

SPEECH BY LORD OWEN IN THE HOUSE OF LORDS DEBATE ON A CONSTITUTIONAL CONVENTION – 13 DECEMBER 2018

My Lords, I strongly support the Motion and the concept behind it. We cannot go on in this country, particularly in a post-Brexit situation, without doing more to bring together all parts of the United Kingdom. Postponing this issue is one of our most serious and grave errors. I also believe that the noble Lord has made the most realistic proposition. It will not be done by this Government. Therefore, it is much more sensible for all those other parties in another place to come together now and start to have a mechanism for building a great deal more trust. Of course, it will be difficult because of differences between the Labour Party and the SNP in particular. Nevertheless, the most likely next Government of this country will be another one composed of more than one party. Those parties that aspire to come together had better start learning to talk to each other.

The problem is the asymmetry of the United Kingdom. It is very hard to deal with it. The population of England accounts for 84% of the UK's population. Scotland accounts for 8%. The population of Wales is 5% and the population of Northern Ireland 3%. Therefore, we have to look at the UK as a whole and recognise this. It is a great tribute to the Conservative Party that it has started on a serious pattern of devolution for England. I welcome that.

I used to believe that it was possible to reform this place to elect it and make it a federal Chamber. The reality is that will never happen. It is not legitimate and most of us in our hearts know that a Chamber that purports to legislate has to be totally rooted in elections. This Chamber will go. I was looking back at some of Winston Churchill's speeches when he was a Liberal in 1905, going onwards for four or five years, and the vehemence with which he said that this place had to be abolished. Unfortunately, that has been dissipated by time, but it will be abolished. In the meantime, we will need to build federal structures.

I think it is important to take a completely different way over this and look at this federal mechanism as allowing elected Members at Holyrood, Cardiff Bay and Stormont, as well as devolved and decentralised government structures in England, to participate in a UK federal council. It is a very different and potentially more acceptable form of federal governance. It would involve a devolved London Assembly and the eight big cities emerging now with devolved powers in England. For the rest of the UK, it would have to

rely on separate representation for county and borough councils and unitary authorities in England. These already have their mechanism for concerting their views.

It seems to me that we should be humble enough in this country to look at the one structure that actually works. It is not very far away; it is the Bundesrat in Germany and it had a lot of help from constitutional experts in this country in the aftermath of the Second World War, trying to help the German people devise a new constitution. Look at their problem: they faced the problem of asymmetry in the Bundesrat. Baden-Württemberg has a population of more than 10 million; Bavaria, more than 12 million; Berlin, 3,395,000; and then there are smaller Länder such as Bremen, with 663,000 people. This is a structure that has come together; it deals with the issue of asymmetry and the problem of elections, but they come to it from the Länder, so they were not creating another body to be elected. The House of Commons will not let this happen. Those of us in this place who have been in the House of Commons know perfectly well that they speak with forked tongues: they advocate elections for a second Chamber but they are never going to do it, because they know, quite rightly, that there will be a constitutional clash as soon as we have this.

We have to accept it, we reformers who thought we could live with this situation: it is not going to happen, there will not be an elected second Chamber. Eventually, this Chamber will be abolished and before that, slowly, we will build up a structure that creates a federal UK, and the sooner the better. Instead of waiting for the Government, I wrote to the Prime Minister as soon as she took office and asked her what she would do about this, and, basically, the answer was negative. This Government have enough on their plate. They are not going to do anything if they survive until the year 2022, when we will have a fixed-term election. In the meantime, the opposition parties should start a process of dialogue and discussion and I hope very much that it is along the lines of this. If any noble Lord wants to see the much more detailed proposals that I have put forward on this, I would be very happy to send them details of a federal UK council.