

17 May 1730 Meeting M.T. WWW. P.C. Len G G Howe & Prior  
F Pym Atkins, Leon Brittan (Devolution). Foot had proposed Select Cee,  
restricted to Commons & w: reference further restricted to existing Bill &  
further still by "having regard" to 2R passing & the various votes in Cee.  
I said this was no good. We go along w: Select Cee w proper terms of  
reference. But these restrictions were far too rigid. There were 2 points of  
overriding importance (1) What were the real alternative possibilities for the  
better gov<sup>t</sup> of Scot: & Wales & (2) What were the real wishes of the people  
w: regard to these. I suspected that the real alternatives were (i) Status  
quo with or without modifications (ii) Something akin to federalism  
and (iii) Separation. All "Home Rule" Bills from 1885 onwards had  
foundered on one or both of two rocks viz: either (a) the impossibility of  
reconciling "Home Rule" applying to part of a unitary state with absolute  
power over the remainder with the MIs from the devolved part having  
their say or (b) the Marxian contradiction between reserving to the  
"Imperial Parliament" sovereign powers over the whole and devolving  
to the "assembly" of powers in particular fields over wh: the Imperial  
Parl<sup>t</sup> retained final say. Must if we go down this road limit  
powers of Imp<sup>t</sup> Parl<sup>t</sup> in devolved fields i.e. come to terms with  
federalism. The Bill as presented to Parl<sup>t</sup> offered no hope because  
it wd: not face these issues. Therefore terms of reference truly  
unsatisfactory. Suggested that we shd. propose an alternative  
proposal, wh: wd be satisfactory if accepted, and if rejected cd be  
made the subject of an election policy on which we could fight.  
This wd consist of an enquiry, preferably by a joint select  
Cee but acceptably by a Select Committee of P.C. with fr (i)

to identify practicable alternatives for the better Govt. of Scotland & Wales and (ii) to recommend methods of consulting the electors by referendum in order the people to choose between the practicable alternatives so identified. We cd. then give an undertaking to give effect to the selected alternative. Long discussion. I think my views were accepted in principle. Negotiations left to Francis Pym.

The L<sup>d</sup>. Chancellor told me had given hell to Michael Foot over his speech about the judiciary yesterday morning. He claimed MF had been better lately. I told him I had given him an additional argument by my challenge to him yesterday.