

Scottish **Left** Review

Issue 84 November/December 2014 - £2.00



The Genie is out of the bottle!

Scottish politics in flux as people and parties respond to the ramifications of the referendum result

Scottish Left Review

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Printed by Clydeside Press Ltd, 37 High Street, Glasgow G1 1LX

Comment – t

The fallout from the referendum continues to confound established political wisdom. 'To the victor, the spoils' does not sit very well with the situation Scottish Labour finds itself in. Johann Lamont's reasons for resigning as party leader revealed the depth of what was suspected for a long time over the Falkirk inquiry, the bedroom tax, the sacking of Ian Price, policy on the devolution of income tax and so on, namely, that Scottish Labour despite its recent enhanced autonomy remains a 'branch plant' of British Labour. All this makes it seem that the notion - 'a week is a long time in politics' - does not nearly go far enough in capturing how quickly deep seated change can take place before our very eyes. That said, we're not quite in the realms yet – to quote Karl Marx in the *Communist Manifesto* - of 'all that is solid melts into air'.

Whether we get any closer to that outcome will depend upon a number of critical events, most obviously the results of the elections of May 2015 and May 2016 and whether an effective extra-parliamentary anti-austerity alliance ever really gets off the ground. There have now been 14,000 submissions to the Smith Commission on enhanced devolution so the question becomes what impact will these have, if any (especially as they may be usurped by the horse-trading by the three main UK parties before and after the May 2015 election).

Another crucial ingredient here will be the future of the Scottish Labour under its new leader. *Scottish Left Review* very much welcomes the decision by Neil Findlay MSP to contest the election (and all the more so given that Jim Murphy is said by the media to be the front runner). Merely by standing, Neil Findlay can assert what traditional Labour values and policy are in a way that is credible. Siren calls by the likes of Margaret Curran to do the same are just not believable. Neil has shown through his campaigning work on blacklisting and justice for victimised miners that not only is he connected to the union movement (and wider left) in a way that is not true of most other Labour MSPs but he is also one of its most effective advocates. And he comes from a non-apparatchik background (once being a bricklayer, housing officer and teacher). Of course, if Neil was to win or do well

the state of political flux continues

enough to clip the wings of the winner, the cause of the progressive left polices would be much advanced in Scotland. The affiliated unions could make sure of this (as Aslef, BFAWU, TSSA and Unison have just done). The same is true of Katy Clark's candidacy for deputy leader. We wish her well too.

This brings to mind an interesting recent comment by George Kerevan. Writing in the Scotsman (22 October), he pronounced that 'Scottish politics is now dominated by two social democratic parties'. By this, he meant Labour and the SNP. Would that it were that simple and that good! If Neil is elected as Scottish Labour leader this could begin to come true. But what of the SNP? Under Nicola Sturgeon, it will move to the left but does that mean it will become a social democratic party?

The definitive meaning of social democracy in modern times is that the state (directed by a social democratic party) intervenes in the processes and outcomes of the market in order to ameliorate them – in other words, regulate capitalism for the betterment of the masses.

The political pitch of the SNP will still be based under Nicola on stopping things (inequality, poverty etc) from getting *worse* (obviously under enhanced devolution as well as under some future independence). This is not the same as making things *better* – and that is because the SNP is politically not prepared to

advocate or implement political actions that regulate capital and capitalism. Worryingly Sturgeon has adopted the slogan 'One Scotland' which echoes Miliband's 'One Nation Britain' – neither is prepared to deal with the rampant class inequalities that exist and assume that social partnership is possible and desirable. But the SNP will bask in the warmth of not being the Labour Party (especially if Murphy is elected) in a way that used to be true of Labour not being the Tories

Outside of Labour, the Scottish Left Project has been established to try to create some unity amongst the fractious left for the forthcoming elections. But can unity translate into effectiveness and credibility? We await the results. Meantime, it seems the Radical Independence Campaign will not become a membership organisation any time soon and nor will a new political party emerge from it. It faces a considerable challenge in maintaining its momentum after its November 2014 conference.

The aforementioned contours of politics in Scotland continue to provide the compass and bearings for this edition of the *Scottish Left Review*. The contributors carry on the discussion begun in the September issue (see <http://www.scottishleftreview.org/>). We now revert back to our tradition of having on-theme and off-theme articles. The latter deals with a number of other important subjects.

A Poem to Lord Smith of Kelvin from Thom Cross

You a Lord and me just a common man
I am thank it that you let me offer my humble plan
You see, all I want, your Lordship, as best a can
In my wee-way to let you try to understand
How we 'poor -auld- dug's'
feel in these present days
And view the future from our humble ways.

All I ask you is this: 'gie us mair fuckin po'er'
No just for MPs an that but fur we, the poor!
Who live each day and nicht afraid o hunger
Who fear the comin, cauld dreich winter
We doan get thousands for sittin on boards
We doan get 300 a day like youz in Lords
That is mair than a week's pension
fur me an the wife

Tae heat, tae feed, ti live half a life
She still cleans flairs for an extra pund
I grow some tatties in some stoney grund
But that is no how man should hae tae be
Day by day struggle... persistant poverty!

Its no Fn right! Something wrong!
It been like this up here too fn long!
This isnie 1914 wi 'Yes Sir fur the shillin, thanks'
Its 2014 and bloody food banks!
We want the power tae change awe that
Real power down here where life is hard
Power to change the entire equation
Bring sovereignty tae our nation
Turn the whole thing upside down
Gi us a pension o 300 pound

Nae House a Lords tae decide for we
What is needed in Dundee
But gie the poor power tae mak decisions
We have ideas! We have visions
To mak a new Scotland fair, with dignity
I submit this tae you, wi nae humility!
But tae Mr Smith in desperation
Save the poor in this new nation!
If No? Lord Smith Fk-off
Leave us. Your Lordship Toff!

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Feedback – Letter & Responses

SLR is delighted that readers have chosen to engage with the contributors in the last issue on the referendum analysis. We encourage readers to do the same with the contributors to this present issue. Please email g.gall@braford.ac.uk by 31 December for letters for the Jan-Feb 2015 edition.

I thought there were some really excellent reflections on the referendum. In the 1930s, the Wall Street crash was followed four years later by the rise of Hitler. I believe today the rise of nationalism of the SNP and fascism of UKIP has resulted from the same wish for people to gain agency again in the face perceived powerlessness over the state of their economy but also their political system. Neil Findlay and Tommy Kane were right to highlight the dissatisfaction with the political status quo as 1.6m people were prepared to jump over the cliff in the hope there would be a safe landing. That is why I agree with Richard Leonard that the change people want is not a shift of power from one Parliament to another and from one set of politicians to another but a shift in power from the elites of politics to the people in the form of a more direct and active democracy. This should be the aim of any political party that claims to be on the left.

For the same reason I believe Dave Watson was also correct in highlighting that the new SNP members will not have joined because they support the core neo-liberal economic policies in the White Paper. Richard Leonard's piece was spot on when he wrote that if socialism means anything, it is the extension of democracy into the economic as well as the political system. The agency needed for people to stop feeling powerless is not just from a parliament but from the power of ownership and power over the accumulation of wealth. To this end it was great to read John McDonnell's suggestions of how opportunities that the referendum debate has opened could be used to benefit working people. If there are to be new taxation powers for Scotland; let's put a Land Value Taxation, a comprehensive wealth tax and a Tobin tax on the agenda. If there are to be additional welfare powers; let's start a debate about the introduction of a citizen's basic income.

As a 29 year old man, the referendum campaign has brought about a greatest mobilisation of working people that I have ever witnessed. I do not believe we should now rest but begin our new task of campaigning for these taxes and distributive measures.

Scott Nicholson

SLR is well aware of the neo-liberal world – the dominance of globalised giant corporations, banks and financial markets, their control of governments and politicians. The British establishment is part of it with its grip on our three main political parties. That's why it's no accident that they were all united in the Better Together 'no' campaign. That should tell us something about 'class' politics and why 'class' has been a dirty, unutterable word. Now looking at that reality in light of the referendum result, the 'yes' campaign was fundamentally about democracy and self-determination, the right of our people to take full control over their lives: in other words, full power, not limited. That's why democracy was a word hardly uttered by the 'no' camp. In the 'yes' campaign social democratic solutions to real problems were raised – austerity, low pay, inequality, human rights, zero hours, NHS, welfare rights to list just some as well as Trident and peace – against Tory and almost feudal Westminster rule. The opportunity to fight against these is 'class politics'. When polls indicated possible victory for 'yes', the establishment – the ruling class redoubled their efforts with more 'devomax' (however vague) on offer.

If 'yes' had won, the movement arising from the campaign and all our people would have been involved in discussions about policy including SNP policies in the campaigns for a new Scottish government in 2016. But SNP policies naturally came up at many 'yes' meetings I and others attended, as well as much criticisms of Labour and its lack of anti-Tory policies and campaigns for social democratic alternatives on behalf of our people. All of this for me and others is very much 'class politics' and an opportunity to advance the cause of our people against vested interests. At the last Radical Independent Conference, the actor David Hayman said to cheers 'the 'no' campaign's other name is despair. It believes poverty is

inevitable and the distribution of public services is necessary – it believes that wealth should belong to those with the sharpest elbows and the meanest hearts'. At the same meeting, the SSP's Colin Fox said 'independence allows us to start the

The wonderful involvement of people on an unprecedented scale in politics must be kept going.

process of breaking free from the British ruling class and their political prism, the foundation of their power structure and control'. So while most discussions were about economics and politics, the importance of a written constitution guaranteeing rights and responsibilities in a democratic society was recognised.

The wonderful involvement of people on an unprecedented scale in politics must be kept going. Cameron and others want it done and dusted, this must not happen – politicians ran away from public meetings and discussions, so no going back. Campaigning on real powers and democracy needs to continue – all the issues are there. The impact is already being felt on the rest of Britain – that's important.

John Kay

Most of the Yes contributors produced a dazzling display of gross generalizations based on the flimsiest of evidence. However, even more disappointing was the continued belief that radicalism cannot be achieved without independence. The problem with this approach is that rather than advance the cause of radicalism it, in effect, puts progress on hold as the struggle for independence takes precedence over the drive to influence and win support for what can be done now. The true prerequisite for radical change is the existence of a political that will to deliver progressive policies that address the poverty and inequality that exists in our society. We do not need to wait for independence, or even for additional powers, to challenge the regressive policies being pursued by

the current SNP government and highlight what progressive measures can be delivered.

While evidence of this political will was demonstrated by both sides during the referendum campaign, this did not come from the mainstream parties who dominated the agenda and who revealed little or no radical approach to what they would deliver. Any perception that following the referendum campaign the Scottish electorate is now ready to vote for radical policies that will deliver real change must be tempered by the fact that SNP membership has now soared to 80,000. This suggests that change for many does not equate to radicalism. So despite the exaggerated claims from many on the left the struggle to win support for radical policies has not yet been won.

To achieve this it is essential that the left in Scotland move forward with a distinct voice that allows them to be heard. Left groups aligning themselves with the SNP to form an 'independence alliance' at future elections would only serve to marginalise the left message as effectively as it was during the referendum campaign. This is not an argument against left groups supporting independence which is an entirely legitimate position. It is a concern that this creates an unnecessary division between the Scottish left at a time when the focus should be on ensuring they shout with a united voice and are heard by the electorate, that they challenge the mainstream parties to adopt more radical policies and work to gain support for what can be done now. Scottish Labour electing a leader from the left would be a good first step.

Alan Hotchkiss

Reading the last SLR, I was struck by one major point, namely, the basis of our politics. Moving forward, it must be politics based upon class and not based upon nationalism. Those of us on both sides of the independence debate must now come together; talk of unionist and nationalist parties is unhelpful as many of us share the same goal. Regardless of your view on the campaigns which were run (and of which I found numerous flaws in both), the result was decisive. Barring major change, we must now accept that for at least the next generation Scotland will remain a member of the UK. What I'm sure we can all agree on is the need for radical new left wing policies to be brought to the forefront, both at Westminster and Holyrood. During the campaign there was talk of 'inspiring' other regions of the UK so using the powers of Holyrood

both current and future will be a truly powerful way to achieve this. Neil Findlay and Tommy Kane's piece was particularly pertinent as Scottish Labour is now at a crossroads: to elect him their leader would truly set the party on a more radical course than we've seen since the dawn of 'new' Labour. However, should Scottish Labour elect the presently favoured Jim Murphy, it may well be the final nail in their coffin. For this reason I consider it imperative that any member of Labour who believes in real Labour values must throw their support behind Neil Findlay.

Gary Duncan

I read the last issue from cover to cover. I then re-read the contributions from the Better Together collective, which failed to mention Trident, the House of Lords, PFI or foreign wars - I wonder why? Neil Findlay and Tommy Kane's piece made a feeble attempt to claim that both Yes and

No sides had curious allies so, by sleight of hand, cancelling out any differences there might be in the alliances which arose during the campaign. This does not hold up to even a cursory investigation of the facts. I leave it to readers to draw up a list of those forces ranged on either side - and don't forget the Tories who Neil and Tommy just overlooked. Finally, I read Vladimir's contribution and looked at the unused cover. Like him, I'll continue to wear my 'yes' badge; but I've gone further by deciding to join one of the 'yes' parties, my only dilemma being, which one, since they had all played such an admirable part in the campaign. In the end, I sent my application to the SNP, but wish the Greens, the SSP and the RIC well, as I do those other progressive groups - Women for Indy, the National Collective, Labour for Indy, Scottish Socialists for Independence and others who did so much to promote *Hope over Fear*.

Andy Sanders

Scottish Left Review

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Raising the socialist standard

Neil Findlay outlines his socialist challenge for the leadership of Scottish Labour

I'm standing for leader of the Scottish Labour Party because I believe only Labour can deliver the change Scotland needs. But in saying that I am aware that before we will be given the chance to change Scotland, Labour itself will have to change. We need a different approach in policy, strategy and leadership. We are the party of more powers for Scotland. But that will count for little if we aren't telling people that we are the party of more and better jobs, more houses and more college places.

While we advocate further devolution, we must never lose sight of the fact that constitutional change is not social change – and it is social change that is our purpose.

While we advocate further devolution, we must never lose sight of the fact that constitutional change is not social change – and it is social change that is our purpose. There is in truth little that is radical in the devolution of powers. It is putting those powers into action for the benefit of working people that will make a difference – and frankly our political debate could do with a good deal more discussion of the purpose to which powers will be put.

We need an economy that works for all the people - where all the people are able to work, and work in jobs with decent pay. We should have a politics where all of our efforts should be going in to devising and delivering the policies that will make that happen. Instead, we have children relying on food banks, huge housing waiting lists, creaking public services and the scandal of fifteen minute care visits.

Politics as usual won't address these problems. Nationalists, ever more shrilly, blame all of our problems on external influences whilst completely ignoring the role that policy choices made by

the Scottish Government have had in contributing to our current problems. The role of welfare reform in driving up child poverty across the UK is incontestable, but questions need to be asked as to why it has increased faster here than elsewhere.

One hundred and thirty thousand college places have been lost under the SNP. We have had the Council Tax frozen for seven years, so councils have had to implement regressive policies of charging for services at the point of use – where they haven't just withdrawn them entirely. Councils have lost 40,000 staff under the SNP, and leaving aside the impact on services and the individuals who have left there is a knock on effect in reduced demand in local economies. Usage of the private sector in our NHS is on the increase, as is the use of agency staff in hospitals and incidentally the employment of nurses via casual 'bank' shifts (zero hours contracts by any other name).

We have 180 000 people on council house waiting lists which is scandalous. For Labour to be able to put ourselves in a position to change things we will need a different approach in policy, strategy and leadership. We need policies that recognise the challenges people face and are radical enough to tackle them. We need to improve our organisation and structures to make sure those policies are communicated effectively. We need to be – and be seen to be - the party of more and better jobs, more houses and more college places.

These are policies that will have an impact on people across Scotland — especially those who have been victims of the Tory war on the poor and who those who have been left behind as the SNP try to be all things to all people.

So to rebuild our support we must contrast ourselves to an increasingly vulnerable SNP.

So to rebuild our support we must contrast ourselves to an increasingly vulnerable SNP. It has not protected

the NHS and it has failed to use their powers of procurement to enforce the living wage. It has made no commitments on workers' rights beyond talk about partnership. It has taken no action on blacklisting. It still sees economic growth in terms of cutting taxes on big business and the super-rich. Those on the left should remember all this. The SNP is not a social-democratic party – it is a nationalist party with a populist approach. All it really wants to change about Scotland is the flag. Our concerns are more serious - we want to change Scotland by making a difference to their lives by creating jobs, building houses and providing opportunities. That is what I will do if elected leader of the Scottish Labour Party.

Neil Findlay is the Labour MSP for the Lothians

- Katy Clark MP said of her decision to stand for deputy leader: 'I am standing to help deliver the social and political change that the people of Scotland are demanding. After a hard-fought referendum campaign we need to acknowledge that we cannot go back to business as usual. To reclaim the ground we have lost we must recognise that the mainstream of Scottish opinion is opposed to Trident, austerity, privatisation and attacks on welfare. We all need a secure job, a decent home and good public services but this is prevented for too many by so much wealth and power being held in the hands of a few. Labour has a proven track record of fighting for Scotland. The NHS, the Equal Pay Act, health and safety legislation, minimum wage and the establishment of the Scottish Parliament are just some of the measures taken by Labour Governments that have improved the lives of people across Scotland. We now need to demonstrate how Scottish Labour will continue to fight for Scotland. We need to build council houses to tackle the housing crisis, stop privatisation and redistribute wealth and power within Scotland'.

Profound and permanent political change needed

Tommy Sheppard outlines how and why the tectonics plates of Scottish politics must be kept moving

Usually in a major political campaign the losers divide and dwindle, turning on each other in an atmosphere of blame and recrimination. Meanwhile, the victors, strengthened and united, call the shots and write history. Six weeks after the referendum, it's as if the reverse is happening. The unionist parties may have won the vote but they don't seem to be enjoying their victory. Meanwhile, independence groups have difficulty finding rooms big enough to meet in as their membership surges.

Politics in Scotland emerges from the aftermath of the referendum in better shape than it ever was. A record number of people are demanding both a change in the way we are governed and in the social and economic conditions they are prepared to tolerate. Crucially, awareness of the link between the two has never been greater. People understand that autonomy and change are two sides of the same agenda.

The challenge for the SNP is to provide political expression of that new awareness; to ride the political momentum which led to almost half the population voting to secede from the fifth most powerful state on earth. It is well placed for the task. Sixty thousand people have joined the SNP because they believe independence offers a better world. They believe that progress on these islands can be asymmetric and for too long we have been held back by those who want to go at the slowest pace.

So what strategy does the party offer to keep that prospect alive after it has just been turned down in a democratic ballot? Independence was – is – a means to an end. The means is off the table for now. But the end remains the same. Change this rich country full of poor people. Take control. If you can't do it all, do what you can.

1.6m people voted for absolute change: 'devo-ultimate'. Many who voted against – including the 'vow' believers – demanded change too but believed independence was not the best route to it. Between them they constitute a clear majority for substantial reform in this country; polls show upwards of 70%

favouring full fiscal autonomy with Scotland levying all its own taxes and controlling all domestic spending. In the short term, this is the new cleavage in Scottish politics – between those who want real change and those content with the status quo.

The Smith Commission is not an exercise in thought-through constitutional reform – it's a quick fix to get unionism off the independence hook. That said, it needs to be engaged with. Independence supporters have rightly argued for all powers to be transferred to Scotland short of defence, monetary and foreign policy. Smith's conclusions are unlikely to amount to anything that comes close to the reforms that were promised in the heat of the referendum campaign but they will, hopefully, at least clarify exactly what the unionist parties can agree upon. Those members of the commission arguing for 'devo-max' should plan to publish their own minority report when the majority against that proposition gets its way.

With a White Paper promised in January, the SNP needs to be ready to publish its own proposals covering the parts Smith does not reach. Each must relate a proposed new competence for the Scottish Government with a specific policy to improve people's lives – powers for a purpose, indeed. This will be the terrain on which the 2015 general election will be fought and, in effect, the party's response to the white

paper will be its draft manifesto.

Post-referendum and with the prospect of a hung parliament at Westminster, Scottish representatives will have real leverage. This is no time for abstentionism – sleeves up, hands dirty. Bizarrely, the SNP needs a programme for government in the UK, a state it does not think should exist, and in most of which it does not organise. Welcome to federalism. 89% of current Scottish MPs voted 'no'. Just as this created an alternative pole of political authority which undermined the actions of a Scottish government, so a large group of pro-autonomy members will condition the future. This is one major part of the equation that needs to change before we ask the independence question again.



And the biggest change of all must be in the central belt of Scotland. The SNP is by any measure the largest political party in the country. And, it has succeeded in becoming a broad-based organisation capable of speaking for all parts of Scotland. But to this, it must now add another, specific, mandate. In the next eighteen months, it needs to emerge as the undisputed champion of working class communities in post-industrial Scotland. This means that it needs a policy platform fine-tuned to appeal to that former Labour supporting electorate. It needs to explain how powers will be executed to create jobs, tackle inequality, promote fairness.

The narrative is vital. Yes only a vote for the SNP will hold unionism to account – holding their feet to the fire in Alex Salmond’s medieval allusion. But we need to be more than feet burners. Front and centre must be a focus on getting rid of the Tories – not just in Scotland, but in Britain. The SNP needs to be seen to be more enthusiastic about this than anyone else. The recent alliance that Labour has just had with the Tories in *Better Together* and the haunting images of red rosettes celebrating at counts with their conservative counterparts has not done that party any favours. Tempting though the arithmetic of a hung parliament might be the SNP needs to rule out any accommodation with the Tories.

The SNP should seek a mandate which goes beyond the prospectus offered by Smith – even assuming that is supported by Westminster parties post-May 2015. This is a not the same question as should Scotland be an independent country but it is one that needs to be answered before that question can be asked again. One of two things will happen. Either real, substantial powers will be given to the Scottish Parliament allowing it to chart a different set of social and economic policies in Scotland. Or they won’t.

If they arrive then these powers can be used to take control of the Scottish economy. Show the difference that can make and several barriers to independence are removed. Many of the economic scare stories used this time will be moot as time passes – hard to get people to believe their pension is in danger if it is already being paid by the Scottish Government. Independence then becomes a debate about moving to the final phase of self-government - more than ever it’ll be an expression of collective self-respect. Alternatively additional powers are

scuppered – status quo ante. If so, the cycle begins again. Double or quits. And, in the words of Roger Daltry: ‘we won’t get fooled again’.

So can a revolution in Scotland’s representation at Westminster be achieved? That depends on whether the broad alliance that voted ‘yes’ in September be translated into an electoral force able to negotiate the archaic Westminster electoral system. Forty five percent wins first past the post elections – most of the time. That does depend though on most of them voting for one candidate. There needs to be some smart thinking about how to win.

The 59 Westminster seats should be ranked according to how easy or hard they are to win. It’s not a difficult task. A simple calculation should take into account current majorities in unionist held seats, the level of the Yes vote in September, the strength of a second place challenger, and the number of Lib-Dem votes that will be available to switch elsewhere.

In the top 30 seats, the pro-change parties should decide which of their number would be able to present the most effective challenge to the incumbent. It will never be the SSP – they should simply agree to not contest these seats, a gesture of political decency which others will remember a year hence. In a few cases there may be an argument that a Green candidate stands the best chance of winning. Typically, these will be seats where there is a slim Labour majority over a Liberal Democrat and the

latter’s vote is more likely to transfer in far greater numbers to a Green than to an SNP candidate. If this is combined with some historical presence of the Green party and a poorly placed SNP then the argument is convincing.

There will be other places where a high profile independent may have a better chance of victory than an official candidate. In most of these target seats, though, the SNP will be the most effective challenger and success will be enhanced with a clear run at the parties of the status quo. In many ways it will be the Greens who will find this the hardest – remember there was a Green ‘no’ campaign as well as a Green ‘yes’ campaign. It would, though, be an act of sectarian folly not to at least consider thoroughly the prospects of such a tactical arrangement.

This is not a ‘yes alliance’ as some have argued. Yes is not an answer to any question being asked in May 2015. It is a short term electoral arrangement designed not only to maximise the representation of those who voted for change in September but to mobilise additional layers of people. It’s about providing a focus for those scunnered by the Westminster elite and yearning for better. It’s about continuing the change unleashed on 18 September 2014.

Tommy Sheppard was a member of the Labour Party for 21 years (including eight as a councillor and three as Assistant General Secretary of the Scottish Labour Party) and joined the SNP in September 2014.

The Point - for socialism, independence, the environment and peace

Billing itself as ‘red sky thinking for an open and diverse left’, in operation since 2021 and taking its cue from Marx’s dictum ‘philosophers have only interpreted the world, in various ways ... the point, however, is to change it’, the Point is a quarterly online magazine written by socialists and progressives ‘who want to see genuine change in Scotland and internationally’. It does not argue that there is any one size fits all model of socialism. The Point is not an organised political platform and neither does it represent any one political party.

The Point aims to contribute to the development of a progressive politics in Scotland. From our inception, as the Democratic Green Socialist, we argued that the Scottish left will only be credible if it is united. The Point will continue in that tradition. We believe that it is the historic responsibility of all socialists and progressives to try and put aside their differences and work towards genuine left unity. In addition to this, we want to appeal to new layers of activists, young and old, who are fighting for a fairer and more equal society.

Address: <http://thepointhowever.org/>

Debating the means to the end

Tommy Sheridan outlines strategies for the pro-independence radical left

As Solidarity co-convenor, I was tasked to draw up a position statement to be presented to our party conference on 25 October. I offer much of it now to *SLR* as a contribution on short-term plans and tactics for the left post-referendum. Solidarity unanimously agreed that all four options presented (see below) are viable but require further debate and discussion. On a personal note, I believe uniting the 'yes' vote behind the SNP, and specifically SNP candidates willing to sign up to an anti-austerity and pro-independence declaration or new referendum by 2020 at the latest, is the most productive tactic. The time-scale to build, launch and present as electorally viable a cross-party 'yes alliance' challenge is too short in my opinion but definitely worthy of serious investigation and support. Although sitting uncomfortable with me as a socialist, I personally believe lending our votes to the SNP in less than 6 months' time will maximise the 'yes' vote and offer the best chance of electing a majority of 'yes' supporting MPs, defeating the 'red Tories' and breaking the reactionary British Establishment. A definitive decision does not have to be taken right now but should be agreed by February next year. I believe the question facing the left in Scotland is one of tactics not principles in relation to next May's election. The text of the statement is that conference:

- recognises and applauds the tens of thousands of grassroots activists who formed the backbone of the 'yes' movement and who were critical in delivering 1.6m votes for independence and a new, fairer and nuclear weapon free Scotland on 18 September.
- believes the 'yes' vote was primarily progressive, radical and visionary reflected in the strong working class and youthful nature of the core vote.
- firmly believes independence is now an inevitable consequence both of the desire of most Scots to have control of their destiny and the disintegration of the increasingly reactionary British state and establishment which continues to govern on behalf of the millionaire minority and against the interests of the ordinary millions.
- demands a bold, determined and

organised campaign of resistance to the unacceptable ConDem austerity cuts from all elected councillors and in particular the majority SNP Government. Concretely, this means the Scottish government and councils refusing to implement another penny in cuts by setting needs budgets and building a mass campaign to demand a return of the billions stolen from Scotland by the ConDems.

- firmly rejects the idea that ordinary workers and important services should suffer to pay for an economic crisis caused by unelected bankers and bosses and presided over by complicit Westminster MPs who allowed the deregulation of the financial sector and the dismantling of the welfare state, thus, further enriching the millionaire minority at the expense of ordinary folk across Scotland, England, Wales and Northern Ireland.
- calls on the SNP Government to urgently convene a 'fight back' summit involving the union movement, pensioners organisations, student unions, local authorities and unemployed and disabled citizens groups to coordinate resistance to the cruel and callous austerity measures passed at Westminster.
- believes the SNP Government will be guilty of irresponsible administration should it meekly pass on the savage cuts passed down by the discredited and weak ConDem coalition Government.
- recognises the importance of the UK General Election due to take place in 6 months' time and considers there are at least 4 viable approaches Solidarity could take to this election to both maximise 'yes' unity and to damage the reactionary 'no' parties who defended the British establishment during the referendum campaign. These are
 - a) Resolve to build the resources and personnel required to allow Solidarity to stand in as many seats across Scotland as possible and present a radical and socialist case against capitalism and for an independent socialist Scotland to the Scottish electorate;
 - b) Support by whatever means necessary a broad and democratic 'yes alliance'

committed to the promotion of pro-independence and anti-cuts candidates;

- c) Advocating a vote for SNP candidates willing to commit to opposition to Westminster imposed austerity cuts and for the declaration of an independent state should 30 or more of the 59 elected MPs from Scotland support independence or for a new independence referendum on or before 2020 at the latest; and
 - d) Conference agrees that success in the campaigning and electoral fields will be much easier if there is a united challenge from the left. Towards this end Solidarity should approach the Trade Unionist and Socialist Coalition (TUSC) and the Scottish Left Project in an effort to secure a united left electoral challenge at the next general election in 2015,
- accepts each of these approaches to the General Election in 6 months' time have advantages and disadvantages but all are viable and deserve to be thoroughly discussed by Solidarity's members at local and regional level before arriving at an agreed decision and that such a decision should be debated and voted upon at our next conference in February 2015.

Tommy Sheridan was an MSP from 1999 to 2007

Mair nor a roch wind

Establish in July 2013, Mair nor a roch wind is a collective considering the possibilities for liberty, socialism, and the labour movement in light of the referendum in Scotland.

'Mair nor a roch wind' comes from a song entitled 'Freedom Come Aa Ye', written by Hamish Henderson and sung by Dick Gaughan. The relevant line is: 'There's mair nor a roch wind blawin through the Great Glen o the world the day'. Recent articles have examined the Scottish Labour leadership contest and the Commonwealth.

Address: <http://mairnorarochwind.wordpress.com/>

Women seeking a state of independence

Kathleen Caskie traces the inspiring and continuing evolution of Women for Independence

During the referendum campaign the number of 'special interest' groups declaring for 'yes' became a source of mockery from the 'no' camp (although it was actually one of the Yes campaign's greatest strengths). But among all the farmers, lawyers, NHS, social workers and third sector for 'yes' groups, one group was different: Women for Independence (WfI). Firstly because we were not called 'Women for Yes' and were not set-up or managed by the official 'yes' campaign. Indeed, the launch of WfI as an independent campaigning organisation predated the launch of the Yes campaign. Secondly, of course, women are not a minority. We are not a niche or special interest group. We are the majority of the population, yet continue to be disproportionately excluded from positions of political power and influence.

However, most importantly, WfI was never just about the referendum campaign. From the start our full name was double-barrelled and reflective; Women for Independence – Independence for Women. Our common cause was not just support for independence, but also support for gender equality. While we continue to believe more powers for the Scottish Parliament will help us to achieve gender equality - this being reflected in our submission to the Smith Commission - we also recognised that it would not be automatic. Scottish independence did not guarantee gender equality - it simply offered us a better opportunity to get there.

The growth and development of WfI has been a fascinating story. Its roots are digital; women who had chatted online, particularly on Twitter, recognised a common cause and came together to form our organisation, and initially much of our presence continued to be online. Our national launch event in Stirling in September 2012 was attended by less than 100 women - to give an idea of the scale of our development the expected attendance at a forthcoming organising meeting for Glasgow South WfI is 150.

Gradually we started to set up a network of women, and we diligently

collected e-mail addresses, names and locations, just so that we had a mechanism for communication. International Women's Day on 8 March 8 2014 was a big day. For the first time, we had simultaneous action across multiple sites, with around 12 different stalls set up on high streets across Scotland. And then things got serious.

More unsettling were the smaller numbers of women who wanted to organise as WfI because of the official 'yes' campaign in their area.

As our public profile increased, more women started to get in touch to tell us they wanted to do something locally. Some were long-standing feminists, seeking to work in the referendum campaign in a way that they were comfortable with. Others were excited by the rainbow nature of the 'yes' campaign and wanted to add another distinctive thread to their local campaign tartan. More unsettling were the smaller numbers of women who wanted to organise as WfI because of the official 'yes' campaign in their area. There was a sense from some women that, when they tried to raise their heads politically, they were pushed back down by the more dominant and experienced male voices. 'Yes' campaign meetings in pubs in the evening were difficult for women to get along to. So our numbers continued to grow, both in terms of women in touch with the national organisation but also the numbers organising locally.

Better Together provided a huge boost to WfI with its silly, sexist 'eat your cereal' advert. Without being asked to women started to send WfI their own self-filmed responses, starting with the 'just having a cuppa ...' meme. Some of those films are

hilariously funny, some poignant, some angry. Many women spoke about how they would never have dared to put a film of themselves online for the world to see if they hadn't had the confidence that WfI had given them. All challenged the 'Stepford wife' depiction by showing us how they weren't doing their housework, how they did know about politics, and preferred a glass of wine or two to the cup of tea. We trended on Twitter. During the final frenetic weeks of the campaign, the networks we built up proved invaluable. Inevitably there were last minute requests for WfI to provide speakers, to come along and support photocalls and, indeed, to take part in our own activities, such as helping with the filming of the two short videos we produced and distributed during the campaign. Organically, and almost reluctantly, structures developed and we found we had an Interim Executive and local groups. We suddenly realised we had created an organisation that women wanted to be part of, not just a campaigning group.

Well before 18 September we decided we wanted to continue to exist and develop as an organisation, regardless of the referendum outcome. Independent or not, Scotland would still need a strong political, female voice pushing for power and influence. The initial irritants that had first brought women together to form WfI (such as all-male panels on TV political discussions and the low numbers of women in frontline politics) still existed. So we booked a hotel in Perth for a post-referendum 'What Next?' meeting, and publicised this via our networks, telling women that whatever happened, we would continue to exist so we should meet to discuss this. The Interim Executive approved two graphics to be used on the morning of 19 September, one celebrating a Yes vote and one noting a No vote. Both graphics had the same core message; our work continues.

Then, mid-afternoon on 19 September something incredible started to happen: the numbers seeking to attend the Perth event started to rocket. The numbers getting in touch to sign up for

the newsletter went through the roof. (Our newsletter subscription list has tripled since 18 September.) Eventually we had to move out our planned hotel in Perth and a frantic but successful search for a larger venue saw 1,000 women coming together in St Matthews Church instead. While some women felt a little uneasy at the idea of us meeting in a working church, on the day itself the soaring ceilings and sunlit stained glass windows added an air of drama and a sense of occasion that we would not have found in a hotel conference suite.

The meeting was extraordinary. There was some mourning, some reflection, but more importantly, there was a huge strength of feeling from those who attended that our work was not over. Chaired by Kate Higgins, of Burdzeye View fame, and addressed by speakers like Carolyn Leckie, Elaine C Smith, Jeane Freeman and Natalie McGarry, we started to talk about the second part of our mission, independence for women, that is, gender equality. We started to talk about feminism, what that meant to us, and what it meant in terms of the Scottish constitutional debate.

After Perth, another extraordinary thing started to happen. Before the referendum we had 'groups', or at least named representatives, in most, but not all, local authority areas. The six weeks since the referendum has seen a massive mobilisation of women who want to organise their own local groups. We now have over 50 groups, including five in Fife alone. This is not a top-down organisational effort - often groups have been meeting already and making plans before they even tell the national organisation that they exist. It is glorious, organic, frantic, chaotic and very, very exciting. We are everywhere in Scotland, except Orkney.

And what are these groups doing? Not politics as usual. They are not 'branches', having branch meetings with minutes secretaries and reports. There are political organisations that already exist who do that very well so we don't need to replicate them. Instead, the groups are organising training for women, who feel they lack the knowledge or personal skills to speak out about their support for independence. Some are organising book groups. There are lots of socials, parties and coffee and cake sessions. One group in Glasgow is meeting at a children's softplay area so that mothers with caring responsibilities can get involved. In Dunfermline, WfI has organised a family

ceilidh. Another group is taking part in local anti-fracking campaigns. Many groups are submitting their own responses to the Smith Commission. The groups are working with ongoing 'yes' groups, and working alone.

At a national level, we're working on a proper constitution, which balances the need for a strong national campaigning voice with representation from the local groups across Scotland. We're setting up proper membership structures, so that we can create a regular revenue stream to keep us going. True to our roots, we're continuing with a strong digital presence and sorting out the IT glitches that we put up with during the campaign. Currently most of this work is being done by women voluntarily, often at night when they're home from work and their children are in bed, e-mails flying from kitchen table to kitchen table. So we are becoming an organisation, but we're not sure yet what that's going to look like.

If there is another referendum campaign, we will do different politics. Women who support independence will talk to other women, in environments and situations which feel safe and inclusive.

The most exciting aspect is that so many of those who are becoming organisers, speakers, networkers and leaders are women who have not been involved in formal politics before. There is a huge sense that we are giving the silent majority a strong voice, and that women are increasing in confidence as a result. Traditional political techniques often exclude women. To give just one example, a campaign based on door-to-door canvassing is not a women-friendly campaign. Many women simply won't open their doors to a stranger, and more will feel uncomfortable discussing politics in this situation, especially as canvassers are usually men, some of whom express their passion in quite a forcible way. Some

women were turned off voting 'yes' by the campaign's machismo. We have learned these lessons.

If there is another referendum campaign, we will do different politics. Women who support independence will talk to other women, in environments and situations which feel safe and inclusive. A great example of this was in north east Fife where local women collaborated on the Knitting a Nation project, which brought them together in a common endeavour to create a fabulous knitted map of Scotland, that we hope will eventually find a home on display in the Scottish Parliament. The act of creating this piece of art also provided a space where women could talk about politics comfortably.

Women were slightly less likely to vote 'yes' than men. If women had been more confident about voting 'yes', we would have won. That's the harsh reality. The blame for this lies not with women, but with political structures and norms that exclude them, and with a society which has never prioritised educating women about power, how it works, and how they can access it. Power is the common theme. The independence referendum was about where power lies and who uses it. Feminism is about where power lies and who uses it. Over the next few months and years, WfI will be a movement which challenges and, ultimately changes, these power structures.

Kathleen Caskie worked as full-time WfI co-coordinator during the referendum campaign's final weeks. Since then, she has continued the role on a voluntary basis. She has a long career working in the voluntary sector.

Socialism First!

Styling itself as 'the real alternative to Scottish independence' and begun in April 2013, Socialism First! says 'the Scottish independence debate is caught between a rock and a hard place. The Yes camp and the 'radical' changes we're being promised don't add up. Just as bad are the pledges for more of the same from Better Together. Socialism First! rejects both, and instead puts the real answers forward for social change'. It is fraternally linked to the Red Paper Collective.

Address: <http://socialismfirst.wordpress.com/>

STUC submission to the Smith Commission

The STUC has made a wide-ranging submission which does not advocate full 'devo-max'

The STUC welcomes the opportunity to submit its views on further devolution to the Smith Commission. It does not underestimate the difficulty of the Commission's task and believes significant compromise will be necessary on all sides if agreement is to be reached which is coherent and matches the aspirations of a majority of the Scottish people. The STUC's concerns about the process for agreeing further powers are a matter of record. We have joined with a range of civil society organisations to argue that whatever proposals are agreed should be tested in a citizen led process involving the use of maximum consultation and the creation of citizens' juries. The STUC is also on record as stating that the most important outcome is an optimal proposal and this, for us, is much less important than adhering to the very testing timetable laid down, both for the Commission and the subsequent parliamentary process.

The STUC has been disturbed at the enormously divergent accounts of what has been 'promised' with respect to further powers. We do not believe that the content of the proposals previously published by the three pro-devolution parties, or the wording of the 'Vow' can be categorised as a promise of 'Devo Max' or full fiscal autonomy. Equally, however, a strong impression was conveyed that the powers proposed would extend significantly beyond that which had previously been promised. Opinion polls suggest that there is strong public support in Scotland for the devolution of very meaningful fiscal, welfare, employment, equality and other powers. The detail of what this means has not been tested which is why the STUC is so strongly in favour of the outcome of the Commission being tested in an environment which is capable of investigating the detail and engaging the wider public.

The STUC's proposals fall short of what would normally be categorised as full fiscal autonomy or 'devo-max'. This is grounded in an honest assessment of what arrangement would best serve the people of Scotland in the years ahead. Equally, we do not propose the devolution of

all aspects of welfare. However, our proposals go significantly further than the sum total of the proposals of the three pro-devolution parties. Our appeal to all parties in the negotiations is that they should be prepared to make significant compromises and that political advantage should take a back seat. Taken together the proposals offer a coherent approach to tackling inequality and promoting sustainable economic growth.

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Fundamentally, they recognise that the role of government is to support and nurture society and that the Parliament must be empowered to play a leading role in meeting that challenge.

Summary of STUC recommendations:

Democratic ownership and the public good

- 1.1 There should be a process of consent between Westminster and Holyrood over EU decisions affecting areas within the Scottish Parliament's jurisdiction particularly as it impacts upon democratic ownership.
- 1.2 The full devolution of the Crown Estate to the Scottish Parliament.
- 1.3 Increased borrowing powers for the Scottish Parliament to enable it to undertake public funded investment without recourse to mechanisms such as a PFI.
- 1.4 Devolution of powers to enable a public sector led bid for the ScotRail franchise.
- 1.5 Removal of any reservations preventing the Scottish Government forming publicly owned enterprises.
- 1.6 To enable the Scottish Parliament

to tackle the inequities of land ownership, the devolution of all relevant income and land related taxes including inheritance tax and capital gains tax reliefs.

- 1.7 The devolution of Housing Benefit as recommended by the Scottish Labour Party and various others as well as any additional power required to enable the Scottish parliament to control private and public sector rents.

Fiscal powers

- 2.1 The devolution and assignment of taxation amounting to at least two thirds of Scottish public spending (over 50% of all spending in Scotland).
- 2.2 A commitment, with appropriate legislative safeguards, that the Scottish Block Grant will continue, for at least a generation, to guarantee funding at existing levels relative to the rUK.
- 2.3 Devolution of income tax at all bands & other personal wealth related taxes as well as Air Passenger Duty and Aggregates Taxes as proposed by the Calman Commission but not included in the Scotland Act 2012.
- 2.5 50% of VAT and alcohol/tobacco/fuel/gaming duties should be assigned
- 2.6 The agreement of a financial memorandum allowing adjustments to the block grant to recognise discreet actions by the Scottish Government using devolved funding which have a positive impact on UK welfare spending in Scotland.
- 2.7 The capacity should exist for the Scottish Government to borrow at the maximum level negotiable with the UK Treasury.
- 2.8 The capacity should exist for the Scottish Government to issue bonds within normal and negotiable limits.

A better labour market and workplace protection

- 3.1 The devolution of employment law, health and safety, trade union law and the minimum wage as well as of public sector pensions schemes with the exception of the Civil Service Scheme.

Equality

- 4.1 That employment law and equality law not be separated with respect to further devolution proposals.
- 4.2 The full devolution of equality law, provided that employment law is also devolved.
- 4.3 In the case that employment law is not devolved, the STUC favours the devolution of equality enforcement along with the industrial tribunals and health and safety enforcement.
- 4.4 There should be no impediment under a devolved settlement to the Scottish Parliament legislating for mandatory 50-50 gender representation in the Scottish Parliament and local councils, or for gender equality on company boards.

Basic Rights for Scottish Citizens

- 5.1 STUC recommends that the Sewel Convention is given full legal force.
- 5.2 Consideration to how Scotland can have a stronger level of control around constitutional issues, including any change to agreed international treaties and the agreement of new international treaties. Focus on both the powers of the Scottish Parliament

(and the other devolved Parliaments) and the weight given to voters in Scotland (and the other devolved nations) in referenda be considered.

- 5.3 The franchise in all UK elections should be extended to include 16 and 17 year olds.

Welfare

- 6.1 The devolution of Housing Benefit, Attendance Allowance, Carer's Allowance, the Work Programme and other employability programmes run by the DWP; and the creation of a Scottish Job centre Plus.
- 6.5 The adoption of the recommendation of Andrew Tickell in *Securing greater Social Security autonomy and restating the Union*.

Other powers

- 7.1 A presumption in favour of the right to Scotland to pursue distinctive policy on migration, subject to the UK Government providing substantive evidence of detriment to the rUK.
- 7.2 An agreement that the Scottish Government be able to offer asylum to refugees, subject to reserved Immigration and Nationalities

Department consent

- 7.3 The Scottish Government to be enabled to legislate for those seeking asylum to work in Scotland whilst their applications are being processed.
- 7.4 Devolution of additional powers to tailor support for low carbon generation and the full scope of regulation of energy efficiency.
- 7.5 A more formal role in energy industry regulation but recognising the challenges of delivering a distinct regulatory approach within an all UK energy market. Therefore, it is essential that all stakeholders are fully engaged in discussions about how new powers and responsibilities might be utilised.
- 7.6 The Scottish Parliament to be given formal regulatory power over broadcasting in Scotland. It is particularly important that the public service broadcasters are accountable to, and seen to be accountable to, the Scottish Parliament.

The full STUC submission can be found at <http://www.stuc.org.uk/news/1112/stuc-publishes-smith-commission-proposals>

Toto, this ain't Kansas anymore

Lynn Henderson argues the dynamics of Scottish politics must be about more than chasing a pot of gold at the end of the rainbow

In the surprising political dawn after the referendum whirlwind, the old order is upside down. The referendum winners appear to be the losers and the so-called losers are grinning from ear-to-ear with a massively growing cadre of positive and determined new activists dancing along the yellow brick road towards a different future Scotland.

Unrestrained by affiliation to any political party, PCS in post-referendum Scotland seeks merely to advance the interests of our members, our movement and our class. Much to the disgruntlement of some in both the Yes-left and the No-left camps, PCS did not take a campaigning side on independence. It was of course, for us, the correct thing to do. In promoting 'Our Scotland, our services, our future', never for one minute did we declare our robust union policies or approach to be 'neutral'. Instead, we set the same challenge to all political parties of whatever hue, against our PCS alternative to austerity.

Proper investment in public services, the necessary challenge to the wealthy and corporate elite that is tax justice and the social solidarity required through welfare policies to eradicate poverty and support people when they need it, not blame the poor.

In 2013, our extensive membership survey for 'Our Scotland, our services, our future' found adequate funding, accountability and quality of public services to be the most influential factor in how PCS members might vote in the referendum. At the start of 2014, we consulted our members in Scotland, all 28,000 of them, on whether PCS should take a side on independence. Their input mandated delegates to a special consultative conference, in which Nicola Sturgeon moved the case for supporting independence and Neil Findlay the case against. However, it was a third option – 'PCS informs – you decide' that received overwhelming support with over 18,000 votes. The pro-independence proposition

gained almost 6,000 votes, but most remarkably, there was not a single vote in favour of campaigning against independence.

With such an authoritative mandate, endorsed by our annual delegate conference of reps from all over England, Wales, Scotland and Northern Ireland, our union was able to pursue with power, deep and genuine scrutiny of what was on offer, continue engaging with our members and to test and challenge both sides when they failed to come up to the mark. We held hustings throughout the country and sent out a 'PCS informs – you decide' booklet to every member with the responses of political parties and both campaign sides to our 20 key economic and industrial demands.

From the outset, the independence debate was an opportunity for PCS give our members the confidence as trade unionists, as civil and public service workers and as citizens of Scotland that whatever the outcome of the referendum,

the PCS alternative to austerity would be at the heart of the debate, and this remains the case. Our strategy has been an historic exemplar amongst unions, and PCS members responding positively to the call from their leadership to engage. Such political investment has allowed us as a trade union to define the debate for ourselves.

The curtain lifted on the road in the Wizard of Oz when Salmond stepped down immediately after the vote. It could no longer be cast that there was just one egotistical man determined to have his way over the people of Scotland. It never was thus – the alliance of non-nationalist political parties, campaigners and new groups that emerged on the Yes side of the debate calling for an alternative to Westminster austerity can never be written off. There remain too many in the No Left for whom that curtain has not yet swept open.

So enter, the Good Witch Nicola with a clear run, gathering up an extraordinary number of new SNP members.

So enter, the Good Witch Nicola with a clear run, gathering up an extraordinary number of new SNP members. She is now set to rule for a very long time. The SNP with 88,000 members is now the third biggest party in the UK – a massively important beast with which the Scottish union movement must engage with. Watching all of this in horror from the 'branch office' tower, Johann, the castigated Wicked Witch of the West, in her exit leaves London Labour monkeys with a once-mighty Scottish Labour Party in meltdown. It must now be apparent that the challenge now for Scottish unions is no longer about *who* we campaign for or against, but *how* we campaign for our members interests and with an invigorated registered electorate and a new politicised generation demanding change from the mainstream political solutions. In my opinion, neither the newly buoyant SNP nor the deflated Labour Party quite realise yet how different the landscape has become. While Nicola seeks to spread stardust across her victory tour of Scotland, a three-way contest for the ruby slippers prize of the Scottish Labour leadership has unfolded.

It will not be as simple as clicking your heels, and making things go back to normal however. There is no likelihood of going home to Kansas anytime soon. Only if Neil Findlay wins on Scottish Labour on a socialist alternative ticket then is there a chance of Labour renewal in Scotland in this generation.

In the meantime, as a union not affiliated to any political party, PCS can afford a clear-sighted approach on how we engage with all political parties. For some years now, PCS has conducted at every election – Westminster, Scottish, European and by-elections, a 'Make Your Vote Count' strategy, encouraging our members to seek candidate engagement and sign up to PCS pledges around jobs, services and pay. In preparing for the Westminster election through robust campaigning in target seats of high profile UK government ministers, our Inverness members are set to play a considerable role in Danny Alexander's seat.

Of course, in pursuing Danny, we cannot ignore the coming crisis of political representation faced by Scottish Labour against the challenge of a megalithic SNP advance into those 'yes' voting Labour heartlands – Glasgow, Dundee and much of the industrial West of Scotland. With some notable exceptions within in both parties, neither Scottish Labour nor the SNP elected representatives or policies, under scrutiny would stand up to the challenge of the PCS alternative. As the Scottish political landscape changes, many other unions, activists and campaigners may join PCS in critical engagement and members demands at the heart of the campaign, rather than uncritical allegiance to one failing party. But it might all be a dream with Dorothy waking up sometime soon back in the austerity laden black and white world where her political heroes and demons are just once again ordinary mainstream politicians bickering over the mildly social democratic differences. I hope not.

Lynn Henderson is the Scottish Secretary and National Officer for Northern Ireland for the Public and Commercial Services (PCS) Union

Scottish independence legal precedent

Peter Lomas argues EU membership might

During the referendum campaign, the question arose of the future status of the Scottish people with regard to the European Union. Like a number of other questions that the SNP claimed could be straightforwardly resolved (including, notoriously, the proposal for a currency union with a rump UK), this one swelled up for a time during the campaign and may have contributed to the narrow 'no' result. As Michael Keating argued in the last issue, the SNP sought to present an image of continuity, rather than disruption, in an attempt to play down the risks associated with the novel project of independence; which may in hindsight have been a miscalculation.

Leaders in Scotland and across the world, from the banks and major industries to Barack Obama and the Pope, leapt onto the 'No' bandwagon. Some with a veto-claim of sorts did not hesitate to flourish it, including the Spanish PM, and the Head of the European Commission, who declared on the Andrew Marr show on 16 February 2014 that it would be 'extremely difficult, if not impossible' for a newly-independent Scotland to be re-admitted to the EU. The latter's chosen successor was more circumspect. Pressed by BBC Scotland to clarify his stance, Jean-Claude Juncker stated that a newly-independent Scotland would not be a candidate for EU membership like the existing societies in the queue. And, in fact, it seems to me that the SNP's position in the White Paper was perfectly justifiable; with more time, more detail and subtlety, this and other challenges might have been met.

The explicit preconditions for membership can be divided into two: retrospective and prospective. Retrospective is acceptance of the *acquis communautaire* - the 'constitutional' body of laws and regulations built up since the creation of the European Communities as an expansive organisation in 1957. Prospective is the principled continuance of the EU's 'philosophical' basis as a convention of democracies. After Maastricht, where the Communities first became a Union, this aspect was spelt out in the so-called Copenhagen criteria for EU enlargement. But to begin with, it is hard to see how the Scottish people voting in September 2014 did not already exemplify *de facto* EU membership, or why

Independence and EU (re-)admission: Economic, political renewal

might have been less problematic for a new Scottish state than previously thought

secession from the UK necessarily entailed secession from the EU.

Scotland had been ruled continuously by the *acquis* since 1973 as a 'region' of the corporate UK member-state; had been governed since 1997 by a devolved administration whose ministers were not only active, but even effective, in Brussels (demonstrating, in exemplary fashion, the core principle of subsidiarity when, for example, in spring 2014, Environment Minister Richard Lochhead won EU sanctions on Icelandic and Faeroese over-fishing of North Sea mackerel.); and had been implicated, through the modalities of the Holyrood parliament, in the reform of democracy itself.

All this experience surely trumps the claims of other potential EU member-societies, those within existing territorial borders, to have overcome the iron legacy of Communism and/or raised themselves to the status of developed economy. The reclassification *in situ* of Scots as EU citizens, after their vote for independence, would have involved no novel situation for them. Nor would there have been any enlargement, in population terms, of the EU itself. What was unprecedented (though hardly earth-shattering) about the prospect of Scottish independence was a need to re-label the organisation's composition (perhaps by Treaty amendment under article 48, as the SNP's *White Paper* (p221) suggested). But the normative foundations of the EU would not have been threatened had the voters in Scotland said 'yes'.

Beyond the explicit ground-rules, there is the bigger, perennial question of the EU's own international identity, and here a more active commitment by the SNP would not have gone amiss. Retrospectively, one can see in the EU an organisation in continuous mutation, from the embryonic post-war structures of industrial and technological co-operation, on through the wider exchange of products and workers to the creation of a 'single market' as an effective economic and social union; and most recently - ideas of political federalism failing to garner unanimous support - to the second-best alternative of a currency union. In this way, the original six have become nearly thirty, and a united Western Europe has become nearly the whole of Europe.

Prospectively, as one views a United Nations divided by the crude obloquy of unelected governments; paralysed, at the highest level, by the nuclear balance of terror; ineffective or partisan in the multiple human conflicts over welfare and wealth - who can fail to see in the EU a model for the co-operative supra-state system denied in the world as a whole?

In this sense too, the national question implicit in a system of *universal* state membership is bound to resurface and call for resolution, both within the EU and beyond. In the nineteenth century, nationalism - especially and originally in Europe - was synonymous with justice and social equality in terms of liberation from dynastic rule and the monopoly of wealth. Then in the twentieth century, through the conflicts which led to the creation of the UN and subsequently the EU, national movements became widely discredited as aggressively-territorial: the essential pretext for war over, or between, established states. But the consequence, for liberal-democratic and post-colonial societies alike, was a half-century of omnipresent blackmail and fear: the Cold War, in which all change, all historical culture, all positive attachment to place, was rendered suspect, leaving the political void we find ourselves in, at the beginning of the twenty first century. What is a nation now? All the theorists disagree, while the lawyers insist that it must be rammed into a state - any state, regardless of the institutions of popular will (2).

Similarly, the leaders of the European project have so far averted their eyes from this question that for much of the time EU society has been ruled by negatives: no barriers to trade or migration, despite glaring economic and educational disparities; no 'public' ownership of essential services, even though these are traditionally run by the people, for the people; and now, it seems, no change in the formal identity of member-societies, even where the reclassification of populations *in situ* might help them to a deeper sense of their collective selves. This sclerotic attitude reflects the wider one prevailing under the UN since the end of the Cold War, where the few nation-states emerging from haphazard colonial borders (Eritrea, East Timor, and South Sudan) represent lucky escapees from civil war and genocide. Meanwhile

situations persist, like that in Rwanda and Burundi, where colonial borders are themselves contributory to civil war and genocide. Or in the Balkans, where, after Islamic colonialism starved populations for centuries of the oxygen of experiment - the Renaissance, the Enlightenment, and nascent 'national' liberalism - other Europeans have had to begin their political education from zero. Progress in the human condition everywhere in the states system implies radical change - including, if necessary, change in the shape of states themselves.

Kant argued that republican democracy itself could lead to the ultimate unity of humankind, simply by being the most voluntary form of government - but in small, relatively-equal states; otherwise, popular apathy and central repression would accompany any attempt to govern by law, and the leaders of the richest and most power-laden societies would unite to crush the rest. The peaceful *self*-definition of *nations*, then, in an EU somewhere between states and an inter-state organisation, is the change towards greater freedom and equality by which Europeans can lead the world, if the lawyers and the nuclear warriors will let us. Scottish national independence, in the name of a more progressive society than seems possible in a post-colonial, intellectually-muddled Britain, is an aim well worth pursuing, including for the renewal of the EU itself. And just as it is the values of Europe, rather than Islam, which inspired the Arab Spring (3), a revitalised Scotland, or Catalunya or Euskadi, or Vlaanderen or Québec, can enrich the world with new forms of democracy in the decades to come.

Peter Lomas is author of 'Unnatural States: The International System and the Power to Change' and was Rockefeller Research Fellow at the Centre for European Policy Studies in Brussels.

- 1) See W. Koeth http://www.ab.gov.tr/files/EKYB/egitim_materyalleri/the_enlargement_policy_of_the_eu.pdf
- 2) See my *Unnatural States* (Piscataway, NJ: Transaction Publishers, 2014), chapter 8.
- 3) O. Roy 'Révolution post-islamiste' *Le Monde* 12 February 2011.

Democratising society

Gregor Gall outlines ideas for democratising the society we live in.

Whether as a result of the parliament in Westminster or Holyrood, we live in a parliamentary democracy but parliament is not sovereign over many areas of our lives and society. Instead, businesses and business interests pervade much of our lives, being the hidden and not so hidden hand of the market that often determines what happens and why. Steps need to be taken to regain control over society for the majority of its citizens (workers and their families) so that the democracy we live in is a real and effective one. This would mean that parliament becomes sovereign but that this sovereignty is exercised in the interests of the single biggest group of citizens in society (workers and their families).

Westminster is said to be the 'mother of all parliaments', namely, the oldest and the best in the world.

Westminster is said to be the 'mother of all parliaments', namely, the oldest and the best in the world. Yet it is very far from being adequate for what is needed to meet the interests of the majority of the citizens (workers and their families) it governs. This takes six aspects:

- a) The domination of business interests and a business agenda in all three main political parties (Labour, Liberal Democrats, Conservatives). The ideas that dominate now are one version or another of neo-liberalism – the idea that the market should determine what happens and why in society where everything can be commodified into a market transaction. *This represents an ideological deficiency.*
- b) Within parliament itself, MPs are dominated by careerists and sycophants who are not accountable. They are there for the bettering their own personal interests when serving the interests of business. *This represents a compositional deficiency.*
- c) Parliament runs on the basis that

it controls and regulates itself. It is sovereign over the people and not vice-versa. *This represents an organisational deficiency.*

- d) Since the rise of Thatcherism and largely continued with by 'new' Labour, Parliament has chosen to give over to interests outside itself the powers it used to have. This has taken the form of privatisation, deregulation and quango-isation. Each has allowed business interests to get stronger and stronger. *This represents a political deficiency.*
- e) Even before the advent of Thatcherism and 'new' Labour, there were areas of society – especially over the economy and way businesses ran themselves – that parliament never had control over. Indeed, parliament was set up this way as a conscious decision and at the behest of the rich and powerful. In addition to this, the civil service, police, judiciary and military as part of the state are not fully accountable to parliament and more often than not act in accordance with their own interests and not of those they are supposed to serve, namely, the people and parliament. *This represents a structural deficiency.*
- f) Increasingly decisions are to be taken outside Britain which impact upon citizens in Britain but which they have no control over. Examples are to do with the European Union as well as new international trade agreements between the US, Europe and other regional powers. The most obvious are the Viking and Laval European Court of Justice decisions which make striking increasing unlawful as business interests are put first. *This represents a legal deficiency.*

Together these six deficiencies make up what amounts to a huge democratic deficit – parliament is not sovereign and nor is it accountable to and representative of the people it is supposed to serve in a democracy.

To this list can be added other deficiencies such as the continuation of the undemocratic, unaccountable monarchy, the hollowing out of the powers of local government as well as the promise of the now established nature of the Scottish Parliament not being realised.

The Scottish Parliament was supposed to be different to the Westminster parliament. Indeed, it was supposed to be a people's parliament with its powerful committees able to scrutinise the parties' bills in a non-partisan way. This has not happened, and like Westminster, MSPs are mostly drawn from small range of middle class occupations and political apparatchiks now dominate the top of the political tree. Few have working class background or politics. Committees have been usurped by the party system and outside lobbying interests – for businesses in particular - are now making the running.

Below six proposals are set out to reduce the aforementioned democratic deficiencies. Bar one, they would affect both the Holyrood and Westminster parliaments. The suggestion of using primaries to select prospective parliamentary candidates is not advocated because this would allow forces outside of Labour to potentially determine which candidates it selected, making Labour even more potentially pro-business than it already is.

- i) *Recalling of MPs* Whether as a result of voting a certain way or not voting at all or unacceptable personal conduct, there are strong grounds for constituents to be able to recall and replace individual MPs. This could be done through the means of petitions and popular assemblies (both physical and virtual) so that the act of recalling is carried out democratically and legitimately.

Public petitions The Scottish parliament already has a system by which members of the public can petition to raise certain actions and issues in parliament. This does not exist in the Westminster system but should. This would allow groups in civil society, most especially the STUC and unions and other voluntary groups to play a bigger role in creating a different society over issues which are the reserve of Westminster.

- ii) *Reform of the way parliaments work* Parliamentary committees should have more powers and being able to operate without being subject to whipping.
- iii) *An outside third party to regulate how parliament conducts itself* The Standards Committee needs to be

replaced by an external body which is independent of both parliament and government. This body should be drawn from the ranks of ordinary citizens as with a jury system.

iv) A series of compulsory economic, social and political tests Parliament should be compelled to operate by a system of economic, social and political tests which are designed to measure the influence of extra-parliamentary actors and processes on the lives and living standards of citizens. Where these extra-parliamentary actors and processes are deemed to play an important but detrimental role in influencing the lives, life chances and living standards of citizens, parliament should then be compelled to intervene through legislation and regulation in order to ensure that the detrimental effects of these extra-parliamentary actors and processes is ameliorated. For example, the activities of unions should not be regulated in a restrictive way because unions benefit workers and their families by reducing competition between workers, thus, raising pay and benefits. The union wage premium – the positive difference between the wages of union and non-union workers in testament to this. By contrast, many employers do not pay the minimum wage or the living wage and most are in competition with each other over wage rates in the pursuit of profit. This leads to a downward pressure on wages leading to lower living standards for workers and a reliance on benefits. This is evidence of employers not benefitting workers and so they should be regulated in a way to lessen the effect of their actions.

The six proposals would go some way to addressing the aforementioned democratic deficiencies.

The six proposals would go some way to addressing the aforementioned democratic deficiencies. The most far reaching of them is the proposal to establish the series of economic, social and political tests because this addresses the greatest number of deficiencies while the proposals to recall parliament and

MPs reinforces the means by which to enforce that parliament and MPs act by the outcomes of the tests. Meanwhile, the ending the ability of parliament to regulate itself would address the organisational deficiency. To this we can add the devolution of power downwards from the Westminster and Holyrood parliaments (even after enhanced devolution in Scotland) so that a federal system exists in which the exercise of power is carried out at a lower level in order to allow the popular participation of citizens. But as alluded before steps must be taken to ensure that the existing political does not dominate these new structures and processes.

The big question is how to get a parliament that would resist these changes to accept them because there is a 'chicken and egg' situation here. Does parliament as an institution need to change first or does the composition of the MPs need to come before that? Whatever the answer is, it is clear that the momentum for change will come from outside of parliament with the few decent MPs like John McDonnell being the voices for change within parliament.

Gregor Gall is professor of industrial relations at the University of Bradford. An earlier version of this paper was written for United Left Scotland, the left grouping in the Unite union in Scotland.

ASLEF CALLS FOR AN INTEGRATED, PUBLICLY OWNED, ACCOUNTABLE RAILWAY FOR SCOTLAND

(which used to be the SNP's position – before they became the government!)



Mick Whelan
General Secretary

Alan Donnelly
President

Kevin Lindsay
Scottish Officer

ASLEF the train drivers union www.aslef.org.uk

The not so invisible hand of the market

Andrew Brady reveals the extent of workers paying the price of a crisis not of their making

The illusionists are back. Or more precisely the trick performed is that they have never been away. Rather, they have been devising new ways to deceive the public of the economic realities of our time. The repercussions of their illusion was reinforced in a conference in Rome involving twenty unions from various countries in Europe coordinated by FISAC the finance sector workers union in Italy.

Since the global financial crash in 2008, it is these workers who have been the sacrificial lambs in their hundreds of thousands in the finance sector for the mistakes of CEOs and the investment marketeers. In a report by the global union for finance workers, UNI, it's estimated that during a two year period 2011-2013 over 193,000 banking jobs alone were axed in the 26 countries it covers. It is critical to separate the honest workers in the tainted financial institutions who work long hours under enormous pressure and who acted with complete integrity from those further up the food chain who have been left unscathed financially as the bonus culture returns more aggressively than before. The Office for National Statistics figures shows that in the five years since the crash the finance sector, which includes insurance, paid out £67bn in bonuses.

The illusionists, of course, perform tricks on each other by deliberately marking-up their asset portfolios to artificially inflate the price of the company in order to secure loans, through various accounting tricks, insider-trading, lack of due diligence and exerting influence on the infamous credit rating agencies. Anyone who has read Andrew Sorkin's *Too Big To Fail* will be stunned by the complete incompetency, ignorance and wilful blindness of the CEOs of Lehman Brothers, Bear Stearns, AIG and the rest of the motley crew who have thrown the world into a Depression. Despite the reality confronting us the public, media and politicians have utterly failed to identify the disease (as opposed to the symptoms) of capitalism. This should not be a surprise to us because economics in our higher education institutions propagate the apparent sacrosanct principles of the market's

'invisible hand' and the rationality that free competition will lead to the most efficient allocation of resources. These concepts with the aid of mass media have penetrated the public consciousness in untold ways. These principles are now taken to be universal truths or natural laws.

The work of Nobel Prize Winner Daniel Kahneman in *Thinking, Fast and Slow* has proven that many people do not act rationally and the fundamental principles of free market capitalism are not scientific truths. To the contrary, faced with huge losses people often tend to gamble more further putting themselves in financial jeopardy: cue the financial marketeers. In the aftermath of the Depression, the world has witnessed the subtle and powerful reconstruction of free market capitalism. In 'recognition' of the risks facing economies a new edifice built to apparently save capitalism from itself – or so the illusionists would have you believe. The illusion has been to set in train a *new* series of pillars that will govern our global economy. The pillars are based on transparent accounting; sufficient capital to insulate banks from further shocks and responsible lending.

The new edifice has included the reform of credit agencies and implementation of 'stress tests' in Europe whereby banks are required to have a mandatory minimum amount of money set aside for the next crisis in order to not go under. After the crisis due to the triple-A credit ratings of firms who held subprime mortgage there was a public scramble to reform the credit agencies hired to evaluate the toxic securities. One of the measures designed to do this was to *encourage* the credit rating agencies to provide unsolicited opinions on their competitors by creating a website for issuers to share deal data. Yes - that's the extent of reform creating a website and encouraging firms to criticise the opinions of other firms in the same field. The lack of success of the *reform* has led to 'rumblings' of a return the pre-Depression practice of ratings shopping (see Financial Times 11 June 2012).

EU banks will be required to hold 8% of capital to their risk-weighted assets under transitional Basel III rules. These are the same stress-tests in 2010 which gave Irish banks a clean bill of health just months before the country's finance sector imploded along with Spain's Bankia, the Franco-Belgian Dexia and the Dutch SNS Reaal. The public is informed that the tests are more stringent and trustworthiness has been restored. This is a fallacy which has been exposed by the *Economist* (29 April 2014) describing stress tests in our financial institutions as having a 'chequered history'. We are led to believe this time it's different.

The real point of such 'reform' and 'tests' is to create in the public consciousness a climate supported by mainstream media which affirms that the powers that be have recognised their mistakes and active measures are being progressed to avoid a repeat of 2008. The illusionists, however, are deliberately propagating this new edifice as being the panacea when in fact it is sowing the seeds of our next downfall. The trick being performed is to recreate the illusion of growth and, in doing so, more dangerous moments for the system. It is an imperative the illusion is exposed, namely, that the visible hand of the market is dictated by one rule only: the maximisation of profit by any means necessary. It is time to construct pillars on solid ground on which our economies can be built, being governed by principles of justice, equality and fairness. We cannot let the moment pass to truly reform and regulate the system..

Andre Brady is Director of Union Solidarity International – see <https://usilive.org/uk/>

Finance for the common people?

Chris Sharpe interviews a former banker about the state of the finance sector in Scotland

In terms of ownership and control, Scotland's banking system emerged much the poorer from the financial crisis, with LloydsTSB acquiring Bank of Scotland (BoS) and the Royal Bank's (RBS) being effectively 'nationalised' (or at least its debt). In this context, threats from the likes of RBS in the run up to the referendum to re-domicile south of the border effectively resulted in Scotland being held to ransom. Here, Chris Sharpe discusses some of the issues related to Scottish banking with a former director of corporate banking at one of Scotland's big three.

Starting with ownership, how did Scotland lose control of its banking system?

There are a number of reasons: the creation of a global banking system, various mergers (which in hindsight seemed ill-advised) coupled with some bad strategic decisions, and finally, the cultural and operational changes at RBS and BoS that saw a shift from 'telling' to 'selling.' All this contributed to the catastrophic failure of the banking sector, particularly RBS and BoS. Before 2008, both were involved in major mergers (or take-overs, depending on your perspective). Since then, the real centre of power has started to move south of the border. Even though both banks have kept their corporate headquarters in Scotland, there has been a real sense that the major strategic decisions are starting to be made elsewhere.

The crisis exacerbated the issues facing the banks, cutting off access to vital wholesale funding. In simple terms, the hamster had fallen off the wheel and the banks had to go cap-in-hand to the Government and the Bank of England for a bailout. The rest is history. It was probably the day neoliberal capitalism died, although those involved would not admit it.

What are some of the financial and political implications?

The implications are already clear. The huge number of job losses in the banking sector since 2008 have been well documented. Less so, however, is the number of middle and senior management roles at RBS and BoS that have either been made redundant or relocated south of the border, leaving

few if any in Scotland. With strategy and decision-making processes moving south, the country now feels more like an outpost than a major financial centre. Both banks had been chipping away at their cost bases for many years by employing new technology, deskilling their workforces and training new recruits for a much narrower range of functions. Scotland's banking sector now comprises younger, lower-skilled staff earning lower wages than the old highly-qualified specialists and back-office support staff. One consequence of this is that Scotland now has an army of redundant bankers that would be able to add real value to a well organised and functional Scottish banking system.

The threat by RBS in the run-up to the referendum to re-domicile south of the border angered many customers, yet does Scotland have any real alternatives in terms of retail banking?

RBS's statement was just that, a threat, and one they would in all likelihood have had a great deal of difficulty in carrying out. With the UK government owning 80% of its shares, it's hardly surprising the CEO felt obliged to add some negative noise to the referendum debate.

Really though, why would organisations like RBS want to move from a country where they have had a dominant market share for decades? Despite all the upheaval in recent years, there remains very little competition in

Scotland. The banks may make the right noises when it comes to customer service, but in all honesty the customer is still far down the pecking order of priorities.

A fundamental part of the viability of any nation lies in having its own banking system. Going forward, how can the situation be improved in Scotland?

The crisis in 2008 was caused by banks that had become too big to fail. The challenge we face is to build a banking system such that if one bank fails, it doesn't bring down the rest. To do so, we need a number of smaller banks catering for the real needs of retail and commercial customers rather than the financial behemoths at present. It would be nice to think that a new generation of Scottish banks could get back to providing some good old-fashioned service based on the traditional values of Scottish banking. Another major issue lies in having a central bank to act as lender of last resort. Scotland was heavily involved in setting up the UK's current system and there's no reason we couldn't do it again, only this time on our own. It raises lots of issues but it also presents fantastic business and social opportunities. We have the people, the technological know-how and, most importantly, the incentive to leave a robust banking system for future generations. An oil fund of the type proposed by the SNP would be a considerable asset in funding such an enterprise.

The New Left Project

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Where is the safe haven for human rights?

Niall McCluskey argues that smoke and mirrors obscure the real reason for the push to scrap the Human Rights Act

Scotland, apparently, will be protected from attempts to scrap the *Human Rights Act* (HRA). The Scotland Office has said it would not in practice apply here. The UK government position appears to be that the *European Convention on Human Rights* (ECHR) is devolved to the Scottish Parliament because it was built into the *Scotland Act 1998* and cannot be removed by Westminster.

As a matter of law, the *Scotland Act* provides that legislation is outside the competence of the Scottish Parliament if it is incompatible with any of the rights contained within the ECHR. Equally, the HRA decrees that a member of the Scottish Government has no power to act in a manner incompatible with any of the Convention rights. However, the Scottish Parliament only legislates in relation to devolved matters and Scottish ministers only act with regard to devolved matters and it remains to be seen what level of increase in devolved powers occurs post the Smith Commission. Therefore, Scotland will be affected by the scrapping of the HRA in relation to reserved matters such as immigration.

A ridiculous situation is looming whereby Scots can avail themselves of convention rights in relation to devolved issues such as education but not with regard to reserved matters. Equally absurd - given that the ECHR is a treaty which the UK is signed up to - is the prospect that Scottish citizens have convention rights in areas where citizens in the rest of the UK won't. Scrapping the HRA but remaining in the ECHR will create a legal mess. One can envisage a huge increase in cases being taken to the European Court of Human Rights in Strasbourg. Equally, the EU Charter of Fundamental rights which the UK is signed up to can be pled in domestic courts in relation to EU matters and mirrors much of the rights contained in the ECHR. So, if the UK doesn't leave Europe after the proposed referendum then legal complications can only increase.

If the Conservatives were genuinely looking for a solution to the problems they raised, they would have to break with the ECHR altogether. However, I suspect even the current Conservative party does not want Britain to become the only European state other than Belarus to stand outside the Convention. In my view, the HRA has had a positive impact in the UK. It has been directly or indirectly of benefit to a number

of groups whose interests are not adequately represented in the political process, such as asylum-seekers, life-sentence prisoners and those serving indeterminate sentences, prisoners subject to disciplinary proceedings, homeless people, incompetent patients, victims of violent crimes and their families who want to establish what happened to them, overseas victims of violations of Convention rights by agents of the state undertaking duties abroad, and people whose homes are subject to repossession by a landlord.

It has also been used to challenge the irresponsible power of the media by assisting people concerned about invasion of privacy and stimulating an extension of the protection given by the principles of breach of confidence to cover a somewhat wider range of privacy-related interests. In doing so, it has helped to make up for the weakness of the remedial scheme provided by the Press Complaints Commission.

In the UK Parliament, human rights standards have played a part in debate and scrutiny of legislation, largely thanks to dedicated and expert members of each house and to the work of the Joint Committee on Human Rights which has developed a practice of examining all Bills introduced to either House for compatibility with Convention rights.

Why then has the HRA become a political football? Essentially, it suits nationalist politicians. The Tories say they want to give UK courts and parliament the 'final say' on human rights issues. Scottish Justice Secretary, Kenny MacAskill, said he was 'deeply concerned' by the proposal. I would say that is a nationalistic response and not as it appears as positive endorsement of the European Convention. Back in June 2011, MacAskill accused the UK Supreme court of 'intervening aggressively' in Scotland's independent legal system after it ruled that the Scottish system had twice breached the ECHR in significant criminal cases. MacAskill said most Supreme Court judges' only knowledge of Scotland was through attending the Edinburgh festival. He also made funding threats aimed at the Supreme Court. MacAskill was simply making a nationalistic point. The Tories biggest problem right now is UKIP having amongst other problems recently lost two MPs to them. The Tory plan to scrap the HRA is primarily about attacking UKIP. Also some of the beneficiaries of the HRA are alleged criminals and immigrants

and attacking them does the Conservatives no harm electorally. It's straightforward politics.

Chris Grayling, the Justice Secretary, promises that the replacement of 'Labour's Human Rights Act' by the Tories' 'British Bill of Rights ... will ensure that Parliament is the ultimate source of legal authority'. However, that is already the position. If it were not MPs would have no power to scrap the HRA. According to Grayling, the European Court of Human Rights should no longer tie British judges' hands, no longer issue 'binding' rulings that 'force the UK to change the law'. This is misleading. Under the HRA, the UK courts only have to take account of rulings of the Strasbourg court.

The European Court's rulings are binding on the UK as a state in terms of international law (though no one has yet found a way to enforce such law). But the Court's rulings don't bind British judges or Westminster. They don't reach into domestic law, which remains the exclusive province of our courts and our parliament. This is demonstrated by prisoners voting rights north and south of the border. Strasbourg says there should be no ban on inmates voting. Both Westminster and the Scottish parliament have refused to change the law. This shows Parliament is supreme.

Take the Abu Qatada case often cited as a reason to scrap the HRA. Yes there was substantial delay but he was eventually extradited in circumstances where Jordan gave an undertaking not to lead evidence at his trial derived from torture. Grayling has said that human rights laws should apply in only the most serious cases and should be more clearly defined to stop courts applying them to 'whole new areas of public life'. How do you define this? Grayling's position could lead to an absurd position such as you only get access to a solicitor at a police station if you are on a serious charge such as murder but not shoplifting.

Also the HRA hasn't stopped the government from pushing through tough legislation which they see as necessary. This is demonstrated by the controversial *Data Retention and Investigatory Powers Act*. Ultimately, parliament will do as parliament does, namely, create and repeal legislation. Let's hope that some decency prevails and the HRA isn't sacrificed for the sake of cheap politics.

Niall McCluskey is an Advocate and human rights activist.

Full of Eastern Promise?

Victor Grossman assesses where Die Linke has come from and goes next

Is the brief, roller-coaster story of Die Linke (The Left) speeding upward to new heights in Germany? What opportunities are involved and what risks? The party has a dual past and, according to some wisecrack 'a duelling present'. The larger component, with over 60,000 mostly East Germans, was the Party of Democratic Socialism, formed in 1989 after a feverish 17-hour congress decided not to dissolve the ruling Communist-type Socialist Unity Party when the German Democratic Republic went down the drain but to save, reform and re-name it, choose new leaders and apologize for past sins, blunders and repression. In a tense East German election in March 1990 most voters chose instead the promised luxuries of the golden West and soon got 'reunification' (or annexation or colonization). A sixth stayed faithful to socialist views. This base steadied at about 18-25% in the five East German states and Berlin.

But ingrained prejudices against the GDR in much larger West Germany kept it to a bare toe-hold there. In 2002, it failed to win the 5% needed for proportional representation so two lone women, directly elected in East Berlin districts, had to hold out alone against nasty bullying by all other deputies, who gleefully planned triumphant obituaries of the party. They were disappointed. In 2005, in West Germany, about 10,000 militant Social Democrats and union activists, disgusted by their organizations' rightward switch, plus a mix of Communists, Trotskyists and others, formed the Electoral Alternative for Labour and Social Justice (WASG). A loose electoral unity between this western party with highly-respected Oskar Lafontaine, who quit as chairman of the right-leaning SPD, and the eastern party, headed by witty, charismatic Gregor Gysi, saved the day with 8.7% in 2005. In 2007, the two united to form Die Linke and frightened the pants off Social Democrats and Greens by winning enough of their disappointed voters in 2009 to reach nearly 12% and 76 deputies (out of 622), sixteen directly elected (and over half of them women). The other parties immediately began talking out of the left sides of their mouths, stealing key Die Linke demands like a minimum wage and a reversal of nasty pension cuts.

But success led strangely to a sharpening of internal quarrels, for now some slightly left-leaning SPD and Green leaders considered regaining national

leadership from the Merkel party by forming a three-way coalition with the hitherto despised, rejected Linke.

But conditions were demanded. Die Linke always rejected deploying uniformed Germans anywhere beyond German borders (as West German law proscribed). But the SPD and Greens participated in bloody conflicts in Yugoslavia and Afghanistan while the Greens urged involvement in Libya and now possibly in the Ukraine. They did not want a 'no troops' party. Mostly East German Linke 'reformers' wanted to oblige with loopholes: cases should be decided on their merits, UN humanitarian missions should not be rejected in advance. But most members wanted no such first steps down slippery slides. If it was no longer the consistent Party of Peace it would become just a slightly leftist SPD.

Linke, if it stays together and militant, can be an inspiration and source of strength to left wing parties all over Europe

Another issue involved history. The SPD and especially the Greens, some of whose leaders had been GDR dissidents, demanded that Linke denounce the GDR as an 'Unrechtsstaat' (unjust or illegal state). Such total rejection not only of nasty sides of the GDR, which was all too frequently equated with the Nazi Reich, ignored its crucial rejection of rule by giant banks and corporations and seemed almost a pledge of allegiance to the capitalist system. Mainly East German leaders considered such compromises acceptable or at worst a necessary toad to swallow to gain acceptance and cabinet seats, perhaps even in the national government after the 2017 elections. Others worried that Linke could become a party like the SPD, advocating better deals for working people but reforming capitalism. Did they want to remain devoted to changing the capitalist system, even if it meant sacrificing chances in coalition governments?

Disputes like these nearly split the party in 2013, when Lafontaine and Gysi found themselves at loggerheads. At the

last moment it became clear: neither side could survive alone. An agreement was reached with two chairpersons, one West German man, a militant union leader and one East German woman not clearly in any grouping. Berndt Riexinger and Katja Kipping then succeeded in healing the worst wounds and keeping Linke together. Six months before the 2013 elections the required 5% seemed endangered but the wounded party recuperated. 8.6% and 64 seats were at least enough for a collective sigh of relief.

Recent results have been mixed. Coalition rule with the SPD in eastern Brandenburg cost Linke many votes, but will be continued. But in a sensational development, a strong second place in south eastern Thuringia will almost certainly mean leadership in a Linke-SPD-Green coalition, but this time, for the first time, with Linke on top, its first minister-president in unified Germany. Unhappily for some, Linke swallowed an only slightly eased rejection of the GDR; the SPD and Greens will now join a shaky coalition with a majority of one single seat in the state legislature.

Will this be a positive break-through for the party nationally, helping it overcome strong prejudices in West Germany with substantial improvements for mothers, students, unemployed and working people generally? Will it remain a bulwark against further German expansion, giant weapons exports and military involvement? Or can the SPD and Greens in Thuringia and all Germany use blackmail and enticements to win more compromises and tame Linke?

Europe and Germany face possible economic deterioration. Mob violence by racist football hooligans and neo-Nazi thugs, copying Nazi strategies but with hatred of Muslims and other immigrants instead of Jews, shows the urgent need of a strong left. Linke, if it stays together and militant, can be an inspiration and source of strength to left wing parties all over Europe, especially to weak groups in Eastern Europe. Will it grow and become stronger? It is sorely needed!

Victor Grossman, one-time US army deserter, observer and participant in GDR and German politics as journalist and author, the only person with diplomas from Harvard and Karl Marx University, publishes bulletins on German developments. His autobiography is 'Crossing the River: A Memoir of the American Left, the Cold War and Life in East Germany'.

Need to hold the establishment to account

Jim Cuthbert sheds light on mysterious goings on in past British foreign policy

One of the striking features about being a UK citizen is the pervasive feeling of the establishment, (or parts of it), pursuing an agenda of its own. Concern about this flares up periodically – whether over the Iraq war or Snowden disclosures about GCHQ. But what never quite goes away is the feeling that somehow the British state is not fully within democratic control, or necessarily acting in the public interest. What, for example, really lies behind our slavish adherence to Trident, a weapon which is unpopular, unaffordable and redundant. The purpose of this article is to look at one particular example: namely, events surrounding the activities of atom spies during and immediately after WW2. What happened then is not merely interesting in its own right. It also suggests the emergence of a particular agenda for parts of the establishment, which perhaps makes later events more explicable.

What, for example, really lies behind our slavish adherence to Trident

Because very little in this type of area is actually provable, at one level, all that emerges are tantalising, suggestive, hypotheses, rather than concrete proof. But, nonetheless, something very concrete actually does emerge – that we are completely unable within the UK ever to come to full and satisfactory closure on episodes like the atom spies, or Iraq, or the Al Yamamah arms deal, or Bloody Sunday, is in *itself* concrete proof that something is very wrong with our mechanisms for calling the establishment to account. That is the lesson to be taken, and it is something that we could, and should, do something about.

The particular example considered here relates to the events surrounding the careers of the atom spies, Melita Norwood and Klaus Fuchs, in the 1940s. These events strongly suggest that elements of the establishment at that time were pursuing a covert policy which ran quite counter to the government's officially announced policies. But this

example is also interesting because it suggests how Britain's establishment saw Britain's world role emerging – and the lengths they would go to in order to secure that role.

The characters involved in this episode are as follows. Melita Norwood was, during the 1940s, secretary to the director of the Non-Ferrous Metals Research Association (NFMRA) – and, as is now known, a spy for the Russians. The NFMRA was a consortium of private companies and research bodies which played a central role in doing research for the British government on the atom bomb project – and, from 1945, was formally incorporated into that project. So Melita Norwood was in a position to access, and pass on to the Russians, material which was extremely important to development of the Russians' own bomb. She was publicly identified as a spy in 1999, when material was leaked from the KGB archives. But she was never prosecuted by the British, and died in 2005. David Burke's 2008 book, *The spy who came in from the Co-op*, gives an authoritative and well researched account of Norwood's career, and many of the following facts, (but not the interpretations), are taken from that book.

The better known atom spy, Klaus Fuchs, was a scientist who started work on the atom programme in the UK in May 1941, and moved to the US to work on the Manhattan Project in December 1943. He was arrested and charged with spying in February 1950, after coded soviet messages were deciphered which pointed to him as a spy. He was sentenced to fourteen years in jail, and served nine.

The third, and in many ways central, character is Ursula Kuczynski, or Beurton – better known now by her cover name Sonya. She had been a Russian agent in Switzerland up until late 1940, working for the Lucy spy ring which fed important German military secrets to Moscow. While in Switzerland, she had recruited to the Lucy network an Englishman, Alexander Foote, who was a veteran of the Spanish civil war – he will re-appear in this story later. In January 1941, Moscow moved Sonya to England, where she settled down ostensibly as a housewife in Oxfordshire. In fact, from 1941 to 1944 she was the controller of Norwood, and of Fuchs before he left the country. She

continued as an active spy thereafter: and slipped away to the Soviet bloc about the time Fuchs was arrested. She was much honoured by the Russians, being made an honorary colonel in the soviet army. She died in 2000.

So what were the remarkable events this trio were involved in – events which attract controversy to this day. The fundamental puzzle is that they were able to get away with it so long: completely, in the case of Sonya and Norwood, and in the case of Fuchs until the Russian codes were broken. Consider the following:-

- Towards the end of 1943, Sonya came to the attention of the British security authorities when her ex-husband was arrested as a Russian agent in Iran. When the Oxford police carried out enquiries, the chief constable reported to MI5 that a large wireless set was known to be in her possession, with a special pole erected for the aerial. He recommended she was worthy of further enquiry: but MI5 took no action.

- In 1945, Melita Norwood was given full security clearance, just as she was given access to even more important atom secrets, as BNFMR was integrated into the British atom bomb project. This was despite her name having come up in connection with Soviet espionage in 1938, in relation to a spy case in Woolwich arsenal.

- In 1945 and 1946, a Russian defector to Canada, Igor Gouzenko, passed to the British the information that there was a high level mole in MI5: and also the names of five possible Russian agents, including Fuchs. MI5 failed to pursue either lead. The officer who failed to pursue these leads was Roger Hollis – which later led much suspicion to attach to him.

- In July 1947, Alexander Foote came over to the west. He informed MI5 that Sonya was a Russian spy. On interrogation, she tacitly admitted she was a soviet agent. However, no charges were brought: and two days after the interrogation, the mail checks which had been started on her were dropped.

- In 1949, Alexander Foote published "Handbook for Spies", a memoir of his time working as a soviet spy. This, according to intelligence specialist and MP Rupert Allason, was actually ghost written by the British

intelligence services, (Hansard, 25 January 1989): and was endorsed by the head of the security services as being essentially true, (National Archives). It is clearly a work of dis-information by the UK security services. And what it says about Sonya is that, after she came to England in 1941, she was just an ordinary housewife: "I do not think that from that time on she has had any connection with a Russian spy net."

- In February 1951, Guy Liddell, deputy director of MI5, binned an internal memo suggesting that further contacts of Sonya should be checked up.

In fact, the events described above may be even stranger still, since there is a strong suspicion that Alexander Foote was actually a British agent throughout, and that the British were latterly using the Lucy ring to feed Enigma intercepts covertly to the Russians, without the Russians being aware of the true source: (the latter was the view held, for example, by former MI6 officer Malcolm Muggeridge, who claimed to have learned this from Alexander Foote, as recorded in the second volume of Muggeridge's memoirs.) In this case, the British would have known Sonya as an active spy before her arrival in the UK in 1941. But even leaving this possibility aside, the events described above are strange enough: what should be made of them?

First of all, the information fed over by Norwood was extremely important – despite attempts by the British to play down its significance when Norwood was finally exposed. Norwood's information enabled the Russians to sidestep some of the severe technical problems involved in designing reactor fuel rods. Burke's assessment of its importance is as follows: "The contribution of Britain's atomic spies had greatly reduced the time-scale for a Russian atomic bomb. ... By helping to create an armed stand-off between two nuclear superpowers Melita Norwood had played a significant part in ushering in the era of détente and its counterpart, Mutually Assured Destruction (MAD). For that millions of Russian people probably owe her their lives'.

Secondly, the public debate on these issues has tended to focus on the question of whether the British were staggeringly incompetent – or was there a traitor within MI5, (with the finger of suspicion pointing particularly at Roger Hollis.) But this is clearly not the appropriate choice of alternatives. The events involved go way beyond incompetence as a plausible explanation. The realistic option is between treachery – and a deliberate attempt by the British to feed atom secrets to Russia through a Russian spy ring which the British were aware of and were, in effect, manipulating.

At first sight, this second possibility looks ridiculous: why, as the Cold War was crystallising, would the UK pursue a covert policy of passing vital atom secrets to the Russians? But there is a very plausible potential motive: a motive which could, in fact, explain a good deal about British policy throughout the post-war period.

Consider the thankless position of Britain's elite towards the end of the second world war. Here they are, in charge of a virtually bankrupt country: a country which has clearly been comprehensively overtaken as a military and economic superpower by the US: and which is faced with the imminent and inevitable loss of empire. What should Britain's role in the emerging post-war world be? One potential role is to be America's loyal poodle. But this possible role is likely to be a rewarding one only as long as there is a credible threat to American supremacy. So it is actually not in Britain's interest if America holds undisputed world sway, either because it possesses nuclear supremacy, or if it has used nuclear weapons to destroy its main potential challenger, the Soviet Union. In these circumstances, there actually is a strong motive for Britain to give some covert and deniable aid to Russia's nascent nuclear programme, by discretely turning a blind eye to the actions of Russia's nuclear spies.

This matters, because there is no chance of getting our governing elite under control, and keeping them under control, if they can operate hidden agendas with impunity.

Of course, we will never know. All of this is hypothesis and speculation. But there are two implications of this line of thought. First of all, if the hypothesis were true that Britain's elite saw the UK's world role as being America's loyal poodle, then it actually explains a lot about British actions throughout the post war period: not just the cringing obsequiousness to US wishes, but also the playing up of perceived threats – e.g., the willingness to buy into the "war on terror".

But secondly, and most importantly, the fact that there never has been a satisfactory public resolution of issues like the Hollis controversy: or what really underlay Britain's involvement in Iraq: or what the actual scope is of GCHQ surveillance: and so on, in itself tells us something very significant. It tells us that we have been conditioned to accept "absence of proof" in these cases as a satisfactory explanation, which is meant to reassure us that nothing underhand is going on. In fact, what absence of proof, or, more accurately, absence of satisfactory closure, tells us is that there is something very wrong with the apparatus of the British state. It means that we do not have satisfactory mechanisms for shedding light on these areas, and for calling the establishment to account if appropriate.

This matters, because there is no chance of getting our governing elite under control, and keeping them under control, if they can operate hidden agendas with impunity. And, at a time when the UK again faces a fundamental crisis as to what its economic and political role in the world should be, there is no chance of redefining that role unless we know exactly how we got to where we are now.

So what should be done? There is no easy answer: but here are two things which would help. First, scrutiny of the elite should not be carried out by the same elite. There is little chance of a Lord Denning, or a Lord Butler, or a Lord Saville getting to the root of what the establishment may, or may not, have been up to when they are, by upbringing, education, and culture, part of the selfsame establishment. Denning's infamous quote, when he rejected the Birmingham Six appeal, says it all: 'If they won, it would mean that the police were guilty of perjury; that they were guilty of violence and threats; that the confessions were involuntary and improperly admitted in evidence; and that the convictions were erroneous. ... That was such an appalling vista that every sensible person would say, "It cannot be right that these actions should go any further"'.

And, secondly, whatever form of tribunal is set up on any particular issue, it should have power to compel, and to publish evidence. The current situation on the Chilcot enquiry is, for example, totally unsatisfactory. But procedural changes alone are not enough. In the last resort, what is required is a fundamental change in public attitudes – so that we are no longer prepared to be put off with lies, half-truths and obfuscation when things in the conduct of public life do not add up.

Jim Cuthbert is an independent researcher

Fracking hell, its fracking bad news

Mel Kelly argues that we are headed for environmental and human catastrophe if fracking proceeds

As people in Scotland debate the impact of wind farms on our beautiful Scottish landscape, how will they view fracking wells gushing out fire 24 hours a day, 7 days a week? With a closing date of 28 October 2014, the current Westminster fracking license round for areas of the central belt of Scotland to be fracked means fracking wells will start popping up from Leven and Edinburgh stretching across to Glasgow - the most densely populated area of Scotland. And along with the fracking are plans to also start extracting colossal amounts of highly polluted water and mud from all the old coal mines and coal seams across the central belt of Scotland to release the pressure and the methane gas trapped in them – the same gas that killed canaries and far too many coal miners - with the Coal Bed Methane (CBM) wells set to light the night sky across the entire central belt of Scotland in unison with the fracking wells.

Unfortunately, the story does not end there as not only will 80% of the Scottish population be surrounded by these fracking and coal bed methane wells for MPs have also issued licenses to burn Scotland under our feet at the same time. Underground coal gasification (UCG) licenses have been issued for the Firth of Forth and the River Esk in Dumfries to bake billions of tons of Scotland's coal, not safely in power stations, as happens now, but instead to just bake the coal where it lies, underground, at temperatures between 700 and up to 1,427 °C to create synthetic gas.

The current UCG process is still at the experimental stage across the world and after three recent small scale trials in Australia, the Queensland government banned commercial UCG last July. Despite the trials using world leading technology, the full process is not safe and the companies could not demonstrate how they will stop the coal burning once the process was started. All three companies involved in the Australian UCG trials were taken to court after their UCG trials caused major groundwater contamination and other major environmental damage. In one of the UCG trials, cattle nearby were found to have been contaminated with carcinogenic chemicals after Cougar Energy's concealed for two months that their UCG trial had contaminated the ground water.

The only EU small scale trial of underground coal gasification ended in

disaster after a pipe got blocked resulting in an explosion the team had no way to stop yet the Westminster Department of Energy and Climate Change website stated this trial proved the process is feasible. Another problem with the UCG process is there is no way to support the cavity left behind which results in the cavity collapsing causing subsidence below ground as well as at ground level - with the underground subsidence also risking previously unconnected groundwater flows mixing with the toxic coal tars left behind by the UCG process, creating a toxic soup free to flow in new paths caused by the subsidence which could eventually be used miles away by unsuspecting farmers to irrigate their crops and water their livestock which we eat.

The current UCG process is still at the experimental stage across the world and after three recent small scale trials in Australia, the Queensland government banned commercial UCG last July.

As well as the groundwater contamination, subsidence and explosions we must face from this perfect storm of three different dash for gas industries licensed to operate in the central belt of Scotland, experience from America also proves flaring gas in populated areas will poison the air we breathe. The Parr family in America was recently awarded \$3m in damages after fracking activities two miles away caused the air they were breathing to become so toxic calves on their farm started being born deformed, livestock and pets started to die with the Parr family's daughter waking during the night covered

in blood from severe nosebleeds and the family also experiencing severe headaches, sores that would not heal, central nervous system problems which caused memory loss, disorientation and loss of balance with one of Mrs Parr's doctors stating get out the house or buy your coffin now.

How will the NHS cope with 80% of Scotland's population living in an environment where the air they breathe and the water they drink is being contaminated by three different dash for gas industries at the same time? And worse, the population of the Scottish central belt could very well find themselves trapped in this dash for gas hell as homeowners in England are already experiencing their house prices plummeting 70% and home buyers withdrawing their offers once they find out a fracking license has been issued for the area. Earlier this year, the first public inquiry into CBM was held in Scotland and two weeks ago the Scottish government announced they were taking charge of the 2 planning appeals which caused the public inquiry as these CBM applications were of 'national importance'. But the public inquiry looked exclusively at the impact of CBM alone and did not take any account of the fact UCG and fracking licenses would be issued for the same area of Scotland.

As no country anywhere in the world has attempted to roll out fracking, CBM and UCG at the same time in such a populous area, it is vital the Scottish Parliament puts all exploration for UCG, CBM and fracking on hold in Scotland until the public inquiry can be re-opened to assess the impact on the air we breathe, the availability and quality of the water we drink, the land we rely on for food, house prices, the NHS and the entire Scottish economy. What use is this gas if it destroys the health of 80% of the Scottish population and the entire economy in the central belt of Scotland and makes the environment unfit for human habitation?

Mel Kelly is a systems analyst/programmer and mother of two. She has written widely about fracking (and other subjects) for Open Democracy <https://www.opendemocracy.net/author/mel-kelly>

Book Review

Three offerings from Luath Press on post-referendum Scotland - will their contributions allow Scottish citizens the freedom to autonomously call for a vote during the next epoch? Reviewed by Henry McCubbin

A Constitution for the Common Good: Strengthening Scottish Democracy after 2014

by W. Elliot Bulmer
(9781910021095, £9.99)

Nearly every democracy in the world is built upon a written constitution, and constitutions have been at the core of citizens' demands for better governance in places as disparate as Kenya, Tunisia and Ukraine. With the SNP promising a written constitution in the event of a 'yes' vote and other parties suggesting other possible options for constitutional change in the event of a 'no' vote, constitutional change looks certain to remain central to the political agenda in Scotland for some time to come. But what is a constitution for? Is it a defensive charter to protect the basic structures of democratic government, or is it a transformative covenant for a better society? How can the constitution sustain democracy and promote ethical politics while at the same time recognising and accommodating differences in society? What difference would a good constitution make to the poor? How can it help ensure that the common good of the citizenry prevails over private vested interests? In addressing these questions, this book sets out a vision for how Scotland could reconstitute itself. It emphasises the connection between the constitution, democracy and the common good, arguing that democratic self-government is the true prize, regardless of the relationship of Scotland to the rest of the UK. This book not only makes a vital contribution to Scotland's current and on-going constitutional debate, whatever the outcome in September 2014, but also

engages with fundamental questions of constitutionalism and democracy that are of enduring relevance to both citizens and scholars around the world.

Rethinking Our Politics: The political and constitutional future of Scotland and the UK

by Henry McLeish
(9781906817831, £11.99)

Over the past year it has become clear that regardless of their stance on the referendum debate, the Scottish people are united on one front, the yearning for change for the betterment of their nation, their institutions and their politics. For McLeish, the referendum debate is merely the beginning. It is a symptom of the need for a more fundamental shift in the way we engage with politics in the UK and Scotland today. McLeish is well placed to diagnose the crisis at the heart of Scotland and UK politics. He looks critically at the conditions which have created an increasingly divided and alienated public and forged Scotland's yearning for radical change. He rails against the stagnation of the union and makes a rousing and persuasive case for a complete overhaul of our political thinking, demanding that instead of making decisions on the basis of fear and insecurity, we rediscover the founding moral purpose of government.

A Modest Proposal for the Agreement of the People: Call for a Constitution

by Angus Reid and Mary Davis
(9781910021057, £9.99)

Reid and Davis take the view that any people anywhere who are governed without a constitution agreed by the people are governed by power without right. They share Tom Paine's clarity that no government has 'power by right', without a contract with the people. In *A Modest Proposal*, they propose the first step: laying out terms by which

governments can be bound to act ethically and equitably in the interest of those they represent. The position they hold is that a constitution has to come from outside government if it is to reflect the principle of 'the people's sovereignty'. The project has been made in public and as a campaign to influence the Scottish government. *A Modest Proposal* seeks to go beyond the constitutional *impasse* and instead looks back throughout our history. Its title contains the essence of what we are striving for: an agreement of the people such as was negotiated in the 17th century. Secondly, the title captures the flavour of the pamphlet war in both the 17th and late 18th centuries, a tone that Jonathan Swift borrowed for his own purposes and did so without sharing the optimism that we have for a settlement that can embody genuine social change. Thirdly, it uses the words 'a modest proposal' because that is how the Levellers' termed their own intervention in the constitutional debate. The purpose of the book is to make parliaments concede powers to people and to get on with the necessary democratization of our society - to empower people and to take a step away from top-down authoritarianism. This characteristic of the present *status quo* would be just as true of an independent Scotland as currently foreseen. The future of Scotland and the UK is too big an issue to leave in the hands of parliamentarians: like all progressive change, it is going to take people power to make a just, ethical and equitable settlement. This has rarely been done in our long history, although it was attempted during the English Revolution. On other occasions, the repressive apparatus of the state was simply too strong to permit any progressive breakthrough of people power and in any case, the people were often not sufficiently united to present a powerful enough alternative to the ruling status quo. This requires class unity, and a corresponding ability to transcend racism and sexism. To seek 'the Agreement of the People' will once again begin the debate about what we mean by unity, and will put flesh on the bones of what has for too long been a mere slogan. *What kind of country do we want to live in? What kind of society is it that we all aspire to?* Unity cannot be achieved unless we know not just what we are against, but also what we are for. An ethical and equitable society cannot be achieved with debating what the words mean.

Kick up the Tabloids

This is, indeed, a time of flux, political and otherwise. At the outset of 2014, who would have predicted that by the start of November, we would have new leaders of both Scottish Labour and the SNP, and that Hamilton Accies would be officially the best football team in Scotland. As Johann Lamont herself might have said 'people in Hamilton are not genetically-programmed to being top of the league'. Similarly, the fall-out from the referendum could not have been predicted – especially a 'no' vote would lead to a trebling in membership of the SNP and to Labour's poll-ratings nose-diving to a sixty-year low. And while Hamilton's run as league leaders may have come to an end, the meltdown in Scottish Labour looks set to run and run.

While most polls have Labour in Scotland on between 24% and 26%, one (albeit possibly rogue) poll had the Tories ahead of Labour by 1%. So the 'new' Labour project, launched twenty years ago by Tony Blair has come full circle. Not only do they agree with the Tories on public spending, not only have they campaigned alongside them in the referendum, they have now also attained the same popularity with the people of Scotland.

While Johann Lamont may think we're not genetically-programmed to take political decisions in Scotland, she did finally make a political decision of her own, by resigning. She quit complaining that the Labour Party was running Scotland as a branch office. I thought that was the whole point the referendum, in which she was so keen to tell us to vote 'No'.

In fact, Johann has spent most of the last three years telling all of us that we are much better-off being told what to do by London, that we are all to wee and too stupid to run things ourselves. However, she suddenly objects when her own party leader thinks she is too wee and too stupid to run matters in Scotland. If Ed Miliband did indeed think that, who would disagree?

Let's face it, if London Labour hadn't treated Scotland as a 'branch office' and parachuted Gordon Brown into the 'no' campaign, at the last minute, it's highly unlikely Johann would have won

the referendum if she'd been left to her own devices. However, to prove that the Labour Party do listen to the people of Scotland, the early front-runner to be the next leader in Holyrood is Jim Murphy, who – of course does - not have a seat at Holyrood. Mind you, if we are to believe the polls, the chances are that he won't have a seat at Westminster next May.

While Johann Lamont may think we're not genetically-programmed to take political decisions in Scotland, she did finally make a political decision of her own, by resigning.

This autumn in Scotland, we were in the unusual position of being the focus of attention of broadcast media from across the globe. As a result, we may have been unaware of momentous events happening elsewhere. For example, in Denmark, the government announced that in 2015, they intend to make sex with animals illegal. Yes, you read that right. From 2015, it WILL be illegal to have sex with animals in Denmark. In other words, at the moment it is legal.

It seems that the Danish government are concerned about the effect of the current situation on their reputation internationally. And, as a major exporter of bacon, who can blame them? Last year, people got very upset about the idea that their beef products could contain traces of horse. That's nothing compared with the media shit-storm you'd get if traces of human were found in pork.

Furthermore, the Danes were

becoming concerned by a growing sex tourism industry. I've been to Denmark, and I can tell you that alcohol is hideously expensive. This paints two disturbing pictures. Namely, that there are people who are so desperate to shag a goat that they'll go to a country where beer costs nine quid a pint, or that people are travelling to Denmark to shag goats while they're sober.

A recent opinion poll suggested that 76% of Danes are in favour of the new law. In other words, twenty-four percent don't want a change in the law. Seen from a Scottish perspective, this is quite disturbing. The percentage of the Danish population who think it's OK to have sex with animals is broadly on a par with the percentage of the population of Scotland who are still intending to vote Labour. We truly do live in interesting times.

Vladimir McTavish will be hosting a new political comedy show at The Stand Comedy Club, Edinburgh on Wednesday 19 November, The Stand in Glasgow on 22 December and The Stand in Edinburgh on 23 December. Further details on www.thestand.co.uk





Say NO to ConDem cuts
 For all public transport in public hands
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Mick Cash, General Secretary

Peter Pinkney, President

Austerity economics don't add up

UNISON's new report on the public sector's 'lost decade'

Scotland's public services are living through a lost decade as a consequence of austerity economics. 'Austerity economics don't add up' is UNISON Scotland's latest report on the impact austerity economics is having on our public services and the staff who deliver them. It looks at public service pay, conditions and morale, which are all at a record low.

The report shows:

- The value of the average worker's pay has fallen by more than £2,000 a year since 2010
- Between 2008-14, inflation rose by 19% while wages grew by only 9%
- 50,000 public service jobs have been lost, with a further 60,000 forecast to go
- 10,000 more children could be pushed into poverty by 2020

The report outlines how austerity policies are harming the economy, have created a cost of living crisis and are putting our public services under intense pressure. This assault on pay and conditions is harming families, particularly the most vulnerable.

UNISON Scotland is campaigning an end to austerity and for A Fairer Scotland.

"Public service workers are worth and deserve decent pay and conditions. We all deserve to live in a society that puts people first, where the economy is run for everyone, not just the well off."

Lilian Macer, UNISON Scotland Convener



Austerity economics don't add up

A UNISON Scotland report on public services and the economy

October 2014

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MANAGERS SHEDDING CROCODILE TEARS WON'T WASH

GMB

SCOTLAND

Managers shedding crocodile tears now for their part in blacklisting 3,213 workers won't wash, neither will the Nuremberg Defence of "just following superior orders" says GMB.

These are the managers who organised the construction industry blacklist: they have yet to apologise for the damage they caused

- **Michael Aird** – Balfour Kilpatrick, Glasgow
- **Kathy Almansoor** – Kier Group, Bedfordshire
- **Dave Aspinall** – Carillion/Crown House, Wolverhampton
- **Alan Audley** – Vinci, Watford
- **John Ball** – Carillion/Crown House, Wolverhampton
- **Ron Barron** – CB&I, Kent
- **Valerie Bennison** – Whessoe, Darlington
- **Ernie Boswell** – Kier Group, Bedfordshire
- **Richard Bull** – HBG Construction (BAM), London
- **Iain Coates** – Emcor, Twickenham
- **David Cochrane** – Sir Robert McAlpine, Hertfordshire
- **Ann Cowrie** – Balfour Beatty Civil Engineering, Edinburgh
- **Tony Crowther** – AMEC, Cheshire
- **John Dangerfield** – Balfour Beatty Scottish & Southern, Hampshire
- **Lynn Day** – Cleveland Bridge UK, Darlington
- **John Dickinson** – Skanska, Hertfordshire
- **Frank Duggan** – Carillion/Crown House, Wolverhampton
- **John Edwards** – Carillion/Crown House, Wolverhampton
- **Kevin Gorman** – Carillion/Crown House, Solihull
- **Elaine Gallagher** – Balfour Kilpatrick, Glasgow
- **Gerry Harvey** – Balfour Kilpatrick, Glasgow
- **Roy Hay** – Tarmac, Solihull
- **David Hillman** – Sir Robert McAlpine, Birmingham
- **Keith Horner** – Ballast, Wiltshire
- **Dianne Hughes** – Tarmac/Crown House, Solihull
- **Geoff Hughes** – Costain, Berkshire
- **Greg Ingleton** – Emcor, Twickenham
- **Prue Jackson** – Haden Young, Watford
- **Vince James** – Balfour Beatty Scottish & Southern, Hampshire
- **Armar Johnston** – Balfour Kilpatrick, Livingstone
- **Liz Keates** – Carillion/Crown House, Wolverhampton
- **Sheila Knight** – Emcor, Twickenham
- **Ian Leake** – Taylor Woodrow, Watford
- **Tim Llewellyn** – Walter Llewellyn & Sons Ltd, East Sussex
- **Alf Lucas** – Mowlem
- **Bridget May** – Nuttall, Surrey
- **Cullum McAlpine** – Sir Robert McAlpine, Hertfordshire
- **Paul McCreath** – HBG Construction (BAM), London
- **Steve McGuire** – Morgan Est plc, Warrington
- **John Morrison** – Morrison Construction, Edinburgh
- **Arnold Nestler** – AMEC, Cheshire
- **Lisa O'Mahoney** – Laing O'Rourke, Kent
- **Danny O'Sullivan** – Kier Group, Bedfordshire
- **Sandy Palmer** – Carillion/Crown House, Wolverhampton
- **Harry Pooley** – Rosser & Russell, Watford
- **Derek Price** – Morgan Ashurst, Stratford upon Avon
- **Stephen Quant** – Skanska, Hertfordshire
- **Paul Raby** – Balfour Kilpatrick, Glasgow
- **Murray Reid** – NG Bailey, West Yorkshire
- **Roger Robinson** – Carillion/Crown House, Wolverhampton
- **Sylvia Smith** – Laing O'Rourke, Kent
- **Trevor Spice** – Costain, Berkshire
- **Lisa Stevenson** – Shepherd Engineering Services, York
- **John Stoddart** – SIAS Building Services, Keighley
- **Alan Swift** – Crown House Technologies, Manchester
- **Pat Swift** – BAM Nuttall, Guildford
- **Alan Thorniley** – Vinci, Watford
- **Brian Tock** – Carillion/Crown House, Solihull
- **Ken Ward** – Costain, Berkshire
- **Trevor Watchman** – Balfour Beatty Major Projects, Surrey
- **Steve Wigmore** – Crown House Technologies, Solihull
- **Allison Wilkins** – Skanska, Hertfordshire
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