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Reconstituting Modern Britain: Confederal Federalism

By Glyndwr Cennydd Jones



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This essay represents the views of the author, not those of the Centre on Constitutional Change, or the University of Edinburgh.

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Contents

Foreword by Lord Carwyn Jones	page 1
Introduction	page 4
1. Confederal Federalism	page 6
2. Sovereignty	page 12
3. A Renewed Union Made Fit for Purpose for the 21 st Century	page 17
4. A Confederal Federal Union of the Isles of Britain	page 22
5. A Constitutional Compromise of Strategic Significance	page 29
Bibliography	page 35
About the Author	page 39

FOREWORD BY LORD CARWYN JONES

Lord Carwyn Jones is the Vice-President of the Parliamentary Assembly of the Council of Europe and the Leader of the UK Delegation. He was the First Minister of Wales between 2009 and 2018, making him the longest-serving holder of that position. He is a Professor of Law and, before becoming a Member of the Senedd in 1999, worked as a barrister in private practice.

Some years ago, I was asked to take part in an Oxford Union debate on whether or not Scotland should be independent. Inevitably I was on the side that argued against independence, but it struck me at the time that much of the debate to that point had been about independence or the status quo. I took the view that I would argue in favour of the union but for a changed union. Too often the debate about the UK's future becomes a binary discussion as to whether the current union should be kept or whether it should come to an end. It struck me that the debate is far more nuanced than that and this is why Glyndwr's book is so timely.

For the first time in the UK's history the three devolved governments have First Ministers who come from parties who wish, in their various ways, to end the union. This potentially is an existential crisis that will lead to a debate about what kind of future relationship should exist between the nations of the UK. That relationship has been governed since the 19th Century by the concept of Westminster parliamentary sovereignty, making the UK one of the most centralised countries in Europe.

It is sometimes forgotten that the UK constitution rests on precarious foundations. The whole concept of parliamentary sovereignty is based on the observations of Professor Albert Dicey who theorised that Parliament could do as it wished without interference from the courts, and that no Parliament could bind its successors. Unsurprisingly, this was adopted by the UK parliament, and it is true to say that the courts have respected that theory ever since.

The advent of devolution has done nothing to alter that legal status. The question of whether an institution should be able to wield untrammelled power without any legal constraint is perhaps for another day, but the question of whether that system of absolute sovereignty should continue is now subject to greater debate and scrutiny than perhaps at any time since its creation. Independence has always been a relatively easy concept to explain whether or not one agrees with it. Similarly, the current union is simple to understand given that it already exists. What this work does is examine one of the options that would keep an isles-wide union in situ but would change the way in which it operates.

Many have argued for federalism or indeed confederalism but there is no consensus as to what such a concept would look like. At its least complex, it might mean that all four nations would have their own parliaments - together with symmetrical powers - which would sit alongside a federal British parliament holding responsibility for areas such as defence, common border policy and fiscal policy at a UK level. This has always led to the question of how that would work given the sheer size of England with 85% of the UK's population. Unlike the USA or Australia there is a dominant entity within the UK which would inevitably attract the lion's share of attention.

Others argue for devolution within England to help push power downwards away from Westminster, but this again raises the question of what such devolution might look like in practice. It would hardly be likely to be symmetrical, given that there is little evidence that there is an appetite for law-making, tax-varying parliaments in England. It would leave the UK Parliament in its current position of also acting in effect as the parliament for England, maintaining the existing structure of parliamentary sovereignty.

What is clear at least is that there is an appetite for debate as to what the UK should look like in the future. For some, devolution is the problem and they hanker for a return to the days when all power was centralised in London. For others, nothing less than the ending of the UK would be sufficient to deliver good government within these islands. What Glyndwr is doing is suggesting that there is another alternative which can help to redefine the relationship between the nations. It is geographically inevitable that we will have a close relationship with each other going forwards, but the nature of that relationship should also be part of the current debate.

What then should that relationship be? There is perhaps no one answer that can satisfy everybody, but by looking at the possibilities existing for that relationship we can ensure that the old and rather stale argument that it is simply a question of independence versus the current union is supplemented by an examination of the various different models that could be applied to the UK.

In his essay, Glyndwr calls for a renewal of the relationship between the people of these islands and calls for a union made fit for purpose for the 21st Century. He recognises the close ties that exist between the people of Britain and the complexity existing in relations between political institutions. He makes the bold case for removing sovereignty from the centre and giving it to the four nations which would then delegate a measure of sovereign authority from their parliaments to agreed central isles-wide structures to support a renewed economic, social and defence union on a confederal federal basis. This is a radical step, but one which has attracted support amongst politicians in the recent past. He then goes on to describe how institutions would function and makes proposals on how a confederal-federalist solution would work in practice.

This essay then is an important contribution to an ongoing debate that is increasingly coming to the attention of those in the world of politics. What at one time would have been regarded as an interesting constitutional discussion divorced from the lives of ordinary people is now moving into the mainstream because of the May 2026 election results. For those who believe that the union should persist, it is important to put forward possible alternative models of the state and how it should operate, in order to provide the flexibility for the union to retain support in years to come.

This essay highlights what kind of solutions might be possible at a time when the UK, as an idea, faces its greatest challenge. A constitution that is inflexible runs the great risk of breaking, so by looking at alternatives we provide the flexibility to allow the union to adapt, evolve and succeed in the future.



Lord Carwyn Jones
September 2026

Introduction

The Architecture of Equilibrium

In this paper, I present a constitutional blueprint designed to navigate the United Kingdom's compounding existential crises. At the heart of this proposal lies an innovative model of confederal federalism - a strategic architecture intended to replace our unitary state, currently fracturing, with a balanced partnership of empowered national institutions, working together within a renewed economic, social, and defence union, which is directed by a transformed, mature, and dedicated political legislature.

This approach redefines governance as a mutual pursuit rather than a zero-sum competition for power. It demands that political discourse move away from partisan polarisation and toward a measured synthesis where both minority and majority voices across England, Scotland, Wales, and Northern Ireland are protected and integrated into decision-making. Within this framework, leaders and legislators act as stewards of social stability and economic equity, ensuring that immediate policy choices always weigh against long-term societal resilience, the aspirations of individuals and their communities, and isles-wide security.

The Philosophical Anchor

My pursuit of systemic equilibrium might not merely be a technical exercise in governance. Writing in Summer 2026, with the benefit of hindsight and varied professional and personal experiences, I openly acknowledge the visceral appeal of the ancient and classical principles of universal balance, fairness, justice, and order, to my world view since youth.

Unknowingly, could these age-old concepts have served as unexpected yet profound philosophical anchors for my deliberations on modern statecraft and constitutional topics? Few would contest my enduring passion for balancing:

- Change with Continuity
- Diversity with Unity
- Autonomy with Cooperation.

Calibrating the Contemporary State

True stability is achieved neither through forced uniformity nor chaotic fragmentation. Instead, it requires the symmetrical calibration of opposing forces, harmonising disparate elements into a cohesive, fair system.

Translating this principle into contemporary politics, we must resolve the long-standing tension between the aims of muscular state centralisation and absolute national independence within the UK context. Doing so reveals a core truth: the empowerment of the component parts enhances the success of the whole. Political stability cannot exist alongside entrenched inequality.

The resulting model elegantly balances the dual imperatives of *self-rule* and *shared rule*.

I hope this essay sparks fresh perspectives...



Glyndwr Cennydd Jones
September 2026

1. CONFEDERAL FEDERALISM

Sovereignty, as a concept, may have been connected with the development of the modern state, but no state is today sovereign in the traditional sense. International law penetrates borders, with global bodies such as the United Nations (UN), World Trade Organisation (WTO), International Monetary Fund (IMF), and North Atlantic Treaty Organisation (NATO), formed upon partnership arrangements between states.

The problem-solving capacities of individual territories have been challenged in recent decades by the need for firmer security and regulatory measures, driven by accelerating advancements in science and technology and their evolving military and commercial uses. States have therefore moved to create supranational institutions to tackle the cross-border issues apparent, delegating or transferring some sovereign authority or rights in the process.¹ In turn, these supranational institutions exercise their clearly defined responsibilities with binding effect on states as seen, for example, in the European Union (EU).

Intriguingly, the EU has blurred the margins between contrasting constitutional models of a confederation of states and a federal state. The union is fundamentally confederal in nature, due to the sovereignty status of its members, but operates in an appreciably federal mode in its spheres of competence.² The power of individual states to govern ends at their borders, and they are not entitled to preside over others. Instead, externally based acts of rule emanating from agreed overarching supranational institutions, established and equipped with a measure of sovereign rights by members, claim precedence over national laws on distinctly defined competences.

This could in many ways be understood as a form of confederal federalism. In such a model, the degree to which state sovereignty is modified depends on the extent of the sovereign rights obtained by overarching institutions, i.e. whether their functions are broadly or narrowly defined, and if any members have been awarded the privileges of veto. Globally, and due in no small part to the fact that various functions are better administered at different levels, the majority of populations today live within systems of multi-level government, encompassing regional, state, and supranational structures. Meanwhile, in the UK, a great deal of our constitutional deliberations are really about which tier of governance should do what?

Whilst it may once have been correct to describe the UK as a unitary system with power centred in the Westminster parliament, it is now at the very least a unitary state with three special-status national territories possessing their own devolved institutions. A few observers have optimistically described these arrangements in terms of a multinational state or a voluntary union. However, such assertions are, at best, premature or, at worst, misleading, since they imply the existence of a

¹ D. Grimm, *Sovereignty: The origin and future of a political and legal concept* (New York: Columbia University Press, 2015).

² J. Kincaid, 'Confederal Federalism and Citizen Representation in the European Union', *West European Politics*, 22(2), (1999).

federally minded settlement with clear attribution of sovereignty across the whole, rather than that assigned solely at Westminster, as is the current situation.

The essential components of the UK have never been set down. In lieu of a written constitution, as found in nearly all other states internationally, its governance arrangements instead depend largely on custom, practice, and a series of statutes. The long-standing asymmetry between the UK's constituent nations, arising from their different circumstances, culture, geography, and politics, demonstrates an enduring tension between unity, as the territories came together through incorporations and unions, and diversity, as they developed increasingly separate administrations.³ This journey prompted devolution referenda in both Scotland and Wales in 1979 and 1997, the latter of which were successful in establishing the Scottish Parliament and the National Assembly of Wales in 1998. In the two decades that followed at Westminster, two Scotland Acts and three Wales Acts empowered the institutions further, with the renaming in Wales of the Senedd/Welsh Parliament in 2020. Separately, in Northern Ireland, a referendum held in 1998 relating to the outcome of its peace process, the Good Friday Agreement, established the framework for devolved power-sharing government in the territory.

It is remarkable that England, which has more than five times the population of the other three UK constituent nations combined, remains in 2026 without a national devolution settlement of its own. Based on mid-2024 estimates by the Office for National Statistics,⁴ the overall population of the UK is projected at 69,281,437: 58,620,101 (84.6%) in England; 5,546,900 (8%) in Scotland; 3,186,581 (4.6%) in Wales; and 1,927,855 (2.8%) in Northern Ireland.

Thus, devolution in Scotland and Wales is supported by firm democratic mandates. The electorates of both nations have voted in favour of extending devolved powers to their national institutions through referenda, and have consistently, if not overwhelmingly, backed pro-devolution or independence parties. However, in England, a large proportion of the population is left disenchanted by the way in which its sole national forum, tangled within the UK government at Westminster, operates, not least in the way state funds are allocated, and with growing concern over geographical inequality. The piecemeal rollout of regional devolution within England itself over recent times has done little to influence opinion that Westminster and its senior civil service at Whitehall have for too long undermined the powers and fundraising abilities of English local government. The feelings of disempowerment stemming from this disillusionment with the UK's governance could well have been at the core of the overwhelming support for Brexit amongst the English population in 2016. Did many blame the wrong union for their plight?

³ M. Kenny, *Fractured Union: Politics, sovereignty and the fight to save the UK* (London: C. Hurst & Co. Publishers Ltd, 2024).

⁴ Office for National Statistics, 'Estimates of the population for the UK, England, Scotland, Wales, and Northern Ireland' (2025), <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland> [accessed 10 July 2026].

In terms of economic activity, the UK, with its stark contrast between the prosperous southeast and other less affluent areas, is one of the most geographically unequal of the world's developed states.⁵ For example, producing over 22% of the UK's total output,⁶ London acts as a strong centripetal force, challenging the position of Northern England generally. This imbalance impacts incomes, job creation, productivity, and unemployment, which, in turn, substantially affects community relations, educational outcomes, life expectancy, and people's wellbeing. As detailed in the 2023 *State of the North* report by the Institute for Public Policy Research,⁷ Northern England's economic activity is consistently 3% lower than the rest of England; median pay is £1.60 less per hour; employment rate is consistently 3% to 4% behind; receipt of total public spending is almost £100 lower per person than the English average and £3,000 less than that in London; and productivity is lagging generally with Greater Manchester at 88% of the average, West Yorkshire at 86%, Liverpool city region at 84%, Tyneside at 80%, and South Yorkshire at 77%. Also, long-term unemployment is markedly higher in the North of England with lower skills and transport problems fanning the productivity gap, which is further compounded by a lack of growth-enabling investment.

The centrality of England and its governance arrangements, both internally and nationally, in the formulation of any future strategy to stabilise the territorial governance of the isles of Britain needs to be addressed. As higher inflation impacts more deeply those on low and moderate incomes, exacerbating inequalities and accelerating in-work poverty, the urgency today is greater than ever. The enactment of meaningful devolution consistently and widely throughout the English regions could firstly lead to effective reform of Westminster's dual function as legislating both for the UK as a whole and for England simultaneously, and secondly improve levelling up between north and south of the nation. This ought to be supported by sustained legislative commitments to reduce geographical disparities in living standards and strong democratic mandates delegated to regional institutions.

Importantly, the national institutional relationships between Westminster and the existing parliaments of Scotland, Wales, and Northern Ireland should be better reframed and robustly defined on the principles of partnership working and collaboration, where all governments seek to promote a culture of mutual learning, respect, and engagement as a matter of course.

Multinational or federally minded systems of government, for which the UK territories are well suited, aim simultaneously to both recognise diversity and to maintain unity. They allocate limited functions to overarching institutions on the basis of promoting collective prosperity and security, thus allowing empowered democratic institutions nearest the people to take all other decisions, with parliamentary relations across the whole clearly described. For example, in the United States

⁵ H. Miller, J. Cribb, and X. Xu, 'Why is the UK so geographically unequal?' *Institute for Fiscal Studies* (2026), <https://ifs.org.uk/articles/why-uk-so-geographically-unequal> [accessed 10 July 2026].

⁶ House of Commons Library, 'London's contribution to the national economy', *UK Parliament* (2025), <https://commonslibrary.parliament.uk/research-briefings/cdp-2025-0153/> [accessed 10 July 2026].

⁷ M. Johns and H. Hutt, *State of the North: Looking out to level up - how the North and the UK measure up* (Manchester: Institute for Public Policy Research, 2023).

(US), the federal constitution and the individual state constitutions have two different but overlapping authorising bodies of sovereignty - the pooled populace of the US in the case of the former, and the people of each separate state in relation to the latter.⁸

The radically different population sizes of the UK constituent nations and the greater aspirations of the devolved governments, elected democratically within each territory of the isles, make such an approach politically problematic when understood in both historical and contemporary contexts. Introducing his paper *Britain after Brexit* (2016),⁹ Professor Jim Gallagher, a past Director General for Devolution in the UK Cabinet Office, maintains that ‘people often talk about federalism as if it were a solution for the UK, but in truth the UK is already moving beyond it, to a more confederal solution.’ Federalism, applied in its traditional mode, with the English regions having an equal position to that of the constituent nations,¹⁰ would likely entrench, if not compound, the existing power imbalances underpinning the status quo. Contrastingly in the US, at the time of drafting, ratifying, and introducing the federal constitution in 1787, 1788, and 1789 respectively, the comparatively young states were mostly seeking a way to improve on, what had, for 10 years between them, been a newly established and loosely defined association possessing limited scope, institutional capacity, and authority.¹¹

Perhaps predictably, the UK’s stark withdrawal from one union, the EU, has intensified debates in Scotland¹² and Wales¹³ about whether it should lead to the departure of their territories from another, the UK. The situation in Northern Ireland is more complex, but the inevitability of a border poll on Irish unity at some point in the future is increasingly acknowledged.¹⁴ These positions are reflected by the complex party-political dynamics across today’s isles with a unionist Labour UK government at Westminster and three nationalist parties in the devolved governments, specifically the Scottish National Party (SNP) in Edinburgh, Plaid Cymru in Cardiff, and Sinn Féin in Belfast - all of whose stated long-term ambition is secession from the UK.

In the lead up to independence, the American people broadly speaking considered the British Empire as a composition of distinct political entities, sharing a common King, but consisting of separate legislative authorities, a view which challenged the parliament in Westminster. Against this

⁸ J. Lepore, *We the People: A history of the U.S. constitution* (New York: Liveright, 2025).

⁹ J. Gallagher, *Britain after Brexit: Toxic referendums and territorial constitutions* (Oxford: Nuffield College, University of Oxford, 2016).

¹⁰ D. Owen, *A Federal UK Council* (London: Lord David Owen, 2016).

¹¹ M. Zuckert, ‘Sovereignty in the American Founding’, in S. Achilleos and A. Balasopoulos (eds), *Reading Texts on Sovereignty* (London: Bloomsbury Academic, 2021).

¹² Scottish National Party, ‘Building a New Scotland’, *Scottish Government* (2022-25), <https://www.gov.scot/news/scotland/> [accessed 10 July 2026].

¹³ Plaid Cymru’s Independence Commission chaired by E. Llwyd, *Towards an Independent Wales* (Talybont: Y Lolfa, 2020).

¹⁴ BBC News, ‘Sinn Féin bring forward bill for United Ireland working group’ (7 July 2026), <https://www.bbc.co.uk/news/articles/c3dy38jvl02o> [accessed 10 July 2026].

backdrop, it is little wonder that the states initially created the Articles of Confederation, finalised in 1777 and introduced in 1781, to establish their sovereignty status in the New World. However, since the legal status of the overarching ‘Articles government’ was no higher than that of ordinary legislation passed by a state legislature, it lacked the power to compel compliance with the policy of the confederation on part of its member territories. This lack of teeth resulted in both federalists and, to an extent, those who eventually became anti-federalists conceding that the system needed remodelling, resulting in the US federal constitution¹⁵ with its later formula of an indestructible union of indestructible states, effectively removing the principle of secession.

It is fair to say that the current devolved arrangements in the UK mirror many key elements of a federal structure in practice, but without the formal checks and balances of a written constitution and shared sovereignty. When reflecting on the long-challenged intergovernmental workings throughout the isles, the trend for significant divergence in policy stances across the parliaments, and England’s much larger population, there are clear complications in using traditional federalism as a starting point for building a sustainable framework of equal constitutional states for the future.¹⁶ Let us not forget that the UK is genuinely a construct of ancient nations, each of which has the potential to enact its own form of sovereignty. Further to the 2014 referendum in Scotland, Westminster’s tacit acceptance of Scottish, and by some implication Welsh, independence as a legitimate option, suggests that the future destiny of the isles could be ultimately determined by the populations of the constituent nations separately and not by the people of the UK collectively. Similar can be said of the border poll arrangements reserved to Northern Ireland on Irish unity.

Today’s situation therefore is not so much that exploration of constitutional futures is not being had, but that it is pursued separately within each constituent nation of the UK instead of together as neighbours. Any state where a significant proportion of the electorate votes in large numbers for political parties that wish to secede from its governance should reflect and find ways of alleviating the concerns apparent. The fact that Scotland is pushing for a second independence referendum so relatively soon after its first poll, without constructively having sought, or indeed been given, the opportunity to start engagement with an isles-wide constitutional conversation in the intervening time, illustrates the point. It is surprising that the only UK-wide Royal Commission on the Constitution to take place, the Kilbrandon Commission, reported in 1973.¹⁷

Drawing on 20th Century history, which should of course be understood in its context, the failure to adapt and deliver Irish Home Rule in the period before the First World War resulted in an upsurge of more radical voices and the eventual departure of the greater part of Ireland from the UK. It was potentially a needless breakdown in relations and statecraft, and a case study from which the politicians in power today could usefully learn. A Century later, the instinct to defer or delay

¹⁵ M. Zuckert, ‘Sovereignty in the American Founding’, 2021.

¹⁶ A. Blick, *Beyond Magna Carta: A constitution for the United Kingdom* (Oxford: Hart Publishing, 2015).

¹⁷ The National Archives, ‘Report of the Royal Commission on the Constitution’, *UK Government* (1973), <https://discovery.nationalarchives.gov.uk/details/r/C9085> [accessed 10 July 2026].

meaningful constitutional development in the UK should be avoided. The risk of failing to address the underlying issues is far greater than that presented by seeking to create the conditions in which a renewed, stable, isles-wide union or partnership of England, Scotland, Wales, and Northern Ireland could be explored.

As suggested in my booklet *A League-Union of the Isles* (2022)¹⁸ ‘...under devolution, Westminster delegates a measure of sovereign authority to the devolved institutions. Confederalism, or its more collaborative manifestation, confederal federalism, turns this approach on its head, advocating four sovereign nations, of radically different population sizes, delegating some sovereign authority to central bodies in areas of agreed common interest such as enacting power on aspects of defence, international relations, internal single market, currency, and macro-economics, with the British monarch continuing in role.’

Might this helpfully provide the solution to our current constitutional challenge?

¹⁸ G C. Jones, *A League-Union of the Isles: Constitutional reflections* (London, Cardiff, and Edinburgh: Released through the Federal Trust for Education and Research, Institute of Welsh Affairs, and Centre on Constitutional Change at Edinburgh University, 2022).

2. SOVEREIGNTY

The political philosopher, Hannah Arendt, in her essay *The Nation State and Democracy* (1963),¹⁹ decries the tendency for states to centralise power at their core. She affirms that: ‘there can only be real democracy... where the centralisation of power has been broken, and replaced with a diffusion of power into the many power centres of a federal system.’ Thomas Paine, a founding father of the US, which is marking its 250th anniversary since the Declaration of Independence this year, also appreciated that democracy functions well within a constituted framework of clearly empowered territories acting together, in agreed areas, for the greater good. His pamphlet *Common Sense* (1776) strongly influenced the eventual direction of the American Revolution.²⁰

Arendt writes that individuals and collectives are: ‘almost always powerless against the monopoly of a centrally organised state apparatus, and the powerlessness of the citizen, even when all their rights are protected, stands in basic opposition to democracy in all its forms.’ This echoes Paine’s belief on the importance of political deliberation and participation in maintaining good parliamentary practices at all tiers of government. When people exercise their sovereignty, he asserts in *Dissertations on Government* (1786),²¹ they must have the ‘rightful means’ to query the decisions of their representatives and seek redress through debate.

In the essay *The Crises in Culture* (1961),²² Arendt explains: ‘that the capacity to judge is a specifically political ability... namely, the ability to see things not only from one’s own point of view but in the perspective of all those who happen to be present.’ For Arendt, freedom or ‘sovereignty of the individual’ is eternally political, it materialises only when we act and communicate together publicly with our fellow citizens. Similarly, Paine posited that freedom, or the ‘sovereign power’ of individuals, could rationally be effected only to consent to a government protecting the people’s basic rights, including the right to have a say in the state’s affairs or the right to vote and to petition.

Therefore, Arendt’s definition of freedom is neither sovereignty of the will nor independence from the influence of others. Paine upholds that though sovereignty belongs to each individual equally, it constitutes a collective power, a collective right, and a collective will. In the opening to *Rights of Man* (Part Two, 1792)²³ he writes that ‘the mutual dependence and reciprocal interest which man

¹⁹ H. Arendt, ‘The Nation State and Democracy’, in *Thinking Without a Banister: Essays in understanding, 1954-1975* (New York: Schocken Books, 2018). Original work published 1963.

²⁰ C. Lounissi, ‘Thomas Paine: Reinventing Popular Sovereignty in an Age of Revolutions’, in S. Achilleos and A. Balasopoulos (eds), *Reading Texts on Sovereignty* (London: Bloomsbury Academic, 2021).

²¹ T. Paine, ‘Dissertations on Government’, in *Thomas Paine Collected Writings, Volume 2* (Princeton: Princeton University Press, 2026). Original work published 1786.

²² H. Arendt, ‘The Crises in Culture’, in *Between Past and Future: Eight exercises in political thought* (New York: Penguin Classics, 2006). Original work published 1961.

²³ T. Paine, *Rights of Man* (New York: Dover Publications, 1999). Original work published 1791-92.

has upon man, and all the parts of a civilised community upon each other, create that great chain of connection which holds it together... common interest regulates their concerns, and forms their law.'

The most important application of sovereignty in a modern state lies in protecting the democratic will of a politically united society with regard to the order that best suits it, which in today's UK is structured across four parliaments through the devolution arrangements, not Westminster solely. In this context, the existing doctrine²⁴ of Westminster's parliamentary sovereignty is an anathema, and possibly rests at the heart of the inconsistencies demonstrated by the UK government and its difficult relationships with the devolved institutions.

These tensions extend to the devolution arrangements themselves, whereby the legislative powers delegated to Scotland, Wales, and Northern Ireland are not fully respected by the UK government. Bills and Acts for which the Welsh and Scottish Parliaments have withheld legislative consent since 2020 include the: European Union (Withdrawal Agreement) Act; European Union (Future Relationship) Act; United Kingdom Internal Market Act; Subsidy Control Act; Professional Qualifications Act; Nationality and Borders Act, and the Genetic Technology (Precision Breeding) Act. Lord Hain, a past Secretary of State for Wales and Northern Ireland, asserted in Autumn 2022 that 'the devolution settlement is being systematically ignored by the UK government. Their decision to bypass devolved government and directly allocate funding for regional and local development via UK-wide funds is a clear assault on devolution... in an era of aggressive centralisation.'²⁵ The Sewel Convention is a constitutional principle confirming that the UK government will not normally legislate on devolved matters. That the nations submit Legislative Consent Motions objecting to Bills according to this Convention, which are then disregarded by Westminster, highlights the parlous position of both devolution safeguards and intergovernmental relations.

According to the doctrine of the sovereignty of the Westminster parliament, as it currently exists, no other entity, not even the people of the UK themselves, can be recognised as sovereign. However, in practice, there is a definite imbalance of power between the three distinct parts comprising that parliament whereby the House of Commons has an obvious dominance and democratic mandate, whilst the unelected House of Lords, which acts as a revising chamber, and the Crown, have relatively little power.

When sitting in the Commons, Members of Parliament (MPs) are, rather than automatically carrying out the electorate's direct wishes, instead expected to deliberate matters of parliamentary business and use their better judgement to make legislative decisions on behalf of the UK as a whole. However, the system of parliamentary discipline known as whipping, ensures that the government's

²⁴ J. Goldsworthy, 'The Development of Parliamentary Sovereignty', in H T. Dickinson and M. Lynch (eds), *The Challenge to Westminster: Sovereignty, devolution and independence* (East Linton: Tuckwell Press, 2000).

²⁵ P. Hain, 'Government of Wales (Devolved Powers) Bill', *Hansard, UK Parliament* (2022), [https://hansard.parliament.uk/Lords/2022-10-28/debates/5B314E7B-4AA3-4D9B-A601-3B5AFE0A75A4/GovernmentOfWales\(DevolvedPowers\)Bill\(HL\)#contribution-E637F32D-A0C7-45EB-8C79-E373BF6F18F1](https://hansard.parliament.uk/Lords/2022-10-28/debates/5B314E7B-4AA3-4D9B-A601-3B5AFE0A75A4/GovernmentOfWales(DevolvedPowers)Bill(HL)#contribution-E637F32D-A0C7-45EB-8C79-E373BF6F18F1) [accessed 10 July 2026].

majority vote is maintained on most occasions. For this reason, it can be said that it is not the Westminster parliament encompassing Commons, Lords, and Crown together that holds sovereignty but the Commons only, or more specifically the government's Executive, or ministerial cabinet, which imposes its political will through use of the party's whips.²⁶

This situation, whereby MPs feel forced to vote according to the Executive's wishes not only in line with policies promised in an election manifesto but also on all other issues, despite their own best judgement, erodes the deliberative process of scrutiny and reasoning, and hinders the legislature's ability to hold that Executive truly accountable. Further, the Executive commands many of the powers once held by the Crown, such as orders-of-council. This archaic prerogative remains in respect of signing treaties, and in 2016 was employed by the UK government in an ungainly attempt to bypass parliamentary approval on whether to trigger Article 50 of the Lisbon Treaty to advance EU withdrawal after the Brexit referendum.

The concentration of actual sovereignty within a highly centralised UK government Executive²⁷ means that the party-political dynamics at play do not fairly and properly represent either the popular will of the isles-wide electorate in the Commons, or the extant intergovernmental forces of national devolution in Scotland, Wales, and Northern Ireland. Worse still, the Executive at Westminster comprises many ministers whose duties, since domestic policy on health, education, transport, social care, childcare, and agriculture was separated from that of the devolved nations some twenty-five years ago, rest almost exclusively within England.²⁸ The UK Prime Minister, in effect, also doubles as the English First Minister, an unhappy situation that introduces wide ranging conflicts of interest into policymaking, and causes confusion as to where various responsibilities lie in the eyes of the electorate (or electorates when factoring the devolved parliaments) and those of senior civil servants at Whitehall.

Interestingly, a not so dissimilar situation exists across the Atlantic. In 2026, the relationship between the US Congress and the Executive branch of the federal government could be best described as Executive dominance,²⁹ with the US President assertively utilising Executive orders and reshaping or defunding federal agencies despite constituted congressional authority over budgetary matters. Fear of political retaliation from within their own party keeps most congressional Republicans aligned to White House policies, insulating the Executive branch from scrutiny. Traditional constitutional checks and balances are eroding, as the legislative branch yields its institutional power to the Executive over areas such as budgeting and war-making.

²⁶ A.C. Grayling, *Democracy and its Crisis* (London: Oneworld Publications, 2018).

²⁷ I. Dunt, *How Westminster Works... and why it doesn't* (London: Weidenfeld and Nicolson, 2023).

²⁸ J. Denham, *English Democracy: Electoral Reform, England and the future of the UK* (London: Unlock Democracy and Compass, 2022).

²⁹ J. Lepore, *We the People: A history of the U.S. constitution*, 2025.

The federal government is also energetically consolidating its power at the expense of state sovereignty in the US, a process sometimes described as *democratic backsliding*. This phrase has uncomfortable echoes of the oft-made accusation levelled at the UK government's attempts to *roll-back devolution* in Scotland, Wales, and Northern Ireland through direct financial spending and increasing centralisation. In the US, the administration has utilised Executive orders to pre-empt or override state laws on matters such as regulating Artificial Intelligence, deploying federal force in Democrat-led cities, a plain challenge to local policing powers, and bringing independent executive agencies and watchdogs under direct presidential control, weakening the customary balance of power.

Successful governance depends substantially on the nature and quality of interactions between different tiers of governance and administration whether central, devolved, or local.³⁰ In the UK, there is real indifference, or a lack of understanding, at the centre of government -Westminster and Whitehall - to the actualities of devolution and its management and practices on the ground, leading to a prevalent public perception that the London-based establishment holds the UK's southeast foremost in its mind when making decisions. Further, the Covid-19 pandemic highlighted to the public and media alike, for the first time, the day-to-day reality that the UK Prime Minister's role applies mostly in England only, fundamentally weakening isles-wide acceptance of the current political structure.

A change of attitude is required. If Westminster decides to devolve, then it should either respect what is decentralised, or accept the need for a federally inspired written-constitutional settlement to ensure both stability and transparency in practice. Political participation and democracy function more effectively within a framework of territories. However, it is increasingly diluted by remote central bodies, which can undermine the process of opinion formation and feedback sharing between elections to government from those governed.³¹

The current structural imbalance could be alleviated, to a degree, were the outdated First Past the Post (FPTP) system of MP elections for the House of Commons to be replaced with Proportional Representation (PR), likely resulting in some much-needed cooperation across party political lines or even coalition working at Westminster. Under FPTP, the winner takes all: those who vote for other candidates/parties are effectively disenfranchised. The system does not distribute democratic power nor representation equitably across UK political communities according to their share of election votes and, therefore, does not even attempt to fairly connect the doctrine of Westminster parliamentary sovereignty with the wishes of the peoples throughout the isles. It is remarkable that this far into the 21st Century, FPTP is still used for electing MPs to the Commons when variants of the PR model have been utilised since the introduction of devolution in 1998 for voting to Holyrood in Edinburgh, Senedd in Cardiff, and Stormont in Belfast.

³⁰ K. Basta, *The Symbolic State: Minority recognition, majority backlash, and secession in multinational countries* (Montreal: McGill-Queen's University Press, 2021).

³¹ D. Melding, *The Reformed Union: The UK as a federation* (Cardiff: Institute of Welsh Affairs, 2013).

The recognised distinctiveness of the UK's constituent nations balanced with our common interests, as discussed in the next section, now require exploration of a renewed form of governance: firstly to ensure that the direct link between the people of each territory and their respective democratically elected parliaments is articulated in terms of their sovereignty rights and wishes at a national level, and secondly to ensure that the overarching, central structure, when administering the pooled responsibilities, stands for the peoples of every nation across the isles, including all regions of England. To safeguard the representative democracies of our multinational union, intergovernmental relations should be placed on a stronger formal footing and codified in a sustainable constitutional framework, with popular sovereignty and political accountability rooted at its heart, which enhances arrangements for self-government and secures mechanisms for effective isles-wide collaboration, governance, and international affairs.

In such an approach, the people, as sovereign, establish through referenda the binding institutional framework and legal conditions under which their representatives are able to exercise the power entrusted to them. Only on this basis, and within the limits set by it, are individuals democratically elected and appointed to positions of power. The founders of the US constitution described this as the relationship between principal and agent, or master and servant, which James Madison and Alexander Hamilton drew upon in *The Federalist Papers* (1787-88) No. XLVI and No. LXXVIII respectively.³² Writing in France on the eve of the French revolution, Emmanuel Joseph Sieyès explained it as the distinction between 'pouvoir constituant' and 'pouvoir constitué' in his pamphlet *What is the Third Estate?* (1789).³³ Put simply, the 'constituent power' rests entirely with the people. Popular sovereignty is realised through it. The restrictions created by the people through a written constitutional settlement, facilitated by democratic elections, apply directly to those who serve to execute 'constituted power' for a time on their behalf.

A quarter of a Century earlier, Jean Jacques Rousseau, who influenced political thinkers both in the US and France at the time, wrote in *The Social Contract* (1762):³⁴ 'since sovereignty is nothing but the exercise of the general will, it can never be alienated, and that the sovereign, which is only a collective being, cannot be represented except by itself. The power can be readily transferred, but not the will.' Rousseau asserted that 'governors are merely the officers of the sovereign, exercising in its name the power which it has deposited with them, and which it can limit, modify, or take back' and 'only the general will can direct the forces of the state according to the end for which it was set up, that is, for the common good.'

Let us not forget that parliaments, after all, are created to serve the people...

³² A. Hamilton, J. Madison, and J. Jay, *The Federalist Papers* (New York: Union Square and Co, 2024). Original work published 1787-88.

³³ E. J. Sieyès, *What is the Third Estate?* (London: Pall Mall Press, 1963). Original work published 1789.

³⁴ J. Rousseau, *The Social Contract* (London: Penguin Classics, 1968). Original work published 1762.

3. A RENEWED UNION MADE FIT FOR PURPOSE FOR THE 21ST CENTURY

Thinking in terms of both the existing UK union, and a potential future, renewed one, it is important to reflect earnestly on what binds us? What still gives us the commonality and shared goals that allow us to live together? What the purpose of a union is, in principle and in practice, and what its benefits are?^{35 36}

The union, in its current form aims, whether successfully or not, to reflect the unity and diversity that makes up the UK. It comprises of nations, regions, and people with a shared history, yet distinctive national or local personalities, in which many may experience partially conflicted, if not overlapping, identities encompassing both British and, say, Scottish, Welsh, Irish, English, Northern English, Cornish etc.

Our common island journey includes the bonds of family and kin that ignore national boundaries and have grown over generations, perpetuated by a shared language, joint institutions, and ties of popular culture. This is not limited to the collective development of the society in which we now live but also embraces the rise and fall of the British Empire, global trade, centuries of migration across the UK and internationally, two World Wars, Brexit, and more than one worldwide pandemic.

Undeniably, there are core mutual values across the isles, including our belief in democracy, equality, personal liberty, and the rule of law. These values are not unique to the UK, but they are intrinsic to the union, rooted in recent history, and widely shared by the people and institutions of all four nations. They are values which any self-respecting democracy would espouse, and are therefore common to both unionists and nationalists, who aspire to set up their own independent states, alike, though it could be said that the centralised character of Westminster's parliamentary sovereignty today challenges some of these assumptions.

Moving on to our economic union, the single UK market, with its common currency and macroeconomic framework, assures a large and diverse economy, and protects against asymmetric risks and shocks, including emergencies, be they local, regional, or national. It also secures a leading role for the UK in international organisations such as the G7, WTO, IMF, and the Organisation for Economic Co-operation and Development (OECD).

Then, our social union rests on the principles of fairness and equal rights between citizens, including spending on a basic level of common welfare which, since it is done on the basis of need, is one of the significant ways in which wealth is redistributed. Pooling funding at a UK level means that the

³⁵ Select Committee on the Constitution chaired by I. Lang, *The Union and Devolution* (London: House of Lords, UK Parliament, 2016).

³⁶ Commission on Scottish Devolution chaired by K. Calman, *Serving Scotland Better: Scotland and the United Kingdom in the 21st Century* (Edinburgh: Commission on Scottish Devolution, 2009).

nations and regions are not forced to rely on their own tax base for supporting their public services, instead calling on a block grant to underpin a measure of equalisation.

The final, and perhaps most widely cited core element of our union is the security and defence aspect. This is represented by the British Armed Forces (the Army, the Royal Navy, and the Royal Air Force), the UK security services, and a single border and immigration policy. Significantly, the UK is one of five permanent members of the UN Security Council and a leading influence in NATO.

The three key elements of economic union, social union, and security and defence union - informed by our shared journey, and underlying set of core values - collectively provide advantages to the constituent nations of the UK that go beyond what each could achieve on their own. They facilitate a single voice, projected through a network of embassies, high commissions, consulates, and the British Council, that is heard internationally.

So far so clear, and in principle, so far so good, but the above do require an effective and functional political union, in practice, for their successful governance and implementation, and it is here, for the reasons already described, that the UK's territorial constitution exists in an ongoing state of flux. The Scottish government continues to call for a second independence referendum,³⁷ following the near 55.3% vote against in 2014, with a potential majority now seeking to secede from the UK. The Welsh government's Independent Commission on the Constitutional Future of Wales recommended fundamental reform of isles-wide structures in its 2024 report,³⁸ acknowledging the growing numbers of young people favouring independence. The political settlement in Northern Ireland remains complex with mounting appetite for Irish reunification (or closer formal relations with the Republic of Ireland which remains in the EU), whilst English discontent with how the UK union works has become a matter of increasing concern for policymakers and observers alike,³⁹ especially when considering the north-south divide within England itself.

With reference to the current US context, federal-state government relationships are regularly being buffeted, accentuating intergovernmental tensions as federal power penetrates deeper into state and local authority interests. In his essay *State-Federal Relations: Back to the Future?* (2013)⁴⁰ Professor John Kincaid concludes that 'escalating party polarisation defines intergovernmental relations in ways that often favour conflict over cooperation. In part, this conflict also is a reaction to coercive federalism, whereby state and local governments try to counteract expansive federal powers, even to the point of resurrecting notions of nullification and interposition. The dysfunctions of contemporary governance, however, are not due to dysfunctional federalism but to a

³⁷ BBC News, 'Scottish Parliament endorses SNP call for independence referendum' (25 May 2026), <https://www.bbc.co.uk/news/articles/c5y77gp9elyo> [accessed 10 July 2026].

³⁸ Commission on the Constitutional Future of Wales co-chaired by L. McAllister and R. Williams, *Report of the Independent Commission* (Cardiff: Welsh Government, 2024).

³⁹ Kenny, *Fractured Union: Politics, sovereignty and the fight to save the UK*, 2024.

⁴⁰ J. Kincaid, 'State-Federal Relations: Back to the Future?', in *The Book of the States* (Lexington: The Council of State Governments, 2013).

dysfunctional party system that cannot produce the bipartisanship and cooperative federalism of yore.’

The above words are as true in 2026 as when they were written, though whether some of the more recent excessive uses of Executive power by the White House could have been avoided if state secession was an option of last resort, restraining the worst of party-political plotting, throws up many hypotheticals for exploration. What if the ruling by Chief Justice Salmon P. Chase in the landmark 1869 U.S. Supreme Court case *Texas v. White*⁴¹ which affirmed ‘an indestructible union, composed of indestructible states’ were not still the precedent? The ruling determined, at the time, that the act of secession by Texas was legally null and void, asserting that the constitution created a permanent, indissoluble union. It also established that while states cannot leave the union, the federal government cannot destroy the states.

Provocatively, just before the start of Barack Obama’s second term as President, the author and former U.S. Representative Ron Paul declared secession ‘a deeply American principle...If the possibility of secession is off the table, there is nothing to stop the federal government from continuing to encroach on our liberties and no recourse for those who are tired of it.’⁴² Of course, James Madison, an acknowledged father of the US constitution that came into effect in 1789, would understandably turn in his grave with repugnance at such a pronouncement. In an 1833 letter⁴³ to the Virginia lawyer Alexander Rives, Madison wrote that a ‘rightful secession requires the consent of the others, or an abuse of the compact absolving the seceding party from the obligations imposed by it.’ He deemed that if one state had the unilateral right to withdraw, then the other states would logically have the right to withdraw from that state also.

In the UK too, we are not immune to party-political partisanship, if not factionalism - a term with which the US founding fathers of the 18th Century were very acquainted and concerned - and its general contempt for cooperative practices. However, in contrast to the US constitution, the UK’s governance structure of its own design positively encourages an appetite for centralised power. After all, Westminster is now on its fifth Prime Minister in four years and in May 2026, the UK experienced a set of devolved and local election results⁴⁴ which promise to reset our politics for a generation ahead. In this vote, Reform, a relatively new party espousing a form of English nationalism, attracted notable support, causing consternation in many circles.

Reflecting strategically on the big picture across geography and time, there is clear unease about the piecemeal approach to the development of devolution successive UK governments have taken

⁴¹ U.S. Supreme Court, *Texas v. White*, 74 U.S. 700 (1869).

⁴² Kincaid, ‘State-Federal Relations: Back to the Future?’, 2013.

⁴³ J. Madison, ‘James Madison to A Friend of Union and State Rights, Alexander Rives’, *Founders Online* (January 1833), <https://rotunda.upress.virginia.edu/founders/default.xqy?keys=FOEA-print-02-02-02-2655> [accessed 10 July 2026].

⁴⁴ BBC News, ‘Election results at a glance’ (8 May 2026), <https://www.bbc.co.uk/news/articles/cvgz155y9exo> [accessed 10 July 2026].

since 1998, including the consent given for Scotland's 2014 independence referendum, without recourse to the other nations, and the way in which Westminster has progressed changes on a nation-by-nation basis and now, in England, region-by-region, rather than collectively looking at the overarching governance architecture across the whole⁴⁵...

Devolution at a national tier acknowledges that the UK today is a construct of formerly discrete territorial entities whose diverse histories and identities are enduringly recognised at an institutional level. Decentralisation, as an initiative within England, by contrast, involves the reorganisation of power within one territory of significant population size (circa. 58.5 million) in order better to align the decision-making processes with local democratic demands and priorities. Any future approach to constitutional reform across the UK should take account of these different characteristics of governance, distinguishing between reinforced arrangements for national self-government in Scotland, Wales, and Northern Ireland on the one hand, and the need for increased devolution within England on the other.⁴⁶ Through both, the deeply asymmetric nature of the UK can be addressed.

By accepting that the UK is truly a multinational state, in both origin and day to day being, the structural constitutional relationships between the devolved governments in Edinburgh, Cardiff, and Belfast, and the government in London - in its dual capacity as legislating for both the UK as a whole, and for England - ought to be made transparent. Of course, were widespread devolution to become a reality across England itself, much of the work of the English government would sit under regional or local direction, leaving the parliament in Westminster to focus on its strategic UK-wide functions. The empowerment of England's regions could advantageously improve regional growth, inclusion, and social outcomes across services such as health, housing, and education, ensuring effective use of public investment. In support, a fair and transparent needs-based funding formula for local administrations would provide confidence over future funds, the fiscal flexibility to address regional issues, especially if enhanced revenue-raising powers were devolved too, and the stimulus for spreading institutional capacity geographically.

To complement such initiatives, the House of Lords could evolve to represent the many regions of all four UK nations in its composition, as suggested by former Prime Minister Gordon Brown's Commission on the UK's Future which published *A New Britain: Renewing our democracy and rebuilding our economy* (2022).⁴⁷ Simultaneously, and so as not to confuse the concerns of regional devolution in England with those of its relationship with Scotland, Wales, and Northern Ireland, the current three-tiered framework superseding the former Joint Ministerial Committee for intergovernmental relations should continue as a forum of UK and national governments only, but set on an elevated, and stronger, footing.

⁴⁵ Constitution Reform Group chaired by R. Salisbury, *Act of Union Bill* (London: House of Lords, UK Parliament, 2018).

⁴⁶ G C. Jones, 'The unfinished business of UK constitutional reform', *London School of Economics* (2023), <https://blogs.lse.ac.uk/politicsandpolicy/the-unfinished-business-of-uk-constitutional-reform/> [accessed 10 July 2026].

⁴⁷ Labour Party's Commission on the UK's Future chaired by G. Brown, *A New Britain: Renewing our democracy and rebuilding our economy* (Newcastle upon Tyne: Labour Party, 2022).

Looking further, a greater separation of Westminster's dual role as both the UK and English parliaments - a model for which is explored in my booklet *A League-Union of the Isles*⁴⁸ - would be desirable. The proposition describes a confederation of England, Scotland, Wales, and Northern Ireland with aspects of federal-type control built into key policy portfolios such as defence, international relations, currency, common market, and macro-economics to reflect the principles of solidarity and equality among the nation states. The scheme affords the opportunity to introduce devolved democratic structures or assemblies across the English regions, if so wished, in tandem with new national parliamentary arrangements for England. Further, the member nations of a confederal federal structure could aspire to independently hold four seats at the UN General Assembly but retain the single collective permanent seat on the UN Security Council, representative of their common defence arrangements, so as strongly to represent shared geopolitical and geographical interests.

So why not release sovereignty to the four constituent nations of the UK, thereby firming up the direct democratic link between their respective populations and parliaments? And why not then delegate a measure of sovereign authority from these parliaments to central isles-wide structures to support a renewed economic, social, and defence union directed by a dedicated and focused, yet mature and transformed, political legislature?

⁴⁸ Jones, *A League-Union of the Isles: Constitutional reflections*, 2022.

4. A CONFEDERAL FEDERAL UNION OF THE ISLES OF BRITAIN

This section outlines the key elements and institutions of a proposed confederal federal reconstitution^{49 50 51} of the UK's governance. Paragraphs are numbered to facilitate discussion.

a. Overview

a.1 The Confederal Federal Union of the Isles of Britain (Union of the Isles) is established as a democratic partnership, or league, of England, Scotland, Wales, and Northern Ireland formed upon the principles of equality, liberty, and solidarity.

a.2 Its system of governance is constituted through a Constitutional Treaty, which defines the essential institutions and structural arrangements of the Union, together with a distinct and complementary Bill of Rights guaranteeing the fundamental freedoms and rights of all its citizens, who can live and work throughout the isles. The governance of Union competences is exercised through shared institutions comprising the Crown, the Council of the Isles (the 'Council'), the Executive Cabinet, the Committee of Member Nation States, and the Supreme Court of the Isles, with its seat of administration in London.

a.3 Each member nation state holds its own National Parliament, exercising all powers, responsibilities, and rights not expressly delegated by Constitutional Treaty to the institutions of the Union, and constitutes a distinct legal jurisdiction possessing its own body of law and courts. The establishment of a separate Welsh legal jurisdiction takes place only upon provision by the National Parliament of Wales, and until such arrangement comes into effect, England and Wales continue to operate as presently.

a.4 Within every jurisdiction, courts apply the law according to a defined order of precedence: at the apex stand the Union's Constitutional Treaty and Bill of Rights; beneath them rank treaties duly entered into and ratified by the Union; followed by Acts of the Council and Acts of National Parliaments as passed within their respective competences; and finally come secondary legislation including statutory instruments and orders-in-council.

a.5 All public authority derives from the sovereign will of the people of each member nation state and remains subject to it. Those exercising public power do so on behalf of the people and remain accountable to them through the Union's Constitutional Treaty and internal constitutions of each nation state, including the laws enacted under them, the election of Representatives to the

⁴⁹ G C. Jones, 'Confederal-federalism - a model for the UK?', *Federal Trust for Education and Research* (2022), <https://www.youtube.com/watch?v=e8Lw386Umek> [accessed 10 July 2026].

⁵⁰ G C. Jones, 'Modern States and Sovereignty', *The Welsh Agenda*, Issue 74 (2025).

⁵¹ Jones, *A League-Union of the Isles: Constitutional reflections*, 2022.

Council and Members to National Parliaments, referenda, and any other lawful democratic mechanisms.

a.6 The right to vote in elections to the Council, National Parliaments, and local governments, and in referenda, is confined to citizens of the Union who have reached the age of sixteen and are lawfully resident within a relevant constituency, or electoral district, of a member nation state prior to registration. Persons absent from their place of residence solely by reason of occupation in the public and Crown services, including the armed forces, are not prohibited from registration.

a.7 Elections and referenda are overseen by an independent, isles-wide Electoral Commission. The Commission is responsible for voter and political party registration, election administration, campaign finance, and all related matters. Wholly independent of any other authority, it may issue recommendations to reform and improve electoral law. It consists of ten commissioners appointed for five-year terms in accordance with stringent arrangements designed to ensure political neutrality and institutional integrity across member nation states.

b. The Union and its principal institutions

b.1 The Crown

b.1.1 His Majesty the King, together with his heirs and successors, fulfils the ceremonial role of Head of the Union of the Isles. In this capacity, the Crown exercises only those duties, functions, powers, privileges, and responsibilities expressly conferred by the Constitutional Treaty, and acts solely on the counsel of the Executive Cabinet, except where legislation specifically allows for alternative advice or permits individual discretion.

b.2 Council of the Isles

b.2.1 The Council exercises legislative authority only in those matters delegated to the Union under the Constitutional Treaty, including defence and security; protection of the Union border; international relations and treaty ratification; diplomatic and consular services with appropriate involvement of the member nation states; the single internal market; currency and legal tender; the Bank of England; fiscal policy; borrowing on behalf of the Union; National Insurance Contributions (renamed to reflect the Union) and basic levels of welfare and pension provision; regulation of the Union's public service, and dealings with the Crown Dependencies and British Overseas Territories.

b.2.2 The Council consists of one hundred and sixty-eight Representatives. 50% of the seats are distributed uniformly between the four-member nation states, apportioning twenty-one to each. The remaining 50% are assigned according to population share which, in line with current figures, would result in England receiving seventy-one additional seats, Scotland seven, Wales four, and Northern Ireland two. This produces a total representation of ninety-two for England, twenty-eight for Scotland, twenty-five for Wales, and twenty-three for Northern Ireland.

b.2.3 The Council conducts business only if, at minimum, 50% of all Representatives are in attendance, including at least 50% of Representatives from each nation state. Representatives serve five-year terms, with general elections held every fifth year on a day determined by the Union's President, but not earlier or later than twenty-five working days before or after the fifth anniversary of the previous election. The Council is not dissolved before the expiry of its term except through motion and resolution supported by more than 66% of Representatives. Upon such dissolution, new elections are held within twenty-five working days.

b.2.4 Representatives to the Council are elected directly by registered electors under a political party-list method of Proportional Representation. Scotland, Wales, and Northern Ireland each constitute a single electoral constituency. England is divided into several electoral districts by legislation of the English Parliament; pending enactment of such legislation, the nine current geographical and statistical regions used for government administration stand (i.e. East of England, East Midlands, London, North East, North West, South East, South West, West Midlands, and Yorkshire and the Humber). Vacancies resulting through resignation, death, recall, or removal are occupied by the next highest-ranked unelected candidate from the same party, electoral district, and nation state who remains eligible to serve as a Representative.

b.2.5 On start of a new legislative period, the Council confirms the Union's President by absolute majority vote who is then formally appointed by the Crown. The President may be removed from office upon a vote of no confidence. Further, the Council elects its Speaker, determines its standing orders, appoints its officers and staff, and is summoned and prorogued according to the Constitutional Treaty. It sits for not fewer than one hundred and twenty days annually and can be convened for urgent business, as required, by the Speaker on advice of the Executive Cabinet.

b.2.6 Bills are passed, following three readings, by a majority of Representatives in attendance and voting at a quorate gathering of the Council, before presentation for Royal Assent. Every Bill is circulated to the Committee of Member Nation States for at least twenty-five working days prior to its final reading, during which time the Committee may, by majority vote, submit objections or proposed amendments on behalf of a Nation State Government for solemn deliberation before an ultimate decision. The Council maintains a public register of interests, and those Representatives possessing a business or personal interest in a matter under consideration will declare it and remove themselves from voting.

b.2.7 The Crown normally grants Royal Assent within twenty-five working days of presentation, thereby enacting the Bill. Assent may be withheld where, on the advice of a Nation State Government, the Bill is referred to the Supreme Court of the Isles for an advisory constitutional review. If the Court determines within fifty working days that the Bill is incompatible with the Constitutional Treaty, Assent is refused and the Bill returned to the Council for reconsideration and/or revision.

b.3 Executive Cabinet

b.3.1 The President appoints a Deputy President, a Secretary for Defence, a Secretary for International Relations, a Secretary for Isles-wide Affairs, and a Secretary of the Treasury, from elected Representatives of the Council, all of whom sit in an Executive Cabinet with executive authority over Union competences. The Cabinet is collectively responsible to the Council, and the President's appointments are subject to agreement and approval of the Council and the Crown respectively. The Deputy President is a Representative from a different member nation state to that of the President.

b.3.1.1 Defence policy is directed by the Secretary for Defence under the Executive Cabinet. Armed forces administration, organisation, and recruitment is governed by legislation of the Council. Civil defence sits with the nation states. No declaration of war or deployment of forces overseas occurs without authorisation by the Council and support of the Committee of Member Nation States. His Majesty remains ceremonial Commander-in-Chief but acts only on Cabinet direction.

b.3.1.2 International relations are conducted by the Executive Cabinet through the Secretary for International Relations. The Union represents itself in dealings with foreign countries and transnational institutions and, with appropriate involvement of the member nation states, administers diplomatic and consular services. No treaty affecting a member nation can be concluded without that Nation State Government's participation and agreement, and no treaty has legal standing unless ratified by the Council. Membership in, alteration of membership of, or withdrawal from international organisations exercising fiscal, judicial, legislative, or military authority requires approval by a majority vote in the Council and in each National Parliament.

b.3.1.3 The Secretary for Isles-wide Affairs within the Executive Cabinet ensures mutual recognition and enforcement of judicial decisions, legal processes, and public acts across the Union, and oversees the internal market and protection of the Union border. Following consultation with the Committee of Member Nation States, the Secretary may conclude contractual joint-service arrangements through which Union delivery bodies offer public services on behalf of a nation state, subject to approval by both the Council and the relevant National Parliament.

b.3.1.4 Financial governance is administered, under the Executive Cabinet, by the Secretary of the Treasury, who prepares the yearly budget for Council approval. The Treasury further oversees the Bank of England, currency, fiscal policy, National Insurance Contributions (appropriately renamed), and baseline welfare and pensions, which can be separately topped up by the National Parliaments through legislation and funding. Financial contributions from nation states are collected according to their share of Gross National Product, with payment drawn from national revenues according to strict timelines. All revenues are paid into a Consolidated Fund and interest on the public debt constitutes a permanent charge on that account.

b.3.1.5 The President, supported by the Deputy President, leads the Executive Cabinet in directing policy across defence, international relations, isles-wide affairs, and finance, and is also responsible for the regulation of the Union's civil service. In circumstances of grave emergency threatening the peace, public safety, or security of the Union, the President may declare a State of Emergency following consultation with the Executive Cabinet and the Committee of Member Nation States.

b.4 Committee of Member Nation States

b.4.1 A Committee of Member Nation States is established to consider legislation of the Council particularly at the third stage of reading, as described in paragraph b.2.6, and to coordinate intergovernmental cooperation on matters including postal, telephonic, and internet communications; railways, roads, and associated licensing; airports, ports, and traffic controls; coastguard and navigational services; meteorological forecasting; energy, water, and related infrastructure; income and corporation taxes; rates of sales, weights, and measures; copyrights, patents, and trademarks; broadcasting; scientific and technological research; environmental protection; emergencies; prevention of terrorism and serious crime, and civil defence.

b.4.2 The Committee consists of the Union's President, Deputy President, and Secretary for Isles-wide Affairs, together with each member nation state's Prime Minister and Deputy Prime Minister, or an appropriate portfolio minister. It meets monthly while the Council is in session and may be convened urgently within ten working days upon request of a nation state's Prime Minister.

b.5 Supreme Court of the Isles

b.5.1 Judicial pre-eminence at Union level resides in the Supreme Court of the Isles, which acts as the ultimate appellate authority on the Constitutional Treaty's interpretation, including the legitimacy of any laws and agreements made under it, and the rights guarded by the Bill of Rights. The Court consists of twelve justices appointed by the Crown on advice of a Judicial Appointments Commission, representative of all member nation states. Appointments reflect legal expertise, capability, integrity, and societal diversity, and the justices serve for life subject to retirement age or illness. Removal in cases of incapacity, misconduct, or neglect of duty occurs only following a more than 66% vote in both the Council and the Committee of Member Nation States. Justices remain independent and may not engage in activities that might compromise their impartiality, hold elected office, or belong to political parties.

c. The Nation States and their principal institutions

c.1 National Parliaments

c.1.1 Each nation state has its own National Parliament, which serves as the legislative, representative assembly of its people. Until altered in line with the procedures established by the

Constitutional Treaty: the National Parliament of England consists of two chambers, the House of Commons and House of Lords; the National Parliament of Scotland would be the Scottish Parliament in Edinburgh; the National Parliament of Wales, the Senedd in Cardiff; and the National Parliament of Northern Ireland, the Northern Ireland Assembly in Belfast.

c.1.2 On a new legislative period, each National Parliament confirms its Prime Minister by absolute majority vote who is then formally appointed by the Crown. The Prime Minister may be removed from office upon a vote of no confidence. Further, each National Parliament elects its Presiding Officer, determines its standing orders, and exercises such rights and privileges as are established by legislation enacted in accordance with the Constitutional Treaty and the nation state's own constitutional arrangements. Subject to these, the National Parliaments enact, amend, and repeal laws on behalf of their people. However, they may not legislate in areas delegated to the Union, violate rights under the Union's Bill of Rights, contravene international agreements, limit the electoral franchise, or end parliamentary democracy. National Parliaments may choose to establish a written National Constitution for their nation state.

c.1.3 Each National Parliament also establishes independent oversight institutions, created by national legislation in accordance with constitutional procedures, including a public appointments authority, an ombudsman for maladministration, and an Auditor General for public finances etc.

c.2 Nation State Governments

c.2.1 Executive authority is exercised by a Nation State Government. The Prime Minister appoints a Deputy Prime Minister and other ministers, drawn from Members of their National Parliament, necessary for the effective governance of the nation state. Their briefs cover finance, including economic policy, taxation, national budget, and public spending; domestic security, comprising internal affairs, policing, and immigration; justice, encompassing the justice system, courts, and prisons; housing, communities, and local government; health and social care; education; business and trade; science, innovation, and technology; transport; environment, food, and rural affairs; culture, media, and sport; energy security and net zero, and work and pensions (which is a partially shared competence with the Union).

c.2.2 A Nation State Government is accountable to their respective National Parliament and its Members, and through them the electorate, with legislation determining governmental structures and practices. Ministerial appointments are confirmed by the Crown.

c.3 National judiciaries

c.3.1 National judiciaries are independent, with judges appointed through impartial Commissions or Boards for Judicial Appointments. Judges serve for life subject to retirement age, and removal in cases of incapacity, misconduct, or neglect of duty occurs only following a more than 66% vote in the National Parliament. Judges may not engage in compromising external employment, hold elected office, or belong to political parties.

c.4 Local Government

c.4.1 Local government operates within each nation state, through subdivisions, powers, and structures determined by Acts of National Parliament, with assemblies and councillors directly elected for terms not exceeding five years. On founding of the Union, current local authorities remain unless reformed.

d. Constitutional amendments and referenda

d.1 The Constitutional Treaty and Bill of Rights may be amended only through the procedures prescribed therein. Amendments require a more than 66% majority on final reading in the Council and an approval by referendum in each affected nation state, or in all nation states where the amendment is Union-wide in scope. National Parliaments may amend their internal constitutional arrangements through enhanced procedures requiring a more than 66% parliamentary majority and, if demanded by the respective National Constitution, a referendum.

d.2 The Council or National Parliaments may hold referenda, subject to certification by the Electoral Commission and legal validation by the Supreme Court of the Isles. Where the referenda concern constitutional reform or treaty amendments, they are binding. All others are advisory.

d.3 Constitutional legislation comprises provisions concerning the composition, election, terms, and dissolution of the Council or National Parliaments, including the status of any second chamber and the privileges of elected Representatives or Members. It further encompasses executive governance, such as how cabinet secretaries or ministers are selected and removed, as well as the legislative process for passing Bills. Also within scope sit the structures of superior courts, judicial appointments and immunities, and legal parameters for holding public referenda.

e. Secession from the Union by a Nation State

e.1 A nation state may secede only if a referendum is first permitted by a more than 66% vote in the National Parliament and then approved by a majority of voters. No secession referendum may be held within a generation of a previous vote on the same question, unless there has been a fundamental change to the Union's international treaty status. Following a vote for secession, negotiations determine the withdrawal arrangements and terms, for parliamentary approval. The Union's Constitutional Treaty will continue among the remaining nation states, subject to necessary adjustments. In Northern Ireland, any secession decision may be linked with a vote to pursue unification with the Republic of Ireland as detailed in the Good Friday Agreement.

5. A CONSTITUTIONAL COMPROMISE OF STRATEGIC SIGNIFICANCE

If we acknowledge that the UK is a genuine union of four nations, each of which has the potential of sovereignty, is there a way of charting a smooth transition from the status quo towards the Union of the Isles I am proposing?

Upon approval by a majority of votes cast in separate referenda held in England, Scotland, Wales, and Northern Ireland we may wish, for example, to transform:

- The House of Commons at Westminster into the National Parliament of England once enhanced parliamentary arrangements are in place for Scotland, Wales, and Northern Ireland
- A future-elected House of Lords, comprising representatives from the nations' regions (as recommended by Gordon Brown's Commission), into the Council of the Isles with its associated structures
- The framework for Inter-Governmental Relations across the UK into the Committee of Member Nation States
- The Supreme Court into a similarly titled isles-wide body for matters regarding laws and rights assigned to the Union
- The Crown's role as Head of State into Head of the Union.

The changes could be initiated in an evolutionary way, balancing change with continuity, and promoting diversity and unity simultaneously. Even whilst national and regional leaderships may champion different decisions and innovations, we would still elevate isles-wide solidarity and equality by means of central strategies in the policy portfolios detailed in point b.3.1 of section 4.

To address the demands of decentralisation within England itself,^{52 53} the fuller roll-out of directly elected mayors, holding democratic legitimacy within each region, ought to be accompanied by enhanced executive powers and revenue raising capabilities to effectively direct locally responsive services and strategies. This, in turn, could develop into the offer of elected assemblies across England's territory with a framework of, for example, nine such regional institutions providing discrete political forums for, approximately on average, every 6.5 million English inhabitants to influence the administration of budgets and competences devolved from England's national parliament. An approach along these lines could successfully set out to tackle the North's economy, transport needs, and wider inequalities, including deprivation levels. Today, many oppose the introduction of elected assemblies for the English regions on the basis that the North East voted

⁵² English Devolution and Community Empowerment Act 2026, <https://www.legislation.gov.uk/ukpga/2026/23> [accessed 31 July 2026].

⁵³ T. Pope, 'Andy Burnham's Devolution Announcement is a Strong Start on his Priority Agenda', *Institute for Government* (31 July 2026), <https://www.instituteforgovernment.org.uk/comment/andy-burnhams-devolution-announcement> [accessed 31 July 2026].

against the idea in 2004. Scotland and Wales did the same, on a national level, in 1979 but had changed their minds by 1997. Who knows where the second quarter of the 21st Century may lead?

Returning to the renewed Union, English would be the official language of day-to-day administration across the nation states, with those tongues indigenous to the British Isles, including Welsh, Scottish Gaelic, Irish, and Cornish given special standing in the Constitutional Treaty. Each National Parliament could further determine the status of these languages in its territory, enacting measures to promote their use in education, public administration, and broadcasting. This, and other such cultural and historical considerations, should be skilfully balanced and empathetically addressed in our deliberations.

Confederal federalism might be described as a strategic compromise between independence and incorporation: a mixture of self-rule and shared rule. Rather than one section of the population securing everything they want, each compromises to some degree to create the conditions in which a renewed, stable isles-wide partnership of modern states, fit for purpose for the 21st Century, could become a reality.

Admittedly, and perhaps inevitably, opinions on the harder fringes of the UK political continuum, those of muscular unionism and entrenched nationalism, pose challenges to this reasoning.⁵⁴ Not least because they share one characteristic in common: an inclination towards separatism, expressed as a general unwillingness to accept that any territory sharing interests with its neighbours will require some key mutual functions. This common characteristic is evidenced equally by those unionists who insisted on the UK's radical withdrawal from the EU, especially the single market, and by those Scottish and Welsh nationalists who propose models for independence that contain red lines concerning separate currencies and defence forces across the isles. Fortunately, there are many on both sides of the debate who appreciate the importance and significant benefits of working together to reach a consensus.

To this end, I highlight four overarching principles that can usefully steer and inform this important endeavour.⁵⁵ The first is consent, which has become fundamental to the advancement of devolution in the UK, and further afield, and should continue to be a guiding tenet in the future through use of appropriate referenda and approval by the relevant national parliaments. The second is clarity. It is important that the public understand exactly where power lies if the democratic process is to work effectively. The allocation of powers must be made as clear as possible, to aid the electorate's understanding. Whilst voters can assess the outcome of public policies, they cannot accurately express a judgement on their elected representatives at the ballot box if they are ill-informed about the division of responsibilities between different levels of government.

⁵⁴ J. Gallagher, *Could there be a 'Confederal' UK?* (St Andrews: Institute of Legal and Constitutional Research, University of St Andrews, 2020).

⁵⁵ Select Committee on the Constitution chaired by I. Lang, *The Union and Devolution*, 2016.

The third is solidarity as an expression of our unity. The solidarity that binds together the citizens of the isles as neighbours should guide the activities of decision-makers across all constituent nations in a broader fashion: particularly in dealings over shared or concurrent powers, or in policy areas where decisions taken by one administration could have an impact on others. The fourth is subsidiarity as a recognition of our diversity. Where powers can be exercised more effectively at the decentralised level of government, then they should be assigned there, but only when doing so would benefit the people of that nation or region and without detriment to our shared values. There is a powerful argument that giving people control, particularly over their domestic affairs, and thereby also responsibility for raising the money to pay for them rather than relying on receiving disproportionate sums of money from the centre, is a perfectly legitimate discipline to apply.

It is undeniable that national attitudes across the UK have evolved substantially since the introduction of devolution in 1998. The party-political dynamics competing for power in England,⁵⁶ Scotland,⁵⁷ Wales,⁵⁸ and Northern Ireland⁵⁹ have changed beyond measure in this time. Research also reveals a deep crisis of ambivalent unionism in the UK, driven by differing territorial identities.⁶⁰ While exclusive English identity fuelled by ‘devo-anxiety’ has created some resentment toward the devolved nations, Scotland and Wales are experiencing a sharp rise in exclusive local identification and a rejection of centralised, post-Brexit Britishness.

Westminster should better appreciate and understand these shifts in stances, and identity, to provide for a constructive set of negotiations on constitutional change if the need arises. As was plainly obvious in the years following the Brexit referendum, acrimonious debates and residual friction from associated campaigns can lead to a hardening of already entrenched divisions and views in subsequent talks, making agreements difficult to secure.

If a successful referendum or border poll were to take place in Scotland or Northern Ireland respectively, Westminster would greatly benefit from having informed itself comprehensively as to the common interests of the remaining constituent nations of the UK. Without such an understanding, developed well in advance, and in sufficient nuance and detail, tensions could quickly emerge. In either scenario, Wales’s constitutional position would inevitably come straight to centre stage.

⁵⁶ W.E. Bulmer, *The English Constitution: Refoundation, restoration, and reform* (Manchester: Manchester University Press, 2025).

⁵⁷ H. McLeish and J. Mitchell, *Unfinished Business: The evolution of devolution in Scotland* (Edinburgh: Luath Press Ltd, 2025).

⁵⁸ A. Gibbard and G. Jones, *Whose Wales? The battle for Welsh devolution and nationhood 1880-2020* (Cardigan: Parthian, 2024).

⁵⁹ F. Cochrane, *Northern Ireland: The fragile peace* (New Haven: Yale University Press, 2021).

⁶⁰ A. Henderson and R.W. Jones, *The Ambivalent Union: Findings from the state of the union survey* (London: Institute for Public Policy Research, 2023).

On reflection, might the proposed confederal federal model be more simply expressed as Confederation Minus or even Federalism Plus, that is C- or F+? I suspect Lord David Owen, a well-reasoned and seasoned negotiator who has supported my constitutional continuum project of options from the outset, recognised the possibilities. The C- or F+ model could aspire to both satisfy the desires of unionism for central controls in areas of defence, diplomacy, internal trade, and macro-economics, and the wish of nationalists to confer sovereignty, and the responsibility for powers, on the nations. Of course, the legitimate priorities of both groups would be safeguarded through codified constitutional checks and balances.

Whether written or unwritten, every state has a constitution encompassing its institutions, the responsibilities, powers, and officials that go along with it, as well as the relationship of its citizens to the whole. Of today's 193 UN member states, 188 are underpinned by written constitutions.⁶¹ Perhaps surprisingly, the UK is not. Without a written constitution the framework for government is determined by precedent and custom which can be interpreted by transitory, if not partisan, interests as it suits them. With a written constitution, these key elements are unequivocally articulated, with arrangements in place for judicial review against their improper application. In the latter case, constitutional amendments, when needed, can be approved through a carefully considered and designed process of supermajority voting in parliament, and/or referenda, to ensure that any changes have a democratic basis and consent.

The US constitution is often revered as a foundational, almost sacred, document. However, with only 27 amendments enacted over 237 years⁶² - and only one in the last half century - it is now in real need of some revision. James Madison, writing on the process for amending the constitution in *The Federalist Papers* (1787-88) No. XLIII⁶³ proposed that it 'guards equally against that extreme facility, which would render the constitution too mutable; and that extreme difficulty, which might perpetuate its discovered faults. It, moreover, equally enables the general and the state governments to originate the amendment of errors.' In practice, Article 5 of the US constitution, establishing an amendment process that requires approval by two-thirds of both the House of Representatives and the Senate, and three quarters of the states, has historically proved too high a bar for significant reform.

Matters occasionally highlighted as requiring amendment are that of the US Electoral College, which allows candidates to win the presidency while losing the popular vote (a phenomenon that has occurred twice in the 21st Century alone), and the equal allocation of state suffrage in the Senate, where each has two Senators regardless of population size. On the latter point, Madison, again in *The Federalist Papers* No XLIII, insightfully explained that 'The exception in favour of the equality of suffrage in the Senate was probably meant as a palladium to the residuary sovereignty of the states, implied and secured by that principle of representation in one branch of the legislature; and was

⁶¹ W. Voermans, *The Story of Constitutions: Discovering the we in us* (Cambridge: Cambridge University Press, 2023).

⁶² National Archives, 'The Constitution of the United States', *U.S. Federal Government* (2026), <https://www.archives.gov/founding-docs/constitution> [accessed 10 July 2026].

⁶³ J. Madison, 'The Powers Conferred by the Constitution, No. XLIII' *The Federalist Papers* (New York: Union Square and Co, 2024). Original work published 1787-88.

probably insisted on by the states particularly attached to that equality.’ This is a key consideration when exploring the development of a renewed constitutional framework for the UK constituent nations.

When contemplating the US constitution in its entirety within *The Federalist Papers* No XXXIX,⁶⁴ Madison reflects that it ‘is in strictness, neither a National nor a Federal Constitution, but a composition of both. In its foundation it is Federal, not National; in the sources from which the ordinary powers of the Government are drawn, it is partly Federal and partly National; in the operation of these powers, it is National, not Federal; in the extent of them, again, it is Federal, not National; and, finally, in the authoritative mode of introducing amendments, it is neither wholly Federal nor wholly National.’

The UK has much to learn from US experiences, both past and present, foundational and practical, when reviewing our own governance framework. A federally inspired reconstitution of the UK nations that balances on the one hand the contrasting aspirations of unionism and its centralising forces and, on the other, national ambitions for cementing sovereignty and the principles of self-government, may solve the likely challenges ahead. Underpinned by a deep, developed understanding of the history and nature of our enduring island journey, this is how we might ensure the greatest support and traction for constitutional renewal, across the whole isles, when the need arises; as individual nations, in an ever-integrated world, with a shared British experience.

We would do well to appreciate that a measure of friction is, and will always be, a feature of our isles-wide relationships at both political and governmental levels.^{65 66} To mitigate this predictable aspect demands greater maturity in approach on the part of our parliamentarians, and institutional arrangements robust enough to formally manage and consider differing priorities. Through firstly embracing variations in territorial contexts, and, secondly, promoting our shared values and visions, we can confidently advance the legitimate expectations of citizens’ rights and political representation throughout the isles, including those of the English regions. After all, our peoples have freely worked, traded, resided, moved, and married across the island landscape since time immemorial, coming together for our common security too over recent centuries.

In summation, my instinct, being neither unionist nor nationalist, is that a confederal federal constitutional model mirrors some fundamental truths about the story of the isles of Britain. Yes, it represents a challenge to the UK unitary state and those entrenched in the status quo, but also to those who might incline to throwing the baby out with the bathwater, wishing to destroy everything and start afresh.

⁶⁴ J. Madison, ‘The Conformity of the Plan to Republican Principles, No XXXIX’ *The Federalist Papers* (New York: Union Square and Co, 2024). Original work published 1787-88.

⁶⁵ T M. Devine, *Independence or Union: Scotland’s past and Scotland’s present* (London: Allen Lane, 2016).

⁶⁶ L. Colley, *Acts of Union and Disunion: What has held the UK together - and what is dividing it?* (London: Profile Books, 2014).

Only time will tell how these incompatible positions will evolve. All I know is that change is not only possible, but inevitable...

Tempora mutantur, nos et mutamur in illis. Times change, and we change with them.

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ABOUT THE AUTHOR

Glyndwr Cennydd Jones is a writer and commentator on constitutional matters and an advocate for a UK-wide constitutional commission. He has proposed a model of confederal federalism for governing inter-parliamentary relations across the UK and is acknowledged through parliamentary research, and articles and books authored by others about devolution and the union. He is a frequent contributor to academic think-tanks and news outlets, and has released:

- **Towards Federalism and Beyond** and **Brexit, Devolution and the Changing Union 2018** with Lord David Owen and Lord Elystan Morgan in 2017 and 2018 respectively, through the Institute of Welsh Affairs (IWA).
- **A League-Union of the Isles: Constitutional Reflections** - including a preface by Lord Carwyn Jones, the former First Minister of Wales, and an afterword by Lord David Owen - in 2022, through the Federal Trust for Education and Research in London, the Centre on Constitutional Change at Edinburgh University, and the IWA in Cardiff. This influential work led to joint interviews with Professor John Denham (former UK Cabinet Minister), Professor Jim Gallagher (former Director General for Devolution in the UK Cabinet Office), David Melding CBE (former Deputy Presiding Officer of the Senedd), Lord Carwyn Jones, and others.
- **The Federal-Confederal Letters** with David Melding CBE in 2025, again through the Federal Trust, the Centre on Constitutional Change, and the IWA, which includes a foreword by the Guardian journalist and author Will Hayward.
- **Breaking Boundaries, Building Bridges** in 2026 at the European Union office in London alongside the EU Ambassador to the UK. This includes a foreword by Lord Ed Vaizey and discusses the value of cultural diplomacy globally.

From 2012 to 2026, Glyndwr served as chief executive of a UK-wide industry body in the cultural and education sectors. He previously held a senior role at an international awarding organisation and was awarded Honorary Membership of Trinity College London. During 2023 and 2024 he instigated two impactful reports on education backed by Sir Cameron Mackintosh, Andrew Lloyd Webber KG, and a cross-party group of parliamentarians, which were launched at Westminster and influenced the UK Government's recommendations for culture and the arts in its 2025 curriculum review. He is a Fellow of the Institute of Welsh Affairs.

‘In his essay, Glyndwr calls for a renewal of the relationship between the people of these islands and calls for a union made fit for purpose for the 21st Century. He recognises the close ties that exist between the people of Britain and the complexity existing in relations between political institutions. He makes the bold case for removing sovereignty from the centre and giving it to the four nations which would then delegate a measure of sovereign authority from their parliaments to agreed central isles-wide structures to support a renewed economic, social and defence union. This is a radical step, but one which has attracted support amongst politicians in the recent past.’

‘Too often the debate about the UK's future becomes a binary discussion as to whether the current union should be kept or whether it should come to an end... the debate is far more nuanced than that and this is why Glyndwr's book is so timely.’

Lord Carwyn Jones

True stability is achieved neither through forced uniformity nor chaotic fragmentation. Translating this into contemporary politics, we must resolve the long-standing tension between the aims of muscular state centralisation and absolute national independence within the UK context. Doing so reveals a core truth: the empowerment of the component parts enhances the success of the whole. Political stability cannot exist alongside entrenched inequality.

The resulting model elegantly balances the dual imperatives of self-rule and shared rule.

Glyndwr Cennydd Jones