

THE PLACE OF RELIGION IN DEVOLVED SCOTTISH POLITICS: AN INTEREST GROUP ANALYSIS OF THE CHURCH OF SCOTLAND AND SCOTTISH CATHOLIC CHURCH

Martin Steven

THE SCOTTISH EXECUTIVE'S AGENDA OF REFORM – 'MODERN LAWS FOR A MODERN SCOTLAND'?

On the 6 September 2005, Jack McConnell unveiled the Scottish Executive's new nineteen month long legislative programme. A wide-ranging agenda, it promised, amongst other things, a cut in business tax rates, the introduction of a greater range of sentencing options for courts as part of a general crackdown on public order, and the abolition of school boards. Similar policy themes were evident in the 2004 programme, when Mr McConnell labelled the Executive's proposals 'modern laws for a modern Scotland'.¹ However, the piece of legislation which many commentators chose to focus on was the plan to bring Scottish family law into line with England and allow same-sex, unmarried couples to adopt. More than five years on from 'Section 28', the Scottish Executive was once again preparing to tackle a controversial 'moral' issue which would inevitably bring it into conflict with significant sections of Scottish society and, in particular, the Scottish churches.

Martin Steven is a Politics lecturer in the School of Law and Social Sciences, Glasgow Caledonian University. He recently completed his doctorate in the Department of Politics at the University of Glasgow. His research interests include the place of religion in western political systems. martin.steven@gcal.ac.uk

¹ news.bbc.co.uk/1/hi/scotland/3633900.stm

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The core ideal which lay behind the home rule campaign was the aim of achieving ‘Scottish solutions for Scottish problems’ and, since 1999, the Scottish Executive has pursued a distinctive agenda, introducing new housing legislation, free care for the elderly, and abolishing up-front tuition fees in higher education. However, by far the single biggest political battle the Scottish Executive has been involved in surrounded its plans to repeal Clause 28, Section 2A of the Local Government Act 1988, the law which prohibited the ‘promotion’ of homosexuality as a form of family life in local authority schools. Upon starting the process of repeal in late 1999, leading figures in the Labour/Liberal Democrat coalition quickly realised abolishing the Act would not be straightforward. A ‘Keep the Clause’ alliance was established between Brian Souter, the evangelical Christian owner of Stagecoach, Cardinal Thomas Winning, and the **Daily Record**, and by the start of 2000 a national debate was taking place across Scotland, with Souter privately funding a national referendum on the issue.

Interestingly, in comparison to the Catholic Church, the Church of Scotland’s attitude toward repeal was relatively positive, with the 2000 General Assembly voting to back abolition of the Clause, provided fresh safeguards were put in place which continued to emphasise the importance of marriage. The Church’s Board of Social Responsibility and Education Department consulted closely with one another, before eventually confirming that, while they did not support blanket repeal, they agreed there was a need for the Clause to be replaced. This article analyses the role of the churches in what remains the biggest political row in the life of the Scottish Executive so far. The policy areas which concern family law and human sexuality provide us with an excellent microcosm to try to evaluate the place of religion in Scottish politics.

POLITICS AND RELIGION IN DEVOLVED SCOTLAND

The role that religion plays in the Scottish political system is an issue which has always generated much public attention – a phenomenon which has continued to develop post-devolution. More so than elsewhere in the UK, issues of an essentially ‘religious’ nature can quickly become important political issues as well. For example, the Scottish Executive has made eradicating sectarianism and bigotry one of its main priorities, while arguably the first major debate which took place in the Scottish Parliament focused on the need to repeal the Act of Settlement, the centuries-old law which bans Catholics from becoming, or marrying, the British monarch. The future of

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state-funded denominational education is frequently discussed, because of the claim that it contributes to a divided society (arguably the main catalyst behind this blur between politics and religion in the first place), and the increasing number of shared campuses for denominational and non-denominational schools has also proved an intermittently contentious policy, post-devolution.

Indeed, the onset of devolved power seems to have motivated the various Scottish churches to develop their political role even further – for example, appointing parliamentary officers to liaise with the new tier of decision-makers in just the same way as other, more conventional interest groups have done. The Church of Scotland, whose annual general assembly was frequently compared to a national legislature, had to adapt to its new status in the altered political landscape, while the Catholic Church in Scotland quickly realised that a ‘new politics’ also meant new opportunities for exerting influence. For example, in his account of the home rule campaign, BBC Scotland political editor Brian Taylor highlights the way the Scottish Catholic hierarchy campaigned to have the issue of abortion devolved to Holyrood, in the hope that it could then have more political influence in that particular area of legislation (1999, p.140). Up to his death in 2001, Cardinal Thomas Winning had wasted little time in making a number of public pronouncements on a range of political topics, so much so that journalist Ian MacWhirter even felt it was necessary to point out that ‘it is Donald Dewar who is First Minister, not Cardinal Winning’ (2000, p.19). In the summer of 2000, Winning expressed how let down he felt by the ‘liberal agenda’ pursued by MSPs and branded the new Parliament an ‘utter failure’, a criticism almost certainly motivated by the fact that Labour had not backed down over repealing ‘Section 28’.

CHURCHES AS INTEREST GROUPS

Despite the contemporary and historic links between religion and politics that have always existed in Scotland, no substantial body of literature exists on the political behaviour of the Church of Scotland or the Catholic Church. While much political science research has been conducted on interest groups, and much conducted on the place of religion in politics, relatively little has been carried out on religious organisations when they act as interest groups, despite the fact they often adopt this role. The article argues that this is an important aspect to the relationship between politics and religion and one that is under-researched, particularly in the context of Scotland. Collectively, the Church of Scotland, the Catholic Church and other religious denominations/organisations

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can be viewed as active interest groups in the Scottish political system, where the role of religion continues to be a highly topical issue.

According to the leading British interest group expert, Wyn Grant, when the established Church attempts to apply pressure on government over a certain issue, it is a 'secondary' interest group. Its 'main purpose is that of a religious organisation: to provide facilities, buildings and clergy for worship and the administration of the sacrament in accordance with its doctrinal beliefs, and to propagate its interpretation of the Christian gospel' (2000, p.16). When it does speak out, however, it is both a 'promotional' group, in the sense that it makes pronouncements on social and political issues, and a 'sectional' group, when it, for example, criticised the Conservative Government in the 1980s for not exempting its ministers from the Community Charge. While Grant's focus was the Church of England, it is not unreasonable to look at the Church of Scotland and Catholic Church in this way as well – the prime purpose of a church is, then, 'a religious one, but it has a secondary function as a pressure group seeking to influence public policy' (Grant 2000, p.16). When such an organisation enters the political arena, in an attempt to obtain political influence, its effectiveness can be analysed in the same way as that of a 'primary' interest group.

Carolyn Warner's treatment of the Catholic Church in continental Europe as an interest group (2000) set an important precedent. **Confessions of an Interest Group: The Catholic Church and Political Parties in Europe** starts from the same two premises as this article – that this specific aspect of religion and politics interacting is important, and that it is possible to apply interest group characteristics to churches. In the same way as this article analyses the political behaviour of churches in Scotland, Warner's research is 'a study of the Catholic Church's strategic behaviour' in western Europe (2000, p.xi). She argues that 'the Catholic Church is an interest group whose actions can be modelled as if it were a firm in a market seeking a supplier of goods' (2000, p.4). Her motivation is the same as the present author's – in her words, to rectify the fact that the 'Church's actions in the context of democratic political systems are poorly understood' (2000, p.4). In Warner's words, the 'Church has lobbied democratic governments, via political parties and other means, to retain its monopoly over education and to have the costs of it paid for by governments; it has lobbied them to impose its morals on society through legislation; it has lobbied governments to gain or retain preferential tax status; and it has lobbied to keep some of its employees from being conscripted. ... To put it bluntly, the Catholic Church is, in addition to being a religion, an interest

group' (2000, pp.6-7).

Using a similar framework to analyse the Scottish context, the Church of Scotland's Committee on Church and Nation can be viewed as one of the most prominent interest groups in Scottish civic society over the last century. In June 2005, the Committee was amalgamated into a larger 'Church and Society Council', but its traditional remit (which dated back to its establishment in 1919) was to 'watch over developments of the nation's life in which moral and spiritual considerations specially arise' (Church of Scotland 2004, p.19). An organisation with this remit could belong to a 'cause', or 'promotional', political interest group, to use Stewart's terminology (1958). According to Stewart, cause groups 'represent some belief or principle ... [and] seek to act in the interests of that cause' (Stewart 1958, p.25). Meanwhile, prior to reorganisation, the Church's Board of Social Responsibility frequently adopted more of the characteristics of a 'sectional' group, because of its responsibility for the Church's extensive care facilities – its homes for the elderly, its drug and alcohol rehabilitation centres. However, it could also potentially adopt the characteristics of a 'cause' interest group, for example, when a 'moral' political issue like abortion or human sexuality was concerned. The Catholic Church presents us with more of a challenge when it comes to categorising it 'politically', because of its speaking with one voice on a number of different policy areas. Significantly, the 1918 Education (Scotland) Act, which led to denominational schools coming under the auspices of local authorities, directly links the Catholic Church with the Scottish political system by statute, and effectively makes the Catholic Church a 'quasi-governmental body' as a consequence (Kellas 1989, p.179). However, as we will see in the case study of 'Section 28', it differs quite significantly from the Church of Scotland in its lobbying strategies.

It is also pertinent to mention Grant's insider/outsider distinction (1978) when analysing the political activities of the churches – this focuses more on the receptivity of government to the afore mentioned strategies. 'Insider' groups are regarded as legitimate by government, and consulted regularly, while 'outsider' groups do not receive, or do not wish to receive, the same recognition. Categorising a group as 'cause' or 'sectional' is all very well, but, ultimately, we should be interested in what sort of end result is achieved, in terms of influence. There are three main points to focus on, here – the question of whether the churches actually succeed in exerting influence in a specific policy area; the question of whether they show they are capable of acting as effective lobbyists in any case; and the question of whether a suitably

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favourable political environment exists for them to try in the first place.

With regard to the first point, while definitively linking the outcome of a policy debate with the actions of an interest group is extremely difficult, the fact remains that unless a group achieves some or all of its objectives, its political behaviour cannot be regarded as entirely effective. The second point is essentially a reference to ‘good practice’ – the group in question must ensure it acts in a way that does not jeopardise its chances of success. Baumgartner and Mahoney state that ‘most authors agree that resources are the foundation of all advocacy activity’ (2002, p.9). Here, the writers are using the term ‘resources’ as a synonym for ‘strategy’. Independent of what the decision-makers feel about a certain policy, the group must use their resources effectively, in order to gain access to the consultation process. Maloney, Jordan and McLaughlin have misgivings (1994) about discussing the ‘strategies’ interest groups deploy in the British context, when it is not clear how vital such factors are in gaining influence. However, when discussing the political behaviour of a church – a very individualised type of secondary interest group – such a discussion seems almost unavoidable. The third point focuses on the question of whether the devolved Scottish political system is open to this sort of ‘faith-based’ lobbying. Being part of a policy community and getting consulted by the decision-makers is a visible sign that an interest group possesses genuine potential for influence, even if, ultimately, the group does not necessarily achieve its aims.

EVIDENCE OF POLITICAL INFLUENCE

The Scottish Parliament voted to repeal ‘Section 28’ on 21 June 2000 by 99 votes to 17, with two abstentions. Some four days earlier, the then Education Minister, Sam Galbraith, had accepted an additional ‘marriage clause’ in the legislation, on the recommendation of an independent working group which included parents, teachers and church representatives, set up in February 2000 to allay perceived public concerns. The McCabe Committee’s final report included this specific recommendation:

We live in a diverse society and young people need to be aware of the value of commitment and mutual respect in relationships and partnerships. They should be aware of the value placed on marriage by religious groups and others in Scottish society. As they mature, they should be encouraged

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to appreciate the value of parental responsibility and stable family life as a means of offering children security, stability and happiness.²

So can the churches take direct credit for this last minute ‘compromise’? On the face of it, hard evidence is the most immediately important of the three ‘tests of influence’, but it is also the most difficult to gauge as it is always the one we know least about. No senior civil servant or politician is likely to officially admit that one interest group caused them to change their mind directly, and evaluating precisely how much credit a group can take on its own for any successful lobbying is equally uncertain. Writers in the field have tried to address the difficulties involved, although, as Whiteley and Winyard argue, ‘the question of interest group effectiveness is probably one of the least adequately researched aspects of the study of pressure groups’ (1987, p.111). However, they believe it is important to speak to the groups themselves to ask them if they think they are effective, even if that is only a second-best solution to directly observing the decision-making process (1987, p.114).

In terms of assessing whether or not the Church of Scotland ‘achieved its aim’ over ‘Section 28’, there exists a fundamental problem referring to the Church of Scotland as one unified ‘organisation’ – for example, at one point at the height of the debate in the spring of 2000, the Church apparently had three different views on the matter. The then moderator of the general assembly, the Rt. Rev. John Cairns, strongly supported a repeal of the ‘clause’, the Department of Education supported the concept of repeal but had reservations, while the Board of Social Responsibility was opposed to it completely. This ‘internal structure’ issue will be discussed in the next section, as it has massive implications for the Church’s lobbying strategies generally. However, assessing the Catholic Church’s satisfaction with the way the debate was resolved is more straightforward.

Peter Kearney, the Director of the Scottish Catholic Media Office, regarded the outcome of the ‘Section 28’ debate as a ‘failure’ – ultimately, the ‘Clause’ was repealed, and the Church did not achieve its objectives, according to Kearney (Interview with author, 25 March 2002). As Grant correctly states, it is often easier to assess the ineffectiveness of a pressure group, or a change in its levels of effectiveness, than its effectiveness per se (2000, p.211) and, within these limits, the ‘Keep the Clause’ campaign was plainly unsuccessful. However, Brian Souter was much more satisfied with the outcome, stating that ‘after a

² www.scotland.gov.uk/library2/doc16/sess-00.asp, accessed 17 October 2005

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long hard battle I am relieved that common sense has finally prevailed. We commend the executive for listening to the public concerns regarding this need to protect children from inappropriate materials'.³

What is perhaps most striking, however, is the emphasis placed by the Scottish Executive on their concern for the views of Scottish parents, rather than those of faith groups, or 'Keep the Clause'. For example, section 1.11 of the McCabe Report states:

We trust this final report will help reassure parents and carers. The Group considers that the most effective safeguards relate to procedures and arrangements which secure continuing professional advice, support to schools and monitoring of quality. We acknowledge that parents have to feel confident that they have no reason to withdraw their child from any aspect of sex education, and every reason to ensure their continuing attendance.⁴

Meanwhile, Section 1.12 states:

We consider the partnership between parents and schools to be pivotal to effective sex and relationship education. It is therefore important to identify and deal with any parental concerns or public misconceptions that surfaced during the debate on section 2A in order that we can continue to improve provision in the best interests of young people.⁵

Understandably keen not to be viewed as having performed some sort of 'u-turn', Sam Galbraith commented:

As a married parent myself I fully understand these responsibilities and I have absolutely no difficulty with that phrase nor should anyone else.⁶

There appears to have existed a reluctance on the part of Scottish Ministers to publicly acknowledge the role of 'Keep the Clause' in achieving the final 'compromise', and so they chose instead to highlight the concerns of 'ordinary'

³ news.bbc.co.uk/1/hi/scotland/792968.stm, accessed 17 October 2005

⁴ www.scotland.gov.uk/library2/doc16/sess-02.asp, accessed 17 October 2005

⁵ www.scotland.gov.uk/library2/doc16/sess-02.asp, accessed 17 October 2005

⁶ news.bbc.co.uk/1/hi/scotland/792968.stm, accessed 17 October 2005

Scottish parents, as well as the fact that they had attempted to emphasise that sort of family ‘stability’ in the first place.

CAPACITY TO EXERT POLITICAL INFLUENCE

Comparing the political behaviour of the Church of Scotland with that of the Scottish Catholic Church is a bit like comparing the kicking technique of footballer David Beckham with that of rugby union back Jonny Wilkinson – while similar in many ways, ultimately they are using a different rule book. The Catholic Church has a firm set of beliefs, which are contained in the Catechism, and its clergy and media spokesmen believe they have a duty to convey those beliefs to politicians when they feel a public policy directly concerns the Church. The Church of Scotland, on the other hand – Protestant and reformed in its theology – has no centralised belief-system, and the political consequences are very different too. The Church of Scotland only involved itself in the ‘Section 28’ debate because, as the national church, it has representatives on local authority education committees, and therefore had a right to be consulted on the matter.

So different motivations lead to different sorts of lobbying – in particular, the Catholic Church’s Archdiocese of Glasgow frequently shows an awareness of the importance of ‘strategy’. Whiteley and Winyard state that, when it comes to political activity of this type, ‘effectiveness [is] a matter of group strategies as well as the environment within which groups operate’ (1987, p.147). Coxall agrees, arguing that the choice of an ‘appropriate strategy can be an important factor in pressure group success’ (2001, p.149). Grant writes that the ‘choice of an appropriate strategy and tactics can be an important determinant of pressure group success, although there is a sense in which the adoption of unsophisticated strategies may be a reflection of ineffectiveness rather than its cause’ (2000, p.205).

The Catholic Church has no hesitation in actively contacting politicians who they know to be ‘Catholic’, however broadly one wishes to define that term, when attempting to gain support for their position over a particular policy. For example, the Catholic Parliamentary Office knows precisely which MSPs at Holyrood are Catholic, and contacts them first when lobbying over an issue. On the other hand, Graham Blount, Church of Scotland minister and the Scottish Churches Parliamentary Officer, states that he views his role as more of a ‘facilitator’ for all churches and politicians to work with (Interview with

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author, 24 November 1999). Both techniques are directly linked to the specific theological bases of the individual denominations, but the one adhered to by the Catholic Church is possibly more ‘strategic’.

The Catholic Church’s capacity to act as an effective interest group is also significantly helped by its hierarchical internal structure, which is much more media-friendly than the Presbyterian committees of the Church of Scotland. Inherently and instinctively anti-hierarchical, the Church of Scotland has numerous spokespersons, as opposed to one dominant figure. This is not without its political advantages – for example, Rosie has argued the ‘General Assembly is listened to in a way that the General Synod of the Church of England is not’, because its decisions are taken more ‘democratically’ (1992, p.78). However, in the age of the sound-bite and public relations, coherence of message is a must, and that has not always been one of the Church of Scotland’s strengths. Nevertheless, the Church is rightly proud of its egalitarian organisation, and many leading figures would rather have no political influence than change it. Periodically, calls are made for a permanent moderator, with the former **Herald** editor, Harry Reid, echoing this view in his book on the state of the Church (2002, p.73) but this would effectively mean the Church stopped being Presbyterian, and abolish its core belief.

However, in 2004, the Church did begin a process of reforming its internal structure, setting up a new ‘Council of Assembly’ in order to create ‘an executive function’ which could set ‘priorities among the boards and committees of the Church in line with agreed strategy’⁷. The work of all the previous boards and committees, including Church and Nation and the Board of Social Responsibility, are now undertaken through six councils – Church and Society, Ministries, Mission and Discipleship, Social Care, Support and Services, and World Mission. The Church and Society Council now speaks for the Church on all political issues – from social justice and asylum seekers to abortion and human sexuality – while the Board of Social Responsibility’s practical responsibilities have been transferred to the Social Care Council. The Church remains Presbyterian, but has instilled a more centralised command. Already, the signs are that this will result in a more co-ordinated style of political lobbying – for example, on the 10 June 2005, Morag Mylne, the Convener of the new Church and Society Council, spoke out against the Scottish Executive plans to allow same-sex couples to adopt, stating that the

⁷ www.churchofscotland.org.uk/boards/councilofassembly/councilofassembly.htm, accessed 21 September 2005

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Church sees marriage as the ‘best way of providing exactly that situation of stability and security and happiness’.⁸

It is also worth noting at this point that the responses to a survey of MSPs and MPs conducted by the author revealed an interesting contradiction in the way the lobbying ability of the Catholic Church is viewed by Scottish politicians. While there was an acknowledgement by a number of MSPs and MPs that the Catholic Church was probably a better political ‘lobbyist’ than the Church of Scotland, this did not necessarily transfer into those same politicians always being personally influenced. Two back-bench Labour MPs stated that they disliked the tactics used by the Catholic Church to try and influence them, and resented the implication that being a Labour MP in Central Scotland meant that they were expected to listen carefully to the views of the Catholic Church. Furthermore, one Catholic Labour MSP explained how he considered changed his mind over repealing Section 28 – he was in favour of retaining it – after feeling his Church was trying to tell him what to do (Anonymised telephone interviews, October 2001, March 2002). While Scottish politicians are impressed by the way the Catholic Church organises itself as a lobbying organisation, many are not prepared to be ‘brow-beaten’ over matters which they have their own opinions about; this included practising Catholics who are anxious not to be portrayed as being in too close contact with their Church.

Indeed, while the Catholic Church excels at media manipulation, it does not necessarily find it straightforward translating that into discernible political influence. The slightly more diplomatic pronouncements which generate from the New Town headquarters of the Church of Scotland perhaps speak the language of the senior policy officials in the Scottish Executive in a way that the street-wise media campaigns of the Catholic Archdiocese of Glasgow arguably do not. The central belt of Scotland may well resemble one, big political village but it is in Edinburgh that most interest groups and think tanks have their headquarters, and the fact the Catholic Media Office bases itself in Glasgow perhaps epitomises its relationship with the rest of the Scottish policy community. Nevertheless, the very fact the Catholic Church was still dissatisfied with the final compromise over ‘Section 28’ is a sign of the high expectations of success it holds when it comes to applying pressure on government.

⁸ news.bbc.co.uk/1/hi/scotland/4081676.stm, accessed 21 September 2005

CLIMATE FOR POLITICAL INFLUENCE

As we already know, measuring political influence precisely is problematic and, as Grant points out, often depends on perspective and context (2000, p.194). For example, the CBI had much more interaction with the Labour government of 1974-1979 than it did with preceding and succeeding Conservative administrations but only because the organisation viewed the policies of Wilson and Callaghan as more threatening and so tried to do more to influence them. Coxall agrees with Grant (2001, p.160-1), arguing that the 'nature of government, as well as the multiplicity of goals pursued by many groups, hinders attempts at objective assessment'. He also states that the success or failure of groups can be partially explained by the 'prevailing political culture' (2001, p.160). For example, if a government is committed to increasing economic growth, the goals of environmental groups will be moved down the list of priorities.

Issues surrounding human sexuality and family values are highly divisive in the twenty-first century, especially within churches. Generally, while the church representatives are considered to be 'insider' experts over issues of this kind, they are not necessarily listened to as a consequence. Church attendance has been in decline in Scotland, in the same way as it is across much of western Europe, and while the exact extent to which that is relevant is unclear, the views of church leaders on issues of this kind probably carry significantly less weight as a consequence. Indeed, the fact the Scottish Executive made repealing 'Section 28' one of its first priorities, post-devolution, speaks volumes about how Scottish society has changed.

However, there are signs of hope for churches and faith-based organisations trying to play an active role in the Scottish political system. First of all, from a comparative perspective, the picture is much more positive. For example, religious interest groups have traditionally been influential voices in the American political system, and, after George W. Bush became President in 2000, their role became even more prominent. Bush has launched a flagship drive to provide public funds for churches and religious organisations involved with social care, established the Office of Faith-Based and Community Initiatives, as well as faith-based 'centres' in five Cabinet-level federal agencies to assist with its work. He also ordered the removal of 'bureaucratic barriers' regulating public funds for religious group (Wilson 2003, p.30). Terms such as 'faith-based organisation' (FBO) and 'faith-based initiatives' have also been introduced to the UK. In 2002 for example, the British

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Government appointed a 'faith tsar', John Battle MP, to act as an 'extra channel of communication between faith groups and the Prime Minister' (**The Scotsman**, 2 July 2002) while the Scottish Executive's Minister for Communities, Malcolm Chisholm, has devolved responsibility for relations with religious and faith organisations.

A glance at modern election results reveals that religion also appears to continue to play a high-profile role in west European politics – Italy, France, Germany, Greece, Belgium and The Netherlands all have recent experience of being governed by Christian Democrats. One does not need to be religious to vote Christian Democrat but party programmes do continue to stress the legacy and values of the Christian Church. As Meny and Knapp highlight (1998, p.72), parties continue to place great stress on the values of education and morality, even if Catholic Church law on marriage, divorce and contraception no longer automatically dominate sections of party programmes. Dutch confessional parties regarded the Bible as a 'direct guide' to policy-making up until the 1960s, and today the the Christian Democratic CDA 'accepts modern secularised culture only very reluctantly' (Lucardie and ten Napel 1996, p.65). Religion continues to play an important role in western European and American society, and it would be wrong to argue as some do (for example, Brown 2001, Bruce 1995, 2002) that the influence of religion in Scotland is definitely in some sort of terminal decline.

Secondly, the 'Section 28' case study shows that the churches remain an important part of the education policy community in devolved Scotland. In terms of contributing towards the piece of legislation which finally went through the Parliament, both the Church of Scotland and Catholic Church were very much part of the consultation process, as active 'insider' members of the policy network. Both churches have representatives on local authority education committees and their opinions on the merits/demerits of the original Clause were considered important and relevant by those framing the policy. Indeed, school education is by no means the only area in which the churches possess this status – licensing laws, care homes, housing/homelessness, and human genetics are all examples of areas of public policy in which the Scottish churches are treated as insider interest groups, and maintain close relationships with civil servants, local government politicians and other lobbying groups.

Lastly, the importance of 'religion' as a variable in the way people vote continues to be significant; the Souter-funded referendum on 'Section 28' resulted in 1,094,440 votes in favour of keeping it – practically, 1 in 4 adult

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Scots. According to Keating, ‘the debate left a residue of suspicion of the role of churches in public life, and a wariness about taking on such emotive issues in the future. It is notable that after the 2003 election, the Executive preferred to leave the question of civil partnerships to Westminster through a Sewel motion’ (2005, p.81). Keating also argues that the Sexual Offences Act of 2001 was passed to Westminster for the same reasons (2005, p.113). This may, or may not, be the case, but the fact remains that politicians will continue to listen closely to the comments of church spokespersons if they think there are substantial amounts of votes to be lost, and, in devolved Scotland, that continues to be the case.

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