

A Crisis of the Union? The Case of Constitutional Change in Scotland

Abstract

The election of a majority Scottish National Party (SNP) Government in Scotland, following the election of a minority SNP Government in 2007, has the potential to reinforce a broader feeling of UK institutional crisis. The prospect of Scottish independence has triggered some concern about the potential emergence of a crisis of the Union in which Scottish independence forces the other devolved territories, and perhaps English regions, to reconsider the role and value of 'the Union' and what it stands for. However, this paper outlines three key qualifications to such arguments. First, the rise in support for the SNP has not been accompanied by a rise in support for independence. Second, a more relevant 'crisis of the Union' happened 15-20 years ago. Third, the same sorts of crises associated with UK politics and representative government can be found in Scottish politics, suggesting that constitutional change does not represent a solution to such problems.

Introduction

The election of a majority Scottish National Party (SNP) Government in Scotland, following the election of a minority SNP Government in 2007, has the potential to reinforce a broader feeling of UK institutional crisis. The prospect of Scottish independence has triggered some concern about the potential emergence of a crisis of the Union in which Scottish independence forces the other devolved territories, and perhaps English regions, to reconsider the role and value of 'the Union' and what it stands for. However, this paper outlines three key qualifications to such arguments. First, the rise in support for the SNP has not been accompanied by a rise in support for independence (indeed, support for independence fell in 2007). Rather, the SNP's popularity can be better explained in terms of valence politics factors such as its image of governing competence. Consequently, there may be a crisis of the union, but more in terms of an impending point of decision than a realistic possibility of a fundamental constitutional change.

Second, to a large extent, the 'crisis of the Union' is 15-20 years out of sync with important aspects of the modern debate on crisis in the UK. For example, the 'conservative conception of crisis' outlined in the introduction, regarding the general notion that politics has failed, was a key part of the 'new politics' narrative in the run up to the devolution referendums in 1997. The now-almost-forgotten 'new politics' was already about a 'crisis' of representative government. Indeed, perhaps ironically, the modern Scottish experience may provide a corrective to the idea that traditional representative democracy in the UK is under threat. The Scottish experience shows us that 'new politics' was little more than rhetoric and the Scottish Parliament has operated along Westminster lines despite being designed as a 'consensus democracy' with participative and deliberative elements. In other words, counter to the argument presented in the introduction, the alleged 'more participatory or deliberative models practiced elsewhere', such as Scotland, *do not* 'offer a sharp corrective to the UK tradition'. Instead, the comparisons show us that such images of crisis may be universal or, at least, not specific to the UK experience. The same can be said for the universal constraints to serious challenges to representative government or a rise in participation. For example, any perceived challenge to the idea of a central government 'club' is offset by the limitations to

such challenges, not least in terms of the limited extent to which the population (or key parts of it) can pay attention to modern governments with huge resources and responsibilities. Instead, what we may be witnessing is an unprecedented level of attention to a very small proportion of government business.

Third, the same sorts of crises associated with UK politics and representative government can be found in Scottish politics, suggesting that constitutional change does not represent a solution to such problems. For example, the Scottish Parliament had its own expenses scandal and ‘lobbygate’ experience several years before Westminster and it also has representatives with similar levels of ‘politics facilitating’ backgrounds (Keating and Cairney, 2006).

Support for the SNP Does Not Mean Support for Independence

Support for the SNP

The SNP won the Scottish Parliament election by one seat in 2007, forming a minority government with 36% of seats (see table 1). In 2011, it won a majority of seats (53.5%) and formed a majority government. The 2011 win appears small in a UK context, but it is generally thought to represent an ‘avalanche’ win because the electoral system appears to be designed to stop one party gaining a majority of seats (at least without a majority of votes - it received 45% of constituency votes and 44% of regional votes). Consequently, it argued (immediately after the win) that it had a clear mandate to introduce a referendum on independence – a position that no other party felt able to counter. Yet, the rise in SNP support should not be seen simply in those terms.

Table 1 Scottish Parliament Election Results 1999-2011

	1st Vote	Seats	2nd Vote	Seats	Total Seats	% Seats
Labour						
1999	38.8%	53	33.6%	3	56	43.4%
2003	34.6%	46	29.6%	4	50	38.8%
2007	32.2%	37	29.2%	9	46	35.7%
2011	31.7%	15	26.3%	22	37	28.7%
Scottish National Party						
1999	28.7%	7	27.3%	28	35	27.1%
2003	23.8%	9	21.6%	18	27	20.9%
2007	32.9%	21	31.0%	26	47	36.4%
2011	45.4%	53	44.0%	16	69	53.5%
Conservative						
1999	15.6%	0	15.4%	18	18	14.0%
2003	16.6%	3	15.5%	15	18	14.0%
2007	16.6%	4	13.9%	13	17	13.2%
2011	13.9%	3	12.4%	12	15	11.6%
Liberal Democrat						
1999	14.2%	12	12.4%	5	17	13.2%
2003	15.4%	13	11.6%	4	17	13.2%
2007	16.2%	11	13.9%	5	16	12.4%
2011	7.9%	2	5.2%	3	5	3.9%
Green						
1999	0.0%	0	3.6%	1	1	0.8%

2003	0.0%	0	6.5%	7	7	5.4%
2007	0.2%	0	4.0%	2	2	1.6%
2011	0.0%	0	4.4%	2	2	1.6%
Scottish Socialist Party						
1999	1.0%	0	2.0%	1	1	0.8%
2003	6.2%	0	6.5%	6	6	4.7%
2007	0.0%	0	0.6%	0	0	0.0%
2011	0.0%	0	0.4%	0	0	0.0%
Other						
1999	1.7%	1	5.7%	0	1	3.1%
2003	3.4%	2	8.7%	2	4	0.8%
2007	3.1%	0	7.4%	1	1	0.8%
2011	1.1%	0	7.3%	1	1	0.8%

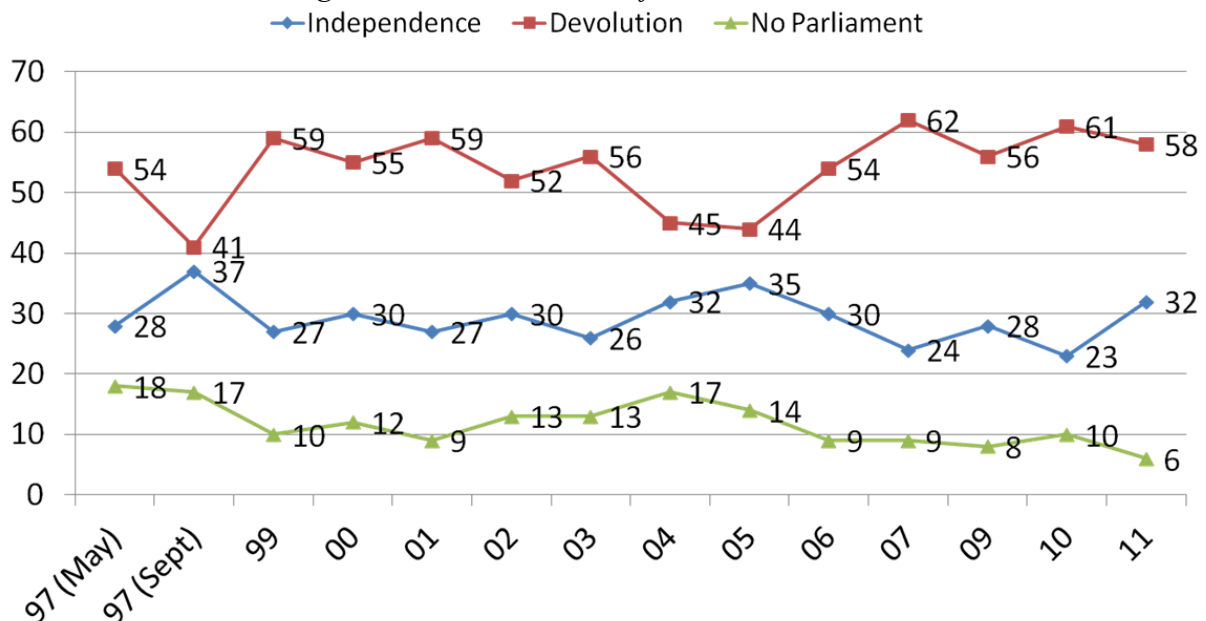
The SNP's popularity can be best explained in terms of valence politics, which relates to a tendency 'to vote in accordance with one's opinion of the party, the party leader, the government's record in office or one's prediction about another party's likely performance' (see Cairney, 2011: 22). Voters in 2007 appeared to support the SNP based on its image, its leader's image, its vision and its likely record in government; the SNP offered 'a more positive and Scottish oriented agenda than Labour' (Johns et al, 2009: 207; 229; Johns et al, 2010; Curtice, 2009). The same can be said for the SNP's landslide victory in 2011 (the equivalent texts have yet to be published, but see <http://www.scottishelectionstudy.org.uk/>). It was 'based largely on voter perceptions of the competence of the SNP in government' – a factor compounded by the SNP's ability to exploit the reduction in support for the Scottish Liberal Democrats (following the UK part's decision to engage in UK Coalition Government (Cairney, 2011: 22).

Support for independence

Put simply, there is not enough support for independence. This argument is best demonstrated using the results from polls asking people choose between three main options: independence, devolution (status quo or further devolution) and no parliament. As figure 1 (provided by John Curtice, in Cairney and McGarvey, 2013) shows, there have only been two points since 1997 when devolution and independence have been within ten percentage points of each other – in September 1997, during the 'yes' to devolution campaign, and 2005. Notably, the gap *widened* in 2007 (the first SNP election victory) and stays rather wide in 2011 (the electoral avalanche) (see also Cairney, 2011: 149-51 which provides a breakdown of categories – including independence in or out of the EU, and devolution with or without tax powers – but showing very similar results). While support for independence has risen since 2007 (using this measure), it is only because support was unusually low in 2007.

The SNP's broad plan was to win in 2007 and boost support for independence in office by presenting a strong image of governing competence before campaigning in 2010. It did not have the desired effect in terms of support for independence (although it helped explain its electoral win in 2011). Indeed, ironically, its successful first term may have had the opposite effect - by providing a stronger 'Scottish voice' and therefore reducing Scottish discontent within the Union; showing people that they could enjoy some of the benefits of independence without the risk of 'separation' (Curtice and Ormston, 2011: 31; Curtice in Cairney, 2011: 151).

Figure 1 Constitutional Preferences, 1997-2011



Source: Cairney and McGarvey (2013) drawing on Curtice (2012a: 8) and Curtice (2012b: 2) who produced the figures from Scottish Election Study (the May 1997); Scottish Referendum Study (Sept. 1997) and Scottish Social Attitudes (1999-2011). Note: most years do not add up to 100% because ‘don’t know’ is excluded; May 1997 should read 51/26/17 (Curtice, in correspondence). Methodological note: respondents are asked to choose in a way that might put some people off independence - for Scotland to be “independent, separate from the UK” (either within or outwith the European Union); for Scotland to “remain part of the UK, with its own elected parliament” (either with or without taxation powers), or for Scotland to “remain part of the UK without an elected parliament” (Curtice and Ormston, 2011: 28). Support for independence seems to increase to 31% (2007-10) if respondents are instead asked who should be responsible for defence and foreign affairs (2011: 29).

If surveys simply make the binary distinction between yes/ no to independence, they still generally show insufficient support for independence, but the results are often very close and there is a large number of notable exceptions. Much depends on the question asked – a fact made all the more important by the current debate on the wording of the referendum. The Scottish Government’s consultation document *Your Scotland, Your Referendum* (Scottish Government, 2011) proposes to ask this question: ‘Do you agree that Scotland should be an independent country?’. The question has been described in many party political, media and academic forums as a leading question and challenged in a (February 2012) survey financed by Lord Ashcroft (http://lordashcroft.com/pdf/02022012_referendum_poll_tables.pdf).

Support for independence tends to be lowest (often below 30%, compared to over 50% against) when people are asked about a ‘completely separate state outside the UK’ (Cairney, 2011: 153). They are generally higher when people are asked about an ‘independent country’ (the SNP’s preferred wording). Yet, as table 1 suggests, the response also varies over time to the same question. Further, this type of question has often produced a plurality in favour of independence (or a majority if we remove ‘don’t know’). Perhaps worryingly for the SNP, it has not been achieved since 2006, while the highest levels of support were recorded as far back as 1998 (although this might provide some cause for optimism, since it followed the last constitutional change campaign). Indeed, even the SNP’s preferred wording (which is a

stronger version of this question) has not produced a recent plurality (Ipsos Mori, 2012a).

Table 2 Support for Scotland as an Independent Country

%	1998	1999	2000	2001	2006	2007	2009
For	48-56	38-49	47	45	51	33-46	38-42
Against	35-44	42-50	43	49	39	44-46	50-54

Source: adapted from Curtice (2009: 16–17). Note: the hyphens denote a range of scores from multiple polls taken in that year. In most cases the question is: ‘In a referendum on independence for Scotland, how would you vote? I agree that Scotland should become an independent country; I do not agree that Scotland should become an independent country’. ‘Don’t know’ varied from 9–18%.

Surveys based on the SNP’s previously favoured wording, in which respondents are asked about the Scottish Government negotiating independence with the UK Government (a less scary and more non-committal question), present a slightly different story. They tend to suggest that there is often little to separate the ‘yes’ and ‘no’ responses, with a small ‘yes’ victory in August 2011 followed by a larger ‘no’ victory in January 2012.

Table 3 Support for a Negotiated Independence Settlement, 2007-12

%	Aug-07	Nov-07	Mar-08	Jun-08	Oct-08	Jan-09	May-09	Aug-11	Jan-12
Agree	35	40	41	39	35	38	36	39	35
Disagree	50	44	40	41	43	40	39	38	44

Source: 2007-9 Curtice in Cairney, 2011: 154; 2011 Dinwoodie (2011); 2012 TNS-BRMB (2012). The question is: ‘The SNP are outlining their plans for a possible referendum on Scottish independence in future. If such a referendum were to be held tomorrow, how would you vote? I agree [I do not agree] that the Scottish Government should negotiate a settlement with the government of the United Kingdom so that Scotland becomes an independent state’. Note: the figures do not add up to 100% because many people ‘don’t know’.

New Politics in Scotland and the ‘Conservative’ Conception of Crisis: 20 years on?

The idea of ‘new politics’, regarding a ‘crisis’ of representative government in ‘old Westminster’, was articulated in Scotland during the 1990s and often appears to have been forgotten (even in Scotland). We can unpack this statement in three main ways.

1. New Politics for Scotland was made in Scotland, not the UK ...

The spirited (but partial) rejection of representative and ‘responsible’ government was made primarily by actors in Scotland, not the UK. Indeed, it is associated mostly with the Scottish Constitutional Convention (SCC) - a (largely self-selected) set of political parties (Scottish Labour, Scottish Liberal Democrat, Green, plus occasional SNP involvement) interest groups (including, for example, the Scottish Council of Voluntary Organisations) and other prominent members of Scottish ‘civil society’ which formed in 1989 to ‘promote the principle (and detailed workings of) of devolved government’ (McGarvey and Cairney, 2008: 12-3). Its final report in 1995 famously summed up the argument that:

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.

Following the decision to introduce a Scottish Parliament (after the referendum in 1979), its agenda was followed by the Consultative Steering Group (CSG) - a cross-party group chaired by Henry McLeish (Labour minister and future Scottish First Minister) with members from 'civil society' (associated with the SCC or devolution campaign). It was established by the UK Government (Scottish Office) to construct the standing orders of the Scottish Parliament and articulate the principles it would seek to uphold: 'the sharing of power' (between government, parliament and 'the people'); accountability (of government to parliament and the people); accessibility; and, equal opportunity (CSG, 1999: 6). Further, its statement of principles would not look out of place as a response to current crises of representative government:

They aim to provide an open, accessible and, above all, participative Parliament, which will take a proactive approach to engaging with the Scottish people - in particular those groups traditionally excluded from the democratic process. To achieve this the Scottish Parliament must avoid adopting procedures which are obscure or archaic. It should adopt procedures and practices that people will understand, that will engage their interest, and that will encourage them to obtain information and exchange views. *We have detected a great deal of cynicism about and disillusionment with the democratic process*; it will require an effort both from the Parliament itself and from the people with whom it interacts to achieve the participative democracy many seek. We firmly believe that the Scottish Parliament should set itself the highest standards. Our key principles are intended to achieve a Parliament whose elected Members the Scottish people will trust and respect, and a Parliament with which they will want to engage (CSG, 1999: 6; emphasis added).

As Flinders (2010) suggests, devolution was not sold by the UK Government or Labour party as the start of a new approach to, or rejection of, representative and 'responsible' government. Indeed, Flinders (2010: 12) suggests the opposite: that a commitment to some constitutional changes (including devolution) may have provided some cover to the protection of majoritarian government in the UK - the Labour Party used a 'rhetorical commitment' to limited constitutional reform to 'win power' and then hoarded it within central government. The new reference in the UK to 'new politics' is more closely related to a speech made by the new Deputy Prime Minister, Nick Clegg, in 2010 (<http://www.libdemvoice.org/power-revolution-nick-clegg-new-politics-speech-19604.html>).

2. ... But New Politics is Vague

The meaning of 'new politics' has always been unclear, referring largely to buzz words such as participatory and deliberative forms of democracy to address the perceived problems associated with representative democracy. The list of hopes includes:

- A proportional electoral system, with a strong likelihood of coalition and bargaining between parties, to address a first-past-the-post system which exaggerates majorities and ensures that one party dominates proceedings.
- A consensual style of politics, with an enhanced role for businesslike committees, and a reduced role for party conflict in plenary, to address the UK's adversarial style and limited room for proceedings conducive to consensual working practices.
- 'Power-sharing' to address the problem of executive dominance in a system where power is concentrated within government.

- Fostering closer links between state and ‘civic society’ through parliament (e.g. with a focus on the right to petition parliament, a new civic forum and a new committee role to oblige the executive to consult widely) to reflect a Scottish system with a tradition of civic democracy and the diffusion of power (McGarvey and Cairney, 2008: 12-13).
- There is also reference in the SCC to equality in the selection of candidates, perhaps as part of a wider move away from the idea of professional politicians (Keating and Cairney, 2006).

The literature suggests two main reasons for this exposition of new politics. The first relates to the idea that Scotland has its own consensual ‘political tradition’ based on the pursuit of negotiated settlements rather than the imposition of policy (McGarvey and Cairney, 2008: 13). This argument was made particularly strongly in the 1990s, following the era of Thatcherism and the tendency for Scottish interests to attempt to agree a common line to use to lobby in the UK (Midwinter et al, 1991). The key term was ‘democratic deficit’, to describe a Scottish population voting for a Labour Government but receiving a Conservative Government, which reinforced ‘a perception of governmental remoteness and antipathy towards the distinctiveness of Scottish policy traditions. The argument was that if the Scottish electorate was being denied democratic control (or at least government responsiveness), then there would be an alternative, more participatory, venue in which to articulate Scottish priorities’ (Cairney et al, 2009).

Second, the devolution agenda coincided with a political climate that was not conducive to the funding of new politicians: ‘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 ... 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’ (McGarvey and Cairney, 2008: 13).

However, these ideas and principles did not always translate into tangible outcomes. Electoral reform was followed by a series of less tangible commitments to the reform of political culture. There are notable differences in the nature of Scottish political institutions (including the electoral system, the standing orders of the Scottish Parliament and the petitions process), but fewer notable attempts to ensure a change in behaviour beyond rhetoric about how things are done or should be done in Scotland.

3. Have we forgotten about, or given up on, New Politics in Scotland?

The Scottish experience has the potential to provide valuable lessons for political reformers in the UK. In particular, it may provide a corrective to the idea that traditional representative democracy in the UK is under threat, even during or after a period of political reform. Indeed, in many ways, it provides as close to a ‘best case’ as possible because the new Scottish political institutions were created from scratch, rather than reformed in part. If little change can be detected in a Scottish political system build during a new politics agenda.

The Scottish experience seems to show us that ‘new politics’ was little more than rhetoric; the Scottish political system has operated along ‘old Westminster’ lines despite being designed as a ‘consensus democracy’ with participative and deliberative elements. In the Scottish Parliament, the relationship between the two main political parties (the SNP and

Labour) has always been adversarial, contributing to a traditional (in Westminster terms) Scottish Government and Parliament relationship: 'The first eight years of devolution [1999-2007] were marked by a form of majoritarian (coalition) government that would not seem out of place in the UK' (Cairney, 2011: 39). Indeed, Labour sought to form a coalition government to dominate Parliament and make sure that it could not be 'ambushed' by the SNP (Arter, 2004: 83). The next four years, from 2007-11, were marked by minority government but a surprising degree of continuity in terms of governmental dominance: 'the Scottish Parliament plenary was used largely as an adversarial forum and committees were not particularly effective' (Cairney, 2011: 40; compare with Flinders 2010: 137-42). The next five years of majority government, from 2011-16, will reinforce that asymmetrical relationship in which Parliament is a peripheral part of the policy process. In the wider sphere, there is little evidence of a shift towards more participation or deliberation in Scottish politics. For example, Cairney's (2011: 13) review of the first ten years of devolution (based on over 30 'Scotland Devolution Monitoring Reports') devotes one page to 'New Avenues for Democracy' and most of that page suggests that 'very few reports find anything to report' beyond the brief existence of the Scottish Civic Forum and numbers of petitions rather than their effect. As Mitchell (2004: 39; 2005: 37) argues that, such measures, 'appear more symbolic than effective ... an elaborate democratic veneer sitting atop long established processes'.

In other words, counter to the argument presented in the introduction, the alleged 'more participatory or deliberative models practiced elsewhere', such as Scotland, *do not* 'offer a sharp corrective to the UK tradition'. Instead, they show us that the dominant British notions of representative and responsible government are difficult to shake off.

The 'Crises' Did Not Stop in Scotland After 1999

Consequently, the same sorts of crises currently associated with UK politics and representative government can be found in Scottish politics - perhaps suggesting that the chosen constitutional changes do not necessarily produce solutions to such problems.

First, the Scottish Parliament had its own 'lobbygate' scandal in 1999 when John Reid's son was caught telling people that his lobbying firm (Beattie Media) could guarantee privileged access to Scottish ministers (Cairney, 2011: 198).

Second, the Scottish Parliament had its own expenses scandal several years before Westminster (see Cairney, 2011: 7-8, on which this next section draws). There were some vague calls for Westminster to learn from Holyrood's expenses and second-homes system, but note that the latter developed over time as much through partisan debates, self-interest and a response to media criticism as any higher sense of propriety that preceded public attention. In particular, the Scottish Parliament has been dogged since 1999 by the issue of different allowances for constituency and regional MSPs – a debate made more contentious by the makeup of the Parliament in which most constituency MSPs were Scottish Labour and most regional MSPs were from the opposition parties (before the SNP reversed the trend in 2011). A cross-party group chaired by (SNP) Mike Russell produced recommendations for a £36000 staffing allowance and £10000 local office costs allowance. Labour sought unsuccessfully to amend this plan to give regional MSPs 60% of both costs, while the Liberal Democrats amended it successfully (using the coalition majority) to maintain the salary costs but ensure that if one party had more than one list MSP in the same region then the costs are

reduced.

Although more agreement could be found in 2002, when the Scottish Parliament revisited the issue of MSP pay, the issue remained controversial because the parliamentary vote effectively gave MSPs a 13.5% pay rise by moving from a system based on senior civil servant salaries to 87.5% of MP salaries. Media attention to MSP costs also became an annual event following the publication of expenses by the Scottish Parliament Corporate Body. However, it did not reach a crisis point until 2005, following various freedom of information requests by journalists for more detailed breakdowns of expenses, which helped produce two resignations – David McLetchie as Conservative leader and Keith Raffan as MSP - related to questionable claims. Such cases produced a general feeling among politicians (and Presiding Officer George Reid in particular) that the constant attention undermined the Scottish Parliament's reputation as a transparent body. This prompted the Scottish Parliament Corporate Body to publish, in December 2005, a much more detailed account of expenses and initiate in June 2006 an online search facility on the Scottish Parliament's website.

Yet, the levels of unwanted attention did not end there. Instead, there was a shift in media attention to the possibility of MSPs making a profit from sales of their second homes in Edinburgh (the mortgage interest was funded via MSP expenses) which prompted First Minister Jack McConnell to write to George Reid to request that the SPCB considers how to reform the system. While the original intention of George Reid was for the SPCB to produce a legacy paper for consideration by the new Parliament in 2007, his successor Alex Fergusson commissioned an independent review to take a 'first principles' approach to the allowances of MSPs and party leaders and the extent to which centrally provided services (particularly relating to office equipment) could replace allowances. The Langlands Review recommended abolishing the payment of an allowance to meet mortgage interest payments (by phasing it out by 2011) and setting a cap on claims for overnight stays for MSPs in eligible areas. While this was accepted by the Scottish Parliament in June 2008, the debate also took us back to the very first party conflicts over the office and staff allowances for list and constituency MSPs. Although Langlands recommended that the latter receive £62000 and former £45000, the Scottish Parliament voted to amend the motion and grant all MSPs £54620 (although the principle of shared office costs for regional MSPs was maintained). Thus, again, the media was able to report that the parties were divided despite voting themselves a significant rise in allowances (note that Langlands prefers the term 'reimbursement of expenses'). Therefore, while Westminster may have much to learn from Holyrood, the experience of the last 10 years suggests that we not look back with rose-tinted spectacles.

Third, the Scottish Parliament also has representatives with similar levels of 'politics facilitating' backgrounds (Keating and Cairney, 2006). The issue of MP backgrounds is relevant to the popular idea that they have become a group of professional politicians recruited from an increasingly narrow pool, with limited experience of (and therefore a tendency to be detached from) the 'real world'. This problem was addressed to some extent by Scottish parliamentary reformers (although the SCC focused primarily on greater gender parity) and, to a larger extent, by Scottish Labour which sought to recruit people from a wider pool (or, at least, fewer men and fewer former councillors). Yet, the Scottish Parliament does not highlight a markedly different experience from that of Westminster or wider European trends (Keating and Cairney, 2006). While it elected proportionately more women, it also

‘accelerated the trend towards professional middle-class leadership’ (2006: 56). Further, ‘MSPs are more likely than MPs to be white, middle-aged, middle-class, and university-educated with a professional or ‘politics-facilitating’ background’ (McGarvey and Cairney, 2008: 231). Indeed, one effect of a rise in Conservative MPs is that the number of narrowly-political appointments has reduced somewhat (since they are more likely to have business backgrounds, albeit followed by a spell in politics).

Conclusion

The SNP’s electoral avalanche has made a referendum on independence inevitable, prompting consideration of a crisis of the Union in at least one way (in the sense that an important decision has to be made). However, the evidence does not suggest that the referendum will lead to a break up of the Union.

The paper argues that the Scottish experience may be more interesting for the comparisons it provides between Scottish and UK practices and the way that they relate to other conceptions of crisis (such as ‘conservative’). In particular, the new Scottish political system was designed, in part, to address problems associated with ‘old Westminster’, its type of representative government, and its tradition of ‘responsible’ government. Scotland was designed as a consensus, not majoritarian, democracy and its ‘architects’ proposed a series of measures to move away from a ‘government knows best’ approach, in which power is concentrated in central government, to a more participative and deliberative democracy.

The consequences of this apparent contrast of institutional design are much less clear. Scotland has a traditional government-parliament relationship. Its efforts to introduce a petitions system and a civic forum have produced few tangible outcomes. It had its own lobbygate expenses scandals. Its representatives are drawn largely from the same kind of pool of recruitment as its Westminster equivalent. In broader terms, the Scottish experience does not challenge the idea of a central government ‘club’ which still processes the vast bulk of government business.

The Scottish experience shows us the limited extent to which the population (or key parts of it) and its parliament can pay attention to modern governments with huge resources and responsibilities. Instead, in both cases, what we may be witnessing is an unprecedented level of attention to a very small proportion of government business. This is the context for the political reform agenda in the UK, aimed at rebuilding trust in politicians by (somehow) bringing them closer to the people and encouraging greater participation in politics – the Scottish experience tells us that unrealistic expectations for change may simply produce greater disenchantment with politics.

There are few (if any) links between modern debates on independence and a crisis of the Union in terms of representative democracy and clubby politics. Instead, the independence agenda rests on a range of other arguments, from the simple desire for self determination to, for example, the more complicated arguments about the alleged desire in Scotland for more ‘social democratic’ policies. There is little evidence to suggest that the independence date is live because of developments in the UK. There is also little evidence to suggest that the sense of crisis in the UK can be exploited disproportionately to raise support for independence. We may be able to identify important arguments linking ‘crisis’ to the need for constitutional change – such as the idea that the UK Government will fulfil its

commitment to introduce austerity measures in non-devolved areas, raising the spectre of a return to ‘Thatcherism’, which (however defined) was relatively unpopular in Scotland. However, we can also identify arguments linking crisis to the need to preserve the Union – such as the idea that small states struggle to deal with economic crises (for example, the UK Labour government argued that an independent Scotland could not have ‘bailed out’ the Royal Bank of Scotland).

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