

JOHN PINDER THE FEDERALIST

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Over the past hour, you have heard a number of references to federalism and the central role it played in John Pinder's thinking and action. Like a number of you, particularly my predecessors as Director of the Federal Trust Andrew Duff and Martyn Bond, this was an area in which I worked closely with John in recent years. Because federalism, for reasons I shall explain, is not a widely understood concept in the United Kingdom, I should begin by describing what the term "federalism" meant for John and for people sharing his view of the world. It will then become clearer why it meant so much to him and why it continues to mean so much to many others among us.

I recently looked up the word "federalism" in the dictionary and found two contradictory definitions. The first definition told me that federalism is a centralizing political philosophy. The second told me it is a decentralizing political philosophy. Both those definitions are right and both are inadequate. Federalism is at some times and in some circumstances a centralizing arrangement, and at other times and in other circumstances a decentralizing phenomenon. In the federal United States of America for instance the corrupt local sheriff we see in the films is called to account by "the feds, the feds" turning up from Washington, an exercise of central state power. On the other hand, state governments in the United States rightly insist on exercising the wide financial and other powers given them by the constitution, powers much more sweeping than those given in this country to any sub-national authority. In brief, federalism is a philosophy and practice whereby powers are transparently and constitutionally shared between various levels of government, each of these levels enjoying its own legitimacy for its own level of decision-making.

This last point is crucial and explains why federalism is so often regarded with suspicion by particularly the political classes of this country. From our monarchic background, we have inherited in this country what John regarded as the pernicious doctrine of parliamentary sovereignty, which asserts that there is only one legitimate, authentic source of political authority in the

United Kingdom, namely the Westminster Parliament. In accordance with this doctrine, all other levels of government, be they national, sub-national or even European, enjoy only an inferior and derived legitimacy. Until very recently, the underlying political philosophy of the United Kingdom has been the very opposite of federal in its culture.

As a federalist, John derived great interest and pleasure from the burgeoning debate about Scottish and Welsh devolution and possible Scottish independence. He was a unionist, but welcomed the emergence of distinctly Scottish and Welsh levels of decision-making, legitimized by democratic elections and increasingly working in collaboration with Whitehall and Westminster, but not subordinated to them. In theory, the powers exercised by the Scottish and Welsh Parliaments, indeed their very existence derive from the indulgence of the Westminster Parliament. It is however now almost inconceivable that the Scottish Parliament in particular could in reality be abolished by Westminster or its existing powers curtailed.

For most of his life, the focus of John Pinder's federalist activity was the European Union, a level of government at which he rightly thought a number of important decisions could best be taken, notably those relating to trade, the environment, internal and external security and human rights. It is worth recalling that when John was a young man many of those who regarded themselves as federalists did not see the European Community as a particularly interesting vehicle for their aspirations. Their focus was much more upon plans for world government, geared often around an extension of the powers of the United Nations. John never lost his interest in the concept of world government, but he believed that for the foreseeable future the European Union was by far the most plausible forum for increasing the effectiveness and rationality of governance in the interests of the citizen. His European option was an interesting example of the balance John always sought to strike between long-term goals and the intermediate steps necessary to achieve them. Nor was he averse to actions going beyond the strictly European horizon. An important preoccupation of his later years was his vision of a global climate community, bringing together initially the European Union and India in a sharing of decision-making on environmental issues.

For John, federalism was by definition a philosophy of rationalism, goodwill and good faith, qualities which he notably exemplified in his personal behaviour. Federalism is rational because it seeks to ensure that public decision-making occurs at the level most likely to generate right and effective decisions. It is based on goodwill because it is not the interest of the state that dictates political structures but the interests of the individual citizen affected by decisions taken on his or her behalf. John never forgot that political power only has moral legitimacy if it is exercised for the benefit of the community served. Above all, John knew that it is only possible for federal structures to succeed if all involved behave with good faith towards one another, recognizing their interwoven rights and responsibilities. John deeply believed that rationality, goodwill and good faith could be the lasting basis of political structures and political decision-making. All his intellectual and political activity over the past sixty years was devoted to the attempt to bring this about. That was what federalism meant to him and what it can mean to us.