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REVIEW: THE GOVERNMENT OF SCOTLAND

Brian Taylor

Michael Keating, **The Government of Scotland: Public Policy Making after Devolution**, Edinburgh: Edinburgh University Press, 2005, 244pp,, pb, £16.99, ISBN: 0748618228.

In the early days of devolution, posh, bourgeois Scotland had a problem. How were they to deal with this interloper, this disruption to the seemingly settled order? Perhaps they should simply ignore it in the hope that it would mostly operate below stairs. Let me stress I am not talking here about formal Tory Scotland. Yes, the Tories had opposed devolution. In reality, though, they gave up that battle before the referendum, leaving the No campaign to be run by Brian Monteith (now an MSP), with occasional scrutiny from a grandee or two. The Tories knew they had to change – and quickly – in order to survive at all in the new politics. The only question was the extent of that change. Should they seek to contain the settlement, to act as a brake upon further devolution? Or should they ride point, pushing for a more radical transfer of power – including fiscal autonomy: for a more extensive settlement within which they could credibly argue for a tax-cutting, free-enterprise programme? That discussion is still taking place. It is the real cause of the bout of introspection which afflicted the Scottish Conservatives in the aftermath of their relatively poor UK general election result in 2005.

However, I digress. Back to the bourgeoisie: business Scotland, the lawyers, the accountants, the diners in black tie. Michael Keating says in his book that Scotland lost its bourgeoisie in the sense that they operated, in terms of policy influence, entirely at the UK level, neglecting what remained of a Scottish body politic. True – although one might equally say that the bourgeoisie mislaid Scotland. Either way, though, the result was the same.

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Keating's book is a dispassionate, thorough, thoughtful analysis of the attempts to recreate a substantive public policy-making structure in Scotland, post devolution. He traces the shortcomings, forecasting wryly at one point that sections of the media will undoubtedly interpret his comments 'as another "devolution fails" story'. I particularly appreciated the opening sentiment: 'It has always been difficult to explain Scotland to foreigners.' A problem, I must confess, I have occasionally encountered. Not England, part of Britain, a nation but not a state, not a federation, certainly not a region yet frequently classed as such in the EU, apparently confined to domestic politics and yet increasingly interested in European and global affairs.

Keating tackles the issue of whether administrative devolution pre-1999 was designed to forge a Scottish body politic or simply to put a kilt on UK policies, driven by a UK mandate. He concludes: 'For the most part, the Scottish Office's task was to put a Scottish face on UK policy, adapting it to Scottish law and institutions.' His main task, however, is to examine the emergence of contemporary policy-making structures: arrangements which straddle the civil service, civic Scotland, academia and interest groups. Throughout, he stresses a couple of caveats: that the UK government remains the more powerful policy driver and, secondly, that there is only limited evidence that Scots would welcome dramatic departures in policy. On the latter point, he cites areas of apparent divergence: where Scotland defaults to positions more to the Left, partly driven by a more disparate party structure which itself defaults to the Left. Generally, however, he finds that Scottish voters at present 'seem committed to the same blend of economic and welfare policies as those in the remainder of the United Kingdom and share much the same outlook on questions of social tolerance and order.'

I would share that analysis – just – while noting with interest Keating's further point that the equilibrium might well be disturbed if and when Holyrood and Westminster end up with governments of markedly different colour, driving social and economic policy (and perhaps the popular response) in different directions. However, I dissent somewhat from another argument advanced in the book. Keating deals in some detail with the Executive's attempts to govern consensually or collaboratively. Rightly, he decries the earliest interpretation of consensus politics – what one might call 'cuddly consensus' – as naïve. To be fair, the authors of consensus politics in the Convention and the Consultative Steering Group (CSG) were more hard-nosed than later legend suggests. They wanted evidence-based politics, free

from artificial confrontation. Contrary to myth, they did not believe that Scotland's problems could be solved by a group hug.

Keating suggests, however, that the Executive has resorted to working consensually with stakeholders in the absence of a strong policy-making capacity within the civil service itself or in accompanying think tanks.

Now there is a good point here, an important point. Keating notes that, while such a consensual approach may make policy making 'more open and participative', it may also result in a policy structure which is 'slower, less decisive and less capable of radical reform'. Put another way, if everyone is inside a vast, collective tent seeking agreement, then there is no-one on the outside pouring sceptical criticism on the endeavour. The result may be sluggish, self-satisfied contentment under canvas: but a lack of intellectual rigour.

I would accept – senior civil servants would accept – that the Executive machinery is still being geared up to act as a government, not merely a branch of government. I would accept that there is a relative dearth of think tankery in Scotland. I would accept that Holyrood's committees in their earliest days were a little in thrall to the usual suspects – although now there are real signs of a quizzical, critical approach from our elected members. However, I do not accept that the Executive's adoption of collaborative government is entirely *faute de mieux*. I believe it is also a deliberate strategy, based upon an alternative theory of governance and a search for delivery.

Look back at the CSG. They did not start from the premise that the Parliament must resort to NGOs because its own policy capacity was weak. Ditto the Executive under successive Permanent Secretaries, but most especially the present incumbent John Elvidge. They evinced consensus as a deliberate theory of government – and as an attempt to ensure that policy preparation translated into delivery, the real concern of Ministers and voters. This is a potential challenge to NGOs and civic Scotland. Come and join us, entreats the Executive. But bear in mind that, when you come on board, you take responsibility for delivery as well as for policy formulation. The prize is a seat at the policy table. The price is that you defend and implement the policy which emerges, perhaps even against critical mutterings from your own members.

However, my quibbling over this issue does not detract from Keating's main point. which is the relative weakness of formal policy-making machinery in

Scotland. Nor does it detract from another essential point: the relative paucity of power over finance.

Keating traces with great care Scotland's funding capacity, concluding that there is 'large discretion over how money is spent but … very limited say over how it is raised'. Further, he illustrates how the discretion over spending may in practice be more limited still, given the political impetus to follow well-trailed and high-profile announcements made by Westminster. Overall, he detects a key weakness in the policy structure, 'emptying Scottish politics of part of its meaning.' With due caution, he analyses the case for and against fiscal autonomy. This, I feel, is where the work is at its strongest: serious, detailed, evidence-based analysis, shorn of the political spin which inevitably characterises partisan pronouncements.

In the same vein, Keating concludes by positing a series of dilemmas. The policy structure is developing – yet its 'village' nature could stifle innovation and postpone tricky decisions. The Executive is key to the structure – yet shows little sign of contesting Westminster on policy questions. Finally, he notes that the early naivety about the policy process has been abandoned, while groups which thought they could ignore the Scottish Parliament have been brought into the policy community. The bourgeoisie are back – and this time it's devolved.

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