Scotland's Hour of Choice

With the Scottish independence referendum campaign in full swing, it is difficult to stand back and evaluate the position of Scotland in a dispassionate way. Scottish citizens will shortly be called upon to decide whether they agree or not with the proposition that 'Scotland should be an Independent country'. A second article – in around one month's time - will provide an assessment of why the referendum result turned out the way it did. For the moment, it behoves the serious analyst to stand back from the passions of the campaign itself and recall that various different perspectives and interpretative frameworks are available. There is no simple way of understanding why such an apparently simple question as independence is being asked at this particular point in history. There are, however, distinct interpretations of the Scottish referendum, some politically motivated, others a question of genuine ontological or epistemological enquiry. There are some areas of agreement amongst the Yes supporters, as well as those of the Better Together camp. Framing Scotland in terms of a *nation* is broadly accepted; the key is whether the interest of the Scottish nation is best pursued in the context of a broader political and economic union with the rest of the United Kingom (rUK), and especially England, or via independence. Historical symbols are used by both camps, especially the nationalist one. It was to be expected that the SNP (Scottish National Party) First Minister, Alex Salmond, would publicly celebrate Scotland's victory over England at the battle over Bannockburn (700 years earlier).

Beyond broad historical symbols , the referendum campaign might also be interpreted in terms of a political game; is this the end game of the nationalists' manoeuvring for independence since the 1960s? (DIXON 2013) Or, alternatively, it is a foolish gamble by UK premier Cameron? Issues of political economy were always going to feature prominently; what will be the future of welfare, of pensions, or of health? What currency will the new government use – if, indeed, there is a new sovereign government? At a rather different level of analysis, the leaders' debates in August 2014 provided more of an agency focussed dimension to the campaign: the referendum campaign is also about individual, political and party futures. The referendum in Scotland will also have implrtant ramifications elsewhere. What would the implications of an independence vote be for the rest of Europe? Or, less discussed, what would the implications of a No vote be for the campaigns of minority nationalists elsewhere (epecially in Catalonia, which is preparing its own unofficial

referendum on 9th November). Is the nation-state far more resilient than given credit for? All of these dimensions are important and will undoubtedly figure in post-referendum analysis.

This article engages with these questions, but attempts something rather different. The case of Scotland is framed in the context of a broader discussion of territorial political capacity, a framework the author has been developing over the past ten years (COLE, 2006, COLE, HARGUINDEGUY and PASQUIER, 2014). Simply put, the article argues that any typology or index which focuses narrowly on material indicators of territorial governance or political capacity is missing an important element of the story – namely the more complex, difficult-to-measure discursive dimension centred on the paradigms, ideas, references or values shared by the policy-makers and citizens of a territory. Understanding Scotland requires grasping a mix of material and constructed realities; whether Scotland votes for independence or not will depend to some degree whether electors are primarily driven by material–based arguments (in which case they will vote No), or by constructivist representations of identity and beliefs (in which case they will vote Yes).

Our framework is comprised of seven indicators of territorial political capacity, each of which can have a material as well as a constructed dimension. Mainly material indicators include: institutions and institutional resources (what is the degree of self-rule?); and economic profiles (the economic well-being of a region and its ranking relative to other places). Mixed material and constructed indicators include styles of inter-governmental relations and multi-level governance (for example do regions engage with strategic Europeanisation?); the party system (can we identify a regionalisation of the party system or regional advocacy in central government?), political leadership (is there a form of [regional] territorial political leadership?) and, finally, the operation of territorial regimes (is there a consensus between political, economic, associative actors)? Our mainly constructed indicator is that of territorial identity (is the regional space underpinned by a [regional/national] territorial identity or not?). The approach is sufficiently generic to be used in other regions and is being explored in cognate surveys of Andaluciá (Spain), Brittany (France), Wales (United Kingdom) and Wallonia (Belgium).[i]

INSTITUTIONAL AND POLICY CAPACITY

Institutional resources are the most obvious indicator of territorial political capacity. The most influential instrument in the past decade has been that of the Regional Authority Index (henceforth RAI), which disaggregates regional authority into a set of dimensions for self-rule and shared rule (HOOGHE ET AL. 2010, 6). Self-rule is operationalised as 'the extent to which a regional government has an independent executive, the scope of its policy competencies, its capacity to tax and the extent to which it has an independent legislature'. Shared rule, the 'capacity of a regional government to shape central decision making', is disaggregated across four dimensions: law-making, executive control, fiscal control and constitutional reform. The index shows the UK's devolved governments, including Scotland's, at a comparative disadvantage in relation to regions in federal or regional states. The devolved Scottish government certainly has an independent government, responsible to an elected parliament with a broad range of responsibilities on a 'reserved powers' model. [ii] But it has limited financial or tax-varying powers, its legislative sovereignty is partial and it does not have all the instruments to implement its policy preferences.

One of the core drivers behind the referendum campaign is to provide Scotland with the necessary levers to be able, *de facto*, to implement more territory-specific policies. Observers such as MITCHELL (2009) argue that the welfare state issues that really matter for the Scottish are not fully devolved: labour market policy, social security, immigration, citizenship, the social dimension of the European Union. Moreover, the Scottish government has very limited fiscal capacity; it is in no position to avail itself of the legal possibility it has to vary income tax by three pence in the pound, and, thus far, it has no control over corporation tax. The limited instruments of devolution do not imply limited visions, however. A vision of devolution as social-democratic, socially progressive and economically realistic is one of the few legacies shared by pre- and post-2007 Scottish governments. The move for Devolution in Scotland in particular gathered pace as an anti-Thatcher, pro-welfare enterprise. Under Mrs Thatcher (1979-1990), in particular, Scotland was viewed as experimental territory, a terrain where neo-liberal policy initiatives could be tried and tested. The community charge (poll tax) was introduced into Scotland one year earlier than in England and Wales, for example. The legitimacy of Scottish devolution has been bound up with a policy discourse – based on community and social solidarity - for which the instruments are only partially devolved. In these circumstances of partial devolution, policy divergence – the early marking out of devolution as distinct from neo-liberal England – was a political project in itself, clearly elucidated in the case of free home care for the elderly, health care, no university fees for Scottish students or access to expensive drugs on the NHS (GREER, 2007).

Strong identity regions/nations such as Scotland do not 'fit' easily into broad comparative schema. In terms of any formal reading, Scotland has the most advanced form of devolved powers within the United Kingdom. In the Scotland Act, the Scottish parliament was granted primary legislative powers in all areas except those reserved by Parliament for the UK government : namely everything except constitutional affairs, financial relations, foreign policy and defense, the European Union, social security and citizenship. Though the powers granted to the Scottish parliament have been difficult to implement in some respects (for instance, the ability to vary the key rate of income tax by 3p in the £), there has been a spillover in other fields (such as an increasingly visible Scottish stance in European Union policy). The RAI arguably provides for a more accurate representation of regional authority in federal polities (whereby territorial influence is derived as much from the shared rule as from the self-rule dimensions) than it does in the UK, which lends itself less to system-wide generalisation. The hermetic world of central government in London, Whitehall's distrust of local and devolved governments, the weakness of partisan or policy networks linking Westminster and the devolved governments all contribute to explaining these low rankings. It is difficult to admit, however, that Scotland, with its reserved power model of legislative sovereignty, ought to have a lower ranking than a German Länd with a more limited and tightly constrained set of legislative competencies.

ECONOMIC CAPACITY AND PROFILE

As outlined in Table 1, Scotland has a GVA (Gross value added) that is around the average of the UK's regions, well ahead of the poorest regions such as Wales, north-east England or northern Ireland. It has a rate of public sector employment that is well above average and benefits from one of the highest rates of public expenditure by head.

Table 1 Regional GVA in the United Kingdom, 2012

Territory	GVA per head (£)	GVA per head index (UK=100)	Total GVA (£m)	Share of UK total GVA (%)
United Kingdom	21,295	100.0	1,383,082	100.0

North East	16,091	75.6	41,874	3.0
North West	18,438	86.6	130,618	9.4
Yorkshire & The Humber	17,556	82.4	93,339	6.7
East Midlands	17,448	81.9	79,698	5.8
West Midlands	17,429	81.8	98,346	7.1
East of England	19,658	92.3	116,125	8.4
London	37,232	174.8	309,339	22.4
South East	23,221	109.0	202,597	14.6
South West	19,023	89.3	101,576	7.3
England	21,937	103.0	1,173,512	84.8
Wales	15,401	72.3	47,344	3.4
Scotland	20,013	94.0	106,342	7.7
Northern Ireland	16,127	75.7	29,410	2.1

Source: Office of National Statistics (2014) Compendium of UK Statistics (http://www.ons.gov.uk/ons/guide-method/compendiums/compendium-of-uk-statistics/index.html, accessed 20.06.14)

Unlike Wales, Scotland can boast substantial economic capital, through its financial and legal firms, its banks and insurance companies, its universities, as well as what remains of North Sea oil and gas. The UK's devolved governments, including Scotland, have thus far had limited fiscal capacity,

however, which we define in terms of having access to a wide tax base, some freedom in setting tax rates and borrowing capacity; such fiscal capacity is essential if sub-national governments are to have access to and secure confidence in international bond markets (DYSON, 2014). How would an independent Scotland pay its way in the world? This question has been at the heart of the 2014 independence referendum campaign. The strengths of the economy are also its weaknesses: the dire warnings by banks such as Standard Chartered and HSBC to relocate in the event of a Yes victory arguably challenge the sustainability of Edinburgh as a financial capital; the warnings by oil majors BP and Shell, taken together with the controversy over the extent of North Sea reserves, undermine one of the key arguments for independence. The weight of the financial sector – 12 times Scottish GDP, higher than Iceland before the crash – would pose a risk in the event of a banking or currency crisis. The ratings agencies - Moody's par exemple – have declared that an independent Scotland would have a lower rating than the rUK, hence higher interest rates. The main campaign issue related to the role of the currency in the future of an independent Scotland: Salmond's insistence that the Bank of England would agree to a currency union with Scotland, implying joint steering of the £, was flatly rejected by UK Chancellor Osborne, backed by the three unionist parties in Scotland (Labour, the Liberal Democrats and the Conservatives). The lack of a Plan B (what would happen if the BoE did not agree to share control over sterling with Scotland?) put Salmond in great difficulty during the first leaders' debate in August 2014. There was little appetite for embracing the euro, the single European currency, though Salmond declared the Scots to be more European than their southern neighbours. Finally, whether the mobilisation of the majority of the business community against independence would have an impact or not was one of the key unknowns in the run-up to the 18th September referendum.

INTER-GOVERNMENTAL RELATIONS AND MULTI-LEVEL GOVERNANCE

The United Kingdom has been described as a Union State, rather than a unitary state. To this extent, we agree with MITCHELL (2004) that the United Kingdom provides for a curious mix of the Union and Unitary State, the Union State allowing for the development of territorial asymmetry, but the Unitary version, underpinned by a doctrine of parliamentary sovereignty, emphasising the hierarchy of the centre over the periphery. Whether the central government in London respects the Union form (allowing Scotland, Wales and northern Ireland substantial domestic autonomy) or attempts to impose a more thorough going Unitary vision (as under Thatcher in the 1980s) has varied somewhat according to historical period. The creation of devolved governments in Scotland, Wales and

northern Ireland in 1999-2000 confirmed the nature of the UK as a Union state based on territorial assymetries; Scotland, Wales, Northern Ireland and England are subject to rather different rules within the context of the UK state.

Such assymetry is in part historical. When England and Scotland agreed to the Act of Union in 1707, there was an understanding that the Scots would retain their national identity, their Presbyterian church, as well as their separate education and legal systems. The grand bargain also rested upon the centre's respect for Scottish civil society institutions. A London strategy of central autonomy – governing from London in the area of high politics, but allowing local and regional governments considerable practical autonomy– was pursued in return for a generously funded benign neglect towards Scotland (arguably even before devolution) counterbalanced by an incorporation of Scottish elites into the heart of the British state. One of the driving forces behind the rising demand for devolution in the late 1990s was the breach of this unwritten convention by central government. The Thatcher government (1979-1990) spurned the social consensus upon which the 'dual polity' had rested and sought to construct a Britishness based on commitment to neo-liberal economic modernisation. There was a territorial dimension to this, as southern England appeared to be furthering its interests over the rest of the union. Even before Thatcher, Scots had begun decisively to reject the notion of Britishness from the early 1970s onwards.

The early years of devolution in Scotland were marked by the dynamic of limited divergence, as the new political institutions were determined to leave their trace, especially in social and welfare policy. In core areas of interdependence (notably the European Union, but also some aspects of welfare policy), intergovernmental relations were to be managed by the doctrine of No Surprises (whereby London and the devolved governments would inform each other of their actions and avoid embarrassing the other); this position was facilitated by de facto party political congruence from 1997-2007, as the Labour party controlled the executives in Edinburgh, London and Cardiff. Party congruence also facilitated an informal mode of inter-governmental relations, one marked by pragmatic accommodation, personal contacts and a common civil service (PARRY, 2004; MCEWEN, 2012). From 2007, the pattern of party political congruence ended with a bang, as the SNP was elected at the head of a minority government in Scotland (and re-elected with an overall majority in 2011). The formation of the Coalition government in the UK in 2010 began a new phase, with premier Cameron's 'respect' agenda, whereby London would not interfere with policy choices made

in the devolved nations in return for the latter engaging in the efforts at economic and budgetary tightening. This strategy was consistent with a longer-term strategy of central autonomy (from London's perspective). From this moment onwards, the move towards a referendum developed momentum both in Edinburgh and in London. The agreement between Cameron and Salmond: designed either to keep Scotland within the union for the next generation, or to improve the chances of the Conservative Party to exercise a permanent control over government in the rUK.

Using a referendum to settle a constitutional issue is consistent with recent British history, from the 1973 referendum on the Common Market onwards (inter alia, the 1979 and 1997-98 referendums on devolution or the 2010 referendum on electoral reform). In and of itself, however, this testifies to the extreme weakness of mechanisms of intergovernmental coordination that will need to be revisited if Scotland votes No.

The question of Europe figured prominently in the campaign, but not in terms of the traditional euro-enthusiasm versus euro-scepticism. Certainly, the YES camp claimed to be more European than the neo-liberal English (though they markedly refused to countenance adopting the Euro as the future Scottish currency). The campaign was marked by a rather arcane – but extremely important – legal dispute concerning the role of an independent Scotland in the European Union. Would Scotland have the status of a continuing state, as part of the UK and signatory to all of the treaties? In this case, the newly independent Scotland would retain the various opt-outs negotiated by the UK government and would be a full member of the EU. Or, in the terms of international law, would Scotland be the successor state? In the latter case, she would have to apply to join the European Union from afresh, along with other international organisations such as NATO and the UN. The debate was not settled during the campaign itself, but there were indications of hostility to allowing the new state automatic entry. The President of the European Commission Barroso, in 2013, implied that Scotland would have to reapply for membership and join the queue behind applicant members such as Serbia and Turkey. Key veto players, such as Spanish premier Rajoy, indicated that they would veto Scottish entry to the EU, determined to prevent similar moves from taking place in their own autonomist-minded regions, and particularly Catalonia.

THE PARTY SYSTEM

One dimension of (regional) territorial capacity lies in the party system. We identify two *distinct configurations* of regionalisation. First, the emergence of territory-specific (ethno-territorial) parties as the key parties in regional elections. The politics of ethno-territorial mobilization reflects itself in sub-state political institutions, distinctive party systems, language rights movements and cultural traditions(DE WINTER and TURSAN, 1998; MORENO,2007). There is a growing literature on the impact of split voting in 'post-sovereign' states. JONES and SCULLY (2006), for example, demonstrate the differential between voting for minority nationalist parties (Plaid Cymru, SNP) in devolved and UK-wide elections, the regionalists performing much better in the territory specific elections than at the UK-level where the traditionally unionist Labour Party continues to dominate. The SNP has ruled the devolved Scottish government since 2007 , while Labour continues to dominate traditional Westminster (UK) elections. Many Scottish electors support the SNP in devolved elections, because it has provided for a stout defense of Scottish interests: the referendum of September 18th will tell us whether they also favour independence. Whatever the outcome, the pressure exercised by a resurgent nationalism on the main unionist partes since the 1970s (in Scotland and Wales, at least) is one of the core dynamics in British party politics.

A rather different indicator identifies the weight of regional/nationalist lobbies within the national parties or national parliamentary institutions (in order to defend a territorial interest at the higher level). The case is well illustrated in the case of Spain, where the leading party in the lower chamber must often negotiate with pivotal parties (in general Basque, Catalan, Galician and Canary Island nationalist parties) whose votes are required to help it to pass government bills (ORTE and WILSON, 2009). At pivotal stages in the past, in the 1970s notably, the SNP and Plaid Cymru performed a similar pivotal role. But the SNP is mainly signficant as a political entrepreneur, a highly professional and tightly organised outfit which has demonstrated its capacity to govern Scotland over a sustained period. The Scottish case very clearly fits the model of split voting, as the SNP has imposed itself as the key national party in Scottish elections, but Labour retains this position in relation to Westminster. Whether this is a convenient division of labour, or an unsustainable one is one of the many questions that will be answered by the referendum.

POLITICAL LEADERSHIP

Political leadership is traditionally a neglected variable for understanding territorial dynamics. Rather like supranational or national forms, studying territorial political leadership logically involves three main levels of analysis: the individual, the positional and the environmental (COLE, 2012; LAGROYE, 1997). The individual level can refer to the mobilising qualities of particular individuals. Media attention usually focuses on Livingstone or Johnson as successive mayors of London or powerful mayors of French cities such as Collomb in Lyons, or Delanöe in France. Individuals also occupy specific *positions;* their leadership styles will reflect in some measure the combination of individual preferences, the role opportunities presented by specific positions or offices and their strategic skills in blending the two.

There is evidence since the 1980s of new forms of territorial leadership, based on transformational, if not to say confrontational styles: with Jordi Pujol in Catalonia, Bart de Weaver in Flanders and Alec Salmond in Scotland providing three very different exemplars. In the case of Spanish autonomous communities, the Belgian regions or the devolved governments in the UK, devolved governments provide powerful institutional platforms upon which to base highly politicized and conflictual forms of inter-governmental relationships. Alex Salmond corresponds well to the transformational leader, as described in BURNS (1978); goal driven, with a long term strategy to transform society, rather consensus building and compromise. Few contest that Salmond is bearer of a vision, though many contested its well-foundededness. Is there a goodness of fit between a particular leadership style and the opportunities provided by overarching political circumstances? It is logically impossible to predict what would have happened had he not been First Minister since 2007, but Salmond has come to exemplify the nationalist and independence cause in a way that was not foreseen in advance of devolution.

TERRITORIAL REGIMES

Territorial regimes provide a sixth indicator of territorial capacity. By territorial regime, we refer to long-established forms of co-operation between actors in well-defined policy universes. In the case of Scotland, a territorial regime coalesced around the prospect of devolution during the 1980s, therefore preceding the creation of devolution. The Constitutional Convention, established in 1988, brought together a broad cross-section of political, economic and associative actors society to deliberate upon the future archiecture of devolution. Strong institutions, well enmeshed into civil

society and supported by a cohesive policy community, have embedded Scottish devolution. Though Scotland has always scored highly on this indicator, the referendum campaign is bound to leave scars and will possibly compromise the prospect of harmonious instititions in the future. Will the divisions amongst the business and scientific communities, in particular, weaken the processes of Scottish social and cultural capital accumlation, irrespective of the result?

IDENTITY LOGICS

Interpreting territorial governance from an identity-based perspective implies looking to regions, or stateless nations as historic, cultural and political entities and identifying territorial networks or ethnoterritorial parties sharing a common identity (GUIBERNAU, 1999; GAGNON, PALARD and GAGNON, 2006; DE WINTER and TURSAN, 1998; MORENO, 2007). Scotland also scores very highly in terms of territorial identity indicators. As Table 3 demonstrates, most Scots feel Scottish rather than British; indeed, in the 2009 Citizenship after the Nation-State survey, Scotland had the highest sense of exclusively 'regional' identity of any of the 14 regions that formed part of the sample. Table 2 needs no further discussion. Were this a referendum about a sense of belonging and of identity, then the YES camp would wins hands down. On the other hand, the bipolarisation brought to light by the 2014 referendum campaign can also undermine the longer term modes of cooperation and relationship maintenance.

Table 2

The 'Moreno' identity scale in 14 European regions (2009)

	Exclusively regional	More regional than national	Equally regional and national	More national than regional	Exclusively national	Don't know
Scotland	19	41	26	4	7	3
Catalonia	16	29	37	6	6	6
Wales	11	29	33	10	15	2

Upper Austria	10	16	38	11	22	3
Bavaria	9	19	36	11	19	6
Thuringia	9	18	44	9	17	3
Salzburg	9	17	50	9	10	5
Vienna	7	14	38	15	19	7
Galicia	6	25	57	6	4	2
Lower Saxony	6	11	34	15	27	7
Brittany	2	23	50	15	9	1
Castille La Mancha	2	4	52	18	20	4
Alsace	1	17	42	20	15	5
Ile de France	1	7	30	42	12	8

Source: Survey carried out in April and May 2009 with a representative sample of 900 people in 14 regions, as part of the *Citizenship after Nation State* (CANS) project, funded by the European Science Foundation (JEFFERY, 2014)

Conclusion

Using the territorial political capacity framework to present the case of Scotland was to intended allow a cool reflection of the varied dimensions of political Scottishness. It does not provide a guide to the eventual result of the referendum. Insofar as Scotland scores highly on the seven indicators considered, however, the implications for the future of Europe's states are important. A NO vote would signify the limits to the processes of territorial assymetry that challenge the boundaries of existing states; without removing the underlying causes of territorial fragmentation, such a result would underline the robustness of existing states. A YES vote, on the other hand, might produce emulation from other first order strong identity regions/nations across Europe, in Catalonia and Flanders especially, with unpredictable consequences. The framework referred to the material and constructed dimensions of governance. While there are arguments on both sides, the economic

argument is central. On the eve of the referendum, the polls indicate that the YES camp has so far failed to provide convincing answers on a number of pressing issues of immediate daily concern: the future of the currency, the role of Scotland within or outside the European Union, the financing of the welfare state, immigration and labour mobility. On the other hand, the polls also indicate a narrowing of the gap between the two sides as the campaign has progressed. Were the campaign to be fought on narrow identity issues, the likelihood is that the YES would win. Whatever the result, the referendum is unlikely to close the chapter of Scottish national claims within or beyond the United Kingdom and European Union.

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[ii] In the case of Scotland, there is a general legislative competency, except in those areas that are reserved for London, In Wales, on the other hand, the Assembly has legislative competency in 20 specifically enumerated fields.