



## *On September 11th, the people of Scotland made a historic decision.*

**T**hey chose to create a parliamentary body in Edinburgh, taking control and responsibility for many areas of government away from Westminster. The broader context of the vote is modernization of the British Constitution. The British are making a move toward the kind of federalism used by most other western nations. The transfer of power from the central government to regional or local authorities (devolution) balances responsibility and brings control closer to the people being governed. They are also trying to address popular apathy and cynicism, and involve the people in the decisions that affect them.

### **A History of the Referendum**

It has been 290 years since Scotland had its own Parliament. The Act of Union in 1707 consolidated power in the Parliament in London. Since then, there have been many several attempts to bring some power back to Scotland. Most recently, the Scotland Act of 1978 was introduced to create a Scottish Assembly. The actual vote occurred in 1979. Contained within the Act was a turnout requirement of 40% of the voting population. While more Scots voted for the Act than against it, not enough voters turned out to satisfy the '40% Rule.' The Act was repealed.

Earlier this year, the Labour Party led by Tony Blair included a referendum for a Scottish Parliament, and one for a Welsh Assembly, as part of its political platform. Their victory over the Tories in May Parliamentary elections brought the possibility of a Scottish Parliament to the forefront of Scottish politics. Blair did indeed introduce legislation to bring about the promised votes. The two Acts were quickly embraced by the popular media and popular sentiment.

The Referendum for a Scottish Parliament raised two questions for the voters: the establishment of a Scottish Parliament and the ability of that Parliament to vary the taxes up to three percent. Support for creating the Parliament emerged strongly, while the power to tax passed with a slimmer margin.

### **Run-up to the Referendum**

Publicity leading to the vote was strongly oriented toward Yes/Yes. Surveying the media, you would have had a hard time finding many groups promoting defeat of the referendum. It was the unanimous support by the major political parties in Scotland that helped to solidify popular support. However, each party had its own reasons. Labour supported devolution in order to bring Scotland and England closer. The Scottish National Party (SNP) supported it to promote their drive for Independence from Great Britain.

"A YES/YES vote is vital if Scotland is to start to move forward. Scots need to take decision making into their own hands; the way we can only do that is if we back change. Labour's scheme isn't perfect, but it is a start. It will be up to the Scottish people how they build on the foundations of their new Parliament, but in order to build at all, we need to have that

Parliament in place. The SNP is campaigning vigorously for a YES/YES vote.” - Alex Salmond of the Scottish National Party.

“The reason we need a parliament in Scotland is partly so that we can repair some of the damage done by the last Government to, for example, the health service and our manufacturing industry, and partly to ensure that anti-democratic experiments like using Scotland to rehearse the poll tax can never happen again.” - The Duke of Hamilton, whose ancestors resisted the 1707 Treaty of Union.

**The Vote**

It was no accident that the day of the vote came on the 700th anniversary of William Wallace’s defeat of the English army at the Battle of Stirling Bridge. The turn-out was impressive: 60.4% of all Scots voted. And the result was unquestionable: 74.3% supported the creation of the Scottish Parliament and 63.5% voted to give the Parliament tax-varying powers. The high turnout prevented any question of the '40% rule.'

“I am absolutely delighted that the Scottish people have backed our plans,” said Prime Minister Tony Blair, “I said that we would deliver what we promised — and we have.”

Liberal Democratic leader, Jim Wallace, exclaimed “It’s an exceptionally good night for Scotland. These results exceed expectations.”

Donald Dewar, Scottish Secretary,

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said “This is a great day for Scotland, one of the most important days in our country’s long history. The people have seized the moment. We have done the business and given an emphatic thumbs up to a Scottish Parliament with real powers. We are a nation that believes in ourselves, believes that we can

and should take most of the important decision that affect our lives. And we are right. Scotland knows what Scottish education needs. Scotland knows what is best for the NHS [National Health Service] in this country.” Many observers predict that Donald Dewar will run for the office of First Minister of Scotland, head of the Parliament.

Scottish Health and Arts Minister, Sam Galbraith MP said “...new legislation will respond quickly to changing needs without having to wait for a time slot in the UK’s legislative programme.”

A week later, the Welsh vote was held. The margin of victory was slight but they also elected to create a Welsh Assembly. (Agree 50.3%, Disagree 49.7%, Turnout 50.1%).

**The Scottish Parliament**

Scotland’s Parliament will be able to make binding laws without seeking permission from Westminster. However, it would only be able to do so in



“...a great day for Scotland, one of the most important days in our country’s long history.”

- Donald Dewar, Secretary of State for Scotland

Photo Courtesy of the Government Information Service

## POWERS RESERVED FOR THE BRITISH GOVERNMENT

- The constitution of the United Kingdom
- UK Foreign Policy
- Defence and National Security
- Border Controls
- Monetary and Fiscal Affairs
- Common markets for goods and services
- Employment Law
- Social Security
- Regulation of the Professions
- Transport Safety
- Other matters regulated on a Great Britain or United Kingdom basis including nuclear safety, cinema licensing, and abortion.

## POWERS DEVOLVED TO THE SCOTTISH PARLIAMENT

- Health
- Education
- Local Government
- Housing
- Economic Development
- Trade, Transport
- Criminal and Civil Law, Courts, Prisons
- Police and Fire Services
- Animals
- The Environment
- Agriculture
- Food Standards
- Forestry, Fisheries
- Sport
- The Arts
- and all things not on the list of Reserved Powers.

the areas devolved by Westminster. The Act defines a list of "Reserved Powers" that would be retained by the British Parliament (see **Powers Reserved for the British Government**). Thus any powers not on that list, are devolved to the Scottish Parliament (see **Powers Devolved to the Scottish Parliament**).

To start, the Scottish Parliament will have 73 directly elected members and 56 additional members, for a total of 129. The Welsh Assembly will have 40 directly elected members and 20 additional members.

The location for the new Parliament is still under discussion. The traditional front-runner is the old Royal High School around Calton Hill in Edinburgh. But security and logistical concerns with that location are causing the search to look elsewhere. It is possible that a new complex will be designed and built for the legislature. The time and costs required for a new construction may make this option untenable.

### What happens next...

The Scottish National Party stands to gain from the new Parliament, at least in the short term. SNP Chief Executive Michael Russell is quite optimistic, but doesn't lose sight of his

party's true goal, the full independence of Scotland.

However, the devolved Parliament will likely serve to dilute the SNP's support. Once the most problematic issues are addressed, the irritations spurring the independence drive will have been assuaged.

The greatest opportunity for growth and improvement is in the issues on which there is a consensus. Land reform will undoubtedly be an early topic of legislation. Scotland has the most outdated land-ownership laws in the whole of Europe.



Michael Russell of the Scottish National Party. Photo courtesy of the SNP.

"For Scots-Americans much of the detail of Scottish political debate seems irrelevant. Support for Scotland is the important thing. But in order to support Scotland, it is necessary to be clear about what type of Scotland we all know we want. Scotland must be true again to its traditions of enterprise and compassion, and that can only be done by electing a party that puts Scotland first - a party such as the SNP." - Michael Russell of the SNP.

The Scots have taken an important first step in determining their own future. As the Parliament is formed and begins its business, it will be interesting to see where the road leads.

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