

The Guardian

What is the West Lothian question and why does it matter?

The question famously posed by Tam Dalyell in 1977 over non-English MPs' role at Westminster remains a tricky one

[Severin Carrell](#), Scotland correspondent
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What is the West Lothian question?

Most simply put, it asks why Scottish, Welsh or indeed Northern Irish MPs have the same right to vote at Westminster as any English MP now that large areas of policy are devolved to national parliaments and assemblies in areas such as health, housing, schools and policing.

Often translated as "English votes for English laws", the question also comes up if non-English MPs become UK ministers and push through controversial England-only measures, even as their devolved government rejects them.

The question itself is famously attributed to the then Labour MP for West Lothian, Tam Dalyell, who raised it in 1977 when Jim Callaghan's Labour government proposed a devolved assembly in Edinburgh. An anti-devolutionist, Dalyell argued it would be unfair for Scottish MPs to have equal rights to vote on English-only legislation. Callaghan's plan failed to win a large enough Scottish majority in a referendum, and collapsed.

Has it ever really mattered?

When Scotland and Wales won devolution in 1999, English Tory MPs were aggrieved that Labour could – until its defeat at the 2010 election – rely on scores of Scottish and Welsh MPs to push through unpopular England-only measures at Westminster.

It rarely mattered, since Labour's majority in England was usually large enough. There were two incidents when loyal Scottish and Welsh Labour MPs were needed to vote through Labour government policies because so many of their English colleagues rebelled.

In a vote to set up foundation trusts in the English NHS, Blair's majority was cut to 35 because many English Labour MPs rebelled or failed to vote; Blair needed 67 Scottish and Welsh MPs to push the trusts through. Blair needed similar levels of loyalty in January 2004 to introduce tuition fees, a policy firmly rejected in Scotland.

And when John Reid, then MP for Hamilton and North Bellshill, was appointed Blair's health secretary in 2003 when Holyrood had control over nearly all health policy in Scotland, Iain Duncan Smith called it a "democratic monstrosity". But at the time, the Tories had English MPs sitting as shadow Scottish and Welsh secretaries because they had so few MPs there.

What is the answer to the question?

That is the most troubling issue. It is often very difficult to make a clear-cut decision on whether any measure is wholly English since many bills have a financial impact on the UK as a whole, often affecting Treasury grants for the devolved nations. And different devolved governments have power over different policy areas: Holyrood controls fisheries patrols and policing; Cardiff Bay does not.

Short of a federal UK or an elected second chamber, the political scientists [Guy Lodge](#), [Meg Russell](#) and [Oonagh Gay](#) describe it as a "question without answer".

The hardline response is to ban non-English MPs from voting on any measure which relates only to England. The UK justice secretary Kenneth Clarke's democracy taskforce proposed allowing only English MPs to sit at the committee stage of an English-only bill until a final vote, when it would return to the full Commons. Sir Malcolm Rifkind, a former Scottish secretary and Edinburgh MP and now Tory MP for Kensington and Chelsea, proposed an English grand committee with similar powers.

What do critics of the West Lothian question say?

They argue that making second-class MPs would undermine the entire purpose of the universal franchise: that everyone's vote is equal. It damages the principle of collective responsibility too: why should a talented Scottish MP not run a UK department?

MPs regularly vote on policies which affect other constituencies and not theirs. They also vote on going to war in a country they don't represent or spending money in countries they never visit. And the Tories only complained because they were losing out, some say.

But one of the most politically charged issues is whether downgrading Scottish, Welsh and Northern Irish MPs plays into the hands of nationalists who want to show that Westminster is hostile and England-dominated. The Commons is, after all, the institution which most binds the UK into one. This, in part, is why no one has really wanted to answer the question.

<http://www.theguardian.com/politics/2012/jan/17/what-is-west-lothian-question>

The Telegraph

Devolution: This English question demands an answer

By Sue Cameron

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More devolution to Scotland will be the final straw for the Union's largest country

Fast forward a few years: Prime Minister Ed Miliband and Chancellor Ed Balls sit glumly on the Government benches while a rampant Boris Johnson, First Minister for England, taunts them.

“You're impotent,” he cries. “You're incapable of winning an election in England and as long as my administration has the votes and the money – which we do – anything you say about English education, English transport, English health and English councils will be a load of irrelevant piffle.”

If you think this scenario unlikely, think again. Tory high command is exploring anew a plan to ensure English MPs have the final say on purely English Bills. No new legislation is required, only a change to the Standing Orders of the Commons.

The result would be devastating for Labour. The Tories currently have over 100 more English seats at Westminster than Labour. Given the party's problems with the unions, the doubts about Ed Miliband's leadership and the improving economy, the chances of Labour winning the dozens of English seats it would need to claim victory in the country in 2015 are remote. True, Labour could win in the UK as a whole and lose in England – as it did in February 1974 – but democratic Britain is a very different place today.

Some claim that Labour's poor showing in England in the 2010 election merely reflected the swing of the electoral pendulum, which could easily move the other way. After all, didn't Labour win 94 more English seats than the Tories in 2005? They did, but the English had every reason to cry foul. Although the Tories had fewer seats than Labour, they had more votes in England – 8.115 million as against Labour's 8.05 million.

The English, a phlegmatic bunch, did not come out on the streets in protest. Nor have they objected much in the past when Labour has used Westminster MPs from its Scottish and Welsh heartlands to foist its policies on unwilling English MPs, as it did with tuition fees and foundation hospitals. The fact that Scottish MPs at Westminster have no say over higher education or health in Scotland makes the system even barmier.

What is finally rousing the English to demand change is devolution. Polls suggest the Scots are unlikely to vote for independence in their referendum next year, but they and the Welsh are certain to be given even more devolved powers. As they gain greater autonomy, it is unthinkable that the English, with the lion's share of the UK's wealth and a population 10 times that of Scotland, will allow their domestic affairs to be decided by MPs from north of the border.

Already there is revolt. This month Sir Merrick Cockell, the Tory chairman of the Local Government Association, said that up and down the country “something that has consistently been raised is the fairness issue for England”, adding: “People in Scotland, Wales and Northern Ireland already have a much greater say over everything from education and health to transport... we and the people we serve want some of what they are getting.”

Professor Tony Travers of the London School of Economics says it’s a “no-brainer” for the Tories to insist on English votes for English laws, noting that Labour is dying out in the southern English shires just as the Tories have all but disappeared from Scotland. “Next year we are going to see the backwash of the Scottish independence debate flowing into English politics,” he says. “This will have a profound effect on the power of England and thus of the UK.”

A Tory-dominated England would be more powerful than a UK-wide government that owed its existence to Labour’s Scottish and Welsh MPs. The UK government would still control defence, foreign affairs and, technically, the economy. Yet in 2016 the Scots are expected to be given greater tax-raising powers. England will surely insist on the same.

Prof Travers reckons an “English government” would have an annual spending power of up to £350 billion – as against £250 billion for the remainder of the UK. If the cost of benefits were divided up between the nations, then a UK-wide government would be left with only some £50 billion of spending.

There are several ways to solve the English question. We could have a totally separate English parliament, but that really would undermine the Union. Much better to have MPs from all over the UK working together at Westminster, but with English ones having a final say on English laws and having their own administration, headed by a first minister, to deal with English affairs.

Some would prefer a new-style “ministry for England”, claiming that this would preserve Cabinet government in the UK. As I have noted before, Cabinet government is a sham – the Cabinet is now far too big to be a serious decision-making body. Nor would it make sense to have a single ministry for 55.5 million English people.

Suggestions for some kind of half-way house at Westminster are also half-baked. There is talk of allowing all MPs to vote on English laws and then hoping the Scots, Welsh and Irish would voluntarily hold back and accept the wishes of their English colleagues. But why risk a constitutional impasse?

Oliver Letwin, the Tory Cabinet Office minister, is apparently still mulling over the best way forward. He is right to be cautious about major constitutional change – but the time for compromise, for preserving the shell of an outdated system, is past. England won’t stand for it. Westminster’s English MPs must have an absolute veto over English laws.

<http://www.telegraph.co.uk/news/uknews/scotland/10199923/Devolution-This-English-question-demands-an-answer.html>