

## REVIEW: SCOTTISH PARLIAMENT BOOKS

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- G.Hassan (ed.) (1999), **A Guide to the Scottish Parliament: The Shape of Things to Come, Edinburgh**, Edinburgh: The Stationery Office/The Centre for Scottish Public Policy, pb, £6.99, ISBN 0114972311, 176pp.
- G.Hassan and C.Warhurst (eds) (1999), **A Modernisers' Guide to Scotland: A Different Future**, Glasgow: The Centre for Scottish Public Policy/The Big Issue in Scotland, pb, £10.99, ISBN 1899419047, viii+333pp.
- B.Taylor (1999), **The Scottish Parliament**, Edinburgh: Polygon, pb, £12.99 ISBN 1902930126, 266pp.
- J.McFadden and M.Lazarowicz (2000), **The Scottish Parliament: An Introduction** (2nd edition), Edinburgh: T&T Clark Ltd, pb, £13.50, ISBN 0567005437, 140pp.
- G.Hassan and C.Warhurst (eds) (2000), **The New Scottish Politics: The First Year of the Scottish Parliament and Beyond**, Edinburgh: The Stationery Office, pb, £9.99, ISBN 011497280X, xvi+202pp.

On 6 May 1999, the people of Scotland went to the polls to elect their representatives to the new Scottish parliament set up under the Scotland Act 1998. In his foreword to **A Guide to the Scottish Parliament**, Donald Dewar, the then Secretary of State for Scotland, describes the year of 1999 as an 'historic' and an 'exciting' one, adding that 'Scotland stands at the beginning of a new era, a new century and a new millennium' (p.7).

Indeed, just as the 1997 general election will be remembered in Scotland as the election which paved the way for devolution, the first Scottish general election will be remembered as marking the beginning of a new era in Scottish politics, heralding in a new style of coalition government brought about by a new electoral system. Hence the new devolved institution has never ceased to be in the spotlight from the day it was officially opened, on 1

July 1999. It is no surprise, therefore, that there should be a proliferation of books on the Scottish Parliament published as soon as it became a reality .

The first year of the Scottish parliamentary session has now been completed, and indeed both the Parliament and the Executive have so far been given a rough ride by the media in Scotland, and especially the tabloid press, which vilified MSPs as a bunch of untrustworthy amateurs, mostly motivated by greed, and played a decisive part in the resignations of two of Donald Dewar's close advisers. Even parts of the quality press seemed dedicated to undermining the Scottish Parliament, as shown by the headline run by **The Scotsman**, 'Devolution achieving nothing, say voters', on the occasion of the publication of the results of its February ICM poll, when this was in fact a clear case of interpreting data in an inaccurate way, so as to be able to present the new institution in a decidedly negative light.

As regards the new coalition politics, which had been so highly praised prior to the election, because it would bring about more consensual and more constructive parliamentary debates in Edinburgh, far remote from the sterile bickering of Westminster-style confrontational politics, it was immediately derided once it assumed to become a reality. The press had a field day dissecting the coalition talks between Labour and the Liberal Democrats, as though the sheer fact of having to enter into negotiations to form the Executive cast doubts on the very credibility and competence of the future government.

Yet, the first legislative programme presented by the new Scottish Executive contained no fewer than eight Bills, which compares extremely well with the number of Bills concerning Scotland (an average of two per session) that used to find their way into the legislative process at Westminster prior to devolution. In its first year, the Scottish parliament voted on legislation - in one case initiated by an individual MSP - in a range of areas: abolishing feudal tenure, for instance, as well as poindings and warrant sales, or repealing the ban on promoting the teaching of homosexuality in schools (Section 2A of the Local Government Act 1988), before the rest of the UK.

**A Guide to the Scottish Parliament**, and Jean McFadden and Marc Lazarowicz's **The Scottish Parliament: An Introduction**, both examine the historical background which eventually led to the setting-up of the Scottish Parliament; both then focus on the workings of the Parliament itself, the distribution of powers according to the Scotland Act, and the new Parliament's relations to Westminster, local government, and Europe, before

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looking at the wider-ranging programme of constitutional reform entered upon by the Labour government, changing the governance of the UK.

The first book, which was published before the election and was therefore looking at a parliament-to-be, provides an interesting comparative study of the proposals contained in the Scottish Constitutional Convention's 1995 'blueprint', the Government's White Paper and the Scotland Bill. It also examines the challenges which would face the new parliament in terms of developing a new approach to policy-making.

McFadden and Lazarowicz analyse the mechanisms of the new constitutional settlement in Scotland, and the workings of the Scottish Parliament and the Executive, from a legal perspective. Thus, in describing both the matters reserved to the UK Parliament and those devolved to Scotland, they examine the impact of the doctrine of parliamentary sovereignty, and give concrete examples of what the Scottish Parliament could - and could not - do under the new arrangements; or indeed has already done. As this book's second edition was published in July 2000, the authors were able, in their description of the Additional Member System, to use data available from the Scottish election, and thus to provide a clear explanation of an otherwise rather complicated electoral system.

The authors also examine four areas in which tensions might arise, notably the relations between the Scottish Parliament and Westminster, the question of the financing of the new devolved body, its relations with local government and quangos, and finally with Europe. As the UK Parliament still has the power to make laws for Scotland, this is often singled out as being evidence of the subordination of the Scottish Parliament to Westminster. McFadden and Lazarowicz, however, point out that this need not be a source of conflict between the two institutions; indeed, the UK parliament has already used that power when it voted on the Food Standards Act 1999 which set up the Food Standards Agency. Food safety is a devolved matter but, in this case, the UK and the Scottish governments agreed that, with the consent of the Scottish Parliament, it would be appropriate for the legislation to be introduced on a UK-wide basis.

Brian Taylor's **The Scottish Parliament** is not a guide to the new parliament in the way of these first two books. The author does not present a description of the workings of the new devolved body, but rather analyses the political developments and motivations which he observed as a political journalist - political editor at BBC Scotland - and which brought about the establishment of Scotland's parliament, as well as the challenges which will face the new

devolved institution. The first chapter of his book therefore centres on Scottish identity because, in Brian Taylor's opinion, identity is the driving force behind the latest reforms; he argues that 'people begin by saying: we are Scottish. Then they implicitly challenge the political parties to offer a response.' (p.22) This leads him to make a statement which underlies his entire analysis: that reform in Scotland is motivated by the popular will, and that as a result 'Scotland's constitutional future is not in the hands of Labour or any single political party' (p.29). The very last words of his book provide his answer to the question of whether devolution will lead to independence: 'The people will choose' (p.262). He warns that the 'settled will' of the Scottish people should not be taken to mean necessarily the 'final' will; devolution is not static, but dynamic, and therefore subject to change.

As the titles indicate, **A Modernisers' Guide to Scotland: A Different Future** and **The New Scottish Politics: The First Year of the Scottish Parliament and Beyond**, look more to the future and the challenges facing both the new institutions and Scottish civil society in the process of devising a new system of governance for Scotland.

The first of these two books is published by the Centre for Scottish Public Policy, a centre-left think-tank, and aims at looking beyond the symbolic significance of the setting-up of the Scottish Parliament to a vision of the new Scotland. It is because it is 'not clear' to the authors of this collection what vision Scotland's politicians and political classes have for Scotland - or indeed if they have any - that they wish to present a modernising agenda aimed at economic, social, cultural as well as environmental revitalisation. The contributions to this volume examine policy issues covering a wide range of areas, such as social enterprise, land reform, and lifelong learning.

**The New Scottish Politics** offers an assessment of what the Scottish Parliament and Executive have achieved in their first year. The authors underline that surveys have shown that what Scots expected most of devolution was policy changes which would improve their lives. They argue that, indeed, the new constitutional settlement has brought about a host of such changes, but they stress that, in their opinion, 'the bigger picture of which these policies are part' (p.8) is missing.

In their introduction, the editors of **The New Scottish Politics** acknowledge that 'the challenge to the Scottish Parliament and the "new politics" is immense, but much progress has been made in the first twelve months.' Although it is undeniable that the Scottish Parliament and Executive are still trying to find their feet, it was unreasonable to expect the new institutions to

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be able to change everything overnight. Besides, as Hassan and Warhurst argued in **A Different Future**, the new system of Scottish governance 'cannot be solely a top-down centre-led process but must involve grassroot and community involvement from as many sources as possible'.

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