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The Process of Devolution: the Scottish Case

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THE PROCESS OF DEVOLUTION: THE SCOTTISH CASE

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Abstract: *This paper aims to make a contribution to the existing devolution literature by developing a conceptual framework that draws together many of the insights that have emerged within case study research. Combining concepts found in the literatures on political legitimacy, nationalism, and social movements with intuitions derived from veto player theory, it provides a structured and theoretically-grounded framework of devolution decisions and non-decisions. By applying this framework to the Scottish case, the merits of such an approach are illustrated. It will be argued that territorially-concentrated legitimacy grievances,, along with pre-existing meso level mobilisation structures, played an important role in creating popular support for devolution amongst the Scottish electorate. The number of veto players and the policy position of the agenda-setter are shown to have influenced the degree to which this popular support translated into real policy change. Taken together, this offers a new perspective on the process of Scottish devolution.*

Keywords: *Devolution, legitimacy, veto players*

Introduction

The transfer of powers and resources downwards from the central state towards the meso level has been widespread in recent decades, especially within the European Union (Keating 1998; Rodriguez-Pose and Gill 2003). A large part of the literature on regionalism and devolution focuses on the economic and political *effects* of this trend (for example: Azfar, Kähkönen et al. 1999; Curtice 2001; Fisman and Gatti 2002; Rodriguez-Pose and Bwire 2004; Rodriguez-Pose and Gill 2005). Much less systematic attention is paid to *why* countries devolve in the way that they do. Contributions that do address this important question tend to be detailed accounts of specific cases (for example: Conversi 1997; Giordano 2000; Keating 2000; Moreno 2001; 2001a; 2001b; 2003). Within these analytical stories, a variety of factors, ranging from cultural, historic, linguistic and religious ties to economic variables and ideological beliefs, are commonly employed to explain the emergence or strengthening of support for devolution. Although the complex ways in which these factors feed into each other are discussed, the theoretical nature of the link between them is seldom explored. More specifically, little systematic attention is paid to the complex processes that lead from the mobilization of regional legitimacy grievances to the actual devolution of powers and resources.

This paper aims to address this gap in the literature by developing a more theoretically-founded explanation of the devolution process. The first part of this paper will briefly outline this framework. Section two then shows how this framework sheds new light on the process of Scottish devolution in recent decades. It will be argued that grievances that could be mobilised in support of devolution had been mounting in Scotland since the early 1960's. Failure to frame the issues successfully, combined with the ill timing of the 1979 referendum, however prevented devolution from materialising. During the 1980's and 90's, the emergence of additional grievances along with a more successful mobilisation process increased the pressure from below towards greater Scottish autonomy.

However, for more than a decade this pressure could not be translated into policy outcomes due to a lack of meso representational congruence during Conservative rule. This changed after Labour's return to power in 1997. The continued success of the Scottish National party (SNP), along with the strong electoral position of the party in Scotland, induced Labour to be more responsive to Scottish demands. The timing of the subsequent devolution referendum, shortly after the party's convincing victory in the 1997 general elections, along with a more successful mobilisation process, contributed to the subsequent creation of a Scottish Parliament with limited tax-varying powers.

Framework

The research on devolution is notoriously plagued by the 'many variables, few cases' problem. Rather than reverting to a fairly descriptive study of the case at hand, this paper will respond to this challenge by awarding greater attention to the substantial quality of the proposed explanations. To do this, it will develop a conceptual framework of devolution by drawing on a number of theoretical insights from literatures on political legitimacy, nationalism and social movements, alongside veto player theory. It is important to stress that this framework is used as an analytical tool, not as a longitudinal description of the process. Section two will show how this framework provides a structured explanation of devolution decisions and non-decisions by applying it to the Scottish case.

In its most general form, popular support for a more devolved system of government emerges when, at least in certain policy areas, the Meso arena is perceived as a more legitimate or more capable representative of the people than the central government. In other words, it results from legitimacy grievances that are defined in a territorial way. Since the perceived legitimacy of any political arena generally depends on a number of factors, such grievances can also take different forms.

As popular discontent become more profound and different types of grievances start to coincide within one meso arena, the potential for popular support increases. This paper will loosely draw on the concepts of specific and diffuse support put forward by Easton (1965) to distinguish between these types of grievances. Specific support for a political arena depends on its perceived ability to produce outputs that meet, or can be expected to meet, the demands of enough of the members within some reasonable timeframe (Easton 1965: 269). Dissatisfaction with the output the central arena is perceived to produce, as well as a belief that the meso arena would be able to produce more satisfactory outputs, creates grievances that can be mobilised in support of devolution. In many cases, such output-based grievances are not the sole source of support for a more devolved system of governance. The perceived legitimacy of the meso arena as a locus of democratic representation generally also depends on a degree of diffuse support. This type of support is independent of short term government performance and forms a ‘reservoir of favorable attitudes or good will that helps members to accept or tolerate outputs to which they are opposed or the effects of which they see as damaging to their wants’ (Easton 1965: 273).

Diffuse support can in turn be divided into types. First of all, the ideology or articulated principles and values of a regime can impact on the perceived legitimacy of the arena (Easton 1965: 290). Although regional differences need not have an immediate effect, consistent discrepancies in ideological stances and partisan support may over time diminish the perceived legitimacy of the central arena in favour of meso level representation. Secondly, the structures and norms of a regime will influence its perceived legitimacy. Although their legitimacy can be linked to the legitimating ideology, some structural arrangements and norms may acquire a legitimacy of their own over time (Easton 1965: 300). When ideological beliefs change, old institutions may continue to enjoy a reasonable degree of legitimacy, at least as long as they produce outcomes that are not clearly in conflict with these new beliefs. Support for a more devolved system of governance is in itself a statement that the current structures and norms are viewed as deficient.

This view may emerge when previously accepted institutional arrangements start to produce results that are perceived as going against the ideological preferences and material interests of the region. Thirdly, the perceived characteristics of authority figures may impact on the legitimacy of a political arena. Such individuals can draw their legitimacy from conformity to the legitimating ideology or structures and norms of a regime, but they can also be perceived as legitimate because the members of a system recognise them as being personally worthy of moral approval (Easton 1965: 303). As the authority figures in the central arena lose their legitimacy in the eyes of the regional electorate or as meso arena leaders with stronger credentials emerge, a more devolved system may seem more attractive.

Finally, the legitimacy of a political arena as a locus of representation can also be based on the idea of a common interest or bond at this geographical scale. Easton (1965) does not link this common interest to a sense of regional or national identity. Instead he defines the concept more broadly as “a social sanction or norm to impel members to substitute for their own private or particular wants, a new or different one, that of a higher entity or ideal called the common good” (Easton 1965: 314-315). However, the sheer existence of regional or national feelings of belonging does often play an important role in legitimising governmental policies, in particular where they have re-distributive effects (Miller 1995: 50-80). In primordial accounts of regional or national attachments, territorial identities are seen as historically-determined assumed ‘givens’ of social existence, based on kinship and religious, linguistic and cultural ties (Geertz 1963: 109). Most of the current literature on regionalism and nationalism however views identity as created or constructed *around* such ethnic, historic and cultural identifiers, rather than determined by them. In this view, identity is “neither determined rigidly by the past or by rooted social values, nor entirely open for invention and manipulation in the present” (Keating, Loughlin et al. 2003: 35).

The existence of a shared identity at the meso level does not necessarily create support for a territorialized government system. It does however offer an additional opportunity to legitimise claims for greater meso level autonomy. Through the emergence of the nation-state as the main form of political organisation, the existence of a shared territorial identity has become strongly linked to a normative right to self-determination (Moreno 2001: 101). The concept of the nation-state is built on the assumption that territorial identities are exclusive. In other words, nationality not only binds 'us' together, but distinguishes the group from 'others' that are not like 'us' (Triandafyllidou 1998). The increasing importance of sub- and supranational² forms of political organisation has challenged this concept. As the Moreno question³ shows, meso arena identity can be combined with identities at other geographical scales. The concepts of what constitutes 'us' and the 'other' then become context-specific. A meso identity can be mobilised as a devolutionary force by presenting it as irreconcilable with the central identity in some aspects or policy terrains. Moreno (2001: 94) dubs this the mobilisation of a 'differential fact'. Identity markers and other territorial legitimacy grievances then are not just or even mainly important because they reinforce the sense of a meso level 'us', but rather because they can be mobilised to strengthen the perception of a central arena 'other' that is irreconcilable with the meso 'us' in some way.

The legitimacy grievances described above do not automatically translate into popular support for devolution. First of all, a first order preference for a more devolved system of governance need not necessarily lead to a second order policy preference for devolution.

² The lack of an identity-neutral word to denote political forms of organisation at spatial scales that are smaller or larger than the state exemplifies the tendency to equate the state with the nation.

³ The Moreno question (1988), developed in 1986, asks respondents to place themselves on a five-point scale ranging from 'meso identity X, not country identity Y' to 'country identity Y, not meso identity X.'. In between these two extremes, three options that constitute some form of dual identity are given; 'more X than Y', 'equally X and Y', and 'more Y than X'.

Under conditions of perfect information, the electorate could effortlessly link their first order conceptions of the good society with the policy options that would aid the creation of such a society (Hindmoor 2005). However, in the presence of uncertainty about the ultimate effects of a policy, such a link may be more difficult to establish. Although a first-order preference for devolution may exist, fears that devolution may lead to more far-reaching deviations from the status-quo or conversely stabilise the process at a lower level of decentralisation may induce people to oppose it (for an example of such effects see Dardanelli 2005). In addition, key players, such as interest groups, political parties and the media, affect the way issues are framed and translated into first and second order preferences. Potential legitimacy grievances need not be politicised along territorial lines. As discussed above, a meso level identity does not have to lead to demands to reorganise the governmental structure of a state along territorial lines. Similarly, discontentment with government output or the ideology, structures and authority figures at the central level are rarely inherently spatial. Although legitimacy grievances that are more strongly spatially concentrated may more easily lend themselves for territorial mobilisation, elites can, to a degree, choose how they frame such issues. For instance, high unemployment rates in a rural area can be framed as a rural-urban issue, a general class problem or a region-specific territorial grievance. Groups that seek to mobilise support for devolution choose to couch grievances in a territorial discourse, rather than around other possible dimensions of political conflict.

Different societal groups, such as political parties, mass media, religious movements and trade unions, can form the collective vehicles through which legitimacy grievances are mobilised (McAdam, McCarthy et al. 1996: 3). Whether such groups are successful at mobilising support for devolution will depend on the effectiveness of their communication method. In part this will be a function of the resources available to them: more established organisations, with more elaborate resources and numerous information outlets seem more likely to be successful than newly established organisations with little or no funding.

In addition, the ability of these groups to successfully frame issues will be crucial. They will need to make sure that their target audience will at a minimum “feel both aggrieved about some aspect of their lives and optimistic that, acting collectively, they can redress the problem.” (McAdam, McCarthy et al. 1996: 5). In general, popular support for a more devolved system of governance will be easier to mobilise if central government grievances are both spatially concentrated and relatively widespread. In other words, if several types of grievances coincide within one meso arena, this enables interest groups to build richer and more convincing pro-devolution discourses. In addition, it will be easier to convince the public that these grievances could be alleviated through devolution if the meso arena enjoys a greater level of legitimacy. In this context, especially the existence of a shared identity or value system is often awarded great importance {Moreno, 2001 #86}.

The degree to which these groups can influence the eventual policy outcome depends both on their own position in the political system and the identity of the other players. If these collectives have direct access to the central political decision-making process and, at times, play a pivotal role in decision-making, their views will have a more direct impact on the policy outcome. But even if regional actors do not occupy formal veto positions, they may be able to influence the eventual outcome. If we assume that veto players, at least to a degree, behave as vote-maximisers, interest groups may affect their positions by influencing the policy position of the meso arena median voter. The degree to which this effect takes place will depend on the meso representational congruence of the main veto players. This congruence is likely to be highest within players that derive most of their support from one specific meso arena. However, central level players may also display relatively strong meso representational congruence. Especially when regional political parties form a real or perceived threat to electoral success, central level parties may be willing to accommodate the views of the meso level electorate.

In addition, players may choose to devolve powers in policy areas when they feel that meso arena players are more likely to share their policy preferences than competing central arena players. In this case, devolution becomes a strategy for insulating certain policies from changes in partisan power at the central level.

Whether the preference for devolution of one veto player will result in an actual change from the status quo will depend on a number of factors. In general terms, veto player theory predicts that, *ceteris paribus*, political stability increases with the number of veto players, the difference in their political positions and the internal cohesion of each of them (Tsebelis 2002). These statements alone can however not adequately answer our question, as they only identify the potential for overall change. Whether devolution occurs will be dependent on the preferences of the relevant veto players and the identity of the agenda setter. If a pro-devolution player is the sole veto player in the system, devolution will occur. However, if the system has several veto players, the outcome will also depend on the position of other players and their internal cohesion. In such instances, the player with agenda setting power has a distinct advantage over the other players, as he can choose the solution in the winset of the status quo that is closest to his preferences. If agenda setting power lies with a pro-devolution party, devolution is therefore more likely to occur. This agenda setting power may be of particular importance when the electorate potentially has veto powers through a referendum (Tsebelis 2002: 133-134). In this case, a pro-devolution agenda setter may seek to tweak the question and timing of the referendum in such a way as to maximise public support. Anti-devolutionist players on the other hand, will be inclined to do the opposite.

The Scottish case

The framework of devolution presented above stressed the role of territorial legitimacy grievances, along with meso-level mobilisation structures, in creating popular support for devolution. Whether popular support indeed leads to actual devolution is argued to be greatly dependent on the political system. The number of veto players in a system and the meso representational congruence of each of them is proposed to influence the substance and timing of devolutionary change. The remainder of this paper will employ this framework to shed new light of the process of devolution to Scotland in recent decades. It will commence by examining the potential sources of territorial legitimacy grievances, before turning to how such grievances translated into support for devolution and actual policy outcomes.

Potential legitimacy grievances

When exploring the origins of popular support for devolution in Scotland, several commentators devote great attention to the emergence of Scotland as a kingdom during the ninth and tenth century, its troubled relationship with the English and the French, and the creation of a formal Union with England in 1707 (for example Munro 1999; Tomaney 2000; Keating 2001a). In a society that is distinctly heterogeneous in cultural, religious and linguistic terms, this shared history of statehood indeed constitutes one of the most potent markers around which the Scottish sense of identity is built. Nationalist movements drew upon these images of early Scottish statehood and battles against foreign domination, not only to create a sense of a Scottish 'us', but also to reinforce the idea of the English as the 'other'. From the 1980s onwards, cultural markers were increasingly mobilised alongside this image of Scotland as a stateless nation within a 'foreign' state.

Although historically Scotland harbours diverse cultures, with Celtic and Gaelic traditions in the Highlands and an Anglo-Saxon culture in the Lowlands, shared traditions and images have started to emerge (Keating 2001a: 231). These cultural identifiers provide images and symbols that can instil a sense of a shared cultural heritage and help to distinguish it from the British identity . Throughout the past decades, a sense of Scottish identity has been widespread. When forced to choose between the two attachments, the majority of the people living in Scotland see themselves as Scottish rather than British.

Table 1 Identity (forced choice, column per cent)

	<i>1974</i>	<i>1979</i>	<i>1992</i>	<i>1997</i>
Scottish	65	56	72	72
British	31	38	25	20
Sample Size	1175	729	957	882

Source: own elaboration based on Scottish Election Survey 1974,1979,1992,1997

However, feelings of territorial identity need not be exclusive; to feel Scottish does not necessarily mean not to feel British. The extend to which the Scottish identity is seen as reconcilable with Britishness is likely to influence whether such feelings of belonging translate into support for devolution. The Moreno question (1988) seem to offer an opportunity to test this hypothesis. Table 2 shows that, support for devolution or independence is indeed correlated with the strength of the Scottish sense of identity vis-à-vis British feelings of belonging. Of those indicating independence as their first constitutional preference for the government of Scotland, 80 percent placed their Scottish identity above feelings of attachments towards Britain. By comparison, only 62 percent of those favouring some form of devolution and 35 percent of those in favour of maintaining the status quo indicated they felt more or exclusively Scottish.

Table 2 Feelings of identity by constitutional preference (column per cent)

	<i>Independence</i>	<i>Devolution</i>	<i>Status Quo</i>
Scottish not British	39	19	10
More Scottish than British	41	43	25
Equally Scottish and British	14	17	45
More British than Scottish	2	4	8
British not Scottish	1	4	5
Sample size	221	436	145

Source: own elaboration based on Scottish Election Survey 1997. 'Independence' groups together 'Independence, separate' and 'Independence in EU', Devolution groups together 'Elected body in UK, with tax-raising' and 'Elected body in UK, no tax-raising', 'Status quo' refers to 'No elected body'.

Using the Moreno question to gauge the effects of identity on support for devolution may however be problematic. Considering the strong normative power given to identity in legitimising claims for territorial autonomy, a respondent's constitutional preference is likely to influence the way he chooses to express his identity. In other words, Moreno's identity scale may in fact not only be measuring the respondent's feelings of attachment to different territorial units, but also the support for devolution we are trying to explain. Research based on this question is therefore likely to overestimate the effect of identity on constitutional preferences. Despite this potential bias, we still find that a sense of Scottish identity is not a necessary condition for support for devolution.

The Scottish Election Survey (1997) shows that, of those who described themselves as ‘British not Scottish’, 18 per cent voted in favour of the creation of a Scottish Parliament with tax-varying powers in the 1997 referendum, while 13 percent voted in favour of a Parliament without such powers. This is a strong indication that we need to look beyond identity issues to understand the origins of support for devolution.

Alongside the salience of Scottish feelings of identity, economic factors are often used to explain the emergence of support for Scottish devolution (Keating and Loughlin 1996; Brown, McCrone et al. 1998; Dardanelli 2005). From its creation in 1707, the economic benefits related to increased market access and free trade were seen as the main sources of support for the Union within Scotland. The economies of scale necessary for profitable production in most modern sectors of industry emphasised the importance of factors, especially considering Scotland’s low population density (McCrone 1993). In the post-war period, the continued decline of the traditional industries and the profound effect this had on the Scottish economy, did create the potential for legitimacy grievances. However, the creation of a more comprehensive welfare state system and active policies of economic development assistance suppressed this potential. In line with Keynesian economic management concepts, regional policies were employed to attempt to divert a number of major public and private investments to Scotland. Simultaneously employment rates and earnings improved. Although it is questionable to what extent these trends can be attributed to regional policy (McCrone 1985; Brown 1989; Paterson 1994), the coincidence of more favourable economic circumstances with highly visible regional development policies did diminish the potential for output-based grievances.

The discovery of North Sea oil off the Scottish coast and the 1973 oil crisis temporarily increased the perceived viability of an independent Scotland. As the price of oil quadrupled, the central government decided to impose additional taxes on oil companies, accumulating to approximately 90% of the additional revenues. The Scottish National Party mobilised this issue with considerable success, by arguing that an independent Scotland could now turn ‘poor Britons’ into ‘rich Scots’ (Keating 2001a: 214).

However, while the crisis stressed the potential revenues the North Sea oil could bring, it also exposed Scotland's weak economic structure. The surge in oil prices led to a further downturn in the heavy industries that Scotland so strongly relied upon. This resulted in a dramatic decrease in manufacturing output and significant job losses (Aitken 1992). Simultaneously, the international capital mobility that accompanied globalization and European integration made interventionist regional policies seem less attractive to central governments (Cheshire and Gordon 1998). The phasing-out of this type of intervention, combined with a severe recession, created fertile soil for the emergence of economic grievances. Especially during the 1979 to 1997 period of Conservative rule, the macro-economic policies of the central government were increasingly seen as geared towards the needs of the south of England, to the detriment of the Scottish economy. Although this argument held some truth in the 70s and 80s, as industry structures, earnings and unemployment rates started to approach the UK average, its validity may have diminished somewhat. However, surveys show that the idea continued to resonate with the Scottish people (Keating 2001a: 214).

In summary, regionally-concentrated economic problems, coinciding with a turn away from Keynesian regional development assistance, along with macro-economic policies that were seen to favour the South-east of England to the detriment of Scotland, created sharp output-based legitimacy grievances during the 1980s and early 90's. Over the same period, political parties favouring a more autonomous Scotland and other pro-devolution interest groups argued that, in the face of increased European integration, a devolved or even independent Scotland would now be both viable and economically advantageous (Brown, McCrone et al. 1998: 22-23; Keating 2001a: 217-8). It remains unclear to what extent these arguments also resonated with the Scottish public. Especially in the more peripheral areas of Scotland, concerns over the effects of the single market and other EU policies on agriculture and fisheries seemed to continue to dominate public opinion (Keating 2001a: 229).

In addition, the 1997 Scottish Election Survey casts doubts on the degree to which beliefs about the effects of European integration alone impact upon support for devolution or independence. As table 3 shows, the percentage of the respondents favouring the different constitutional options did not differ substantially according to the perception on the effect of European integration on Scotland.

Table 3 Constitutional preferences according to the perceived effect of the European Union on Scotland (column per cent)

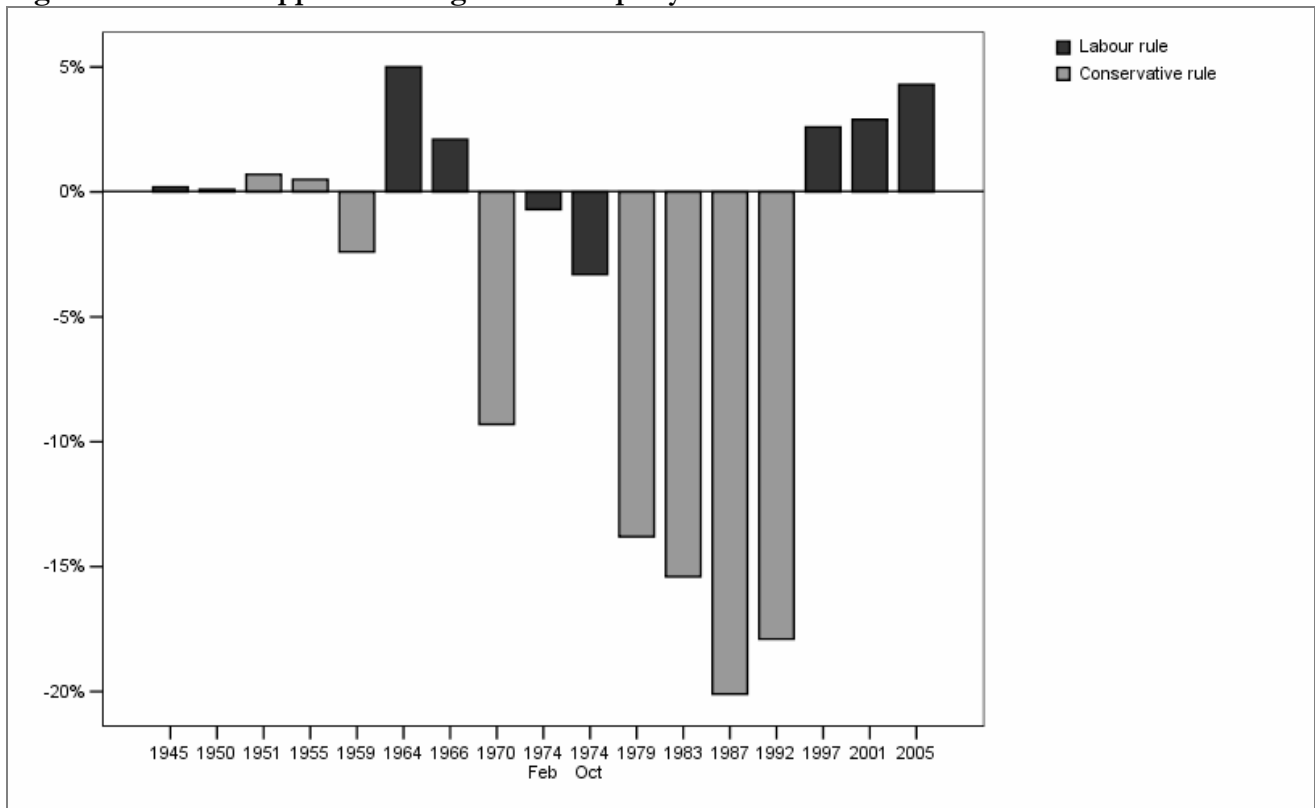
	<i>Good for Scotland</i>	<i>Bad for Scotland</i>	<i>Neither/ both</i>	<i>Don't Know</i>
Independent	28	28	23	22
Devolution	52	56	52	43
Status quo	19	15	20	15
Don't know/ Not answered	0	2	4	20
Sample size	350	178	167	185

Source: own elaboration based on Scottish Election Survey 1997, 'Independence' groups together 'Independence, separate' and 'Independence in EU', Devolution groups together 'Elected body in UK, with tax-raising' and 'Elected body in UK, no tax-raising', 'Status quo' refers to 'No elected body'.

Regardless of the impact of European integration, interest groups, and specifically the Scottish National Party, did manage to raise considerable doubts about the economic benefits of Union to Scotland. Creatively using data provided by the Conservative Treasury Chief Secretary, William Waldegrave, the SNP famously argued that even the central government had to admit that Scotland was a contributor rather than a net recipient of public funds over the period from 1979 to 1997 (Brown, McCrone et al. 1998: 93; Wilson 2003).

Although central government publications consistently refuted this claim (Scottish Office 1992; 1995; 1996; 1997; 1998; Scottish Executive 1999; 2000; 2001; 2002; 2003; 2004; 2005), it did effectively challenge the view that Scotland was heavily subsidised. In addition, the Barnett formula, introduced in the late 1970's, slowly decreased any favourable expenditure position that existed.(Collier and Hoeffler 2002)

Output-based grievances, along with the insistence of opposition parties that alternative economic policies were both viable and more advantageous for Scotland, fuelled popular discontent with the general ideological stance of the central government. In the post-war period, Scottish support for the party that won the general elections has long been fairly similar to the UK average. However, in 1970 and throughout the period from 1979 to 1997, significant differences in voting behaviour emerged. While overall electoral support for the governing party was above 40 per cent, Scottish support in these five general elections was markedly lower, ranging from 38 per cent in 1970 to a low of 24 per cent in 1987.

Figure 1 Electoral support for the government party in Scotland and the UK 1945-2005

Source: own elaboration based on Leeke (2003)

Due to the decline of support for the Conservative Party from the 1950's onwards and the resulting ideological grievances during the prolonged period of Conservative rule, the Scottish people are often claimed to be more left-wing than the UK as a whole (Keating 2001a: 215; McLean 2004). British Social Attitudes Surveys show that the Scottish electorate indeed tends to espouse values to the left of the British average (Curtice 1988; Curtice 1992; Curtice 1996; Brown 1998). However, differences are usually found to be too small to adequately explain the large disparities in voting behaviour, especially after correcting for regional variation in socio-structural factors (Miller, Timpson et al. 1996; Brown, McCrone et al. 1998: 164).

The steady decline in Scottish support for the Conservative Party therefore also seems to be related to the way in which first-order conceptions of the 'good society' are translated into second order policy preferences and third order partisan alignments. Partly, this trend can be linked to the increasing secularisation of social and political life. Up to the 1960's, religious beliefs and party loyalties had been more strongly associated in Scotland than in the rest of Britain, with Scottish protestants of all classes displaying a stronger loyalty to the Conservative Party than their English counterparts. As religious denominations became less important markers of partisan identification, a significant part of the protestant working class electorate moved away from the Conservative Party towards Labour and the SNP (Brown, McCrone et al. 1998: Chapter 6 and 7). In addition, the Scottish electorate as a whole was more sceptical about the free-market philosophy of Thatcherism and its ability to deliver the desired social and economic results. Especially in the middle class, support for the Conservative Party decreased rapidly from the early 80's onwards, to the advantage of the Liberal Democrats, Labour and the SNP (Brown, McCrone et al. 1998: 155, Scottish Election Survey 1979, 1992, 1997). On average, such a shift was not noticeable in Britain, where both the skilled working class and the middle class trusted free-market policies and the Conservative Party to provide many of the same social and economic goals (British Election survey 1979, 1992).

Regardless of the validity of the image of the Scottish people as ideologically distinct from the rest of the UK, this type of argumentation did aid the mobilisation of low electoral support for the governing party along territorial lines. Within the rest of Great Britain, electoral support for the Conservatives also varied, with the Party consistently enjoy relatively low levels of support in many constituencies in the north and west of Britain (Johnston, Pattie et al. 1988; Curtice 1996). However, in the absence of strong regional mobilising structures and a sense of regional identity, the resulting ideological grievances were not mobilised and found little political expression.

The effective translation of regionally-concentrated differences in electoral behaviour into constitutional concerns within Scotland, and to a lesser extent Wales, owes much to a pre-existing sense of the region as a distinct social, cultural and economic entity. Established meso-level elites and institutions, who had an incentive to frame conflicts in territorial terms, along with an already widespread sense of a shared interest and identity, created a more fertile environment for the territorial mobilisation of ideological grievances. This mobilising potential was augmented by the ability of Scottish elites and opposition parties to successfully frame regional divergence in voting behaviour as an expression of a distinct Scottish identity with specific social values, which were irreconcilable with the values that seemed to dominate in England (McEwen 2002: 77). In other words, equating the Scottish identity with the values of justice and equality, helped to frame ideological grievances as identity-related issues that could only be solved through self-determination.

Especially when Thatcherism started to infringe upon the policy areas that were seen as central to this Scottish identity, such as health and education, these ideological grievances started to effect the perceived legitimacy of the established system of Scottish government (Brown, McCrone et al. 1998: 22). In the face of highly divergent voting patterns, many of the structures that were initially created to diminish Scottish discontent and reduce the political salience of regionalism, could no longer successfully fulfil these roles (Keating 2001a: 207). One of the most poignant examples of this is the Secretary of State for Scotland. Although appointed by the governing party, the Secretary was widely seen as representing the Scottish interests in Westminster as well as the central government in Scotland. However, as voting patterns started to diverge, the Secretary of State lost his ability to act as a mediator and was increasingly perceived as a central government consul to Scotland, rather than an advocate of Scottish interests at Westminster (Keating 2001a: 204-216).

Structural grievances were further aggravated by Thatcher's emphasis on reducing the amount of Quasi-Autonomous Non Governmental Organisations or 'quangos'. Although quangos were a UK-wide phenomenon, their mediating role between the Scottish civil society and the central government made them of particular importance in Scotland. Although always unelected, quangos like the Health Boards were widely regarded to represent the views of the local people. As the Conservative government increasingly challenged their right of existence and independence, this function became strained (Brown, McCrone et al. 1998: 101-104).

In summary, discontent with the perceived output of central government policies, along with regional divergence in ideological stances and the increasing illegitimacy of the prevailing structures of formal and informal Scottish representation created territorially-concentrated feelings of dissatisfaction. Over her long period of party leadership, Margaret Thatcher came to personify this myriad of grievances. By 1989, only 10 percent of Scots felt she had Scotland's interest at heart, while a strong majority agreed that she treated Scottish people as second-class citizens (Denver 2000: 38). Furthermore, a large part of the Scottish electorate saw her as 'extreme' and 'uncaring' (Scottish election survey 1987). Around the time of the 1992 general elections, her successor, John Major, performed considerably better on all these aspects (Denver 2000: 38, Scottish election survey 1992). Perhaps this more positive perception of the personal characteristics of the party leader, along with the election promise to look at the Scottish situation, contributed to the slight increase in Scottish support for the Conservative Party in 1992. However, any optimism about the Conservative stance on the Scottish issue quickly faded again after the implied potential for change did not materialise (Denver 2000: 38).

The Politics of devolution

As the previous subsection shows, a combination of territorially-concentrated legitimacy grievances emerged from the 1950 onwards. A variety of interest groups played an important role in framing and mobilising these grievances. From as early as 1886, single issue groups like the Scottish Home Rule Association have tried to unite Scots of all political denominations behind the Home Rule issue (Mitchell 1996: 68). In addition, important civic and religious organisations also supported the cause. Passing its first resolution in support of the policy in 1948, the Church of Scotland was one of the earliest supporters of Scottish devolution (Highet 1960). Unlike its English counterparts, it was not shy to engage in public debate and criticise central government policy. Publishing regular reports on the social and economic conditions in Scotland since the 1940's, it also provided an important source of regional information that was not widely available at the time. Other groups that actively helped to mobilise grievances along territorial lines were trade unions, teachers organisations and local governments. Although initially sceptical about the benefits of devolution, the policies of the post-1979 Conservative governments united these organisations behind the home rule cause (Keating 2001a: 215). In addition, Scottish newspapers and television and radio stations reinforced the idea of a distinct Scottish cultural and economic reality and provided pro-devolution groups with a platform through which to spread their ideas (Denver 2000). Alongside these important civil and religious groups, the Scottish National Party played a particularly important role in framing and mobilising Scottish legitimacy grievances.

Although the constitutional status of Scotland received careful attention within the main British parties, it was rarely perceived as a key issue outside of general election and referenda campaigns. The SNP on the other hand actively sought to mobilise support for home rule on a continuous basis. Frustrated by the lack of success in increasing the salience of the issue within the mainstream parties, home rule supporters founded the SNP after the First World War (Mitchell 1996).

Containing members from a range of political denominations, with divergent views on the ideal type of Scottish self-government and which strategy should be used to reach this, the party long lacked a clear party ideology. Rather it aimed to attract the vote of all those in favour of increased autonomy for Scotland, regardless of their position on the dominant left-right dimension of politics. Although by the time of the 1974 general election the party manifesto made an explicit reference to social democracy as a guiding principle for the party, uncertainty about its position on the left-right scale remained fairly widespread in the late 1970's and early 1980's. As support for the Tories in Scotland decreased across social classes and surveys showed that Scottish feelings of identity and support for home rule were generally stronger among the working class, the SNP moved more decisively to the left of the political spectrum (Keating 2001a: 213). By the early 1990s, the SNP had clearly become a left-wing party (Levy 1995).

Table 4 Perceptions of those who voted for the SNP on the party's position in relation to Labour and the Conservative (column per cent)

	<i>1979</i>	<i>1997</i>
Closer to Conservatives	12.4	4.5
Closer to Labour	35.7	62.9
No difference/ Neither	N/A	27.3
Don't Know	51.9	5.3
Sample size	283	132

Source: own elaboration based on Scottish Election Surveys 1979, 1997

While this clearer and more cohesive left-wing nationalist agenda helped to maintain popular support for the party, it may have diminished its ability to influence government policy, at least during Conservative rule. From the late 1960's to the mid 1970's, the electoral appeal of the SNP had been a concern for Labour and the Conservatives alike. The increasing level of electoral support, along with a confused understanding of the type of voters the SNP was attracting, greatly amplified its ability to stimulate both parties to take a more devolutionary stance. A poignant example of SNP influence on the Conservative Party line was Edward Heath's declaration in favour of a Scottish Assembly at the party's annual conference in 1968. Coming as a surprise to both pro- and anti-devolution party members, it was regarded as a strategic response to the perceived electoral threat posed by the SNP (Denver 2000: 8). This reading seems to be confirmed by the fact that the policy was quickly abandoned when the Scottish National Party failed to attract the anticipated level of support during the 1970 general election. When Heath's predictions did materialise in October of 1974, the Conservative Party was no longer in a credible position to respond, having failed to deliver change in the previous period in office. The subsequent move of the SNP towards the left of the political spectrum, combined with the continued decline in Conservative support in Scotland, soon made devolution a dimension of politics that was of little importance to the fate of the Conservative Party. Although small pro-devolution factions continued to exist within the party, it progressively moved towards a more centralist stance during the Thatcher years.

Within the Labour Party on the other hand, the SNP's self-positioning as a left-wing party had the opposite effect. Though offering early support to the idea of Scottish home rule, Labour had reverted to a more centralistic stance after the Second World War, as its core socialist values of equality and central economic management were increasingly perceived as at odds with stronger regional autonomy (Denver 2000: 3-6).

When Scottish devolution initially returned to the forefront again in the October 1974 campaign, this was mainly a tactical response to the increased electoral success of the Scottish National Party (Keating 2001a: 219). During the long period of Conservative rule that followed, the party's policy commitment to devolution strengthened. The detrimental effects of the free-market philosophy in crucial policy areas, such as welfare, education and health provisions, coupled with the consistent electoral dominance of the Labour Party in Scotland, made devolution seem like an attractive way to insulate these policy areas from Conservative rule in the future (Denver 2000). However, the electoral success of the SNP continued to played an important role in keeping devolution on the agenda. Especially when the party leader was personally unenthusiastic about devolution, as was reportedly the case with Tony Blair (Rentoul 1995: 287; Seldon 2004), the positioning of the SNP as a nationalist left-wing party helped to stress the importance of devolution in the battle for the Scottish vote.

In summary, the SNP's explicit move to the left of the political spectrum, combined with the decrease of support for the Conservative greatly, influenced the ultimate impact Scottish support for devolution has had on government policy over the past decades. When the Labour Party and the Conservatives still enjoyed similar levels of support in Scotland and the SNP remained ambiguous about its position on the left-right scale, support for devolution among the Scottish electorate had a moderate influence on both parties. However, as devolution increasingly became a left-wing issue, incentives to strive for Scottish representational congruence diverged. For the Labour Party, the great electoral potential of Scotland, combined with the threat of the SNP, created stronger pressures to accommodate Scottish demands. For the Conservative Party, this framing of the issue removed the electoral incentive to accommodate Scottish demands and therefore encouraged a more centralistic stance.

The changing electoral incentive structure and the resulting divergence of policy positions created the conditions for the long period of policy stability during Conservative rule, followed by the rather abrupt devolutionary change shortly after Labour came to power in 1997. In general, the governmental system in the UK is quite conducive to more extensive policy change. Although it is strictly speaking bicameral, it can in many instances be seen as a system with a single institutional veto player, as the upper house rarely holds absolute veto power. Within the lower house, a single partisan player, the governing party, generally hold most of the agenda-setting and decision-making powers. However, when this party does not have an overall majority or its internal cohesion is low, additional veto players emerge, as the government needs to rely on support from members of other parties to pass legislation. Veto player theory predicts that, during such periods, political stability will increase, in the sense that a change from the status quo becomes less likely and any change that does occur is likely to be less substantial (Tsebelis 2002: 19-25). Drawing on this general theory of political stability, changes in the number of veto players and their policy positions over the last 50 years can be seen as the main determinants of the timing of devolution to Scotland in recent decades. To illustrate this point, let us compare the failed 1979 devolution referendum, to the process that led to the acceptance of the Scotland Bill in 1998.

In the decade before the 1979 referendum, Scottish devolution featured prominently on the political agenda. After a move towards more centralistic policy stances after the Second World War, the issue gained renewed salience due to the increasing electoral success of the SNP. In the context of intense electoral competition, both Labour and the Conservatives responded by devoting greater attention to Scottish demands (Keating and Bleiman 1979; Seawright 1999). However, the largely electoral motivation behind such commitments and the lack of widely carried support for devolution within both parties quickly became apparent. During the Conservative rule from 1970 to 1974, the issue received little attention and any real change failed to materialise (Denver 2000: 8).

When Labour came to power in the subsequent election, it made a strong commitment to the creation of a Scottish Assembly. However, Labour's slender majority, which it soon lost after disappointing by-election results, and the substantial minority of Labour MPs that opposed the policy, made it difficult for the government to fulfil these commitments.

The narrow electoral victory, combined with the low level of cohesion within the party, awarded considerable powers to both anti-devolution factions within the government party and members of the opposition. After the fall of the Scotland and Wales Bill in 1977, it became blatantly clear that the Labour leadership would have to make serious concessions to the anti-devolutionist camp to get the policy through Parliament (Keating and Bleiman 1979: 176). Most importantly, Labour backbenchers and Conservative MPs managed to force the government to concede to a referendum on devolution, thereby awarding veto powers to the Scottish electorate. In 1978, the strength of these powers was further increased by the passing of the 'Cunningham amendment', which stipulated that at least 40 per cent of the eligible electorate had to vote in favour of the proposals in order for them to take effect, (Denver 2000: 16). The lengthy debates in Parliament and the resulting time-lag between the raising of the issue in 1974 and the eventual referendum in 1979 did not work in favour of the Labour Party leadership. Effectively having lost a large part of its agenda-setting powers to the Conservatives and its own backbenchers, the party leadership was forced to hold the referendum towards the end of a long and difficult period of rule, when popular support for the Labour Party was low. Given the influence of partisan attachments on voting behaviour in referenda (Pierce, Valen et al. 1983), a Labour proposal stood a relatively high chance of being defeated at this time.

The veto powers of the public, along with the timing and decision-making rules of the referendum, made the passing of the Bill highly dependent on the effectiveness with which potential grievances were mobilised into popular support for devolution.

In the 1970's, discontent with the economic situation in Scotland and a shared history of statehood were the main factors that could underpin support for greater Scottish autonomy. In comparison to the situation in 1997, when ideological, structural and personal grievances accompanied such output and identity-based factors, the pro-devolution interest groups had a rather limited range of grievances upon which to base their discourse. In addition, attempts to mobilise these issues were notoriously divergent and unorganised. Although a general 'Yes for Scotland' campaign was set up by the chair of the Royal Commission on the Constitution, Lord Kilbrandon, the Labour Party decided early on not to join this cross-party initiative. Arguing devolution should be presented as a final solution to the Scottish issue, the party leadership felt it should not join forces with groups who saw it as a step toward Scottish independence (Denver 2000: 18-20). Within the SNP and the Liberal Democrats, the campaigning strategy was large left up to the individual branches. As a result, some joined the overarching Yes Campaign, while others campaigned independently (Bochel and Denver 1981).

The myriad of campaigning efforts on the pro-devolution side sent mixed messages about both the rationale behind devolution and its ultimate outcome on the status of Scotland. Especially the resulting insecurity about whether devolution would ultimately lead to full independence may have hindered the translation of first order preferences for a more devolved system to actual support for devolution (Dardanelli 2005). The much better organised and funded 'Scotland says No' campaign managed to successfully play on these anxieties. The Conservatives stressed that a rejection of the current proposal would not mean the end of the devolution project, but instead offered an opportunity to resolve outstanding issues, such as the West Lothian Question and the Assembly's resources and size (Macartney 1981; Seawright 1999). In the face of a confusing Yes campaign, the argument that a No vote was not a vote against devolution, but rather a vote in favour of a more thoughtful and inclusive devolution process, may have carried considerable weight.

In the context, it is perhaps more remarkable that 51.6 per cent of voters still favoured the creation of a Scottish Assembly, than that the level of support fell short of the '40 per cent of the eligible electorate' threshold. (Denver 2000: 133).

The return to power of the Conservative Party, after the 'no confidence' vote that followed the failed referendum brought down the Labour government, however did not bring the considered devolution alternative some may have hoped for. Under Thatcher's leadership, the lack of real enthusiasm for the policy soon became apparent (Seawright 1999). The strong partisan belief in the sovereignty of parliament and the need to preserve the Union in its current state, sat as uneasy with Scottish devolution as it did with the European integration process (Keating 2001a: 258). In addition, leading proponents of the 'new right' agenda argued that laissez-faire economic policies, privatisation, and deregulation would empower the people directly, making devolution to regional governments no longer necessary (Bogdanor 1979: 112). Since the Conservative Party convincingly won the next three general elections, it had a firm grip on the agenda-setting powers in the lower house. As a result, the issue of devolution all but disappeared from the political agenda. It briefly re-emerged in the early 1990's following John Major's insistence on the subject during the 1992 campaign. Against the advice of the campaign managers, the new party leader had strongly emphasised the Conservative commitment to keeping Scotland within the Union, but also promised that the Conservative Party would look into the Scottish question should it come to power. However, the small symbolic concessions during the subsequent period of Conservative rule could not hide the general unwillingness to accommodate Scottish demands for substantial devolution (Denver 2000: 38-39).

During this long period of opposition, commitment to devolution within the Labour Party increased. The growing legitimacy grievances in Scotland, along with the sustained support for the SNP and the emerging realisation that devolution could be partisan-utility increasing in certain policy areas, created stronger support for the policy.

In addition, many prominent members of the party and most importantly the then party leader, John Smith, were personally committed to the policy and actively championed it within the party. After Smith's untimely death, there was some speculation that Labour might drop the policy. The new party leader, Tony Blair, surprised friend and foe by reaffirming Labour's commitment to stronger autonomy for Scotland and Wales. In light of his sceptical attitude towards devolution, this decision was probably inspired by a desire to create support within the party and safeguarding important Scottish votes. In the context of the strong commitment to devolution of both his esteemed predecessor and his main leadership rival, Gordon Brown, supporting devolution presumably aided Blair's leadership campaign and his perceived legitimacy as Smith's successor. In addition, most expected Labour to gain only a narrow majority in the general elections at that time. The Scottish vote therefore was potentially pivotal to ensure electoral success.

Although the party commitment to devolution remained, Blair did make one significant change to his predecessor's plans; he made Scottish devolution dependent on the outcome of a two-question pre-legislative referendum on the merits of a Scottish Parliament and tax-varying powers. Although the move created considerable controversy within the party, the commitment to a pre-legislative referendum seemed prudent at the time (Denver 2000: 42; Stuart 2005: 405). The likelihood of a relatively narrow victory in the general elections made a repeat of the scenario of the 1970's a realistic option. In addition, the prospect of having to convince English Labour MP's of the need to spend the first months of a long-awaited return to power debating devolution, rather than education, welfare and health, must have seemed unattractive (Stuart 2005: 404). Committing to a referendum on devolution in the election campaign ensured the party remained in control over the timing and rules of the referendum. The strong emphasis on the issue by the Conservatives presumably inspired the decision to commit to a separate question on the desirability of tax-varying powers. In particular the Conservative Secretary of State for Scotland, Michael Forsyth, relentlessly attacked this aspect of the devolution plans.

His coinage of this issue as the ‘tartan tax’ was particularly effective in light of New Labour’s efforts to rid the party of its tax-raising image (Brown 1998: 33; Denver 2000: 42)

In hindsight, a referendum may not have been necessary, as Labour won the 1997 more convincingly than anticipated. However, this stronger agenda-setting power, together with the increased Scottish discontent with the ideological stance of successive central governments and the effects this was perceived to have on the Scottish economy, did put the party leadership in a much better position to ensure a positive outcome. As we have seen, output-based grievances became more strongly linked to discontent with central government policies during Conservative rule. The divergence of Scottish voting behaviour from the country average, along with the centralistic stance of the government, created new ideological and structure-based grievances. The negative perception of Margaret Thatcher among a large part of the Scottish electorate reinforced these grievances. Especially in the context of a sense of Scottish identity that centred around the history of an independent Scottish state and its struggle against the English, this image of the central government as a defender of the English interests and values created stronger territorial framing opportunities than the primarily output-based grievances of the 1970’s. The translation of support for a more devolved system of governance into second order preferences for actual devolution was further aided by a decreased fear of full independence. While only 15 per cent favoured independence in 1979, 26 per cent indicated it as their preferred form of government for Scotland in 1997 (Scottish Election Survey 1979, 1997). In addition, of those who supported devolution to a Scottish Parliament with tax-varying powers, 39 per cent indicated independence as their second preference (Scottish Election Survey 1997).

The successful identification of the type of grievances that were most conducive to territorial mobilisation, along with the stronger correlation between support for devolution and support for independence, enabled the emergence of a much more effective and cohesive campaign in favour of the government’s proposals.

Having learned from the 1979 experience, preparations for a strong Yes campaign commenced soon after Labour announced its commitment to a devolution referendum in the run up to the 1997 elections. At the instigation of a Nigel Smith, a well-researched and independent inter-party campaign emerged (Denver 2000: 51-57). The relatively limited involvement of the Constitutional Convention, along with Smith's early efforts to include the SNP, made it possible to unite all three major pro-devolution parties behind the resulting 'Scotland Forward' campaign. The effectiveness of this united approach was further increased by the high level of attention that went into formulating the campaign message. Based on research by Peter Kellner (1996), the Yes campaign mainly stressed that devolution offered an opportunity to ensure that Scotland could assert its nationhood and defend its distinct identity and values. Combined with a much weaker campaign effort by the anti-devolution camp, this focus on ideological and identity-based grievances, rather than the economic effects of devolution, proved very effective.

At a time when popular support for the government was high, the build-up of Scottish discontent during Conservative rule, together with a more thoughtful and united way of framing the issue, result in a resounding Yes on both referendum questions. The creation of a Scottish Parliament was favoured by 74.3 per cent of voters, while a further 63.5 per cent also supported tax-varying powers (Denver 2000: 133). This was enough to establish a strong mandate for the creation of a Scottish Parliament with tax-varying powers. A strong government majority, in addition to the absence of a formal 40 per cent threshold, ensured a fairly smooth legislative process. Although small amendments were made, the result was a devolution of powers to Scotland that greatly resembled the government's preferred option (Denver 2000: 189-191).

Conclusion

This paper aimed to couch the intuitions that have emerged in the existing literature in a more theoretically-grounded framework of devolution. Linking devolution preferences to the perceived legitimacy of the meso and central arena, the framework draws on the concepts of specific and diffuse support to distinguish five types of grievances that can lay at the basis of popular support for the policy. As grievances become more profound and different types of discontent coincide within one meso arena, the potential for popular support for devolution increases. By mobilising and framing these grievances, existing and newly-created mobilisation structures, such as political parties and civil and religious groups, play an important role in translating popular discontent into preferences for greater meso level autonomy. Whether a meso level preference for devolution affects central government policy will depend on the number of veto players, the level of meso representational congruence, and the identity of the agenda setter. By applying this framework to the Scottish case, this paper aimed to show that this approach can offer a structured and conceptual explanation of devolution decisions and non-decisions.

In the Scottish context, the existence of a distinct national identity, centred around a history of statehood and collective struggle against the threat of accession by the English and the French, was identified as the basis for territorial mobilisation. In the post-war period, the decline of the traditional industries and the resulting increase in Scottish unemployment created the potential for additional output-based grievances. Although active regional policies temporarily soothed this source of discontent, the discovery of North Sea oil enabled home rule groups like the SNP to mobilise this combination of identity and output-based grievances with considerable success. The subsequent electoral appeal of the Scottish National Party stimulated both Labour and the Conservatives to take a more devolutionary policy stance. However, the lack of real commitment in significant parts of the Labour Party and most of the Conservative Party quickly became apparent during the subsequent period of Labour rule. Although the party leadership

was dedicated to the policy, the slender majority in Parliament, along with significant opposition from the anti-devolutionist camp, made it difficult to achieve real change. Labour Backbenchers and Conservative MPs managed to force the Labour leadership to concede to a referendum. The addition of a new veto player, combined with the timing and decision-making rules of the referendum and a poor campaign effort prevented devolution from occurring.

During the long period of Conservative rule that followed, Scottish discontent with the system steadily increased. The regional concentration of unemployment and economic hardship, combined with a turn away from Keynesian regional development assistance, created sharp output-based legitimacy grievances during the 1980s and early 1990's. Over this period, the divergence of Scottish voting patterns from the British average, along with the insistence of opposition parties that alternative economic policies were both viable and more advantageous for Scotland, further increased popular discontent with the general ideological stance of the central government. In the context of a widely felt Scottish sense of identity, interest groups managed to mobilise these interlinked ideological and output-based grievances along territorial lines. As a result, popular support for devolution grew substantially. However, due to the strong concentration of powers in the UK government system and the low level of meso representational congruence within the Conservative Party, Scottish demands had no real influence on central government policy until Labour returned to power in 1997. Although devolution was again dependent on the outcome of a public referendum, this time much stronger agenda-setting powers, together with increased popular discontent with the current system, put the party leadership in a better position to ensure a positive outcome. Combined with a more unified and comprehensive pro-devolution campaign, this finally ensured the creation of a Scottish Parliament with tax-varying powers.

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