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## Chapter 1

# What is Scottish Politics?

### What is 'politics'?

This book is about Scottish politics, and as a starting point it is useful to clarify what this means. The common-sense view of politics defines it by reference to institutions, calling to attention a particular arena in which politics takes place. The answer therefore appears self-evident – Scottish politics is about what goes on in the Scottish Government and Scottish Parliament. The focus is on the formal machinery and operation of government and the capacity of governing institutions to shape the behaviour of their population. This approach to studying politics is often criticized as too limiting and state-centric. It is referred to as an institutional approach. It is often criticized as offering a distinctly narrow view of 'the political', failing to acknowledge the broader societal context in which politics can take place, for example within the family, relationships, school, community and workplace.

**Authority:** The power to make and enforce laws or decisions.

Yet, as this book shows, using an institutional focus as a starting point to introduce a political system is useful. Why? The executive, bureaucratic and legislative branches of government are usually the arenas where political control, influence and **authority** are located in any political system. The modern state derives this power from the elected status of its decision-makers. This sense of democratic **legitimacy** gives it a source of authority – the public generally accepts the right of elected politicians to use their political authority and make laws. However, while politicians and institutions may have the legal authority to make laws, their authority may not always appear to be legitimate. For example, in the 1980s and 1990s Scottish home-rule campaigners questioned the legitimacy of the Conservative-led UK Government to govern Scotland, because of the Conservative Party's weak representation in Scotland.

**Legitimacy** means that a political institution is generally recognized to have the right to exert authority.

**Nation:** People identified by the sense of a common collective identity based on culture, ethnic origin, religion or geographic birthplace.

The institutional picture is complicated in Scotland by the existence of separate branches of government at both Scottish and UK levels. Scotland is a **nation**, but not a **state**. The Scotland Act 1998 sets out a clear list of reserved powers which UK State institutions in Westminster and Whitehall retain, with the rest falling

**State:** The sum total of governmental institutions and its personnel – including the intelligence services, the central bank, the police, state broadcasting, courts and armed forces – which has a monopoly of political authority.

**Devolution:** The transfer of political power from UK to Scottish political institutions.

under the jurisdiction of the Scottish Parliament and Government. There do, however, remain a number of policy areas where it is not possible to draw clear lines of demarcation between Scotland and the UK or Europe (see Box 1.1). The 1999 **devolution** settlement involved the transfer of powers to Scotland's governing institutions: the Scottish Government and Scottish Parliament. Without a basic knowledge of the institutional environment of Scottish politics it is difficult for any student of it to make sense of what is going on.

This book will set out in detail the context within which Scottish politics operates. In an introductory text historical and descriptive detail is important as it forms the bedrock of information from which more ambitious and theoretical work on Scottish politics can take place. An understanding of political institutions is important as they tend to set the 'rules of engagement' and the agenda of Scottish politics. Institutions are also the public face of politics. The Scottish Government, Parliament and political parties therein are the arenas in which the public perceive Scottish politics to take place. However, as a number of chapters in this book show, the Scottish Government and Parliament are not the only sources of power.

### **Box 1.1 Reserved and devolved policy areas**

**Policy areas reserved** international relations, defence, national security, fiscal and monetary policy, immigration and nationality, drugs and firearms, regulation of elections, employment, company law, consumer protection, social security, regulation of professions, energy, nuclear safety, air transport, road safety, gambling, equality, human reproductive rights, broadcasting, copyright.

**Policy areas devolved** health, education and training, economic development, local government, law and home affairs, police and prisons, fire and ambulance services, social work, housing and planning, transport, environment, agriculture, fisheries, forestry, sport, the arts, devolved research, statistics

**Blurred boundaries, UK/Scotland** industrial policy, higher education, fuel poverty, child poverty, dawn raids, smoking ban, Malawi, NHS compensation, new nuclear plants, effect of Scottish policies on social security, cross-cutting themes: New Deal, SureStart, 2007 election review.

**Blurred boundaries, Scotland/Europe** Common Agricultural Policy, Common Fisheries Policy, EU Environment Directives, medical contracts

*Source:* Adapted from Keating (2005: 22); Cairney (2006a).

**Governance**

highlights informal relationships and the blurring of boundaries between public/private action and levels of governmental sovereignty. Decision-making authority is dispersed and policy outcomes are determined by a complex series of negotiations between various levels of government and interest groups.

Discussions of institutional power can be supplemented by a range of other definitions of politics which draw attention to the wider policy process. For example, *managerial definitions* focus on the ‘production’ part of politics – politics exists because people want to ‘do things’. This emphasis is often found in the rhetoric of modern Scottish politics and was made famous by the aim of Jack McConnell, Scotland’s third First Minister, ‘to do less, better’.

A major focus of debate in recent political science has been the extent to which government has been displaced or challenged by a broader process of **governance**; *governance definitions* of politics highlight the reliance of governments on a wide range of other actors. These include public bodies such as local government and ‘quangos’, but also private actors such as major businesses or interest groups. Therefore, a focus on policies made by institutions such as the Scottish Government alone may ignore its reliance on others to carry them out. **Interdependent relationships** between political institutions and actors are the norm in politics.

**Interdependent relationships:**

Where political actor/institutions are reliant upon one another to achieve their goals.

To this we can add *democratic definitions* of politics which focus not only on how collective interests are aggregated, but also how these processes can be improved. The **home-rule** campaigners pre-devolution had in mind a ‘more democratic’ Scotland when they campaigned for a change in constitutional arrangements. This tends to be equated with two things: a high level of transparency when issues are debated and decisions are made, and a strong sense of collective participation in decision-making which produce greater levels of accountability and widespread ‘ownership’ of decisions. The emphasis is on deliberation, exchange and compromise and therefore the absence of secrecy, self-interest and violence in the resolution of conflict.

**Home-rule:**

Although the term suggests independence, it is often used to refer to the self-government of a nation within a wider state.

*Socio-economic definitions* of politics turn our attention to the significance of gender, race and class, with politics defined in terms of social relations and extending to areas – for example, in the family, workplace and community – relatively removed from the institutions of government. Politics often occurs at a ‘micro’ level in these environments, but as a whole they represent the wider society and economy in which governments operate and must recognize. The most obvious manifestation of this external environment is the role of voting behaviour or public opinion (which varies by social background). The social background of decision-makers within these institutions has also

risen significantly on the postwar agenda, with the pursuit of gender equality among MSPs a particular focus of the architects of devolution.

Definitions of politics are numerous; however, possibly the most relevant in any setting are those which emphasize power. Politics is about conflict between

**Ideologies:** Bodies of ideas which tend to underlie political action, e.g. nationalism, liberalism, conservatism, unionism, socialism, fascism, communism.

social forces, political **ideologies** and interests. Any individual or institution which engages in Scottish politics has the aim to promote their own particular interests (see Box 1.2). Within Scotland, this can include very broad forms of influence through education or culture, systematic influence through political parties or the media, or power exerted in particular areas by interest groups. Free from Scotland, the UK state, the EU or other global institutions may try to shape the agenda of Scottish politics.

The most succinct *power definition* and description of politics is Lasswell's (1936) classic assertion that, 'politics is about who gets what, when and how'. This broad definition leaves open almost any avenue of enquiry for the political researcher since almost any human activity and exchange tends to involve some degree of power. It also allows analysis to extend beyond formal institutions. As Marsh and Rhodes note:

Politics is about more than what governments choose to do or not to do; it is about the uneven distribution of power in society, how the struggle over

### **Box 1.2 Power and agenda-setting**

Agenda-setting refers to the types of issues which capture the attention of decision-makers, and then the range of policy solutions which are considered. Since there is an almost infinite range of issues and solutions which *could* be considered, the choice of a small proportion represents the power of organizations and individuals to 'set the agenda'. Power is exercised not only when an issue is raised to the top of the agenda, but also when a decision is made to marginalize or ignore an issue completely (Bachrach and Baratz, 1962). Political power may also be difficult to observe if it is directed towards the shaping of preferences or a common 'taken-for-granted' understanding of what is important in political life (Lukes, 1974). A key concern of political science is the extent to which the exercise of power is diffused across the population, or restricted to a small number of elites. In modern liberal democracies such as Scotland we can point to a trend towards pluralism in the control of knowledge, to checks and balances in new organizations associated with 'new politics', and to a diffusion of power associated with governance and the interdependent nature of politics. The Scottish Government (or any other political institution) is unlikely to achieve its aims unless it forms coalitions, alliances, networks or some other arrangement with other political bodies in Scotland. Yet, this may exaggerate the power of non-state actors, or ignore the systematic forms of power (based on race, gender and class) *within* organizations.

power is conducted, and its impact on the creation and distribution of resources, life chances and well-being. (1992a: 9)

Indeed, any attempt at a narrow definition of the appropriate subject matter of politics could itself be interpreted as an exercise in power. For example, when a Scottish business(wo)man declares politicians should not be ‘meddling in the commercial world’, he or she is trying to narrow the scope and agenda of politics (see Box 1.2), presenting it as distinct from commercial operations. However, it could be that his or her workers have a less demarcated view of the public/private divide. As Hay argues:

The political should be defined in such a way as to encompass the entire sphere of the social . . . All events, processes and practices which occur within the social sphere have the potential to be political. (2002: 3)

## What is ‘Scottish’?

If defining politics is not straightforward, then surely some comfort can be drawn from the fact that the ‘Scottish’ element of it is self-evident. Scottish politics is politics that takes place in Scotland . . . or is it? If only it were that simple. The broad definitions outlined above suggest that Scottish politics can take place anywhere and everywhere.

Scotland, unlike many other countries in the world, is not a nation-state – there is not a correspondence between the geographic boundaries of Scotland, the nation, and the (UK) state. Scotland, however, is not alone – ‘nations’ such as Catalonia, the Basque Country and Palestine also lack state structures. Some national populations such as Albanians, Serbs and Kurds are spread throughout more than one state. The position of Scotland as a stateless nation, whilst unusual in the comparative context, is not unique.

Within Scotland there are various interests with opposing views. For example, the interests of the populations of Highland and Lowland may not coincide. The urban, suburban and rural populations may offer different perspectives on issues such as transport and the environment. Religious groups and their leaders (e.g. Protestant, Catholic, Jewish, Muslim, Atheist etc.) may offer differing views on education and moral issues. Different economic interests (e.g. the unemployed, trade unions, employers, pensioners) may differ in their assessment of tax and public expenditure priorities. Scottish politics is about how these differences are mediated and resolved.

**NATO:** North Atlantic Treaty Organization. A military alliance initially created in 1949 to defend Western Europe against a possible Soviet invasion. Its membership grew to 24 in 2004 and its mission changed to intervention and peace-keeping.

Externally, the governance of Scotland requires the cooperation of many different types of agencies and

**European Union:** The union of 27 states and 490 million people designed to foster closer cooperation and economic and political ties between countries in Europe.

levels of ‘government’ (e.g. UK, EU, NATO, UN). Scottish politics thus takes place at many different levels and not necessarily within the formal machinery of government. These decisions could be taken at community, local, regional, Scottish, UK, EU or global level. We live in an era of multi-level governance (see Table 1.1) and political decisions that impact on Scotland can be taken in many arenas, some of which extend far beyond the borders of Scotland. Numerous external institutions can impinge, constrain or even dictate the agenda of Scottish politics, for example the UK Government, the **European Union** (EU) and the North Atlantic Treaty Organization (NATO). Intergovernmental bodies are creating denser connections between countries.

There are obvious political arenas – the Scottish Parliament, the Scottish Government, local councils in Scotland, the House of Commons at Westminster, the UK-based civil service in Whitehall, the UK Cabinet, the UK Prime Minister’s office, the European Commission in Brussels. There are other not so obvious arenas – international trade negotiations such as the **G8 summit**, and the **World Trade Organization** (WTO); supranational bodies such as the United Nations (UN) and North Atlantic Treaty Organization (NATO); and major pressure groups such as Amnesty and Greenpeace. Other possibilities are the headquarters of multinationals with significant interests in Scotland such as IBM, Motorola, RBS and HBOS. Therefore, decisions that impact on Scottish politics may be taken in London, Brussels, Washington, Beijing, Strasbourg or almost any other major city in the world or any institution, public or private, with interests in Scotland.

**G8 Summit:** A gathering of the ‘most economically advanced’ countries – Canada, France, Germany, Italy, Japan, Russia, the United Kingdom, and the United States – to discuss global policy issues.

**World Trade Organization (WTO):** An organization sponsored by the United Nations to facilitate international trade.

**Centre and periphery:** Terms used in the study of territorial politics. Centre usually refers to the part of government in which power is concentrated; periphery refers to local, regional or territorial governments.

The state in Scotland manifests itself at many levels, and most of the key institutions of the state (MI5, Bank of England, Armed Forces, BBC) fall within the realm of reserved powers. Therefore, in territorial politics a distinction tends to be made between the **centre and periphery** of a political system. The traditions of the British State could be described as elitist and hierarchical; democracy has come from above not below. Ministers still represent ‘The Crown’. Indeed one could argue that the Scottish Parliament is an arena of **low politics** (social policy, transport, local government and the like), since issues of **high politics** (economy, foreign and defence policy, border control) remain

**Table 1.1** *Levels of governance in Scotland*

<i>Level of governance</i>	<i>Institutional examples</i>
International	United Nations, World Trade Organization, World Bank, International Monetary Fund, multinational corporations, international interest groups
European	European Union, EU institutions, European interest groups
UK State	UK Parliament, UK Ministries (e.g. Dept of Constitutional Affairs), UK interest groups
Scotland (State) Scotland	Scottish Parliament, Scottish Government Scottish Agencies, Non-Departmental Public Bodies, UK state agencies (e.g. Inland Revenue, Passport Agency), Scottish interest groups (e.g. Scottish Council for Voluntary Organizations)
Regional	Strathclyde Passenger Transport Executive, Highlands and Islands Enterprise, Health Boards
Local Local community	32 local councils, local enterprise companies Community councils, tenants organizations, school boards

**Low politics:** Policy matters deemed peripheral to the centre and devolved to territorial and local governments.

**High politics:** All matters that are vital to the survival of the state such as defence, foreign affairs, security and economic concerns.

located at British state level (cf. Bulpitt, 1983). Therefore, a cynic may argue that devolution is the British State’s response to an internal challenge from Scottish nationalist forces – it is an accommodation to those interests, but one that leaves the essential fundamentals of the UK State intact. Sovereignty and control of issues such as defence, public finance, the economy and foreign policy lie at UK level.

This focus of territorial politics which emphasizes both Scotland’s place within the UK and the decentralization and devolution of power to a stateless nation is also found in a range of Western democratic states (see for example Keating, 1998; Bogdanor, 1999; Bradbury, 2006). ‘Territories’ like Quebec in Canada,

Flanders in Belgium and Catalonia in Spain have all enjoyed increased levels of political autonomy in recent decades. The UK itself is based in three territorial unions: England and Wales (1536); Scotland (1707); and Britain and Ireland (1800), replaced with the six counties of Northern Ireland (1921) after the 26 counties of Ireland negotiated their exit from the union.

Territorial politics, like many other branches of political science, has a predominant focus on institutions and their relationships with each other. If we

**Unionism:** Attachment to the principle of a unity of the United Kingdom. A 'hard line' suggests no sympathy to home-rule sentiments, while the unionism expressed by parties in the Scottish Parliament refers to devolution within the UK as an alternative to independence.

shift our attention to wider issues such as political participation and identity then we may come to different conclusions about the distinctiveness of Scottish politics. In recent decades, perceptions of Scottishness have been growing at the same time as 'Britishness' has been diminishing. **Unionism** has been the glue that binds Scotland with the rest of the UK. In the days of the British empire and the dominance of British economic interests around the world it was easy to see why the concept of the union and Britain was appealing. With the end of that Empire and Britain's relative economic decline, that appeal is no longer as readily

apparent and British identity as a source of collective participation may not have the appeal or resonance it once had (Nairn, 2001).

## The Scottish politics of difference

Scottish politics has in recent years developed its own agenda, separate from that of British politics. Its defining feature has been the issue of constitutional change, but there are also issues (e.g. education, local government, land reform) that have always had a uniquely Scottish angle. The party system has diverged from the UK norm, in part as a reflection of the left-of-centre focus of political debate in Scotland. A social democratic consensus around key

**Neo-liberal 'laissez-faire':** A broad strategy to 'roll back the state' or reduce public provision in favour of the private sector and the market.

issues is more apparent; radical politics in the form of the Greens and the Socialists is more visible. The **neo-liberal 'laissez-faire'** politics of Thatcherism in the 1980s were perceived as alien by the vast majority of Scots. Scottish political attitudes are also different. However, whilst opinion polls have tended to demonstrate a more 'progressive' attitude to issues such as income redistribution (Paterson *et al.*, 2001), they also

highlight few differences in moral views (Park, 2002).

Political differences in Scotland have been magnified by new post-devolution political arrangements. For example, the first-past-the-post electoral system creates majority party governments in Westminster with working parliamentary majorities of a scale that will never be achieved in the Scottish Parliament. Indeed, the Scottish Parliament has working methods and practices that deliberately eschew those of Westminster. Scottish difference also extends to the role of the state. The public-sector presence in Scotland – if measured in terms of key indicators such as expenditure, employment and housing – is more significant and the impact of commercialism on the provision of services such as education and health is less well-developed than south of the border. Fewer state activities have tended to be outsourced to the

market. Therefore, as a whole, devolution has allowed Scottish politics to further diverge from UK politics.

Placed in a broader comparative context Scotland does not appear so exceptional – indeed it is the UK, rather than Scotland, which appears unusual. Scottish politics is actually quite a bit like that of other small European democ-

**Asymmetrical constitutional settlement:** The uneven nature of the UK devolution settlement, with no English regional devolution and different arrangements in Scotland, Wales and Northern Ireland.

racies. For example, the dynamics of executive coalition politics, minority government, the more proportional voting systems used, the multi-party system, the Parliament’s working procedures, the **asymmetrical constitutional settlement**, the interdependencies and intergovernmental relations between Scotland and the UK all have parallels in continental Europe. Further, the continuing question of devolution’s long-term impact on the UK provides interest for scholars of territorial politics throughout the world.

Similar arrangements exist in areas such as Quebec, Catalonia and Flanders – all of these ‘territories’ exist within the context of claims for more governing autonomy from their respective states. Whilst being a book primarily about Scottish politics, we do at various points seek to place Scottish politics within the broader comparative context.

Of course most answers to the multitude of questions that Scottish devolution has raised will be provisional. It has been suggested that a full analysis of policy change may take ‘a decade or more’ (Jenkins-Smith and Sabattier, 1993; see also Pressman and Wildavsky, 1973) and yet we have had only two full parliamentary terms. As the former Welsh Secretary Ron Davies famously argued, devolution should be viewed as a ‘process rather than an event’. The

**BOX 1.3 Infamous quotes about Scottish politics**

‘Devolution, the settled will of the Scottish people’, John Smith, former UK Labour Party Leader.

‘A wee pretendy Parliament’, Billy Connolly commenting on Scotland’s new Parliament.

‘Unreconstructed wankers’, Alistair Campbell’s blunt assessment of the Scottish media.

‘Devolution is not just for Christmas’, Michael Forsyth, Former Conservative Secretary of State for Scotland.

‘Devolution will be like a motorway to independence with no exits’, Tam Dalyell, Labour MP.

‘Devolution is a process rather than an event’, Ron Davies, former Secretary of State for Wales.

question of Scotland's constitutional status and the current devolution settlement remain high on the Scottish political agenda.

## A Scottish political system?

Before devolution, one of the liveliest debates in the literature on Scottish politics was about whether or not Scotland had a 'political system' (see Kellas, 1989; Midwinter *et al.*, 1991; Moore and Booth, 1989). In this book we suggest that Scottish politics today does exhibit far more features of a political system today than it did when Kellas first advanced the argument in 1973.

**Globalization:** The intensification of worldwide economic, social and political convergence made possible by technological advance in communication and transport.

However, Scotland also has far more inextricable links with other levels of government and states, and has been affected by **globalization**.

Easton (1953; 1957; 1965) emphasized a political system as an entity which could be studied on its own. He defined it as, 'a set of interactions, abstracted from the totality of social behaviour, through which values are authoritatively allocated for society' (1965: 57). A political system is that part of society where the ultimate collective decisions are made. The boundary between the political system and the rest of society need not be as clear cut as the idea of 'government and the governed'. In democratic political systems although most people do not actively participate most of the time in a political system, they remain part of it. Various activities such as engagement with public authorities, the use of public goods, paying taxes and the like, mean that the relevance of politics in individual lives is always real. Participation may be as minimal as voting in periodic elections or may expand further to interest articulation through interest groups. The important point is that the public are engaged in some way – they are inputting demands and support to the political system. Almond and Coleman (1960) outline three categories of input into a political system:

- *Political socialization and recruitment.* The processes whereby citizen attitudes to the political system are shaped and formed and the structures which exist to co-opt citizens into administrative and political structures.
- *Interest articulation.* The processes through which citizens express their demands as well as support for the political system e.g. voting, campaigning, lobbying, demonstrating.
- *Interest aggregation.* The process of linking disparate demands and interests into a coherent idea on which action may be taken. Political parties and interests groups are two of the key institutions fulfilling this role.

The political system itself is where power lies. In the words of Easton (1965), 'politics is the authoritative allocation of values' – a defining feature of states is

their authority to enforce collective decisions, by force if necessary. The political system makes binding decisions on a population. It has the power and authority to make decisions. Therefore, the key question is whether or not *Scottish* political institutions (rather than those in the UK, EU or beyond) ‘allocate these values’ with a degree of authority not witnessed before devolution.

**Sovereignty:** The supreme, ultimate source of authority in society. In the UK this is symbolized by The Crown in Parliament. Scottish home rule campaigners have argued Scottish sovereignty rests with its people.

Scotland remains a sub-system of the UK. Ultimate legal **sovereignty** remains in Westminster, and Scotland remains part of the broader UK political system. However, it does have devolved authority over primary legislation. This has been added to pre-existing powers safeguarded by the 1707 Act of Union over the legal, education and local government systems in Scotland. Scotland also has distinct political parties, interest groups and structures of governance. However, the UK political system has survived by displaying its capacity to respond to the stresses caused

by Scottish demands for home rule. The UK political system continues to evolve and its adaptability has probably been the key to its durability.

## New politics

As Chapter 2 discusses, Scottish Politics did not begin in 1999, and a wide variety of texts from the pre-devolution years still have relevance today. Yet, the main theme of much academic work immediately post-devolution was the notion of ‘**new politics**’ (for example Brown, 2000; see Mitchell, 2000, for a critical outline). The phrase was also resurrected after the 2007 election with the election of a minority SNP administration compelling it to seek coalitions and informal cooperation with other parties. Yet there is often a lack of certainty regarding what ‘new politics’ actually means.

**New politics:** A phrase associated with supplementing the aim of devolution with a wider democratization of Scottish politics (see Chapter 11).

What we can say with most certainty is that new politics became associated with the chance devolution gave to improve the political process. It is a phrase borne out of Scottish **civic society**’s participation in the campaign for home rule and the desire that devolution be accompanied by a wider democratization of Scottish politics. A new Scottish Parliament would not only address the democratic deficit in territorial representation, but also mark a departure from the type of politics associated with ‘old Westminster’. This is outlined at length by the **Scottish Constitutional Convention** (SCC) final report in 1995 and summed up in its argument that:

**Civic society:** An active collection of voluntary and social organizations who share the same broad interests or principles.

**Scottish****Constitutional**

**Convention (SCC):** An organization of political parties, interest groups, civic and religious leaders formed in 1989 to promote the principle (and detailed workings of) of devolved government.

**Consultative****Steering Group**

(CSG): The cross-party group established by the Scottish Office pre-devolution to report on the operational requirements and draft rules for the Scottish Parliament.

The coming of a Scottish Parliament will usher in a way of politics that is radically different from the rituals of Westminster: more participative, more creative, less needlessly confrontational.

Such language is closely associated with the campaigns for the Parliament, the experience of three of Scotland's major parties – Labour, SNP and Liberal Democrats – working together during the devolution referendum campaign and the four main parties working together on the **Consultative Steering Group (CSG)**. Henry McLeish, former First Minister for Scotland, summed up this line of thinking when accepting the CSG Report on behalf of the Scottish Executive:

The establishment of the Scottish Parliament offers the opportunity to put in place a new sort of democracy in Scotland, closer to the people and more in tune with Scottish needs. We envisage an open accessible Parliament: a Parliament where power is shared with the people; where people are encouraged to participate in the policy-making process which affects all our lives; an accountable visible Parliament; and a Parliament which promotes equal opportunities for all. (Cited in Brown, 2000: 550)

These hopes for the new parliament were based on a widespread critique of the existing procedures in the UK:

- Electoral system – the first-past-the-post system exaggerates majorities and excludes small parties. It tends to result in a majority which, combined with a strong party system, ensures that one party dominates proceedings.
- Executive dominance – this ‘top-down’ system, in which power is concentrated within government, is not appropriate for a Scottish system with a tradition of civic democracy and the diffusion of power. In Westminster, the centre not only has the ability for force legislation through (and ignore wider demands), but also to dominate the resources devoted to policy. Parliament does not possess the resources to hold the executive to account.
- Adversarial style – most discussions in Westminster take place in plenary sessions (the whole House sits together) with a charged partisan atmosphere. There is insufficient scope for detailed and specialist scrutiny in an atmosphere conducive to consensual working practices.
- This extends to committees – the partisan nature of politics undermines real scrutiny and there are limited resources to investigate or monitor

departments. Given the distinction between select and standing committees, there may be a problem of coordination and a lack of potential for long-term consensual styles to emerge.

**Interest groups:**

Groups of people working for a particular cause (e.g. environmental policy), profession (e.g. doctors) or segment of society (e.g. to support black and ethnic minority representation).

**Microcosmic representation:**

The idea of parliament as a microcosm of the society it is designed to represent, in terms of factors such as gender, ethnic minority, age, education and disability.

- Too much power is vested in the House of Lords – an unelected and unrepresentative second chamber.
- Although the government may consult with **interest groups**, this tends to be with the ‘usual suspects’. This reliance on the most powerful and well-resourced groups (such as big business) reinforces the concentration of power in a ruling class.
- Since power is concentrated at the centre there are limited links between state and civic society. Outside of the voting process, there are limited means for ‘the people’ to influence government.
- Parliamentary overload – Parliament is too focused on scrutinizing government legislation. This leaves MPs with too little time to devote to their constituencies.
- Parliament as a whole does not reflect the people that elect it in terms of **microcosmic representation**. There is a particular lack of women in Parliament as well as a tendency for MPs to be drawn from a ruling class.

These deficiencies would therefore be addressed with a number of aims:

- A proportional electoral system with a strong likelihood of coalition and bargaining between parties.
- A consensual style of politics with a reduced role for party conflict.
- Power-sharing rather than executive dominance.
- A strong role for committees to initiate legislation, scrutinize the activity of the executive and conduct inquiries
- Fostering closer links between state and civic society through parliament (e.g. with a focus on the right to petition parliament and the committee role in obliging the executive to consult widely)
- Ensuring that MSPs have enough time for constituency work by restricting business in the Scottish Parliament to three days per week.
- Fostering equality in the selection of candidates and making the Scottish Parliament equally attractive to men and women.

The literature suggests two main reasons for this exposition of new politics. The first relates to a narrative of the ‘Scottish political tradition’, which involves consensus or at least the pursuit of negotiated settlements rather than the imposition of policy. This would be undermined by an electoral system

which exaggerates a majority, centralizes power, encourages adversarial politics and excludes the wider population. Rather, new political institutions would be required to foster power-sharing. A new electoral system would foster power-sharing between political parties, a new Scottish Parliament would share power with a Scottish Executive, a new set of rules of engagement would prove conducive to consensus seeking, and new channels of communication would allow a greater role for ‘the people’. The second relates to the political climate in the run up to devolution. A perception of popular disenchantment with politics and politicians suggested that a new Scottish Parliament should not replicate a political system discredited in the public eye. While the situation of a Parliament in Edinburgh addresses the issue of territorial remoteness, it does not solve the problem of remoteness between the government and the governed. For politics to be participative and inclusive, its Parliament would have to play down party conflicts, assert its right to initiate as well as scrutinize legislation and prove to be a focal point for participation outwith the electoral cycle.

Since new politics became such a rallying call for the architects of devolution, this gives us a reference point with which to assess the success of devolution. Therefore, a key focus of this book is an assessment of the ‘new politics in practice’. To this end, it is useful to highlight some preliminary observations from the literature:

#### *Westminster as a caricature*

The final report of the SCC should be seen as a manifesto rather than a blueprint for action. As such, its focus is on the benefits of the new and the limitations of the old. The consequence is that it tends to create a caricature of the UK political process: a UK government takes a position and attempts to impose it without consultation with Parliament, interest groups or the wider public. In contrast, the Scottish Parliament will listen, propose, consult and be more responsive to wider interests. It is not difficult to find instances which depart from this picture. For example, in many cases the Blair and Major governments have been portrayed as *too responsive* (Mitchell, 2000: 616), while the group-government process is much more open than generally assumed. We can also question the likelihood that a proportional electoral system necessarily encourages more responsive governments, since first-past-the-post systems tend to exaggerate vote swings and make the ruling party more sensitive to electoral opinion than coalitions under PR.

#### *The maintenance of Westminster-style powers, procedures and culture*

Although new politics refers to a rejection of old-Westminster, its architects have chosen to retain a number of Westminster features. This includes an assumption that the Scottish Government will govern while the Scottish Parliament performs a scrutiny role. Imported procedures can be found in the format of First Minister’s Questions, the Scottish Ministerial Code and the rules governing the paid, external interests of MPs. Since many MSPs were

drawn from Westminster, we may also expect 'old politics' to be a culture that is difficult to shake off.

*The continued role for party politics*

The Scottish Constitutional Convention (SCC) does not recognize the positive role that parties play in providing choice, encouraging debate and fostering accountability and government responsiveness. It also seems to underestimate the likelihood of partisanship to ensure that key votes are won in the Scottish Parliament (using the party whip) and establish a distance between parties for electoral advantage. There is little prospect for consensus when the two main parties disagree over fundamentals such as constitutional change and no longer have the 'common enemy' of a Conservative UK Government.

*Terms such as 'consensus' and 'civic society' may be misleading*

Taking consensus-seeking to its extreme may suggest an assumption that there is a rational or technical solution to policy problems. This may stifle legitimate debate and undermine policy innovation, particularly within a political system which is dominated by centre-left parties. Similar problems may exist in the assumption of a special legitimacy for 'civic society' when in fact we may be referring to small groups with vested interests.

*Not all of the aims of new politics will be compatible*

Devolving decisions to civic forums may increase participation but reduce accountability. Finding greater time for constituency work, combined with family-friendly business hours may undermine the ability of the Scottish Parliament to scrutinize the Scottish Government and for committees to inquire and set their own agenda. The use of a party list to select regional candidates may reinforce the power of parties to control the conduct of individual MSPs.

*Consensus and bargaining*

Consensus and bargaining between the Scottish Parliament and Scottish Executive was undermined as soon as Labour and the Liberal Democrats formed a governing coalition. New politics is arguably more likely to flourish if no stable coalitions are formed. A minority government may be obliged to negotiate with a number of parties to secure a majority vote on successive issues. This may allow other parties to become more involved in relationships between the executive and the civil service (since the Government would wish to ensure parliamentary cooperation at the earliest opportunity). While the formation of a coalition suggests greater cooperation between more than one party, there is also the potential for a working majority which mimics the exaggerated majority found in Westminster.

In sum, the literature suggests that the architects of new politics had unrealistic expectations about the level of consensus in Scotland and the ability to

**Westminster and**

**Whitehall:** The areas in which the institutions of the UK Parliament and Government respectively are located. This phrase is often used as a shorthand term to refer to each.

maintain consensus through political institutions. Indeed, it could be that the talking up of the capabilities of the Parliament is directly linked to the largely negative media and public assessment of its initial performance post-devolution (see Mitchell, 2001; McGarvey, 2001a). However, if we view the final report of the SCC as a manifesto then there is an implicit recognition of wider political constraints. In this sense, new politics refers to an aspiration for

difference at the margins – *less* partisanship, *more* public involvement, a *greater* pursuit of consensus. The notion of new politics is an aspiration; a hope that the Westminster legacy and the inheritance of pre-devolution institutions does not impinge too much on future political decisions. Yet, there is still an overarching political culture in the UK which informs the behaviour of politicians, civil servants, the media and even the public. Too many individuals involved in Scottish politics were schooled in the traditions and rituals of **Westminster and Whitehall** practice for devolution to represent a sharp break from the past.

## Key themes

There are several themes which inform this book. First, we emphasize that Scottish politics today takes place within a context shaped by history, the

**Assumptive worlds:**

Ingrained implicit beliefs and ways of thinking which could close off alternative ways of thinking.

legacy of which is embodied in both formal institutions such as the Scottish Government, the Parliament, political parties, quangos and local councils. There are also informal institutions such as constitutional conventions (e.g. collective cabinet responsibility), the ‘standard operating procedures’ of formal institutions and the **assumptive worlds** of political actors which structure

the environment within political actors make decisions. Linked to this is the emphasis on the idea that political exchange in Scotland is constrained by the

**inherited commitments** of previous decisions. Scottish politicians, when they make policy decisions, are making incremental adjustments to the historical legacy. Bureaucratic culture, interest-group pressure and wider political pressures often mean the scope for policy change is restricted.

**Inherited**

**commitments:** All politicians inherit before they choose – policy programmes, government infrastructure, contracts, salaries and other commitments mean that the scope for policy change is often marginal.

Second, we recognize that Scottish politics *has* undoubtedly changed. Both formal and informal institutions have changed in significant ways since 1999. The democratic and legitimacy deficit associated with the Conservative years in office (1979–97) has been

**Year zero:** The treatment of 1999 as the starting point for devolution analysis.

resolved by the creation of the new democratic processes, not least the Parliament itself. Whilst 1999 did not mark **year zero** it has resulted in changes within all of Scotland's key political institutions. These changes were fuelled by expectations that a type of consensual politics engendered by party and civic society cooperation in the 1980s and 1990s would continue after devolution. However, the reality of post-devolution political and policy processes suggests that these hopes were unrealistic as soon as the 'common enemy' (the Conservative Government in the UK) was removed.

Third, we explore the extent to which devolution has satisfied nationalist demands. The UK state has successfully accommodated the demands for increased levels of autonomy from the Celtic fringe with Scotland, Wales and Northern Ireland all gaining different forms of devolution since 1999. The British political system remains intact. Devolution, however, did not mark the end of the constitutional debate in Scotland. Indeed, if anything, it has added fuel to the fire. The election of the first SNP administration in 2007 could represent a significant turning point in this respect. The constitutional issue continues to simmer not far from the agenda of Scottish politics and it appears when fiscal, representational and inter-governmental issues are discussed. Demands emanating from Scotland are likely to place the British political system under increasing strain – more accommodation of Scottish distinctiveness and difference may be required.

Fourth, we place emphasis on the broader dynamics of policy-making. In Scottish public policy-making most attention tends to be focused on the policy formulation and output stages. However, an examination of the agenda-setting and implementation stages can also be revealing. The subject of finance, although often considered boring and technical, should not be neglected by any student of Scottish politics. An understanding of Scottish politics today should involve the scope of analysis extending further than Scotland's formal governing institutions. Understanding new electoral and democratic processes, voter behaviour, the different forms of policy delivery as well as the broader financial and governing context is necessary so that a more rounded account of Scottish politics can be given.

These themes are outlined in greater depth in subsequent chapters. Chapter 2 outlines the historical and cultural context of Scottish politics. Students of Scottish politics should take history seriously. As Bulpitt once argued, 'history is too important to be left just to historians' (1983: 54). Recent political history in Scotland is a story of how various political institutions, galvanized by Scottish public opinion, placed demands on British government forcing it to accommodate Scottish differentiation whilst retaining the integrity of the British political system (see Midwinter *et al.*, 1991: 196–9). This chapter provides a brief **narrative** of Scotland's recent political history and then focuses on the role of the media in Scottish politics. This allows us not only to

**Narrative:** An account and story of events. In politics narratives of the same events can often vary with different perspectives evident.

explain the idiosyncrasies of modern Scottish politics, but also to gauge the media's attitude to it (particularly since expectations associated with new politics were so high).

Chapter 3 outlines details of Scotland's major political parties and the impact of devolution on their role and structure. It outlines a brief review of the history of each party including details of both UK and Scottish election results. It then considers broad developments in the Scottish party system since 1999. It reviews and assesses the role and functions of political parties as well as trends in party organization and how they are impacting on the parties in Scotland.

Chapter 4 focuses on electoral processes in Scotland. Scotland today has four separate electoral systems for elections to local councils, the Scottish Parliament, the House of Commons and the European Parliament. Each voting system has parallels in the wider world and owes more to European than British democratic tradition. The chapter then outlines details of Scottish local election results, and also examines recent Scottish social attitudes drawing on both pre-and post-devolution Scottish election studies. Political campaigning in an age of multi-level elections is also discussed and the impact of devolution on both UK and Scottish campaigning assessed.

Chapter 5 discusses the Scottish Parliament and places it within the wider context of Scottish politics, highlighting its symbolic significance and suggesting that it cannot be viewed as a 'stand-alone' institution divorced from other key political institutions and pressures in Scottish politics. The chapter also contrasts the legislative processes of the **Holyrood** Parliament with those of Westminster. It then examines the role of parliamentary committees, and assesses the significance of Parliament's influence when passing legislation.

**Holyrood:** The area of Edinburgh where the Scottish Parliament is located – it is often used as a short-hand term for it.

Chapter 6 examines the political leadership and civil service within the Scottish Government. It outlines and assesses the role of the Scottish Cabinet and the First Minister, and it also acknowledges the differing environments within which the Scottish Government has operated – the Labour–Liberal Democrat coalition (1999–2007) and SNP minority administration (2007–). It then describes the basic structures of Scotland's civil service, the social background of civil servants and assesses the impact that the civil service has had on post-devolution policy processes.

Chapter 7 examines the governmental institutions beyond Holyrood, including local government and public bodies that do not fit neatly into the conventional central/local government classification (e.g. CommunitiesScotland, Scottish Enterprise, Local Enterprise Companies). It also examines policy initiatives such as public–private partnerships and social inclusion. The chapter

**Reserved and devolved powers:**

The Scotland Act 1998 listed the reserved powers (e.g. defence, social security, foreign affairs, fiscal, economic and monetary policy, immigration) to be retained by the Westminster Parliament. By default, those not listed, became the responsibility of the Scottish Parliament.

**Europeanized:** Refers to the process whereby the policy competence of the European Union has expanded into an ever-increasing range of areas such as fisheries, agriculture and environmental policy.

then assesses the relevance of ‘governance’ to discussions of Scottish politics, examining the changing manner of public service delivery, ‘hollowing out of the state’ and the movement towards a ‘regulatory state’.

Chapter 8 extends the theme of multi-level governance to the influence of the UK and EU on Scottish politics. It explores the blurred boundaries between **reserved and devolved powers** as well as the means used by both governments to solve disputes. In most cases this involves the use of ‘Sewel motions’ passed by the Scottish Parliament to give permission for Westminster to legislate. However, in a small number of areas, the uncertainty can be exploited to allow Scotland to go its own way. The chapter then discusses one of the more curious developments since 1999: as a range of issues have been devolved, so too have they been **Europeanized**. Paradoxically, this causes a level of UK involvement in Scottish politics that may not have been apparent in the past.

Chapter 9 explores the history, development and durability of the ‘Barnett formula’ as a means of allocating territorial public expenditure in the United Kingdom. The chapter also seeks to confirm a wide range of themes from preceding chapters such as the Scottish political system argument, the constitutional question, the role of finance as a constraint on policy change and multi-level governance. Discussion of the politics of Scottish public finance is particularly important as it may have significant bearing on the evolution of the constitutional settlement.

Chapter 10 looks at the broader question of public policy-making in Scotland. It examines the reasons for policy convergence and divergence, and then explores the extent to which there have been ‘Scottish solutions to Scottish problems’. It focuses particular attention on ‘flagship’ policies such as free personal care, student fees, local government elections and the smoking ban and assesses the scale of policy change from formulation to implementation.

Chapter 11 assesses developments in representative, deliberative, participatory and pluralist democracy in Scotland as a means to address the ‘democratic deficit’. It investigates the importance of ‘microcosmic’ representation and profiles the social background of Scotland’s elected representatives, assessing how closely they resemble the Scottish population that they represent. It then reviews the wide range of new forms of democratic practice in Scotland, including innovations such as the new electoral

system, new arrangements for consultation and a new Public Petitions Committee.

The final chapter explores the impact of devolution on Scottish politics. Devolution is undoubtedly a *necessary* condition for a higher degree of political and policy autonomy in Scotland, but it is not necessarily *sufficient*. This chapter also examines developments as regards the constitutional issue in Scottish politics.

Throughout the book, three axes of comparison can be detected. First, we at various junctures place Scotland in a comparative context. Scottish politics has evolved in the shadow of Westminster governing arrangements. It therefore represents an obvious point of comparison for voting systems, legislation, bureaucracies and broader governance issues. However, in recognition that the UK political system is quite exceptional we also seek to draw comparison with the wider world. Second, we compare contemporary Scottish politics with the aspirations that preceded the establishment of the Scottish Parliament. The story involves the role of idealism in political change. We place the aspirations of 'new politics' against the reality of contemporary Scottish political practice. Third, we assess the relevance of some concepts and theories developed in the political science literature against the actual practice of Scottish politics.

In summary this book is about Scottish politics. Despite our acknowledgement of its place within the wider UK political system we view it as a legitimate unit of political analysis. Scotland should be viewed as a very interesting subsystem of UK politics. We contend that what is going on in Scottish politics should of course be of interest in itself to students of politics. In an introductory book there is little advantage in seeking to overwhelm students with comparative data and theories. Describing *what* is happening in Scottish politics is a precondition of explaining *why* it is occurring. However, where appropriate we do try to place Scottish politics within its wider comparative context and introduce some relevant theories to both inform and develop our description and analysis.

### Further reading

For general discussions on the nature of politics and power see Crick (1993), Dahl (1961), Laswell (1936), Lukes (1974), Leftwich (1984). On conceptualizations of Scottish politics pre-devolution see Brown *et al.* (1998), Kellas (1989), McCrone (2001), Midwinter *et al.* (1991), Paterson (1994). On territorial politics see Bulpitt (1983), Mitchell (1996b), Bogdanor (1999) and Bradbury (2006). For post-devolution books on Scottish politics see Keating (2005a), Lynch (2001), Wright (2000), Hassan and Warhurst (2002). On 'new politics' see Arter (2004), Brown (2000), Keating (2005a), McGarvey (2001a), Mitchell (2000), Miller (2000), Scottish Constitutional Convention (1995), Shephard *et al.* (2001).

## Online sources

For Scottish politics online see:

Scottish Parliament <http://www.scottish.parliament.uk/>

Scottish Constitutional Convention Report [http://www.cybersurf.co.uk/scotparl/briefing/Scs\\_prop.html](http://www.cybersurf.co.uk/scotparl/briefing/Scs_prop.html)

Report of the Consultative Steering Group <http://www.scotland.gov.uk/library/documents-w5/rcsg-00.htm>

The Economic and Social Research Council 'Devolution and Constitutional Change' research programme <http://www.devolution.ac.uk>

University of London's Constitution Unit's devolution monitoring online <http://www.ucl.ac.uk/constitution-unit/leverh/monitors.htm>

Scottish politics online site <http://www.alba.org.uk>

UK Politics page <http://www.ukpol.co.uk>

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