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**Devolution in the “Center”: Autonomy, Control and Intergovernmental Relations**

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## **Devolution in the “Center”: Autonomy, Control and Intergovernmental Relations**

2015 marks another historic moment in devolution in the so-called “central” or “core” regions. In England, Cornwall, a relatively tiny county has been given its very own devolution deal. This deal brings an intriguing development in Intergovernmental Relations (IGR) back to the spotlight: devolution in the “center”. It is intuitive to regard devolution as a privilege for the “periphery”, such as Scotland, Northern Ireland & etc. in the UK, but devolution has been taking place in the “center” across Europe. What is the rationale behind this absurd development?

Two veins of thinking emerge: a top-down and a bottom-up approach to devolution. These two stories of devolution have their own particularities which led to devolution to the center. In this sense, this paper will discuss the rationale and compare their respective IGR implications behind these two approaches. Sharing similar conditions, the UK and Spain are chosen for our case study. The approach to devolution is isolated and other variables are controlled for in order to make comparison possible. In this sense, this paper is then structured into three parts: First, we will discuss about the rationale for devolution to the center under a top-down approach, as exemplified by the experience in England. Then, we will move on to discuss conceptions behind a bottom-up approach, as shown in the case of devolution in Castile-Leon and Castile-La Mancha. Finally, the two cases are compared in order to illustrate the differences and implications on IGR brought by the two different approaches.

### **Your Region, Our Choice: The top-down approach to devolution in England**

Devolution in the UK is characterized by the dominance of the central government in the devolution process. It is a highly asymmetrical process, progress differs across regions. Because of this, Scotland, Northern Ireland and Wales have all settled their initial devolution deals in 1998. England fell behind. This unfairness-induced English question became increasingly prevalent and a devolution to England became indispensable. This is perhaps best illustrated by going through the development of devolution in the 1990s.

Devolution began in England with the victory of New Labour. Any devolution attempts were dismantled altogether with the electoral success of the Thatcherite Conservatives in the mid 1970s (Stevens, 2004, pp. 258–259, 261). The conservatives regarded devolution as a threat to the capitalist development in the region and sought for increasing centralization instead. This changed when Labour won the elections in 1997. During the elections, Labour campaigned on “de-centralization”, but along ideas such as “integration, regeneration and partnership”(Lee, 2008, p. 131).

The initial rationale behind Labour’s “regionalist” branding is two-fold. First, devolution was conceived as a tool to alleviate, if not solve, regional economic imbalance. One of the most notorious example which caused this imbalance is the Barnett formula which is used to allocate public expenditures between UK countries based on their population. This creates a prejudice for the most populous administrative regions within and without England. For instance, when New Labour came to power, North-east England received 19% more funding than Scotland while the latter was running 13% behind in terms of GDP per capita (Morgan, 2008, p. 162). Furthermore, North and South of England are drastically different. Population and economic activity is highly concentrated in the South West and London, while Northern regions such as the North East and Yorkshire and the Humber are plagued by a declining industrial sector(Sandford, 2006, p. 86).Set against this background, the early Labour White Papers on Devolution, *A Choice for England* and *A New Voice for England’s Regions* argue for better regional co-ordination of economic development policy by stressing the salience of local governance (Sandford, 2006, p. 79; Stevens, 2004, p. 255). Second, devolution can be seen as a tool to fix the

unproportioned distribution of political power after the conclusion of three devolution deals with Scotland, Northern Ireland and Wales in 1998. Empowerment to English politicians can serve as an answer, at least for the time being to the infamous “West Lothian question” in which English MPs can no longer make decision on Scottish issues albeit England dominates the UK in terms of population and power (McMillan & Massey, 2004, p. 237).

In this vein, Labour planned a two-stage strategy for devolution in England. In the first step, some voluntary, non-elected local chambers were established. These were responsible for strategic planning on economic development, land use, transport and access to the European Structural Fund. When these chambers become well-established, the government would move on to step two, which is to create elected assemblies. Regional Development Agencies (RDA) were established to act as an executive arm of regional economic policies. They were to be checked by the now elected regional assemblies (Morgan, 2008, p. 154; Sandford, 2006, p. 80; Stevens, 2004, pp. 251–252).

Noble deeds notwithstanding, the implementation of these ideas is rather sluggish. Since New Labour has given devolution such a strong economic accent, devolution revolves around economic issues but not political nor governance issues. First of such deviations is the role of the RDAs. RDAs are first devised to institutionalize involvement of the private sector in each region. By bringing these “social partners”, as Labour called them, RDAs were supposed to link up fragmented stakeholders and interest groups in each region (Stevens, 2004, p. 257). It was conceived that at the cost of a short-term democratic deficit, these unified RDAs could push England out of the declining GDP per capita throughout England between 1992 and 1995 (Morgan, 2008, p. 155). However, such cost of democracy was not overlooked. Conservatives regarded the project as a “bureaucratic duplication”, while ironically Labour local governments perceived it as a “threat to their concept of localism and community-based democracy” (O’Neill, 2004, p. 341). The Cabinet was divided. Some expressed concern of the creation of a powerful business conglomerate that dictates regional economy, while some feared there was too much checks and balances placed on the RDAs (Stevens, 2004, p. 252). Given such enormous resistance from within and without the party, Labour could not move on to the second phase as planned. As both the regional councils and RDAs are stuck unelected, RDAs evolved into nothing more than a series of closed, secret and undemocratic quangos (Morgan, 2008, p. 155; Sandford, 2006, p. 351; Stevens, 2004, p. 257). To exacerbate the situation, Brown added new prerogatives and power for the RDAs after the 2005 elections under the slogan “devolution of more power to the region” (Lee, 2008, p. 133). The effectiveness of these RDAs is also disputed. Lee (2008)’s investigation into the performance of *Yorkshire Forward*, the RDA for Yorkshire and the Humber, has revealed that the agency failed to achieve half of the indicators set beforehand, of which 7 areas (almost one-fourth) have seen traces of deterioration in 2003 (p.137). The most worrying is that the local citizenry has become increasingly disillusioned and apathetic to these RDAs. Only 33.9% believed they could make a difference in the local decision-making apparatus in 2003. Still, throughout England is at a low of 39.3%. In 2005, up to some 40.4% Yorkshiremen did not know how to respond when asked to evaluate the performance of *Yorkshire Forward* (p.137-138). These indicators on governance were even removed in subsequent performance reports (Yorkshire Forward, 2007). The RDAs have indeed become a disconnected, opaque and unaccountable quango as exemplified by the response from the local citizenry.

Another significant deviation is the increasing conservative position of London. In the 2002 White Paper *Your Region, Your Choice*, a referendum in the region must be passed before an elected regional assembly could be established (Lee, 2008, p. 130; O’Neill, 2004, p. 342; Stevens, 2004, p. 262). This is a rather unexpected turn of events after the initial promise of entering phase two after the regional councils have been “given time to establish themselves properly over a reasonable period of time” (Stevens, 2004, pp. 251–252). Furthermore, the

right to launch a referendum is vested in the central government only. Wordings in the White Paper such as “The Government *intends to* bring forward...”, “*we will decide* when regions should hold a referendum primarily by assessing the level of public interest in each region” suggests the central role of the government in London over the decision to table a referendum (Department for Transport, Local Government and the Regions [DTLR], 2002, p. 64; Willett & Giovannini, 2014, p. 356 [emphasis by author]). This leeway is best exemplified in 2004 when London decided to move to a referendum in North East but not in Yorkshire and the Humber (Lee, 2008, p. 130), although some 44% Yorkshiremen wanted to vote for the referendum (p.140). Incidentally, Cornish aspirations for a devolution referendum was also downplayed by London although some 55% Cornish people would vote in favour for it, according to a poll conducted by MORI (Willett & Giovannini, 2014, p. 349).

Last but not least, the Labour-brand devolution is a rather coerced policy for most of the Englishmen. If any, a distinct cultural identity is an interlocking pre-requisite for a successful devolution (O’Neill, 2004, p. 333). The largest obstacle to devolution in England is then the lack of distinct regional identities in England (Stevens, 2004, p. 253). Table 1 illustrates the national identities of the local citizenries across UK countries. If fewer Yorkshiremen identified themselves as an Englishmen only than North East (65.67% and 69.74% respectively; also note the significantly larger N in Yorkshire & the Humber), why was Yorkshire & the Humber not given a referendum? If Northern Ireland has such low support for a distinct Northern Irish identity (20.95%), why was Northern Ireland given an assembly but not Cornwall? One can go on and on. Furthermore, this “official regionalism”, as coined by Tomaney, has to even conjure regional identities by regional arts festivals, regional arts councils and reorganization of the BBC (O’Neill, 2004, p. 334). Without a strong identity support for English home-rule, the devolution project appears to be a coerced project against the will of the Englishmen. A Private member’s bill for an English Parliament was even defeated (p.338) despite its enormous prospects. Devolution without paying attention to the salience of regional identity has then become mere central command, putting means before ends.

**Table 1. Selected numbers of citizens identified with UK identities by region as reflected from the 2011 Census\***

Identity/ Region	Scotland	Wales	Northern Ireland	Cornwall	North-East England	Yorkshire & Humber
Regional Only	62.43% (3,306,138)	57.51% (1,761,673)	20.95% (379,267) ^	9.92% (52,793)	-/-	-/-
English Only	2.28% (120,990)	11.22% (343,752)	0.6% (10,931)	59.28% (315,525) )	69.74% (1,811,270 )	65.67% (3,469,629 )
Other regional	1.97% (104,434)	1.09% (33,239)	0.44% (7,961)	3.02% (16,093)	0.13% (3,461)	0.15% (8,119)
UK and Regional	18.29% (968,759)	1.54% (47,044)	6.17% (111,748)	6.97% (37,086)	10.46% (271,620)	10.21% (539,518)
UK/Britain Only	8.37% (443,275)	16.95% (519,165)	39.89% (722,379)	15.34% (81,631)	14.72% (382,153)	16.96% (895,896)
Others	4.72% (249,779)	3.42% (104,796)	38.12% (690,325) #	2.26% (12,029)	2.93% (76,038)	5.06% (267,573)
N	5,295,403	3,063,456	1,810,863	532,273	2,596,886	5,283,733

\*Figures will not round up to 100% because respondents can tick more than one options.

# As the total for figures other than the UK identities are not provided, this is calculated by subtracting the N by all the other figures above.

^ Excluding Irish

Source: Office for National Statistics , 2012; National Records of Scotland, 2015; Northern Ireland Statistics and Research Agency, 2011

The defeat of Labour in 2010 reverted all the above developments. The coalition government moved to unbundle the RDAs and Government Offices for the Regions (GO) altogether. The Conservatives even regarded this removal as an achievement in their manifesto for the 2015 election (The Conservatives, 2015, p. 52). Despite this anti-local/Labour stance, the recent Cornwall devolution deal more or less resembles the Labour-brand devolution plans. The uniqueness of the Cornish identity was placed before three economic objectives to “empower public and private sector partners”, “make them more effective and efficient” and to “accelerate the delivery of a strategic Economic Plan”(Department for Communities and Local Government [DCLG], 2015, p. 5). These economic plans remain unfunded per se, as the agreement was to be “fiscally neutral”. The only provision regarding governance is the integration of the 7 Cornish authorities into one single Cornwall Council which occurred in 2009 before this deal (p.23). Cornish ministers who approved the deal emphasized the Conservative government’s One Nation commitment but downplayed the request for more powers (BBC, 2015).

The development of devolution in England is characterized by a highly top-down approach. It is more of an *Our Choice* instead of *Your Choice* as the white paper is named. The Labour administrations created the practice of establishing closed interest networks in the form of RDAs, controlling the provision of referenda and coercing the policy upon the Englishmen (Lee, 2008, p. 132; Sandford, 2006, p. 79; Willett & Giovannini, 2014, p. 352). This top-down legacy is carried on by the Coalition and Conservative government. This is contrasted by a relatively opener and more participatory framework evident in Spain, which we shall discuss now.

### **The *Comunidades Autonomas*: The bottom-up approach to devolution in Spain**

Unlike the UK, Spain provides rights for the regions to establish their own Autonomous Communities (Comunidades Autonomas , AC). Spain also differs from the UK as these provisions are enshrined in the 1978 Constitution, while the UK relies on un-coded constitutional conventions, or concordats when it comes to devolution. Combining with a convergence of strong regional identities and regional autonomy movements, ACs are negotiated and created in a rather bottom-up approach as contrasted to the UK. To understand this generous development of regional autonomy, one should go through the negotiation process of the 1978 constitution and the subsequent regional autonomous statutes.

The 1978 Constitution is based on three rationales. To begin with, the historic implication of Franco’s death is vital. Castile-Leon even regarded decentralization as a movement against the centralist tendency occurred during the 19<sup>th</sup> and 20<sup>th</sup> Century Spain (Junta de Castilla y León, 2015b). Second, the multi-level political system is seen as a revival of the similar institutional setting emerged during the Second Republic (1931-1939) before Franco’s rise to power (Keating & Wilson, 2009). This setting, better known as the *Estado Integral* allows regions to table their proposals for autonomy and launch referendum to adopt them (Martinez-Herrera & Miley, 2010). Finally, the salience of regional parties during the negotiations have also helped maximize recognition and autonomy for the regions. The original conception of the conception was based on the solidarity between the people and Spain but at the same time stresses power emanates from the regions (p.8). This contradiction was not alleviated until further negotiations. The AP and Minoria Catalana (predecessor of the

present right-wing Popular Party – PP and Convergence and Union – CiU) criticized this initial conception for not taking the term “nationalities” seriously. The constitution work in progress failed to take account for “cultural peculiarity” and “differences” for the peoples of the regions, with a particular reference to Catalonia (p.9-10). Parties were able to come to compromise for these demands.

These factors shaped what is known as the 1978 constitution today. The “constitutional consensus” established between political parties were reflected from the text of the constitution. While the beginning of the Article 2 stresses “the *indissoluble* unity of the Spanish Nation” and “the *common and indivisible* homeland of all Spaniards”, it nonetheless “recognizes and guarantees the *right to self-government* of the *nationalities and regions*” (Martinez-Herrera & Miley, 2010, pp. 10–11; Spanish Constitution, 1978). This compromise fulfills both the initial conception of a fusion of pan-Spanish solidarity and regional authority and the Catalan demands for more recognition of regional particularities.

Most importantly, what pushed for the exercise of these constitutional provisions is perhaps the local demand for more autonomy. Table 2 illustrates the views of different peoples in Spain regarding the future of their regions. Autonomism is chosen by most respondents across Spain precisely by the time of the adoption of the constitution (49%, 46%, 44% and 49% in Spain, Basque country, Catalonia and Galicia respectively). Furthermore, by the time of the adoption of the statute for the “central” Castilian regions – Castile-Leon and Castile-La Mancha in 1982, support for Autonomism remained high at 47%, compared to those 28% who supported Centralism across Spain.

**Table 2. Evolution of attitudes on preferred territorial organization for the Spanish state**

	1976	1977	1978	1979	1980	1982
<b>Spain</b>						
Centralism	43	42	29	33	28	28
Autonomism	45	42	49	41	36	47
Federalism	6	9	14	11	9	11
Independentism	3	3	5	7	4	4
DK/NA	3	5	3	8	22	9
(n)	6,340	8,837	5,898	5,499	24,998	5,463
<b>Basque country</b>						
Centralism	26	15	14	16	12	13
Autonomism	48	46	46	41	32	43
Federalism	12	18	21	13	24	18
Independentism	11	16	17	21	21	24
DK/NA	2	5	3	10	11	2
(n)	434	923	810	323	1,497	313
<b>Catalonia</b>						
Centralism	33	23	19	22	19	19
Autonomism	53	52	44	41	54	54
Federalism	8	17	25	16	1	16
Independentism	2	5	11	15	3	7
DK/NA	2	2	2	7	14	4
(n)	1,147	1,688	928	892	4,130	884
<b>Galicia</b>						
Centralism	34	35	34	44	24	28
Autonomism	49	41	49	40	26	53
Federalism	10	7	10	7	8	7
Independentism	6	3	3	3	6	3
DK/NA	1	14	4	6	36	10
(n)	474	926	442	444	1,964	441

*Source:* Juan J. Linz (1985: 587).

Nonetheless, what shaped the ACs as we know today is the negotiation for their respective statutes of autonomy. The greatest incentive for Castilian regions to pursue this process is the institutionalization of constitutional provisions for regional autonomy. Although Madrid was as generous as it had designated all respective regions as “provisional regimes of autonomies” before regions initiated the drafting process for a statute of autonomy (the statute), it was the statute of autonomy which institutionalized the rights recognized and guaranteed by the Constitution. These provisions, such as the recognition of a historic identity, territory organization, designation and definition of autonomic institutions in the region and the powers assumed from within the Constitution translated constitutional provisions into actual powers wielded by the regional government of the day (Junta de Castilla y León, 2015b). Castile-Leon began this process by 1977 and Castile-La Mancha did so a year after, approximately at the same time as other “nationalist” regions such as Catalonia and the Basque country did. These statutes were adopted in 1982 and 1983 for Castile-La Mancha and Castile-Leon respectively (Junta de Castilla y León, 2015).

Institutionalization notwithstanding, the immense desire to be part of the greater decentralization process throughout Spain should also be recognized. Castile-Leon highlighted that joining the process was “a matter of choice” (Junta de Castilla y León, 2015b). Unlike in England, participation in the process is entirely voluntary. Spanish regions could opt out from the process altogether. In Article 1.1 of the statute of autonomy for Castile-La Mancha, access to self-government was regarded as a mere “exercise of the right to constitutionally recognized autonomy”. In contrast to England, Castilian regions are the ones who initiated the process for decentralization, not Madrid.

In short, devolution in Spain is characterized by a rather bottom-up approach. Participation of regionalist parties and the citizenry dominated the decision-making process for the 1978 Constitution which created the quasi-federalist structure of Spain we know today. In addition, the power and incentive to initiate the drafting process are vested in the regional level, not in the central government. This development drastically contrasted to the British top-down approach of devolution. Juxtaposing the Spanish and the British experience enables one to evaluate their implications on IGR accordingly.

### **Spain and UK compared: Autonomy, Control and IGR**

Spain and the UK share a variety of similarities. Separated by the Bay of Biscay, both are constitutional monarchies, both are now democratic, both share a centralist past (under the Conservatives and Franco respectively) and both adopted an asymmetrical devolution process. The only salient difference rests on the approaches of devolution and their respective institutional arrangements which define the relationship between the central government, local governments and the bureaucracy. By controlling for the approach of devolution we investigate how IGR differs over the two versions of devolution.

#### *Autonomy and Control*

The two approaches shape very different institutional provisions on checks and balances between the two governments. Generally speaking, top-down approach provides more opportunity for control at the central level while the local can only resist these attempts while the bottom-up approach empowers the local government and eventually provides them with greater autonomy. Traces of control can be found among provision of rights and incentives. The top-down approach is characterized by the concentration of power and incentives at the central level. In the UK, London decides whether and when to launch a referendum for establishing local elected assemblies in England (Department for Transport, 2002, p. 64; Lee, 2008, p. 140; O’Neill, 2004, p. 342; Stevens, 2004, p. 262; Willett & Giovannini, 2014, p. 358). Once the government-sponsored referendum failed in the North East, the devolution process ended (BBC, 2004). When the region failed to enter to phase-two of Labour’s devolution scheme, no further democratic check nor balance was placed on the façade of the local bureaucracy, the RDAs (Lee, 2008, p. 131; Stevens, 2004, p. 261). Furthermore, finance remained out of devolution since New Labour in England. The Treasury in Whitehall decides how much should be given out to the regions in block grants, as Stevens (2004) depicted: the “purse strings” were still curbed by the center (p.237). Even under the latest Conservative government, finance was strategically left undiscussed in the Cornwall devolution deal by stressing on “fiscal neutrality” of the deal (DCLG, 2015, p.23).

The Spanish bottom-up approach contrasts with the British model fundamentally. In Spain, it is the regions which initiate referenda by referring to the constitutional right for a statute of autonomy (Junta de Castilla y León, 2015b; Keating & Wilson, 2009, pp. 538–539; Martinez-Herrera & Miley, 2010, p. 24). A variety of ways is provided to pass the statute: either through the Senate (*Senado*) or by referendum. Statutes are usually widely consulted with parties in Madrid and both the statutes for Castile-Leon and Castile-La Mancha passed

almost unanimously in the Senate (Junta de Castilla y León, 2015b). Since regional parliaments also select some 20% of members in the Senate (Keating & Wilson, 2009, p. 546), it does not impose any strict control over the statutes. Debates regarding regional interests are funneled to the Congress (*Congreso de los Diputados*) (Aja & Colino, 2014, pp. 457–458). Right to taxation is shared between Madrid and the regions. For instance, Catalonia keeps half of income tax and VAT revenues for regional expenditures. However, this does not mean there is no control in Spain (Keating & Wilson, 2009, pp. 553–554). The Constitutional Court has been serving as the middlemen between Madrid and the regions, as it has barred central laws from overriding regional laws in 1983 (p.449) and declared the Maragall proposals from Catalonia unconstitutional in 2010 (Tribunal Constitucional de España, 2010). Inter-parliamentary cooperation has also voted down the controversial “Plan Ibarretxe” which attempted to change Spain into a confederacy (Martinez-Herrera & Miley, 2010, p. 24).

These two approaches are juxtaposed by a drastically different IGR. In the UK, IGR is generally unfriendly, or even as we shall exemplify later, non-existent between London and the English localities. New Labour was plagued by the non-compliance of their own local governments even before they had initiated their devolution scheme due to concerns of decreasing democracy at the local level after the creation of the RDAs (O’Neill, 2004, p. 341). Because of the highly centralized system of devolution, local politicians and governments alike interact with London by organizing demonstrations and social movements. For instance, North-East pressurized London by creating their own movement: the North East Constitutional Convention (NECC) (Willett & Giovannini, 2014, p. 351). Ignored by London and citizens alike, the NECC is becoming increasingly detached and become closed for ambitious local politicians and scholars (p.352). This is contrasted by a relatively cordial working IGR between Madrid and the Castilian regions. First, Madrid did not hinder the regions from initiating the devolution process. Particularly in Castile, the statutes for Castile-Leon and Castile-La Mancha received almost unanimous, cross-party support in the Senate (Junta de Castilla y León, 2015b; Keating & Wilson, 2009, p. 542). After several reforms, Castile-Leon was even given greatest autonomy the constitution granted to regions (Junta de Castilla y León, 2015b).

#### *Party Politics*

In these two approaches, parties played an enormous role in shaping the IGR between the center and regions. When the same party dominates both central and local levels, their interests converge and thus optimizes working relations, so that IGR should improve. This is also known as “party congruence”. In the UK, party congruence happens very often except for a few regions. Because England dominates the population of the UK, under the First-past-the-post system in the UK, the same party can easily rule the UK and England at the same time. In the days of New Labour, local governments are discouraged from defying London simply because they are under the same party. IGR appeared friendly under New Labour because it was built around the sentiment that “devolution must work” and so differences were effectively minimized (McMillan & Massey, 2004, p. 239). This effectively explains why Cornwall was by and large ignored until the Conservatives returned to power in 2015, because Cornwall is traditionally a powerhouse for the Liberal Democrats and Conservatives (Willett & Giovannini, 2014, p. 349). In contrast, the North East has been a powerhouse for Labour since 1997 and so party congruence there was high. To New Labour, there is no incentive to maximize by granting devolution to Cornwall because almost no rent could be sought. This is further exacerbated in 2009 when Labour was kicked out of Cornwall altogether due to the rise of the nationalist party Mebyon Kernow.

On the contrary, Spain was marked by party incongruence and intense inter-party competition. For instance, the PSOE-dominated Castile-La Mancha was found sowing conflict with the central government during the PP administrations (Aja & Colino, 2014, p. 461-462). This was not observed in Castile-Leon because Castile-

Leon has been ruled by the PP since the adoption of its statute (p.460). In addition, there is a great salience of regionalist party in ACs outside of Castile. For instance, Maragall from Catalonia was trying to create a “popular front” with all sorts of peripheral nationalist parties to combat PP influence in Madrid (Martinez-Herrera & Miley, 2010, p. 26). While there is no “Castilian” party at the moment, shall they emerge, they would probably increase party incongruence and stir tension for IGR between Madrid and the Castilian ACs in the same way as their Catalan and Basque counterparts did.

*Where should the civil service stand?*

Discussions so far concern implications of how the local government was set and play out would affect IGR, but the bureaucracy, regardless their location, has a distinct role to play in shaping IGR between the center and regions *per se*.

In the UK, civil service was never devolved altogether with the devolution process. The civil service is always seen as an integrator under devolution apart from fiscal control (McMillan & Massey, 2004). “Civil servants cannot react to what they do not know”, claimed McMillan & Massey, as they stressed the professionalism within the civil service would restrain them from diverting from usual practices when dealing with the devolved governments (p.246). Moreover, certain practices in the civil service, such as sharing of information throughout British bureaucracies helped overcome information asymmetry between bureaucracies in different regions (p.247). This is exacerbated when the Conservatives under John Major pushed for the creation of the GOs which served as a united point of contact for local authorities, business elites and communities. GOs were further empowered when New Labour designated a regional co-ordination unit as a headquarter for the GO network across the entire UK (Stevens, 2004, p. 256). When New Labour tried to designate parallel RDAs encompassing local business leaders and elites in England, they were oblivious to the fact that most bureaucrats “shared a culture with similar experts in pressure groups, trade unions or employers’ organization”(McMillan & Massey, 2004, p. 238). In this vein, RDAs helped bridge localities to the bureaucracy rather than curbing them. The civil service helped improve IGR as they are unified *per se*. It is much easier for the bureaucracy to bridge different interests across devolved regions than to rely on the devolved governments.

In contrast, Spanish statutes of autonomy created new bureaucracies when establishing ACs. Some local bureaucrats are more powerful than others, for instance, bureaucrats in Castile-Leon are granted powers to execute policies on employment, credit and savings and social welfare (Junta de Castilla y León, 2015a); while Castile-La Mancha bureaucrats are granted powers further to manage local agriculture, transport, communications & etc. One local bureaucrat has even regarded the civil service as being sandwiched between the regional governments and the center (López-Satan & Moyer, 2012, p. 783). Unlike the unified civil service in the UK, there is simply no fixed pattern of how these bureaucrats affect IGR because they are granted various degree of rights.

*Communication, Non-Communication or Excommunication?*

The last mechanism we should consider is the intergovernmental platforms of all sorts between the center and regions. Both systems urged for better coordination and cooperation after devolution (Aja & Colino, 2014, pp. 445–446; McMillan & Massey, 2004, p. 231), but to what extent are they used and how do they affect IGR in particular?

In the UK, there have been a large number of intergovernmental mechanisms set-up. In 1992, Regional Planning Conferences (RPCs) were set up, but these were used merely to disseminate central policy to the

regions (Stevens, 2004, p. 256). A Memorandum of Understanding (MoU) between London and devolved governments were agreed upon certain initial structures, and one of them being the Joint Ministerial Committee (JMC). The JMC was supposed to gather the Prime Minister, his deputy, First Ministers of devolved regions and their respective secretaries of state to “consider non-devolved matters which impinge on devolved responsibilities” and vice versa (McMillan & Massey, 2004, p. 232). But it has not met since Oct 2002 despite the MoU requires them to do so. This highlights that a breach of the MoU is acceptable (Trench, 2009, p. 126). The most concrete JMC meeting is the Sep 2002 meetings on poverty, in which an ambitious work program on social exclusion, child poverty and data collection was set-up, but no further work nor meeting were done (p.127). EU matters gathered the most concern, but nothing goes beyond the meeting. The Regional Affairs Standing Committee was revitalized in 2001 (Department for Transport, 2002, p. 60) but had not been used since 2004 (House of Commons, 2004). In this regard, formal institutions for intergovernmental dialogue are rarely used because they are political in nature and they require political will to do so (Trench, 2009, p. 131). Characterized by the lack of communication and coordination, formal IGR is close to non-existent in the UK as if the English regions were excommunicated. Governments interact in a rather informal manner, particularly through the civil service.

Similar developments occurred in Spain. The 1978 constitution contained no provisions regarding the relations between the center and regions (Aja & Colino, 2014, p. 450). The Senate, although comprises some seats appointed by the regions, rarely considers center-local interactions, let alone inter-regional disputes (Aja & Colino, 2014, pp. 457–458; Keating & Wilson, 2009, p. 546). However, institutions are used more often than in the UK. The equivalent of the British JMC, the Conference of Ministers (CoM) meet regularly on EU-related matters (Aja & Colino, 2014, p. 453). Apart from a bilateral mechanism such as the CoM, there are also multilateral mechanisms which bring the center, regions and other stakeholders together, such as the sectoral conferences. They are mainly used to distribute central European grants and disseminate central policy decisions. These conferences even organized ACs to participate in EU policy-making in the Conference of Ministers (p.452-3). Thanks to these institutional developments, vertical agreements between the center and a region surged from some 752 in 1999 to 1009 by 2010 (p.452). In this vein, regions appear to have a much more cordial working relation with Madrid when compared to English regions vis-à-vis London.

### **Conclusion**

Devolution to the “center” is rational. New Labour saw this as a means to achieve equality among English regions. However, this economic accent to devolution gave rise to an opaque network of devolved interests. The top-down approach pursued by London led to further deviations and the process was axed altogether with the change of office. The bottom-up approach pursued by Spain was to prevent any further rise of dictatorship of Franco’s kind, to respond to emerging regional nationalism and to adhere to the pan-Spanish call for autonomy. The regions take up the leading role of devolution. Local incentives and interests, under assistance from the 1978 constitution, shaped institutions with concrete powers. In this vein, the two approaches have also different implications for IGR. Top-down England was marked by non-communication and hostile working relations between the center and English regions, only to be saved by the civil service. Bottom-up Spain saw fruitful coordination and a healthier working relation between Madrid and the regions.

If devolution was to respond to rising nationalist calls for more autonomy, surely the Spanish model is the best answer. Nationalist activists should also be mindful of the rationale behind the center’s devolution proposals and their respective implementation thereafter. While this marks the crux of this paper, more stories

could be told in the future by looking further how the local governments, the civil service and the central government interact in practice in recent years.

### **Bibliography**

- Aja, E., & Colino, C. (2014). Multilevel structures, coordination and partisan politics in Spanish intergovernmental relations. *Comparative European Politics*, 12, 444–467.
- BBC. (2004, November 5). North East votes “no” to assembly. *BBC*. Retrieved from [http://news.bbc.co.uk/2/hi/uk\\_news/politics/3984387.stm](http://news.bbc.co.uk/2/hi/uk_news/politics/3984387.stm)
- BBC. (2015, July 16). Cornwall devolution: First county with new powers. Retrieved from <http://www.bbc.com/news/uk-england-cornwall-33542592>
- Department for Communities and Local Government [DCLG]. (2015). Cornwall Devolution Deal. The Stationery Office.
- Department for Transport, Local Government and the Regions [DTLR]. (2002). *Your Region, Your Choice: Revitalizing the English Regions*. London: The Stationery Office.
- House of Commons. (2004). Standing Committee on Regional Affairs Debates. Retrieved November 11, 2015, from <http://www.publications.parliament.uk/pa/cm200304/cmstand/cmreg/cmreg.htm>
- Junta de Castilla y León. (2015a). Estatuto de Autonomía de Castilla y León. Retrieved November 10, 2015, from [http://www.jcyl.es/web/jcyl/AdministracionPublica/es/Plantilla100/1197356527164/\\_/\\_/](http://www.jcyl.es/web/jcyl/AdministracionPublica/es/Plantilla100/1197356527164/_/_/)
- Junta de Castilla y León. (2015b). Statute of Autonomy. Retrieved November 10, 2015, from [http://www.jcyl.es/web/jcyl/ConoceCastillayLeon/en/Plantilla100Detalle/1139829793666/\\_/1139852981890/Texto?plantillaObligatoria=PlantillaContenidoTextoSeccionesUnido](http://www.jcyl.es/web/jcyl/ConoceCastillayLeon/en/Plantilla100Detalle/1139829793666/_/1139852981890/Texto?plantillaObligatoria=PlantillaContenidoTextoSeccionesUnido)
- Keating, M., & Wilson, A. (2009). Renegotiating the State of Autonomies: Statute Reform and Multi-level Politics in Spain. *West European Politics*, 32(3), 536–558.
- Lee, S. (2008). Constrained discretion and English regional governance. In J. Bradbury (Ed.), *Devolution, Regionalism and Regional Development* (pp. 130–146). Abingdon; New York: Routledge.
- Linz, J. J. (1985). De la crisis de un Estado unitario al Estado de las autonomías. In Fernando Fernández Rodríguez, *La España de las autonomías* (pp.527-672). Madrid: Instituto de Estudios de Administración Local.
- López-Satan, M., & Moyer, R. (2012). Decentralising the Active Welfare State: The Relevance of Intergovernmental Structures in Italy and Spain. *International Social Policy*, 41(4), 769–788.
- Martinez-Herrera, E., & Miley, T. J. (2010). The constitution and the politics of national identity in Spain. *Nations and Nationalism*, 16(1), 6–30.
- McMillan, J., & Massey, A. (2004). Central government and devolution. In M. O’Neill (Ed.), *Devolution and British Politics* (pp. 231–250). Essex: Pearson.
- Morgan, K. (2008). Devolution and development: Territorial justice and the North-south divide. In J. Bradbury

- (Ed.), *Devolution, Regionalism and Regional Development* (pp. 149–165). Abingdon; New York: Routledge.
- O’Neill, M. (2004). Unfinished business: the “significant others.” In M. O’Neill (Ed.), *Devolution and British Politics* (pp. 333–352). Essex: Pearson.
- Sandford, M. (2006). English regionalism through the looking glass: perspectives on the English Question from the North-East and Cornwall. *National Identities*, 8(1), 77–93.
- Stevens, C. (2004). English regional government. In M. O’Neill (Ed.), *Devolution and British Politics* (pp. 251–268). Essex: Pearson.
- The Conservatives. (2015). *The Conservative Party Manifesto 2015*.
- Trench, A. (2009). Un-joined-up government: intergovernmental relations and citizenship rights. In S. L. Greer (Ed.), *Devolution and social citizenship in the UK* (pp. 117–136). Bristol: Policy Press.
- Tribunal Constitucional de España. (2010). Pleno. Sentencia 31/2010, de 28 de junio de 2010 (BOE núm. 172, de 16 de julio de 2010). (BOE núm. 172, de 16 de julio de 2010). Retrieved November 10, 2015, from <http://www.tribunalconstitucional.es/es/jurisprudencia/paginas/Sentencia.aspx?cod=16273>
- Willett, J., & Giovannini, A. (2014). The Uneven Path of UK Devolution: Top-Down vs. Bottom-Up Regionalism in England – Cornwall and the North-East Compared. *Political Studies*, 62, 343–360.
- Yorkshire Forward. (2007). *The Regional Economic Strategy for Yorkshire & Humber 2006-2015 Progress update*. Leeds.