubborn to make necessary what amounted to a gradual reconquest. This was accompanied by colonization and marked by some of the most savage episodes in a savage story. Despite attempts early in the process at conciliatory policies, much was eventually done to render Irish opinion and feeling ultimately irreconcilable.

Scotland, in contrast to Wales and Ireland, had preserved, and by the early sixteenth century vindicated, her status as an independent kingdom. Yet her relative weakness meant that English power constituted a constant threat, while her alliance with France made her in turn a threat to English military security. The possibility of union was of course canvassed, and urged by patriotic as well as by

partisan Scots. But once again, all other considerations apart, the divergence in religious policy following Henry VIII's breach with Rome complicated the problem. A matrimonial alliance leading to union now depended on Scotland's joining England in rejecting papal authority: in default, Henry VIII launched in the mid-1540s the last English attempt at the direct subjugation of Scotland. It failed. English influence over Scotland was indeed to grow during the sixteenth century, but this was the result, not of conquest, but of the Scottish protestant party's dependence, from 1559 onwards, upon the protection of Elizabeth I. Despite this, however, the Scottish reformation developed along lines different from those of both the Henrician and the Elizabethan settlements in England, so that the two countries entered upon the process of their eventual unification with decisively different ecclesiastical systems and outlooks.

When in 1603 the crowns of Scotland and England were united by the accession in England as James I of James VI of Scotland, it might have seemed that the union of all the British Isles under one sovereign had at last been achieved. James was indeed king of Scotland, of England (including Wales), and of Ireland. Yet he was very far from reigning over a united kingdom. This is true not merely in formal constitutional terms - in that there were indeed three kingdoms, even if one of them - Ireland - was in important respects subordinate to England. More substantial factors were involved. The three realms differed in all kinds of ways, and significant parts of the civil strife which dominated British history in the middle years of the seventeenth century reflected these differences and the problems to which they gave rise. Indeed, had it not been for the difficulties in which Charles I involved himself by the attempt to impose on Scotland a substantial (and to the Scots unacceptable) measure of ecclesiastical uniformity with England, the crisis which eventually led to civil war in England would not have developed as and when it did. And parliamentary suspicion as to royal policy and manoeuvres in Ireland helped to poison relations between the two sides. The republican and eventually Cromwellian interlude which followed the execution of Charles I in 1649 saw episodes of drastic repression in Ireland and an enforced and unpopular union of England and Scotland, which nevertheless foreshadowed some of the advantages that were eventually to reconcile much Scottish opinion to the surrender of Scottish sovereignty. Wales meantime remained something of a backwater in the turbulent stream of seventeenth-century history, providing an important reservoir of royalist support in its essentially conservative society, but also receiving from the middle of the century onwards a small but important injection of puritanism, foreshadowing significant factors in later Welsh history.

The 'settlement' of the problems of the seventeenth century came with the Revolution of 1688-89. Like most settlements, it may have created at least as many

problems as it solved: at least it intensified some problems severely. For Ireland it set the seal upon a calamitous century and provided the basis for the final completion of what became known as 'the ascendancy'. As a result of processes which began after the Elizabethan reconquest, virtually all land had passed from Irish and even from Anglo-Irish owners to British proprietors. English law prevailed and English officials and soldiers were at last supreme. Catholicism was rigorously repressed, and the rigour only increased in the years after the final struggle between the forces of James II and William of Orange. Economically even the interests of the 'ascendancy' were sacrificed to those of expanding English trade and manufactures. Few things in history, perhaps, are wholly indefensible; but it is hard to find grounds on which to defend the Revolution and post-Revolution settlement in Ireland.

In Scotland, harsh though some aspects of the story are, things were to turn out very differently. There was, it is true, one more vain and oppressive attempt, during the reigns of the restored Stuarts, Charles II and James II, to impose an approximate ecclesiastical uniformity. But this attempt not only failed, but failed in a way which served to consolidate an important element in the 'ideology' of Scottish nationality. The paradox indeed is that, in the very period when, as the event proved, Scotland was moving towards the merging of her political identity with England in 1707, much was happening that tended to strengthen a sense of Scottish nationhood. The distinctive law of Scotland was only now reaching its full maturity. The Church of Scotland, despite the fissiparous tendencies which were to yield well over two centuries of ecclesiastical complexity, achieved after 1689 a solidity in its structure and establishment which was to prove unshakable. Even the Scottish parliament, in the less than two decades of life that remained to it, vindicated a degree of independence and vitality it had never known before. The truth is that it was precisely because of the vigour with which Scottish claims were being asserted and Scottish ambitions pursued - the ill-fated Darien scheme to launch a Scottish venture in the area of colonial trade exemplifies this - it was just for this reason that the personal union of England and Scotland under a single sovereign proved to be no longer viable. The upshot of a situation which seemed at times to threaten separation and conflict was the Union of 1707, which established at last the United Kingdom of Great Britain.

The consequences and implications of that remarkable transaction will be a continuing factor later in this paper, when I turn to the origins and nature of modern Scottish nationalism and to the movement for devolution and home rule. For the moment it will suffice to recall its outstanding features. It was, and was intended to be, an 'incorporating union'. The alternative form of federative union - which would presumably have been modelled upon the United Provinces - was discussed and even urged by some Scottish leaders. But nothing less than an incorpora-

tion of the two realms into a single unitary State could, it seemed, achieve the essential goals. These were, from the English side, security for the protestant succession and the removal of a centre of disaffection and hostile intrigue or actual attack across the northern border; and from the Scottish point of view, access to the vital and expanding English and colonial market. The political arrangement required to achieve these ends was indeed straightforward enough: it amounted to the incorporation of Scottish members of parliament (and sixteen representative peers of Scotland) with the existing English assemblies to constitute the first and subsequent parliaments of the United Kingdom. The distinctive features of the union lay elsewhere.

These distinctive features were in fact required in order to persuade the Scots, attracted though many of them were by the expected economic advantages of union, to accept the loss of what was in many ways a newly-realized sense of political identity and involvement. In essence what was required was a guarantee of the continuing independence and integrity of the Scottish law and the Scottish Church. These were important not only in themselves and for their immense effects in shaping Scottish society and Scottish character, but also because they provided avenues of professional advancement for young Scotsmen of ability and ambition - avenues within Scotland and in specifically Scottish directions. And this in turn meant that the educational system - closely linked to the Church - had definite social goals and a firm place in the national way of life. Too much has no doubt been made of the superiority of Scottish educational provision in the eighteenth century; yet the achievements are remarkable, and whatever we make of the Scottish Enlightenment, on which so much historical attention is currently lavished, the distinctively Scottish school and university system must receive a substantial amount of the credit. All these factors combine to yield the conclusion that a distinct and institutionally concrete Scottish nationality survived the political incorporation of 1707.

Even in the political sphere the effects of 'incorporation' must not be exaggerated. Constitutional forms do not always correspond to the intricacies of political substance; and in substance, one historian has argued, 'something like a Scottish State, feeble and broken down though it was, survived into the nineteenth century'.<sup>1</sup> The basis for this survival lay partly in the continuing indigenous franchise and representative system. That system in turn provided the field of operation for the political 'management' which operated in Scotland down to the reforming period of the nineteenth century. It was a form of political activity based on 'interests' rather than 'party': it became largely enmeshed in the tangled and

1. William Ferguson, *Scotland: 1689 to the Present*, The Edinburgh History of Scotland, IV (Edinburgh, 1968) 133.

often disedifying world of rigging elections and distributing office and other favours in exchange for political support. But - and the point is of very considerable importance, not merely in its historical context but for the contemporary lessons we can learn from it - the 'management' was in the hands of Scotsmen, of native magnates and other leaders. The contrast with Ireland is sharp and striking: in Scotland the movement for political change, when it developed, however radical or even revolutionary it might be, would be a movement within what was still in large measure an indigenous polity. It need not be what Irish nationalism had to be - a movement for liberation from alien rule.

It is also important that the existence of peculiarly Scottish institutions in the Church and the law, together with the specificity of Scottish electoral and other political arrangements made it necessary for there to be some provision for Scotland at the ministerial level. It is true that the appointment of a third secretary of state, with responsibility for Scottish affairs, lapsed after 1725 and was only briefly revived in the 1740s. But such a distinctively Scottish position as that of lord advocate - held during the eighteenth century by such variously remarkable figures as Duncan Forbes of Culloden and Henry Dundas (later Lord Melville) - amply made up for the lack of any post created specifically for the supervision of government and politics in Scotland. And this by its very nature was a position which could be held only by a Scotsman trained in the practice of the law of Scotland.

Meanwhile in Ireland alien rule was exciting criticism and opposition even from those to whom it was least alien. At the very period when British colonial rule in North America was beginning to show signs of the strains that were eventually to destroy it, some Anglo-Irish leaders of the protestant ascendancy began to urge reform in the curious Irish polity. Allying themselves with a growing catholic bourgeois and mercantile class, and backed by a protestant volunteer force raised after troops were withdrawn for service in the American war, the reformers achieved in 1782 recognition of the independent authority of the Irish parliament for the first time for almost three hundred years. The new order brought economic improvements, though politically it failed - partly perhaps because the newly independent parliament had no control over the executive, which was still controlled from England; but even more because of the Irish parliament's own failure to broaden its base and become more than an instrument of the old protestant 'ascendancy' group. In the ferment of the decade after 1789 radical and even revolutionary concepts led to the demand for an Irish republic (an ominous portent!) and to the abortive rising of 1798. Faced with such a challenge at the height of the French war, the British government headed by William Pitt turned in the same direction as their predecessors in the Anglo-Scottish crisis almost a century earlier: they turned to the expedient of a parliamentary union between the two countries.

With the Act of Union of 1800 the long-delayed unification of the British Isles under a single sovereign was at last achieved. But it was an ill-starred achievement. The prospects for the Anglo-Scottish union in 1707 must often have seemed uncertain: those for the union of Great Britain and Ireland were positively dark. To be fair to its architects, and specifically to Pitt, it was recognized that catholic emancipation - the repeal of the crippling penal laws which affected the Church to which the immense majority of Irishmen adhered - was an indispensable corollary to the union. That the Church of Ireland should become an integral part of the Church of England and thus retain the position of establishment might - just - have been tolerable if the Church of the Irish majority had been freed from the shackles of repression. But George III was adamant in his opposition, and a full quarter-century was to pass before emancipation was achieved. The contrast with Scotland, where the Church of the mass of the community was not only preserved but entrenched in the provisions of the union, is stark.

In any case, the provisions of the union legislation of 1800, judged in the actual circumstances of their operation, were unlikely to be of advantage to Ireland as a whole. A hundred MP's for Irish constituencies sitting at Westminster could - as later parliamentary history was to prove - be a formidable force. What they could not be, however, was a force capable of ensuring good and responsible government in Ireland. The executive government in Dublin became, it has been said, 'increasingly irresponsible and insensitive to Irish needs',<sup>2</sup> shielded from the need to answer effectively to a representative body on the spot. And whereas Scotland had eventually, if belatedly, derived real economic benefits from union with England, Ireland lost rather than gained, with the elimination of the protective duties that had sheltered her infant industries. Nor did the union contribute in any degree towards solving the severe problems of population growth, poverty, and absentee landlordism. Even before the arbitrary disaster of the great famine in the late 1840s, Ireland was involved in a mounting crisis, social, economic, and demographic. The belated achievement of catholic emancipation merely accelerated the growth of new political forces in Ireland - forces, epitomized in the figure of Daniel O'Connell, which had themselves done more than anything to force emancipation upon the still reluctant British government.

Already by 1830 or so, O'Connell, with almost a quarter-century behind him of effort to activate and mobilize various elements in Irish catholic opinion for political purposes to which they had hitherto been indifferent or hostile, led a group of MP's with repeal of the union as a major element in their programme. From our present point of view this crystallizes an essential paradox. The act of 1800 consummated the comprehensive union of the British Isles, and the ensuing cen-

2. D.B. Quinn, 'Ireland: History', in *Chambers's Encyclopaedia* (1955 edn.)VII, 724b.

tury was to see the climax of British power and a conjunction of forces and factors making powerfully for centralization and the consolidation of that union. Yet for most of that century and beyond the union was vehemently and sometimes violently challenged by the rising force of Irish nationalism. And this was, moreover, in the classic period of liberal nationalism, when the claim to national autonomy seemed - whatever its romantic and even mystical aura might at times be - no more than a logical extension of the principles of the liberal creed. It was a period too when the notion of self-government in peripheral territories as something compatible with the sovereignty of the imperial parliament both established itself in practice - in Australia, in New Zealand, in Canada - and gave rise to something like a new theory of imperial relationships.<sup>3</sup> That theory and the related practice were indeed to approach by the end of the nineteenth century, and to reach in the early decades of the twentieth, the point at which the dominions (as they were to be known) enjoyed full sovereignty and yet remained in some sense within what was still a unified empire. Liberal imperialism, if we may use the term somewhat loosely, seemed to provide a framework within which liberal nationalism could express itself without leading to disruption. This may be seen as the context, broadly speaking, in which the notion of 'home rule' for Ireland emerged.<sup>4</sup>

The emergence of that idea, first among Irish MP's from 1870 or so onwards and then among Gladstonian liberals (at the cost of losing their unionist colleagues in 1886), marks a decisive turning-point in the history of the United Kingdom. It would not be very much of an exaggeration to say that the subsequent British discussion of constitutional structure in the sense with which we are here concerned has embodied a series of variations on themes which were first announced in relation to the Irish question in the late nineteenth and early twentieth centuries. And, though it *would* be an exaggeration, and a gross one, to suggest that the attempt to find a basis for Irish home rule within the United Kingdom immediately precipitated a widespread and urgent demand for similar measures in respect of Scotland and Wales, it is certainly true that the new direction taken by the Irish debate at this period coincided with significant stirrings in the other non-English parts of the kingdom and that these stirrings were definitely encour-

3. Already in the mid to late 1840s, as an alternative to repeal, such a concept was being advocated in Ireland under the significant label of 'Federalism'. The Durham Report of 1839, recommending the grant of responsible government to the Canadian provinces, was clearly of crucial importance in the emergence of the imperial theory referred to in the text.

4. Though its occurrence has been noted as early as 1860, the term 'home rule' certainly achieved political currency in and after 1870. Commonly attributed to Isaac Butt, it has also been credited to his colleague in the early leadership of the home rule movement, Professor J.A. Galbraith of Trinity College, Dublin. The Home Rule Association received that name in 1873, having been founded three years earlier as the Home Government Association.

raged by what was envisaged for Ireland. Before looking more closely at what the concept of home rule entailed, therefore, we may usefully consider these Scottish and Welsh developments.

The experiences through which Scotland passed in the early decades of the nineteenth century had not been essentially different from those of England. The repressed radicalism of the decade following 1789 reappeared after the Napoleonic Wars, together with and sometimes allied to a more moderate and middle-class reform movement. Political reform gradually changed the conditions of political life: the era of 'management' gave way in due course to party politics in the nineteenth-century style - a style characterized in Scotland by the preponderance of the Liberal Party. Still more fundamental changes arose in the rapid processes of industrialization, urbanization, and the revolution in Communications associated with the railway age. All this changed Scotland more radically and dramatically than any of the religious, political, and constitutional upheavals of the previous three centuries. In particular it brought the Scottish economy into intimate and intricate involvement in the expanding industrial, commercial, and financial system of Victorian Britain; and it tended to erode some of the most essential elements in the individuality of Scottish nationhood. The much-vaunted educational system proved less than adequate to the teaching of the new industrial proletariat, and the hold of traditional religious practices and values was seriously weakened. As always, one must avoid overstating the point. Religion and the life of the Churches still retained great importance in Victorian Scotland as they did in Victorian England. The year 1843 saw the most dramatic - and traumatic - of those repeated schisms which had rent Scottish protestantism since the Reformation. The Disruption and the emergence of the Free Church could not have been what they were except in a country where such issues were still matters of immense concern for large numbers of ordinary men and women. The fact remains that the old Scotland of the kirk and the parish school was for an increasing number of Scots a thing of the past: for the large numbers of Irish immigrants brought in during the years of rapid economic change, that past had of course never existed. The Irish had a past - or rather several pasts - of their own, and ghosts from those pasts were destined to play an ill-omened part in Scottish social and political life down to our own day.<sup>5</sup>

Meanwhile, in the field of government and politics, what had remained distinctive in the Scotland of the eighteenth century was disappearing not only through the emergence, already mentioned, of new concepts of party but also under the

5. The diaspora of the Irish from the middle of the nineteenth century onwards, especially the massive Irish migration to the United States, is, of course, a factor of considerable general importance in this context.

pressures of a new concept of the State itself. For all the *laissez-faire* and 'manchesterism' that characterized important elements in the system, the nineteenth century saw a great expansion in the use of legislative regulation and a powerful movement towards more centralized administration. What has been called 'the Victorian administrative State' demanded a unitary structure which accorded ill with the loose texture of the United Kingdom as it had been in the pre-industrial age. This inevitably affected the character of Scottish life and institutions in many different ways. One interesting illustration of its tendency to undermine the distinctive Scottishness of things may be found in the effect on the Scottish universities of the growth of competitive examination as the means of entry to an expanding and increasingly professional civil service. Too much may be made of the narrowing tendencies of the more specialized degree curricula in comparison with the broad generalism of the old Scottish M.A. degree. But when due allowance is made for exaggeration and nostalgia it remains the case that something of value was threatened and to some extent lost by the pressures of the new order.<sup>6</sup>

Again, it is at once conventional and correct to say that the quality of Scottish culture deteriorated in the middle decades of the nineteenth century. The work of Burns and Scott, and of such lesser but talented figures as John Galt, produced inferior imitators rather than a true succession. It is easy to sneer at the sentimentality of much that passed for literature in mid-Victorian Scotland; and the tartan excesses of Queen Victoria's Balmorality did little to mend matters. Yet, if the point at issue is the extent to which a genuine if, by some criteria, adulterated national consciousness survived in the new urban and industrial Scotland, it would be foolish to deny the significance of these phenomena. A vulgarized culture is arguably a necessary condition for a democratic society; and it cannot, I believe, be doubted that Scotland preserved - and preserves - an essentially indigenous culture of that kind.

Politically too, the nineteenth century saw the inevitable reaction to the action of centralizing and homogenizing forces. Already in the 1850s a National Association for the Vindication of Scottish Rights was formed to press the view that Scotland was being unfairly treated within and in terms of the union itself. This was not, as in Ireland, a movement opposed to the unity of the kingdom as such; and the notion of home rule within the United Kingdom had not yet dawned. But, attracting as it did during its relatively short life a surprising amount of quite influential support, the Association has a real claim to represent the first beginnings of Scottish nationalism in its modern form.' Once the notion

6. For a somewhat controversial development of this theme see G.E. Davie, *The Democratic Intellect: Scotland and her Universities in the Nineteenth Century* (London, 1961).

7. The role and significance of the Association have been somewhat neglected by historians; but see

of home rule was canvassed the possibility of its application to Scotland must soon occur. In fact, already in 1886, the year in which Gladstone's first Irish Home Rule measure was brought forward, the Scottish Home Rule Association was formed. In one form or another and with varying degrees of emphasis the matter has remained on the political agenda ever since.

An important factor in ensuring the vitality of the home rule issue in Scotland was the rise of the labour movement. When the Scottish Labour Party - one of the roots from which the British Labour Party was to grow - was established in 1888, it reflected the strong commitment of its principal begetter, Keir Hardie, to the policy of home rule. This remained characteristic of the Scottish labour movement in the years down to the First World War - a period when the Liberal Party too had become committed, as a corollary of its Irish policy, to 'home rule all round'. In consequence, as many as thirteen bills of Scottish home rule were presented in parliament between 1890 and 1914, most of them securing Commons approval in principle and the support of most Scottish members. Recent historians have given various assessments of the substantive significance of these developments. On the one hand, the repeated home rule proposals have been seen as no more than 'ritual gestures on the part of liberal and labour MP's' and Scottish nationalism in this period as merely 'an imitative and artificial movement'.<sup>8</sup> On the other hand, it has been argued that there was widespread genuine support for home rule, rooted in sentiments and attitudes of which the origins lay much further back than the period in which Irish nationalism had become a dominant influence.<sup>9</sup> What is certainly true is that there was as yet no support for any movement specifically directed to home rule or devolution as its primary aim and that no home rule measure ever came within anything like close range of parliamentary enactment.

Despite the failure of these early moves towards political devolution, there was from the mid-1880s onwards a very substantial reform of the machinery of Scottish government - and the reform was decidedly in the direction of decentralization and devolution. It was in 1886 - a year of recurrent significance in this context - that the post of secretary (though not yet secretary of state with cabinet rank) for Scotland was created, followed in 1887 by the establishment (albeit still in London, not Edinburgh) of a Scottish Office. A Scotch Education Depart-

Ferguson, *Scotland: 1689 to the Present*, 320-4. It is of some interest to note that, by the mid 1850s, the notion that both Ireland and Scotland (together with England and the colonies) might have subordinate parliaments of their own under the ultimate sovereignty of the Imperial Parliament was sufficiently current to be advocated in quarters fairly remote from political debate at the highest level. Such a policy was urged by the editor of *The Family Herald: A Domestic Magazine of Useful Information and Amusement*, in October 1855: cf. vol. XIII, 397.

8. Vernon Bogdanor, *Devolution* (Oxford, 1979) 91.

9. Cf. Ferguson, *Scotland: 1689 to the Present*, 348.

ment had been established in 1872, and it was now brought within the purview of the new Scottish Office. Elected county councils were set up in 1889 and a generally strengthened system of local government came under the supervision of the Scottish secretary. Further developments took place in the period of liberal government between 1906 and the outbreak of war. Scottish commissioners were appointed to administer the new National Insurance scheme in 1911, and a Scottish Board of Agriculture was created in the same year. Thus the essentials of a system of devolved administration were in being by 1914, and the years between the two World Wars were to see the consolidation of this system - a process symbolized by the upgrading of the Scottish secretaryship to a secretaryship of state with cabinet rank in 1926; and by the transfer of the Scottish departments in 1939 to new headquarters in Edinburgh.

It will be convenient to review the similar but much more limited administrative changes in Wales before we retrace our steps to examine the situation of Wales itself and the state of Welsh opinion and consciousness as the twentieth century approached and began. It was not in fact until 1907 that any administrative recognition of particular Welsh needs was evinced in the creation of a Welsh department of the Board of Education. The experiment was important, not least because of the encouragement it gave to the maintenance of teaching in the Welsh language.<sup>10</sup> Four years later, like Scotland, Wales was given its own National Insurance Commission, and in 1912 an Agricultural Commissioner for Wales was appointed, with an advisory council. After the war, in 1919, the Board (later the Ministry) of Agriculture and Fisheries set up a Welsh office. These developments, however, were later, less systematic, and less decisive than was the case in Scotland. There was no minister with overall responsibility for Wales, no Welsh Office, nothing in Cardiff corresponding to St. Andrews House in Edinburgh. The differences of course reflected the widely different status and situation of the two peripheral countries; and it is now necessary for us to consider what had happened to Wales and the Welsh nation in the eighteenth and nineteenth centuries.

The revolutions which brought into being the predominantly urban, industrial, and eventually democratic society of the twentieth century had of course affected Wales as they had other parts of the United Kingdom. Wales too had seen radical economic and social transformation, massive demographic shifts, the erosion of traditional values and relationships. There are in some respects close similarities

10. Already in 1896, three years before the establishment of the Board of Education for England and Wales, a Central Welsh Board to administer examinations had been set up. Together with the development, mentioned below, of Welsh university colleges, this reflects the emergence of a Welsh national educational system - a factor of considerable importance in fostering a sense of Welsh national identity.

with Scottish experience: extreme dependence upon heavy industries which were already past the peak of their importance by the time of the First World War and which were exposed to severe depression thereafter; the great preponderance of one region - the Lowland belt in Scotland, the south and east in Wales; and, in those regions substantial demographic change brought about not merely by indigenous population movement but by extensive immigration. At the same time, these drastic changes, beginning in the late eighteenth and early nineteenth centuries, had been preceded by developments which had injected new strength into what was to become in many ways a beleaguered national entity. Wales lacked the legal and at least quasi-political basis for continuing identity which Scotland enjoyed after the Union of 1707: their place was taken by cultural forces of great vigour and significance.

At the heart of this development lies Welsh religious history. If Wales escaped some of the more dramatic religious upheavals of the sixteenth and seventeenth centuries, her people shared to the full in major religious developments of the eighteenth century and after. Methodism had indigenous roots in Wales: the roots struck deep and yielded a strong and widespread growth. At first, like other aspects of the methodist movement, this was conceived as something that could and should be contained within a revitalized Anglican Church. But the long-term tendency of methodist preaching in activity was to weaken decisively the hold of the established Church upon the majority of the Welsh people and to impress upon Welsh life a moral and emotional colour which has contributed powerfully to the formation of Welsh national character in its modern form. Politically, it is true, early Welsh methodism was conservative and quietist. It was the new social situation created by industrialization that brought about the decisive conversion of Welsh methodists to political radicalism. One need not adopt a facile class analysis to recognize that the conflicts between capital and labour and between squires and peasants were involved in this. The Church became firmly identified with the wealth and power of the ruling classes; the Chapel - that key institution in nineteenth-century Welsh life - allied itself with the radical liberal and later labour struggle against those classes. The disestablishment of the Church in Wales - not enacted until 1914 - symbolized the alienation between the mass of the Welsh people and the old order. Wales became, it has been said, 'the most anti-conservative of any of the regions of Britain'.<sup>11</sup>

Now there is of course a sense in which Welsh radicalism simply represents the vanguard of the left in the developing polarization of modern British politics. There might be specifically Welsh reasons which explained this vanguard position (shared, of course, by the Scotland which produced the Independent Labour

11. Bogdanor, *Devolution*, 120.

Party and 'Red Clydeside'); and yet it could be argued that the Welshness, so to speak, was incidental and almost accidental. Against this it has to be recognized that from at least the late 1850s onwards there was a real and significant revival of Welsh nationality and national consciousness. The rise of the Chapel, with its splendid Welsh hymnody and impassioned Welsh pulpit oratory, contributed greatly to the effective survival of that language which had always, in post-medieval times, been the essential vehicle of Welsh identity. It is both true and important that 'Welsh Wales' in this sense was geographically restricted and, given the demographic and socio-economic changes already mentioned, a declining part of Wales as a whole. Yet though this has given rise to unmistakable tensions which have very considerable relevance to contemporary debates on Welsh government and politics, it is also the case that a diffused and no doubt diluted version of this kind of Welshness has in some sense been inherited by modern Wales as a whole.

Institutionally all this was reflected in such developments as the creation of three Welsh university colleges between 1872 and 1884, these being incorporated as the university of Wales in 1893. A nice example of the legislative overspill of cultural diversity, as it were, occurred in 1881, when for the first time in modern history Wales was treated in legislative terms as a distinct entity from England - in the Welsh Sunday Closing Act. Welsh liberals - not least the most celebrated of them all, David Lloyd George - saw themselves and described themselves not only as radicals but as Welsh nationalists. Again the period from 1886 onwards, with the liberal concept of 'home rule all round' is crucial. And again it is difficult to be sure how widespread and deeply-rooted the movement for political devolution was. It does seem to be the case that the developing and extremely important Welsh labour movement was less consistently committed to the principle of home rule than were their comrades in Scotland. But in both cases it might well have seemed in the inter-war conditions of capitalist crisis that the national issue was at most a secondary one in a world where the really important questions had to do with the structure of society and the distribution of economic power. More recent developments may have cast doubt on that assumption.

Before turning, in the last part of this paper, to a review of the alternative Solutions that have been suggested for what we may call the nationalities problem in the United Kingdom, I must say something about the emergence, in Scotland and Wales, of explicitly nationalist political parties. Both in Scotland and in Wales this was a development of the 1920s, and (somewhat surprisingly) the Welsh party came first, *Plaid Cymru* having been launched in 1925. Significantly its first concern was with the language problem, and it has indeed been described as no more than a 'cultural conservationist society'.<sup>12</sup> Moreover, like other conser-

12. A.B. Philip, *The Welsh Question* (1975) 316, quoted in Bogdanor, *Devolution*, 127.

vationists, the Welsh nationalists have been guilty of carrying what may be a good case to extremes. Not until 1968 did they formally drop from their party programme the quite visionary policy of having Welsh established as the sole official language of the country - though in practice attitudes had for a good many years previously been more restrained than that. Nevertheless the concern and the consequential difficulty remain. In a situation where little more than a fifth of the population speak Welsh, linguistic nationalism can be a profoundly divisive force. With little to offer towards solving the economic problems that dominated Welsh life, the party made little impact during the pre-war years - and indeed during much of the post-war period before the 1960s.

The National Party of Scotland was founded in 1928, in the disappointment of yet another failure to pass a measure of devolution through parliament - the Government of Scotland Bill of 1927. Though there were important cultural aspects to the movement of national feeling in inter-war Scotland, the party was from the outset more concerned than *Plaid Cymru* with the stuff of politics and government. Like *Plaid Cymru*, however, it made little real impact on the political scene - in part at least because, small though it was, it could not achieve real unity of purpose. There was from the start a division between those whose aim was complete sovereign independence and those whom Douglas Young later called 'North British devolutionists'.<sup>13</sup> Yet even though the balance of power lay in the early days with the devolutionists rather than with the advocates of independence, the party's programme was countered by Unionist arguments based on the economic dangers in the degree of separation from England involved even in its devolutionary programme. Moreover the party had a left wing tendency in social and economic policy, and a separate Scottish Party was formed by right-wingers in 1932. Two years later, the National Party got rid of its more extreme elements and joined, uneasily, with the Scottish Party to form the Scottish National Party, which has survived as the principal political vehicle of the movement for home rule. Overshadowed by the economic and international problems of the 1930s, nationalism as a political force amounted to little enough in Scotland before the Second World War. Nor could it be denied that the support home rule had once had from other parties was dwindling, with the Liberal Party in any case declining, and the Labour Party noticeably lukewarm towards its long-standing devolutionary commitment.

Yet seeds of real significance had been sown - a fact perhaps demonstrated by the notable if transitory victory won by the Scottish Nationalists in sending - if only for two months - a member to parliament for the first time following a by-

13. The phrase occurs, unflatteringly, in one of Young's poems. Douglas Young (b. 1913) played a prominent and stormy part in the Scottish National Party, especially during the Second World War.

election in April 1945. The party has been described, in its immediate post-war phase as merely 'a picturesque party of cranks and faddists':<sup>14</sup> as late as 1959 it commanded less than 1 per cent support from the Scottish electorate, and not until 1966 did that proportion advance even to 5 per cent. But in fact the squabbling and posturing of the SNP during the wartime and post-war years were largely irrelevant to what really mattered - the movement of much Scottish opinion towards the conclusion that a different and better way of governing the country could be found only through some kind and degree of devolution. The moderate Scottish Convention movement mobilized this kind of opinion in a remarkable way, and while too much significance should not be attached to the two million signatures eventually affixed to its 'National Covenant' in 1949-50, they certainly had *some* significance.<sup>15</sup> Neither Labour nor Conservative governments before the late 1960s showed any inclination to respond to Scottish needs by radical constitutional change. Yet such developments as the modification of parliamentary arrangements for dealing with Scottish legislation and other business: the appointment of a Royal Commission on Scottish Affairs; and the carrying out, in 1960-61 of an extensive enquiry into the Scottish economy - all these indicated official awareness that there were real problems to be solved.<sup>16</sup>

Similarly, though much less decisively, concern grew in Wales for the quality and efficiency of the arrangements for Welsh government. *Plaid Cymru*, it is true, did not parallel even the modest progress made by the Scottish Nationalist Party, and until 1959 hardly attempted to enter the political arena outside the Welshspeaking areas. But the existence of a more broadly based and less linguistically directed concern is shown, for instance, by the all-party drive in the early 1950s for the establishment of a Welsh parliament. Corresponding to the Scottish Covenant, this movement had a petition to which eventually 14 per cent of the Welsh electorate - a quarter of a million people - subscribed. As in Scotland, the demand for organic change found no support from the major parties nationally; but, again as in Scotland, limited but significant changes were made in the institutional arrangements for Welsh government. From 1951 onwards there was at least a designated minister responsible for Welsh affairs - though he was at first a minister who combined this role with other (and much heavier) responsibilities.

14. Bogdanor, *Devolution*, 91.

15. An attempt at evaluation is made by Jack Brand, *The National Movement in Scotland* (London, 1978) 246-9.

16. On parliamentary arrangements see J.H. Burns, 'The Scottish Committees of the House of Commons, 1947-1959', *Political Studies*, VIII (1960) 272-96; G.D. Edwards, 'The Scottish Grand Committee 1958-1970', *Parliamentary Affairs*, XXV (1972) no. 2. The report of the Royal Commission on Scottish Affairs (the Balfour Commission), set up by the Conservative government in 1951, is Cmnd 9212 of 1954. The *Inquiry into the Scottish Economy, 1960-61* was the work of a committee set up by the Scottish Council (Development and Industry), which published the report in 1962.

In 1957-58 this was replaced by the appointment of a minister of state for Welsh Affairs in the department of Housing and Local Government; but not until the Labour Party returned to power in 1964 was the office of secretary of state for Wales (urged by Labour since 1954 and endorsed in 1957 by the advisory Council for Wales and Monmouthshire) at last created. The new Welsh Office began life with somewhat limited powers, however, and a gradual process of extension did not bring its scope to something approaching that of the Scottish Office until 1978. Meanwhile in 1960 a Welsh Grand Committee had been established in the House of Commons; but its scope was and has remained inevitably more limited than that of its much older Scottish equivalent, if only because legislation specifically restricted to Wales is a much rarer phenomenon than specifically Scottish legislation. Even so, the Welsh developments indicate in the same way as those in respect of Scotland a recognition by the authorities, however reluctant and halting, of the reality of the problems of government at the periphery of Great Britain.<sup>17</sup>

What, in essence, is the nature of these problems? In what sort of context are we to see the widespread concern, in Wales and in Scotland, for the wellbeing and vitality of national communities in the framework of United Kingdom government? How are we to judge the remarkable surge of support for the nationalist parties? Even in Wales, after all, *Plaid Cymru* was approaching, by 1974, 11 per cent support. In Scotland that figure had been exceeded by 1970, and in the by-elections of the 1970-74 parliament the percentage leapt to 31.4. A decline to just under 22 per cent in the first General Election of 1974 was followed by a recovery to over 30 per cent in October of that year. Politically these figures - and the resulting presence of eleven Scottish and three Welsh nationalist members in a narrowly divided parliament - created the situation which led to the recent attempt by the Labour government to introduce a measure of devolution for Scotland and Wales. If this proves to be more than a mere eddy in the stream of British politics, it will be because it reflects some fairly basic changes. These have to do in large part, no doubt, with the decline in British power and prosperity and the seemingly insoluble problems of the British economy. They certainly have to do with a growing realization over the past twenty years that such an economic situation creates problems for some regions - and Scotland and Wales with their historic dependence on declining heavy industries are obvious (though not the only) examples - problems which centralized policies may exacerbate and are unlikely to be able to solve. It has to do with a widespread disenchantment with

17. The fullest account of administrative decentralization in Wales between 1907 and 1964 is in an unpublished University of Wales M.Sc. Econ. thesis by P. J. Randall, 1969. Among published works, see K.O. Morgan, *Wales in British Politics* (revised edn., 1970) and A.B. Philip, *The Welsh Question* (1975) both published by the University of Wales Press.

what in America is called 'big government'. The post-war period has after all seen an immense growth in the range and depth of government involvement in the economy and in many other aspects of national life. The centrifugal movement has been seen by some at least of its supporters as a possible refuge from the social diseconomies of scale in organizational power. That movement has to do also with sensitivity - perhaps at times nostalgic and sentimental, but genuine enough - to the values of diversity and cultural pluralism. There is a real sense in which the movement which has as one of its manifestations the prosaic and almost inevitably inconclusive argument about administrative and legislative devolution may properly be seen as expressing a concern lest human values should be overwhelmed by what the Welsh nationalist Gwynfor Evans has called the barbarism of centralization and materialism.<sup>18</sup> If the movement has had its moments of tragedy - above all in Ireland - and of farce, that merely confirms its relevance to the human condition.

If these in the last resort are the problems to be solved, we may now turn to review the political solutions that have been variously seen as relevant and available in the United Kingdom situation.

To begin with, it may be as well to mention, if only for the sake of completeness, a solution which, though theoretically possible, has perhaps never been regarded as either relevant or available. This would be a genuinely total unification - the establishment of a strictly unitary State with a completely centralized administration. It will, I think, be evident from what has been said here that such an arrangement has never prevailed in the British Isles. Yet it serves, analytically, as a limiting case, against which we can, as it were, measure the degree of separation and autonomy involved in various constitutional arrangements, whether actual or projected.

The limiting case at the other extreme is, of course, actual and complete separation - the creation, out of what had been part of the United Kingdom, of an entirely distinct sovereign State. In the end, this was the only solution that proved to be viable in the case of the greater part of Ireland. That fact, of course, reflects, historically, the depth of the alienation between Ireland and Britain - and more particularly the alienation between Ireland and England. In the cases of Scotland and Wales, it seems fair to say, where the alienation of feeling and the conflicts of interest have been much less severe, movements for a solution in terms of separation and complete sovereign independence have commanded only limited support. Yet such a solution is not to be dismissed out of hand as an unimaginable development in those cases. Apart from any other consideration, the

18. 'Barbarism is not too strong a word to describe the policies which brought a rich culture so near to ruin...': *Wales Can Win*, 87, quoted by Bogdanor, *Devolution*, 129.

existence of the European Economic Community provides a context for Scottish (and perhaps, though much more doubtfully, for Welsh) independence very different from anything that existed before the Treaty of Rome. Just as the notion of sovereign independence within the British Commonwealth offered a framework for such a development, so - much more decisively - has the Common Market and the whole development of the European idea. Significantly, Ireland has demonstrated the viability and the advantages of a status and situation to which Scotland - and perhaps especially a Scotland strengthened by the discovery of North Sea oil - might meaningfully aspire. Even so, it is perhaps unlikely that this solution will in fact be adopted.

Moving along the scale from that end we come, presumably, to some form or other of federalism in its modern definition. This has naturally been a recurring theme in discussions of the problem during the century or so since the concept of home rule within the United Kingdom first emerged. It has had at various times strong and variegated support. Some liberals saw a federal structure as the eventual outcome of the policy of 'home rule all round' and the theme has been a recurrent one in liberal policy. A federal constitution for Great Britain was explicitly proposed in the Speaker's Conference of 1919. Five years later, during the first labour government, a federal home rule bill won the support of every Scottish Labour MP. Half a century later, the dissenting members of the Royal Commission on the Constitution appointed in 1969 (and reporting in 1973) argued for the development of federalism on West German lines as a solution to British problems. Objections to a strictly federal solution have, however, always been strong and doubtless well grounded. There is for one thing the immense difficulty of establishing a viable federalism in the United Kingdom if its national communities are taken as the federating units. The extreme disproportion between England and the other constituents would alone make this an inherently ill-balanced structure. The way out of this difficulty, which has aroused discussion and attracted some support, is to establish the English regions as co-ordinate partners with Scotland, Wales, and Northern Ireland in the federal enterprise. But there would be an ineradicable artificiality about this; and even if support for it in the English regions were a good deal stronger than it has appeared to be, it would still have the disadvantage that the non-English States of the federation would have a basis and therefore a character essentially different from those of the newly-created regional States in England. Federalism in a strict and explicit sense can hardly be seen as offering a widely attractive solution to the British problem. Arguably, its chances of adoption are inferior to those of independence for Scotland (if not for Wales) within the EEC framework.<sup>19</sup>

19. The preceding argument is perhaps too formalistic, making too little allowance for the variety

Neither solution, perhaps, is in fact very likely to be adopted. The problems at issue will almost certainly be resolved - insofar as resolution is possible - in terms of some kind of devolution. And, logically, the next point along my scale, which ought next to be considered, is the notion of legislative and executive devolution. In fact, just because this is both the focal point of current debate and (it seems to me) the most likely growth point for constitutional development, I want to leave it for discussion at the very end of this protracted investigation. Before that I want to comment briefly on what is in effect the system 'in being' - the kind of administrative devolution that has been developed over the past ninety years or so and is represented by the powers exercised by the secretaries of state for Scotland and for Wales and by the functions discharged by the Scottish and Welsh Offices. This kind of devolution involves no constitutional departure from the unitary principle, while in practice it has made possible - certainly in Scotland where the system is now well established - administrative processes which provide many of the benefits of effective decentralization. These processes have in many ways worked well, but they have some fairly obvious limitations as solutions to the problems to which the devolution debate is directed. On the one hand, they have limited room for growth - it is doubtful, that is to say, whether this kind of development could be carried very much further than it already has been, within the framework of a unitary system of government with overall cabinet responsibility at its heart. On the other hand, and perhaps more seriously, the devolved administrative system may be strong in respect of consultative contact with the various interests in the country concerned; but it is weak in the area of democratic accountability, effective ministerial control, and perhaps most of all flexible responsiveness to policy needs in areas where the divergences between Scotland or Wales and the rest of the United Kingdom may be at their sharpest. Nor has it proved possible, even in the case of Scotland, still less in that of Wales, to meet these problems by modifications in parliamentary procedure and committee structures at Westminster. Administrative devolution of this kind has probably gone as far as it usefully can: it may even have gone further than is entirely compatible with the achievement of government that is not merely technically efficient but also responsible and responsive in ways that are increasingly important as the role of government in society expands.

We come back then to the concept of political devolution - of creating for cer-

of systems embraced by the term 'federalism' and taking too little account of the evolution of federal systems in modern conditions. Indeed, it is argued below that a non-federal relationship in strictly formal terms can, as in the case of Northern Ireland and the United Kingdom under devolution, operate in practice as if it were a federal relationship. Yet there still seems to be a distinction worth preserving between the co-ordinate relationship of the governments in a federal system and the subordinate position, however autonomous in practice, of a devolutionary government.

tain parts of the United Kingdom subordinate elected assemblies, enjoying substantial devolved powers yet still subject to the overriding authority of the Westminster parliament. This, in one form or another (and it is not possible or necessary here to explore the technicalities of the variations),<sup>20</sup> was the essence of the 'home rule' solution to the Irish problem, advocated by Liberal governments between 1886 and 1914 and in the latter year at last enacted in the Government of Ireland Act. The operation of that act was of course suspended on the outbreak of war; and by the time that it became possible to implement it, the Irish situation was such as to ensure that it could not be implemented with any prospect of success. On the one hand, it had been demonstrated already in 1914 that the protestant north would not accept submergence in a predominantly catholic Ireland under home rule. In the Government of Ireland Act of 1920 an attempt was made to meet this difficulty by providing for parallel devolved government in both Dublin and Belfast, together with a joint Council of Ireland looking to an eventual union of both parts. But by now it was absolutely clear that the larger part of Ireland, which became the Irish Free State and later the Republic of Ireland, was not prepared to settle for home rule or for anything less than full independence.<sup>21</sup> When this was conceded the devolved regime in the north was left in being. So, by the oddest of paradoxes, the only part of the United Kingdom ever to experience home rule under a devolutionary system has been that part which was most resolutely opposed to the whole concept. And by a further paradox the protestant majority in Northern Ireland were to find in the devolved government they did not want a powerful instrument for maintaining what might otherwise have been a precarious political position. My concern however is not with the tangled and often violent story of Ulster politics, but with the nature of the scheme of devolution which operated there from 1921 until it was suspended in 1972.

The scheme consisted essentially in a division of legislative and revenue-raising powers between Westminster and the British government on the one hand and what amounted to a miniature replica of those institutions in Belfast. Northern Ireland acquired a bicameral parliament, a responsible cabinet, and a governor to represent and exercise the powers of the crown. The division of powers was made by specifying areas - defence, foreign policy, external trade - and those taxes - taxes on income and capital, customs and excise duties - which were reser-

20. For a succinct but illuminating analysis, see chap. 2 (10-41) of Bogdanor's *Devolution*.

21. Any short statement about the Irish problem inevitably distorts through over simplification. The Irish Free State did not, strictly, enjoy the 'full independence' referred to in the next sentence of the text: certainly not in the eyes of republicans who waged first an armed and then a political struggle against the 1921 treaty settlement with Britain. Full sovereignty for the republic of Ireland was asserted in 1937, but not until 1949 was the position fully resolved on the British side by the Republic of Ireland Act.

ved to the United Kingdom parliament and government. Outside the reserved areas the new Northern Ireland parliament had in principle a free hand. In practice there were severe limitations - the new devolutionary government had no prospect of achieving fiscal self-sufficiency and the need to maintain parity of provision in social services also limited its effective independence of Westminster. These factors were more important in practice than the formal constitutional restraints of which the purpose was to preserve the ultimate sovereignty of the parliament at Westminster. Practice here was substantially different from theory, in that the nominal power of Westminster to legislate for Northern Ireland was one which could not in political fact be exercised save in the extremest of emergencies; while the courts came to interpret the constitutional arrangements almost as if a fully federal relationship subsisted between the two parliaments. Both for good and ill, there was in some directions real Ulster autonomy. On the debit side this enabled the protestant monopoly of political power to be used in ways that exacerbated the already bad relationships between the two communities. On the credit side, there were a number of constructive experiments and developments, especially in the economic field, which would at best have been much more difficult if the province had remained integrated with the United Kingdom as a whole.

In any case, when in the mid-1970s, under the pressure of the nationalist surge, the Labour government moved - clumsily enough, with the support of its own party far from secure - towards devolution for Scotland and for Wales, there were many reasons why the Northern Ireland model was unlikely to be followed. Other factors apart, it was no longer at all probable that any British government - least of all a Labour government - would devolve power in the economic field in the way that had been done in 1920. There was indeed no question of setting up anything that could for a moment be mistaken for the kind of miniature Westminster that had existed at Stormont until 1972. In the case of Wales what was proposed did not involve legislative devolution at all. The elected assembly there was to have executive authority in terms of Westminster legislation in certain areas, and this authority was to be exercised through a committee system such as had been normally used in British local government. The system would in many ways have represented a unique experiment in devolutionary arrangements; but its rejection in the recent referendum was decisive, and the Conservative government which took office two months after that vote announced that the Wales Act of 1978 would be repealed. It seems clear that the question of devolved government for Wales is closed, at least for the time being, and in these circumstances the abortive proposals for such government do not merit further discussion in the constricted context of this paper. The case of Scotland is different. It is true that, here again, the conservative administration intend to repeal the 1978 Scotland

Act; but in this case, unlike that of Wales, the intention is also that the question of devolution shall be pursued in further discussion. And the fact that the devolution proposals in the 1978 Act did win, narrowly, majority support in the referendum of 1 March 1979 suggests that the system then projected deserves closer scrutiny here.<sup>21</sup>

The Scottish assembly was to have had genuine devolved legislative powers with, responsible to it, a separate Scottish executive body headed by a first secretary. The office of secretary of state for Scotland as a member of the United Kingdom cabinet was to survive, however, and the secretary of state, in addition to retaining important powers especially in regard to economic policy in Scotland, would have had, in effect, vice-regal powers in relation to the new assembly and the Scottish executive. Unlike Stormont, the assembly in Edinburgh was to have no revenue-raising powers, but was to be financed by a block grant from the United Kingdom budget. Unlike the Government of Ireland Act of 1920, the Scotland Act divided legislative powers, not by specifying those reserved to Westminster, but by designating those devolved to the assembly. The devolved powers were substantial - though not unqualified - in such matters as health, social services, education, housing, planning, transport, the courts and the legal system, crime, the fire service and - a matter of some considerable importance - the organization and supervision of local government. But the great issues of the economy were not devolved; and there were what were clearly intended to be substantial safeguards for the ultimate sovereignty of Westminster. Both the secretary of state and the judicial committee of the Privy Council were to have powers to review and declare *ultra vires* legislative measures passed by the assembly; and still more strikingly the secretary of state was given power, with the approval of the Westminster parliament, to reject assembly measures which in his view might affect areas reserved from the assembly and were also adverse to the public interest generally.

The points just made represent the barest outline of an extremely complex measure, but enough may have been said to capture the essential flavour, as it were, of the proposed system. How that system would have operated and developed in practice can never now be known. Constitutions, as Macaulay said, are in politics what paper money is in commerce - not power but the symbols of power. The real effect and value of a constitutional scheme can never be known in advance; and in this case there was already, before the event, a widely held view that devolved government in Scotland could not have continued for long on

22. The policy indications referred to were included in the Queen's Speech to Parliament on 15 May 1979. In regard to Wales, further consideration of devolution was not mentioned, though the government did express the intention to take measures to preserve the Welsh language.

the basis of the 1978 Act as it stood. Leaving aside the possibility - perhaps the probability - that it would have been amended, there is the much more important point that it would have had to be interpreted and applied in that real political world where convention and usage are usually so much more important than the letter of the law. It has been persuasively argued that the practical upshot of the 1978 proposals for devolution in the United Kingdom would have amounted to 'federal devolution'.<sup>23</sup> Perhaps it is plausible to suggest that any devolutionary proposals likely to emanate from a Conservative government may be expected to be less 'federalizing' in tendency and probably effect. Ought we indeed to go further, and conclude that the centrifugal, devolutionary tide in Britain has turned and will now ebb as rapidly as it seemed to rise?

The results of the General Election of May 1979 might well suggest an affirmative answer. The vote for the Scottish National Party fell to around 17 per cent of the Scottish total - not much more than half of the October 1974 proportion. Nationalist representation in parliament fell much more dramatically, nine out of eleven SNP seats being lost.<sup>24</sup> Almost as striking is the fact that the nationalists lost second place in thirty-four constituencies (almost entirely to the conservatives) and third place in a further fourteen (all but one of them to the liberals). The analysis of electoral patterns is of course a complex business, which lies beyond the scope of this paper and the skill of its author; but some points are perhaps sufficiently clear to be legitimately made here. First of all, electoral support for the Scottish National Party remains, despite the advances made by the party in the past twenty years, a highly volatile thing. Within less than a decade the SNP share of the vote has varied between a minimum of 11.4 per cent and a maximum of 30.4 per cent - remarkable figures in the notoriously inelastic context of British political behaviour. Secondly, it is important not to assume that the severe Scottish Nationalist setbacks in May somehow represent a reversal of the result of the devolution referendum in March 1979. There is a good deal of evidence to suggest - even to prove - that support in Scotland for a measure of home rule or devolution has for a considerable period been substantial, and much more substantial than support for the Scottish National Party even when the latter was at its peak.<sup>25</sup> Thirdly, it may be that the most important point about the 1979 Gene-

23. This theme is developed by Vernon Bogdanor in the concluding chapter of his *Devolution*, 215-30.

24. Welsh support for *Plaid Cymru*, also fell, but less dramatically, the total vote declining by about one third compared with October 1974: the party lost one of the three seats previously held. However, the immediate prospects for Welsh devolution are evidently so negative that the discussion below concentrates on the Scottish case.

25. Cf. Brand, *The National Movement in Scotland*, 156-66. Brand's conclusion (cf. 300) is 'that the level of support for devolution or home rule of some sort has stood at around 75 per cent for a very long time'. No doubt this figure has suffered some diminution in the two years or so since that

ral Election results in Scotland has little or nothing to do with the fortunes of the SNP, but may have a great deal to do with the problems under discussion here. All political observers were immediately struck by the divergence between the pattern of the results in Scotland and the pattern in England. Despite not inconsiderable successes, especially in relation to the nationalists, the fact remains that the conservatives failed, as so often in the past, to establish in Scotland the ascendancy they gained south of the border. Clearly this is a situation which, in certain conditions, could intensify the sense of alienation which fosters the demand for some measure of autonomy. At the same time, prediction is made still more difficult by the clear emergence of regional divergences within Scotland itself.<sup>26</sup>

When all is said and done, and when all due allowance has been made for the imponderable and unpredictable elements in a complex situation, it would still seem unwise and over-hasty to conclude that the upsurge of 'locality politics' in the Britain of the late 1960s and 1970s was merely transitory. That it owed something to a massive but temporary swelling in the 'protest vote' begotten of disenchantment with both the major political parties in a period of economic difficulty and social stress may be plain enough. Yet it may still be true - and I think it is likely - that a more permanent change in the pattern of British politics *is* taking place.<sup>27</sup> The peoples of Britain, living with the weather (and the weather forecasts) they have to live with, are understandably sceptical when climatologists tell them of great secular shifts in the character of the seasons. *Eppur si muove*: climate does change and political societies do, sometimes, have to come to terms with radically altered conditions and circumstances. The question in my title - *ex uno plura?* - is one that nobody can yet answer with certainty, but it is a real question; and whatever the answer, even if the *unum* survives, its unity will, I believe, be a different kind of thing in the next century from anything it has been since the notion of a United Kingdom first took shape so many generations ago.

conclusion was reached; but the substantive point remains valid - support for devolution or home rule 'of some sort' far exceeds electoral support for nationalist candidates committed to the eventual goal of full sovereign independence for Scotland.

26. Thus, in the March 1979 referendum, the large and populous Strathclyde region, dominated by the urban and industrialized West of Scotland, was the only region to return a clear majority of those voting favourable to the devolution scheme embodied in the 1978 Scotland Act. Anxiety in other parts of Scotland about the consequences of Strathclyde's preponderance may well have been a factor in recent Scottish electoral behaviour.

27. A point perhaps insufficiently emphasized in the text of the paper is the continuing and inescapable problem of Northern Ireland. If and when the much-discussed 'political initiative' manifests itself, it will almost certainly involve the restoration of a devolved government to the province. At the same time there is a substantial and perhaps growing body of opinion which holds that such a solution could be stable only in the context of a general structure of devolutionary government for the United Kingdom as a whole. The cry of 'home rule all round' may yet prove to be more than an historical memory.

## SUGGESTIONS FOR FURTHER READING

Easily the best as well as the most up to date discussion is in Vernon Bogdanor, *Devolution* (Oxford, 1979), to which, as footnote references will have made clear, this paper is heavily indebted. The focus of discussion is on recent and current problems and proposals, together with their immediate historical background. For a longer historical perspective, the following suggestions may be useful.

For Scotland, recent work has corrected the grave deficiencies of older histories in regard to the period since 1707. The best account is by William Ferguson in vol. IV of the Edinburgh History of Scotland - *Scotland: from 1689 to the Present* (Edinburgh, 1968). For the period down to 1830 see also T.C. Smout, *A History of the Scottish People, 1560-1830* (London, 1969); and for a more detailed account of the most recent phases of Scottish development, J.G. Kellasj *Modern Scotland: The Nation since 1870* (London, 1968).

Modern Irish history has also been well served by recent scholarship. The first volume to appear of what will be a definitive survey of Irish history at large is vol. III of *A New History of Ireland, Early Modern Ireland, 1534-1691*, ed. T.W. Moody, F.X. Martin, and P. J. Byrne (Oxford, 1976; reprinted with corrections, 1978). For the later modern period see J.C. Beckett, *The Making of Modern Ireland, 1603-1923* (London, 1966); F.S.L. Lyons, *Ireland since the Famine* (London, 1971); E. Norman, *History of Modern Ireland* (London, 1971); O. Macdonagh, *Ireland: the Union and its aftermath* (2nd edn., London, 1977).

Post-medieval Wales is perhaps less well provided for; but see D. Williams, *History of Modern Wales* (London, 1950), and K.O. Morgan, *Wales in British Politics, 1868-1922* (2nd edn., Cardiff, 1970).

On devolved government in Northern Ireland, see R.J. Lawrence, *The Government of Northern Ireland* (Oxford, 1965); also the much earlier work by N. Mansergh, *The Government of Northern Ireland: a Study in Devolution* (London, 1936).

Government and politics in Scotland are analysed by J.G. Kellas, *The Scottish Political System* (2nd edn., Cambridge, 1975). For Wales see A.B. Philip, *The Welsh Question: Nationalism in Welsh Politics, 1945-1970* (Cardiff, 1975). The most recent survey of nationalism in modern Scotland is J. Brand, *The National Movement in Scotland* (London, 1978), which deals with recent and current trends and problems and does not in general look further back than 1918. A longer historical view is presented by C. Harvie, *Scotland and Nationalism: Scottish Society and Politics, 1707-1977* (London, 1977). See also H.J. Hanham, *Scottish Nationalism* (London, 1969), and the earlier study by Sir R. Coupland, *Welsh and Scottish Nationalism* (London, 1954).

Finally, there has of course been a considerable flow of government publications on various aspects of the problems discussed in the paper. The most substantial item (though not necessarily the most productive in terms of political effects) is the massive documentation prepared for and by the Royal Commission on the Constitution which was appointed in 1970 and reported in 1973. Attention should also be drawn to two White Papers, *Our Changing Democracy: Devolution to Scotland and Wales* (Cmnd 6348 of 1975) and *Devolution to Scotland and Wales: Supplementary Statement* (Cmnd 6585 of 1976), and to a consultative document, *Devolution: The English Dimension*, published in 1976.

## La Révolution Française et la perception de l'espace national: fédérations, fédéralisme et stéréotypes régionaux

M. OZOUF

L'idée de Michelet sur la hiérarchie des organismes commande en France la représentation de l'espace national. On sait que Michelet distingue des organismes inférieurs, où la vie est périphérique, et des organismes supérieurs qu'anime un centre coordinateur. Métaphore biologique suffisante à exprimer la supériorité d'un pays qui a le bonheur de s'articuler sur une incomparable capitale, centre organique sans lequel aucun élément de l'ensemble n'aurait conscience ni de lui-même ni de ces voisins; où Paris est à la fois, selon le mot de Valéry, 'agent et monument de la compréhension mutuelle des provinces'. Pour comprendre le climat dans lequel s'établit en France le débat régionaliste, il faut se souvenir que c'est la centralisation qui a longtemps défini aux yeux des Français l'excellence nationale et nourri le chauvinisme. On le vérifierait aisément dans ces textes normatifs et élémentaires que sont les manuels scolaires.

C'est dire la difficulté particulière de la France à penser les différences régionales. Elle a été encore aggravée par la liaison nouée sous la Révolution entre la nation française et les valeurs universelles; les particularités apparaissent dès lors non seulement comme des entraves à l'esprit national, mais comme des obstacles à la constitution d'un homme universel et générique. On comprend mieux dans ces conditions le mouvement qui renvoie si souvent la description des particularités régionales au lointain passé du pays. La bigarrure régionale est comme une enfance de la nation française. S'y attarder est dans le meilleur des cas un archaïsme esthétique et, dans le pire, une régression volontaire, un séparatisme criminel.

C'est dire aussi la passion très vive mobilisée en France par le débat régionaliste. Contre le régionalisme retentissent à travers deux siècles les mêmes couplets peureux et défensifs, comme si la France était un pays fragile, dont la communauté de destin était mal assurée et comme si l'harmonie hexagonale (si souvent vantée pourtant, sur le mode mythique du 'Strabon disait déjà') était une réussite précaire. L'entrée de la France dans la communauté européenne, par exemple, a donné aux tenants de la centralisation un argument de plus contre le régionalisme, accusé de vouloir faire entrer la France 'en morceaux' dans l'Europe et donc de l'affaiblir, sottement, ou sciemment. La France, faut-il le rappeler, est le pays