

PORTADA

SUMARIO

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INFORME

THE SCOTTISH REFERENDUM AND AFTERby **Michael Keating**Professor of Politics at the University of Aberdeen and Director
of the ESRC Centre on Constitutional Change**RESUMEN**

El referéndum en Escocia del 18 de septiembre 2014 produjo un resultado muy claro, además se lo celebró con una participación mucho más alta que en cualquier elección en el Reino Unido en los últimos tiempos. En este texto el autor analiza las claves del camino hacia el referéndum, de la campaña y del resultado. El autor concluye que el referéndum no ha aclarado el futuro constitucional de Escocia y su lugar en el Reino Unido, por ello espera significativas reformas en el futuro próximo.

ABSTRACT

The Scottish referendum of 18 September 2014 produced an apparently clear result with the highest turnout for any election in the United Kingdom in recent times. Yet the outcome has not settled the constitutional future of Scotland and its place in the United Kingdom and further change is in prospect.

I. THE EDINBURGH AGREEMENT

The Scottish referendum of 18 September 2014 produced an apparently clear result, with 45 per cent voting for independence and 55 per cent against, with a turnout of 87 per cent, the highest for any election in the United Kingdom in recent times. Yet the outcome has not settled the constitutional future of Scotland and its place in the United Kingdom, and further change is in prospect.

The referendum stems from the 2012 Edinburgh Agreement, which itself followed the absolute majority gained by the Scottish National Party (SNP) in the 2011 elections for the Scottish Parliament. The agreement was a direct response to the SNP victory with a clear electoral mandate but the acceptance of a referendum on the part of the unionist parties can also be explained by the fact that they anticipated an easy victory. The SNP's electoral success did not stem from an increase either in Scottish identity or in support for independence, but rather to the normal swing of the electoral pendulum against the Labour Party, which had dominated Scottish politics for over fifty years. According to the Scottish Social Attitudes Survey, the percentage of Scots identifying as Scottish rather than British, and the percentage supporting independence was actually falling at the time of the two SNP victories in 2007 (with a minority) and 2011 (with a majority).

The UK Government and the three pro-union parties (Conservative, Labour and Liberal Democrat) agreed to the referendum on condition that there would be only one question, which would specify the choice of independence or union, with no second option for enhanced devolution. This was significant because opinion polls indicated that such an option, often referred to as 'devo-max', was the most option supported by the largest number of voters and the second preference of most others.

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The SNP had indicated that, while devo-max was not its policy, it would have allowed it on the ballot paper. The question was therefore ‘Should Scotland be an independent country? Yes/No.’

The table shows the distribution of preferences in 2012. The first option is equivalent to independence, although by not using the term has raised support above the normal level for the times. The second option corresponds to most definitions of devo-max, while the third option is the status quo.

| Constitutional Options 2012 | Per Cent |
|--|-----------------|
| Scottish Parliament make all decisions | 35 |
| UK Government decide defence and foreign affairs, Scottish Parliament the rest | 32 |
| UK Government decide taxes, benefits and defence and foreign affairs | 24 |
| UK Government decide everything | 6 |
| Source: Scottish Social Attitudes Survey | |

As both sides were aware that opinion clustered around the middle options, as the campaign developed each sought to occupy this centre ground. On the Yes side, the SNP and the Scottish Government presented a rather attenuated form of independence, which retained much of the infrastructure of the union. Indeed, First Minister Alex Salmond argued that Scotland shared six unions with England – political, monarchical, monetary, defence, European and social – and proposed to leave only the first, the political union. Critically, Scotland would retain the Pound Sterling in monetary union with the rest of the United Kingdom although this would entail surrendering control of monetary policy and entering into a fiscal pact with the rest of the United Kingdom, similar to arrangements in the Euro zone. For their part, the unionist parties abandoned their defence of the status quo and set up commissions to produce plans for further devolution. The most far-reaching were those of the Liberal Democrats, who have a long commitment to a federal United Kingdom and who proposed to devolve all income tax and various other taxes. The Conservatives also proposed devolution of income tax, while Labour was the least adventurous, agreeing only to devolve a quarter of income tax (in addition to the half that is already due to be devolved in 2016). All of these proposals were short of devo-max as defined in the table above, but they did represent a move towards the centre.

II. THE CAMPAIGN

The referendum campaign focused, not on basic disagreements about the shape of society but on shared values and which side could claim ownership of them. The first was that of Scotland and which side incarnates it better. This is natural ground for the nationalists but there is a strong element of national distinctiveness in Scottish unionism, which has never denied that Scotland is a national reality with its own culture and traditions but argues that these can be preserved better in the union. Faced with the SNP challenge, however, the unionists tended to stress Britishness as something superior to Scottishness, reducing the latter to a mere cultural variation. This was particularly the case with the Labour Party, who insisted that values of fairness and solidarity were somehow peculiarly British. The Conservatives, for their part, had lost the ability to talk the language of Scottish patriotism which they possessed a generation ago and had been reduced to a minority party.

The second field is union, natural territory for the unionists, but they have in recent years lost their understanding of what unionism means in the United Kingdom.

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Unionism historically succeeded in the United Kingdom by taking different forms in different parts of the kingdom, resting upon different social alliances. Any effort to unify and essentialize it is doomed to fail, as did the 'Britishness' campaigns of the New Labour Government (1997-2010). Alex Salmond, with his 'six unions' rhetoric, captured the old unionist spirit much better, and was able to make the historical and literary allusions to sustain it. The SNP also campaigned as a pro-European party, portraying the Conservatives as the narrow-minded nationalists and warning that Scotland could be dragged out of the European Union by English Eurosceptics if the Conservatives were to win the 2015 UK elections and carry out their promise to hold a referendum on UK membership.

The third field is welfare, Labour's natural ground but with a broad appeal across Scotland, where most of the political parties espouse variations of social democracy. The Yes side used the welfare retrenchment measures of the UK coalition government as an argument for independence, adding that Labour was unable to defend Scotland against them. This allowed them to extend the independence coalition well beyond the core nationalist constituency to embrace most of the non-Labour left, sections of the Labour Party itself, part of the trade union movement and a large swathe of the voluntary sector. Ironically, Scottish nationalists ended up defending not just welfare in general but the British post-war welfare state. This is despite the fact that the SNP is a catch-all party, which has a large social democratic wing but also a pro-business tradition. Indeed their programme included cuts to corporation tax and air transport taxation, combined with support for universal social programmes.

The fourth field is the economy, which proved to be the crucial battle-ground. The Yes side argued that Scotland could be a successful small state, pointing to the Nordic examples and emphasizing the value of North Sea oil. The No side insisted that Scotland benefited disproportionately from UK public spending under the obscure arrangements known as the Barnett formula. Less convincingly, perhaps, they argued that this privileged state of affairs would continue after a No vote, despite the growing disquiet in England and (especially) in Wales. They also pointed to the risk of independence, arguing that Scotland would not be able to rescue its banks in the event of another crisis and threatening that firms would disinvest. These arguments became very technical but the very uncertainty worked in favour of the No side.

The campaign was conducted at two levels. At one level was the 'air war' by the official Yes and No campaigns, marked by a mass of statistical evidence and carried on through the printed and broadcast media. There were two debates between Alex Salmond and Alistair Darling (former Labour minister and leader of the No campaign). Darling was adjudged the winner of the first and Salmond of the second. At another level was the 'ground war' fought in communities and through social media, which largely escaped the control of the two official campaigns. This was marked by an extraordinary level of engagement – it was estimated that some ten per cent of the population had participated in public meetings. Here Yes supporters, including those outside the SNP, were omnipresent and the No campaign strangely absent. The result was a public debate about the future of the country going well beyond narrow constitutional questions and which reflected the lack of trust in conventional politics found right across Europe these days.

The vote was won by the No side but the Yes side must be credited with winning the campaign. At the time of the Edinburgh Agreement, the polls showed No ahead by twenty points. When the referendum campaign began in earnest at the beginning of 2014, after the publication of the Scottish Government's independence White Paper, this had halved. During the official sixteen-week campaign, this disappeared entirely so that in the last week the two sides were level. Indeed one poll in the last

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week showed Yes on 51 per cent. This produced two reactions. One was an outburst of threats from business groups including big corporations, banks and supermarkets, about the dire consequences, which would include divestment, moving headquarters and raising prices. The other was a 'vow' by the leaders of the three unionist parties to the effect that No did not really mean the status quo, as they had insisted at the time of the Edinburgh Agreement but rather it meant more devolution. They promised, in the event of a No vote, to produce agreement on such a package by 30 November (St Andrew's Day), a firm programme by 25 January (Burns Night) and second reading of a bill before the UK General Election in May 2015.

III. THE OUTCOME

Support for Yes and No was spread across all social categories and regions but with some significant differences. Pending the results of the referendum study, we must rely here largely on opinion polls during the campaign. The biggest difference is between those born in Scotland and those born elsewhere in the United Kingdom. Native-born Scots were about twice as likely as the latter to vote Yes (which still means that about a quarter of the English-born support independence). Those born outwith the UK (mostly Commonwealth and EU citizens) voted more like the native Scots. Men register about ten per cent more support for independence than women, a finding that has been consistent for a long time. Lower income people and those living in deprived neighbourhoods are more likely to vote Yes than are the more affluent. Both of these findings are related to risk aversion, women being more risk-averse than men (for reasons we do not yet understand) and lower income people having less to lose. There is an age gradient, with people over 65 voting massively No, although the very youngest (between 16 and 18) do not seem to be strongly pro-Yes.

IV. THE AFTERMATH

The result was a clear victory for No but it is the Yes side who looked in better form afterwards. Indeed the curious spectacle is that the losing side behaved like winners while the winners behaved like losers. Membership of the SNP increased more than threefold, while the pro-independence Greens also massively expanded. The leader of the Scottish Labour Party, on the other hand, resigned amid a mass of recriminations mostly directed at her colleagues in London. No campaigners muttered darkly about intimidation without providing any details or evidence. In fact the worse atrocity of the campaign was an egg thrown at Labour politician Jim Murphy.

The unionist parties sought to keep their promise for more powers, appointing a facilitator, Lord Smith, to broker an agreement in the agreed timetable. This was widely criticized as an effort by the Westminster parties to do a quick fix among themselves, with no time for public input or indeed a mature consideration of how their proposals might work. As the independence issue had been debated as such length while more devolution had been excluded from the Edinburgh Agreement, this was interpreted as a return of the 'old style' politics. The process also effectively limited the options to the flawed proposals the three parties had broached in their own internal commissions, ruling out a more fundamental consideration of matters like the best allocation of taxation and welfare powers. It is likely that whatever is agreed and legislated under the timetable will have to be revisited as the flaws emerge.

The Scottish referendum debate had, meanwhile, sparked a reaction in England. English opinion had hitherto been rather tolerant in respect of Scotland, accepting devolution and, to some degree, even relaxed about the prospect of independence.

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The campaign saw a hardening of English opinion, not so much about Scottish self-government but about the role of Scotland within UK politics, focusing on two issues. The first is the West Lothian Question, or the fact that Scottish MPs at Westminster can vote on purely English matters while the equivalent matters in Scotland are the competence of the Scottish Parliament. The second is the Barnett Formula, which whatever its real effects, is short-hand for the complaint that Scotland gets more than its fair share of funding. The unionist parties had created a trap for themselves in arguing, in Scotland, that Scots get more than their fair share and that this would continue while arguing elsewhere that funding is distributed according to need. The latter claim, articulated by Labour, is patently untrue since needs do not, and never have, featured in the Barnett calculations. Both causes were taken up by Conservative MPs already uneasy over Europe and the Barnett question was also pursued in Wales. Conservative MPs have threatened to link a resolution of these issues to further Scottish devolution. The Conservative Party is sympathetic to the West Lothian complaint, since it has only one Scottish MP, and has proposed to address it. Labour is vehemently opposed to any attempt to curtail the voting rights of Scottish MPs.

The referendum may have buried the issue of Scottish independence for the time being but it has radically altered the internal politics of Scotland and the relationship of Scotland to the United Kingdom. The unionist parties find it difficult to come to terms with this. Labour is particularly discomfited since it knows that over a third of its voters opted for Yes and it lost traditional working class industrial strongholds like Dundee, Glasgow and North Lanarkshire, all of which voted Yes. The management of the UK as a whole is affected as the repercussion of the Scottish vote are felt in England and Wales. This is not an issue that will go away any time soon. ■