

What Now for Scotland?

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Emily Maitlis

Hello everyone, a warm welcome. Thank you very much for coming. Now, I think if anyone had suggested six months ago – if anyone had thought about the *Telegraph* running a front page declaring ‘England Home Rule Central to Tory Plans’, you would have sat there and laughed and thought you weren’t really sure where that was coming from. The last few weeks of the Scotland referendum have been something of a whirlwind. Some will tell you that it has changed the political landscape forever. Some will tell you it will all be over by Christmas and we’ll be exactly back to where we started. For election geeks, those of us who get terribly excited by council by-elections and parish defections, this was something of a revelation: suddenly the public were genuinely as excited as we usually get. The atmosphere in Scotland was febrile, but actually the atmosphere all over this country and other parts of the world were quite impassioned too.

So the question that we’re putting to our guests and the question that we’re going to discuss this afternoon is: what now for Scotland? Has that changed everything? Will it change nothing? Has it made us all question our identities, or was this a sort of political escape that will be quickly buried?

What we’re going to do is hear from each of our guests in turn for five minutes and then we’re going to open it up to the floor. We welcome your questions, of course. Just a couple of housekeeping points. This is all on record. You’re very welcome to tweet, the hashtag is #AskCH.

I’m going to ask John Curtice, a man we have come to term on Newsnight ‘the polling god’, to kick us off for five minutes. John, no pressure then.

John Curtice

As I always point out to people, Emily, the pope may be infallible but God is not. I still feel reasonably happy. First of all, I’m going to tell you a little bit about what happened – and particularly a little bit about the role of foreign and defence issues in the referendum, given the nature of the audience – and then move on more directly to the question about what next.

The first thing to say, just to underline the last thing Emily said: not only was the atmosphere febrile but people voted. You have to remember the verdict in this referendum was a verdict from 85 per cent of the registered electorate, and the registered electorate was a record 97 per cent of Scotland’s population. So this is not a referendum whose result can be ignored.

It is also a referendum result which although at the end was a somewhat larger no vote than the final polls anticipated, it was still a much smaller no vote than was anticipated for most of the campaign. This is not something I can prove but I would lead you to think about: if there had been a border poll in Northern Ireland at the moment, would it have been the case that as many as 45 per cent of people would have voted to join the Republic of Ireland? Therefore, probably we now have to regard, for the time being at least, Scotland’s continued membership of the United Kingdom and of the union as fragile as Northern Ireland’s continued membership, and as problematic.

I’m not going to get into why it ended up 45 per cent. Let me say a little bit about the role of the European Union and Trident debates, both of which were prominent – particularly the European Union debate – during the campaign. Simply to say, and I’m sorry to disappoint people in this audience, but actually neither of these was terribly important in determining whether people were yes or no voters. It is true that Scotland is somewhat more Europhile than is the rest of the United Kingdom. You might, therefore,

3 What Now for Scotland?

anticipate that some people might have been persuaded to vote no on the grounds that therefore Scotland's membership of the European Union would not be questioned, or alternatively to vote yes on the grounds that they would avoid the threat of the Tory-promised referendum on the UK's membership of the European Union. But the truth is, although Scotland is somewhat more Europhile, the typical Scot is actually a Cameronian on attitudes toward Europe. That is, around three-fifths of the people in Scotland either wish to leave the European Union or, for the most part, think that Scotland/the UK should remain inside the European Union but could it please boss us around rather less.

To that extent, therefore, it was always rather unrealistic of either side to anticipate that many people in Scotland were going to vote either yes or no on the grounds they wished to keep Scotland's membership of the union. There aren't enough committed European Unions north of the border for that to be crucial. If you look at the views of yes and no voters on attitudes toward Europe, they were virtually identical to each other. So it was a great elite-level issue about tactics but absolutely useless as an issue for dealing with voters.

Trident was arguably the most important strategic issue so far as the rest of the United Kingdom is concerned, and so far as Scotland's continued membership is concerned. But again, the actual picture so far as public opinion is not as clear as you might anticipate. Work we've done on the social attitudes surveys – basically, crucial message number one is that both Scotland and England and Wales are pretty much divided down the middle on their views as to whether or not the United Kingdom should or should not be a country that has nuclear weapons. The balance of opinion is very slightly opposed in Scotland; it's very slightly in favour in England and Wales. But it's not a dramatic divergence.

Although it's true that yes supporters were somewhat more likely to be opposed to nuclear weapons, it's not that dramatic. In fact, the no vote was split almost 50/50 in its attitudes to whether or not – in the principle of the UK being in favour of nuclear weapons. So again, to that extent at least, Trident was crucial to the views of SNP activists but it's not clear that it was central to the wider body of voters.

So that's just a little bit about the role of defence and foreign affairs issues so far as the public are concerned in the referendum. Where has it left us? The referendum campaign has left us in a situation where the unionist parties in the end found themselves required, at least from their perspective – we can argue about whether they needed to – but they found themselves in the end feeling required to go much further in terms of at least nailing down there would be more devolution for Scotland. In the wake of that, support for that proposition increasing quite considerably, particularly during the latter stages of the campaign.

So to give you some idea, for most of the campaign ICM were asking people: if Scotland votes no, what do you think should happen? Should the Scottish parliament keep its existing powers or should it have much more powers over areas like taxation and welfare? For most of the campaign it was about 60 per cent saying there should be more powers, but that 60 per cent – half of them, at least, consisting of people who were yes supporters. The crucial thing that happened in the last stages of the campaign is that support overall for the idea that the Scottish parliament needed more power with respect to taxation and welfare benefits increased considerably amongst no supporters. Whereas even during the summer only around a half of no supporters were saying that they wanted more devolution, by the end of the referendum two-thirds were wanting to do so.

So to that extent at least, the consequence of the referendum has indeed left support for the constitutional status quo weaker than it ever has been. What you also need to appreciate is that the instinctive reaction – and it is an instinctive reaction – of most people in Scotland when asked who should be responsible for

various policy areas is that if it's domestic (including taxation, including welfare benefits, including pensions supposedly), they say the decisions should be made by Edinburgh. To that extent at least, public opinion in Scotland appears to be – and I emphasize the word 'appears' here – to be well ahead of anything that's proposed by the unionist parties in their various proposals, which by the way are nothing like as radical as characterized by the prime minister at seven o'clock on Friday morning. He gave the impression that what they were proposing was substantial devolution of taxation and welfare benefits. None of the unionist parties have proposed that, including the Conservatives. They have proposed not inconsiderable devolution of taxation but it's primarily income tax. They've all more or less agreed they should devolve housing benefit because the bedroom tax has made that toxic, but on the welfare side there is very little offered indeed.

However, although public opinion in Scotland says it wants things decided in Edinburgh, if you ask a different question, such as: is it okay for the basic rate of income tax or the basic state pension to be different in Scotland than it is in England? Then you only get 40 per cent supporting that proposition. So to that extent at least, meeting public opinion and meeting public aspirations is not as straightforward as you might imagine. But so far as where is the legitimate locus for decision-making in the eyes of Scots, they do start off with Edinburgh being that place.

The other thing which isn't sufficiently widely realized is that now that we have gone into this position where we're going to have an attempt to reach an agreement, the process doesn't just simply involve trying to get agreement between three political parties who didn't manage to do it before the referendum but who at least have a degree of common ground amongst them – it now also involves the SNP, because they're also invited to the talks. The SNP will argue for far more devolution than anything that the unionist parties have so far proposed.

We also have to remember here – and this is something that really hasn't been picked up in most of the discourse south of the border – that in principle at least, the SNP will have a veto in this process. Under the terms of the Sewel Convention, Westminster does not legislate to change the powers of the Scottish parliament unless the Scottish parliament agree to that. There was a whole argument about the 2012 Scotland Act, which went through; eventually Holyrood agreed but not until after criticizing it very substantially.

Which therefore also means (and this is my final point) a lot of excitement south of the border – oh, Scotland is just about to get a lot more devolution, so we better do something about England very quickly – something isn't going to happen very quickly. The aim is simply to try to get agreement as to what might happen to Scotland in the way of more devolution, in advance of the 2015 general election. But the legislation is not going to go through before the 2015 general election – it's going to go through afterwards, after a fairly substantial and lengthy process which will also involve the Scottish parliament.

So insofar as people were getting rather exercised about the English question and thinking the English question needs to be solved before the general election – it doesn't, because in fact even the 2012 Scotland Act will not begin to be fully implemented until 2016. Even if legislation is passed in the first term of the next parliament, it will take years for it to be implemented. So calm down, guys: there is an awful lot of water to pass on, an awful lot of bridge, as well as some very difficult negotiations to take place. Then England will have to decide what it wants to do when Scotland has sorted itself out.

Emily Maitlis

John Curtice, thank you very much indeed. We're going to Sue Cameron, who's a columnist at the *Telegraph*, for her thoughts now. Sue's got very well honed Whitehall contacts, and a lot of the questions that were raised in this were contingency plans. Did anyone at Westminster and Whitehall see this coming or did it really take people by surprise?

Sue Cameron

I think one of the big lessons to be drawn from the referendum is that the traditional political parties, the traditional elites – including perhaps the civil service – had simply run out of road. The no campaign struck me – I was there briefly in the middle of August, at the Scottish parliament's Festival of Politics – and the no campaign really did seem to be, when you talked to people, something of a shambles. It seemed to have been so almost from the outset. And almost the result has underlined perhaps the collapse of the traditional parties, the collapse in their membership from millions to a hundred thousand plus a little bit, the collapse of the turnout – days when 97 per cent of voters voted Labour or Tory; last election, it was 65 per cent and it could well be far less next time.

What is the reason for this? I think one of the main reasons is that ordinary people feel – and we've heard all this often enough but it's true – the politicians, the political parties, they just take us for granted. They're all the same. They're all in it for themselves. One of the things that we've seen underlined also in the Scottish referendum is the rise of the perhaps 'individual conviction politicians' – the importance of the power of personality over the power of party. People like Alex Salmond, people like Gordon Brown, Nigel Farage, Boris Johnson. One aspect, it seems to me, where all of these people can connect with ordinary voters in a way that the traditional party leaders just don't seem to be able to do.

One sign – this isn't the politicians, but one sign of the way the political elite is out of touch is perhaps the civil service. Just under three weeks ago, Sir Jeremy Heywood – the top civil servant, cabinet secretary, head of the civil service – went before MPs on the Public Administration Select Committee and said there had been no contingency planning against the possibility that Scotland might go independent. And when the MPs said, 'Why not?', he said: well, the prime minister told us not to do any contingency planning. We are good civil servants and we always do what we're told. We were only obeying orders. Where have we heard that one before?

It seems to me that if it's true, it is quite astounding. It is either perhaps a gross dereliction of duty or maybe Sir Jeremy was being, in the hallowed words of Whitehall, economical with the truth. But just consider what might have happened with no contingency planning if the Scots had voted for independence. Never mind the political fallout – I think the prime minister would certainly have had to resign if the Scots had gone off – but if you just look at the mechanics of government, there are, according to the Institute for Government, 44,000 civil servants in Scotland. 17,000 of them work for the Scottish government and the other 27,000 work for the UK government. Almost every department in Whitehall has civil servants operating in Scotland. I think there's only five of them that don't. Imagine what would have happened the day that it was announced that the Scots were going to leave. What would have happened to the 27,000 UK civil servants? Would they have been given the chance to join the Scottish government? Would they all have been ordered to go south? Would they have been given a choice? Would they have been offered compensation if they didn't want to do any of those things?

And what would have happened in terms of setting up the new Scottish government, the new Scottish administration? What would have happened – because they would have needed one – with the new Scottish ministry of defence? Would there have been cooperation between UK civil servants and the new Scottish government, or would the Scottish government have started from scratch? No contingency planning – it just seems incredible that there was no contingency planning.

It's bad enough when governments tinker with the Whitehall machinery, with departments. We saw quite a lot of it under the last Labour government. They were quite keen, for a while at any rate, on closing down departments, setting up new ones, merging others. Spending millions on a new logo. The result was always the same: it was nearly always damaging to good government, to the actual business in hand, which is looking after the public and pursuing the policies of their ministers. Because what civil servants do – and you can't blame them – once they're told that it's all change, they start wondering, well, have I got to reapply for my job? Where do I sit? What's the mission of this new setup? Who's in charge? Am I going to be paid more or less? They spend all their time – understandably, as I say – directing their energies to that and not concentrating on what should actually happen.

We saw it happening under Labour. There was that glorious moment when Labour actually tried to abolish the lord chancellor's department overnight, and I think the Scottish Office, funnily enough. Little men were all over Whitehall taking down the nameplates. Then the next day, when they realized you can't do that because both the secretary of state for Scotland and the lord chancellor, who goes back 800 years, are mentioned in dozens and dozens of existing acts of parliament – their consent is required or they have to be consulted, you can't just abolish them. So the workforce was sent out again with its screwdrivers to put all the little nameplates back on again. That was really tinkering with government. This, if the splitting of the state had happened, would have been an absolute earthquake.

Now, there is a possibility that Sir Jeremy wasn't being totally straight with the MPs when he insisted that there was no contingency planning. I asked one very senior former mandarin: what do you think of Jeremy saying there's no contingency planning? He said, and he sounded so like Victor Meldrew it wasn't true – he said, I don't believe it. They must have done some contingency planning. The Treasury must have done some contingency planning. Well, he was right about the Treasury. We know the Treasury have been doing some contingency planning. Sir Nicholas Macpherson, the top civil servant there, had actually published his advice on the currency to the chancellor and they admitted under pressure that yes, of course – when things were looking very dodgy, they admitted that they'd got a team together.

But that still raises questions, if Sir Jeremy was not being economical with the truth, as to why there was no contingency planning elsewhere. Is it possible, which there has been speculation, that ages ago Sir Jeremy warned the prime minister that going down this road, particularly the way they were doing it, could be very dangerous and they should think much harder about it? And was he ignored? Well, maybe it's possible. But it still raises questions as to why he actually said no contingency planning. Why not fall back on the old tried and tested Whitehall formula, which for years has been to say: we have contingency plans for everything and we don't talk about them in public. I mean, obviously they've got contingency plans for terrorist attacks, for invasions. If they haven't, then the military should be taken out and shot. And of course they don't discuss them in public, for obvious reasons. Why should this have been any different?

It seems to me that at the heart of the British civil service, and the confidence that the public have had in it for so long, is the whole idea of political neutrality, of public service, of sometimes being above any particular group of politicians, any particular government. They have a duty, I would say – I think many of them would say – of stewardship to the public. I think that if it's really true that there was no

contingency planning, then in future this must raise serious questions about whether there was a betrayal perhaps of civil service values, even of trust.

Emily Maitlis

There's a lot of meat there, a lot to come back to, from Sue Cameron. Thanks very much. I'm going to introduce Neal Ascherson now. Many of you will know Neal from his writing, his journalism. I learned during the campaign that he'd also fought for his country. Perhaps you can bring in some of the cultural elements that this brought up as well for us, Neal.

Neal Ascherson

Well, maybe the cultural elements can follow. I was a yes voter. I voted yes. I also campaigned across Scotland, but not specifically with my group for a yes or a no, but for: what sort of Scotland? Make people talk about their visions, hopes, dreams, but not – it was too serious, too big an issue, to say vote this or that. We wanted to help people to think and dream.

What I would say about the campaign is simply this. I think you can put it under a headline, which is: yes won the campaign and lost the vote.

Something on terms, very briefly and dogmatically. Let's stop saying a number of things. Let's stop saying Britain is a nation. Britain can be a nation-state (a slightly different definition) or it can be a state. That's different. Secondly, let's stop saying as, disgracefully, the *Observer* and the *Independent*, those grave liberal organs, described the yes campaign as 'atavistic ethnic chauvinism' or nationalism. That was unbelievable. Enough said.

Third request. Let's never describe what the unionist parties are currently offering, if they ever make up their minds exactly what it is, as devo max. That is not what devo max means. That itself is, of course, a vague, blurry term, but it is a spectrum which – I don't know, it seems to me to move from, on the one end of the spectrum, full fiscal responsibility (for taxation, for raising money for government expenditure in Scotland) right to the other end, which is really total, sort of Gladstonian federal status, in which everything, all government, is done in Scotland except for foreign affairs and defence. Whatever you look at it, what is being apparently on offer is not even close to one end of that spectrum. Let's get that out of the way, I think.

What's the situation now? Well, you may or may not have heard Piers Morgan's opinion on this, which was: okay, Scots, you've had your fun – now just quietly vote no and we'll say no more about it. Well, what's happened in fact is that something deeply un-British has taken place, which is that a defeated party – and make no bones about it, 10 per cent is a hell of a defeat for the SNP and for the campaign – a defeated party has doubled its membership in five days after the defeat. What does this mean? We don't yet know. You can say, well, it's partly the non-SNP yes campaign crowding on board. May even be a proportion of aghast and dismayed people who voted no and wished for various reasons they didn't.

It seems to me that the statement which goes all around Scotland and Britain, that Scotland has changed forever during this campaign – well, it might be true. But it assumes that this mobilization which has

taken place will keep moving, which is a question. Secondly, which is true, I think: actually, both sides have now, by the end of the campaign, accepted that independence is a serious option for the future of Scotland. It is an option which one side hates and denounces, the other side admires and embraces – but it is serious and there. It is not anything else.

Next, really following from what John Curtice has said: the idea that the union is now the settled will of the Scottish people for all time is ridiculous. That's not the case and it's very misleading. Independence is not off the agenda for a generation, unless when you ask people – for instance, Nicola Sturgeon – what is a generation, she replied: fifteen years. Which may, of course, refer to the dreadfully low life expectation of many Scots. Fifty-four years for an adult male in Glasgow, it's not funny really. It's one of the reasons I voted yes.

What seems to me to come out of the result, among other things, is this. First of all, it expressed something which is unchanged almost for something like 35 to 40 years, which is what the biggest single identifiable group of Scottish people seem to want (or say they want) is to govern ourselves as other small countries do, and if possible do that within the United Kingdom. That, of course, was not on offer. It corresponds to this devo max area which was carefully kept off the voting paper.

The other thing is, very briefly – and again, John knows much more about this than I do, but I've watched for nearly 40 years now the presence of this obstinate preference for an independent Scotland among people who are absolutely, dependably Labour voters in Scotland. There has always been that group. There was a period, I think in the 1970s, when actually the biggest single number of people who wanted independence as a constitutional option also said they would always vote Labour and never vote anything else – so, for a unionist party.

What happens now? Well, first of all, the SNP really has to internalize the scale of its defeat. Government and opposition will actually probably fudge their way out of their conflicting commitments and all the business about English votes for English laws. We may talk about that later. The English question, the West Lothian question, to which one Scottish answer has always been, so what? And indeed you can legitimately ask, who cares about it? Who does care about it? Well, the answer is that anybody who wants to destroy the Labour Party cares about it, or destroy the Labour Party's capacity to govern effectively in England cares about it. The Labour Party itself cares about it. Anybody else? Well, that's a question.

So without going into that too deeply, I'll finish up just by saying two things. There are two obvious crises ahead, it seems to me. One is 2015. What would happen if the SNP won? It is now in rampant form with this doubling of membership. What would happen if it won most of the Labour seats and suddenly appeared at Westminster in the guise of – like the Irish Party, which actually held a balance of power between I think 1910 and 1914. That is a possibility, it seems to me.

Secondly, EU referendum coming up. My figures are slightly different from John Curtice's because I think there was a Chatham House poll very recently which said that the Scottish preference to stay in the EU was 59 per cent, and this was the only British/UK region which wanted to stay in the EU at all, with the exception of London, which wanted to stay by a much narrower margin. So there is the possibility – two possibilities, or probabilities – of collision really quite close ahead.

Emily Maitlis

Neal Ascherson, thank you very much indeed. We will be taking questions on the 'what ifs' that Neal has raised. Professor Malcolm Chalmers is the research director at RUSI and has had rather a busy week. In a week where we've all but declared war on ISIS, now Scotland must feel a long time ago. But perhaps you can take us back to your thoughts as they were, Malcolm.

Malcolm Chalmers

As they were a week ago. Well, I'm a Scot who didn't vote in the referendum last week because I live here, but I would have voted no if there had been one. But I agree with Neal that this issue is not over. The size of that yes vote, the resurgence in SNP membership, means that as long as the Scots keep electing the SNP to government in Edinburgh, the issue of referenda will come back. I think the generation may be even shorter than Neal suggests if that continues to happen. In the end, the union will only be secure if unionist parties are able to win seats in the Edinburgh parliament and indeed to displace the SNP as a government in Edinburgh. That's a challenge, I think most of all for the Labour Party. The Labour Party has to address whether they've got it right since devolution, although some leading key Scottish Labour figures, like Donald Dewar, in the Scottish parliament at the beginning – that has to be addressed.

But it also has to be addressed, I think, by the Conservative Party. It's striking in the referendum that some of the areas in which the no vote won were areas which are actually held by the SNP in the Scottish parliament. Twenty per cent of SNP voters voted no. So those are people who I think the Conservative Party, in places like Moray, might well have a chance of getting. Of course there's only one Conservative MP in Westminster from Scotland, but there are 15 Conservative members of the Scottish parliament. The Conservative Party is not a dead party in Scotland by any means. That's something on which perhaps they can build and which they would have some support.

So number one, this is not the end. It's going to be hard. It's going to be, in the end, about the Scottish parliament.

Secondly, raising the English question is asking a question to which there is no satisfactory answer. Some of the debates around that remind me of the debates – sometimes from the same people, actually, Conservative members of parliament – in their attitude toward the European Union. They are asking questions, they are highlighting dilemmas in relations between the UK and the European Union, to which they don't expect a satisfactory answer. But they are raising the contradictions – and there are contradictions, constitutional contradictions. But if you follow the logic of English votes for English laws, which would apply to most areas of domestic policy in England – certainly as devolution continues but even now – then why is English sovereignty only to be applied to legislation? Why doesn't it apply to the executive? Why, if you can have essentially an English parliament sitting within a Westminster parliament, shouldn't you have an English government sitting within a British government?

We already have a situation actually where, interestingly, three members of the shadow cabinet are from Scottish constituencies, a party which is quite heavily Scottish in some ways. Their three portfolios are the Scotland Office, international development and foreign affairs: two of the only areas which are actually purely union matters rather than devolved matters. That sort of thing will inevitably happen informally, but if you actually start formalizing it then what I worry about is a scenario – and this is perhaps too extreme in comparison, but I think is a useful comparison – what in the end led to the collapse of the

Soviet Union was not unrest in the periphery, although clearly in the Baltic republics in particular there was. It's when the Russian Federation gained power and you had that contradiction between Yeltsin and Gorbachev and Moscow, and Russia declared independence, and some of the other states actually didn't know for a few months they actually had become independent, out in Central Asia. In asymmetric states, it's deeply dangerous if the largest unit gains so much independent power of its own that it actually starts rivalling the centre. Actually the same thing happened with the breakup of the union of Serbia and Montenegro.

The third point I wanted to make is some of the elements of the debate about Scottish separation from the UK sound uncomfortably like the sort of debate we would have if we have a referendum on the European Union in 2017. There again I suspect we would be struggling with the same competition between, on the one hand, hearts and emotions and loyalty, which will all be about Britain, and on the other hand, cost-benefit analysis about all the terrible economic catastrophe which will happen if we withdraw. Of course there will be experts on every side on the latter, so people will not know what to think. What, I suspect, the get out – I don't know whether it will be a yes or no, actually – but the get out campaign in that referendum will need to do is convince the British population that the NHS is at risk if we don't get out of the European Union, and they will win their argument.

The final point, if I may, is this. When people outside Europe look at what's happening in the UK, they worry. Many of our allies and partners, countries friendly to this country around the world, were very worried about what was happening in Scotland over the last month, as they woke up to the possibility of a yes vote. But many of them don't see what's happening in the UK in isolation. They see it as a wider trend across Europe, where issues of governance, of political order, as a result of the eurozone crisis, as a result of the rise of the right in northern Europe especially, as the result of separatist movements: Europe is in a period of political flux which we've never been in for a very long – certainly since World War II. Today, of all the major centres of economic and military power in the world (US, China, Japan, Brazil, even India to some extent), Europe is the centre which is in greatest political flux internationally. That's having a very serious impact on the reputation of this country but also of Europe as a whole.

Emily Maitlis

Malcolm, thanks very much indeed.