

# A new and fair constitutional settlement? Beware of constitutional hyper-activism

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The Flower of Scotland may well be blooming but a number of thorny issues face the Prime Minister and the leaders of the main parties in the UK, writes [Matthew Flinders](#). The Prime Minister's commitment to a 'new and fair constitutional settlement' not just for Scotland but for the whole of the United Kingdom may well reflect the need to think in a joined-up manner about constitutional reform and the devolution of power but the simple rhetoric cannot veil the complexity of the challenges ahead.



Instead of waking up as the Prime Minister who dis-united the UK David Cameron has suddenly emerged as the great reforming Prime Minister. Democracy could not be ducked, hard choices had to be made, democratic pressures vented and now Scotland had clearly spoken in favour of staying in the Union.

## But what next?

The status quo is not an option. Rushed commitments were made by all the main parties in the last two weeks, commitment in relation to tax, spending and welfare, and must now be delivered, diluted or derailed. 'We have a chance – a great opportunity – to change the way the British people are governed' the Prime Minister declared with a relieved and somewhat shell-shocked look on his face 'Just as the people of Scotland will have more power over their affairs, so it follows that the people of England, Wales and Northern Ireland must have a bigger say over theirs'.

## But what does this mean?

Two constitutional entrepreneurs have been tasked with answering this question. Lord Smith of Kelvin will lead on the delivery of those commitments that have been made to Scotland, while William Hague becomes (in essence) a new Secretary of State for the Isles with the job of dealing with the English question, the West Lothian question and the ratchet-like demands for more powers from Wales and Northern Ireland.

## But what are we trying to achieve?

This is the million-dollar question where answers are sparse. David Marquand once accused New Labour of overseeing a very British constitutional revolution. It was 'a revolution of sleepwalkers who don't know quite where they are going or quite why' Marquand noted 'But muddle and mess are often the midwives of change'. This may well be true but I cannot help but think that Cameron now risks unleashing a constitutional revolution forged upon ridiculously rapid hyper-activism. The timescales set out will bring tears to the eyes of even the driest constitutional anorak – constitutional agreements decided and mapped-out by November with draft legislation published by January 2015. Such speed brings risks and little time for any public engagement beyond the shallowest tokenism.

## What should be done?

Scotland has spoken and the rest of the UK has listened. Democracy has triumphed but now is not the time for constitutional hyper-activism. At the very least there is a case for delivering what has been promised to Scotland before then pausing to draw breath before considering the spillover effects for the rest of the UK. My message to the three main party leaders is therefore clear: a new constitutional settlement cannot be rushed.

*Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the*

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