

The Scottish Independence referendum

For two years, the vast majority of Scots conducted a civilised debate that has earned favourable comment as a peaceful example of resolving difference in a troubled world. Britain too deserves credit for its use of the referendum.

In a nation where elections to the Scottish Parliament attract voter turnouts of 52% and to Westminster 72%, this referendum brought 85% to the ballot in a spectacular display of political engagement through direct democracy.

In other words, the directness and certainty of the referendum drew over 700,000 non-voters already disengaged from the parties and politics of general elections back to the poll and many of them into political activism.

It helped that the issue could have hardly been more important creating a state from a nation of 5 million people and leaving a Union more than 300 years old.

There were three big difficulties for the voter.

First, despite the rhetoric, this wasn't about an escape from oppression into liberty where no argument is needed - here detail mattered.

Second, there was too little settled detail for this was a 'pre-negotiation' referendum. Many of the details - currency, Europe, Nato, pensions and jobs could not be settled and the answers known till long after the referendum. This meant both sides were in effect campaigning on their opening negotiating positions.

So the 680 page paper published by the Scottish Government making the case for independence simply could not answer the big questions. Only a second referendum ratifying the deal could have done so but this method was not chosen.

In this kind of referendum, the burden of proof falls on those promoting the change so Yes had to gloss over all potential negotiating difficulties and No had to point them out. This directly led to one side being seen as over-positive even irresponsibly dismissive and the other of being labelled over-negative and scary.

Thirdly the strategy adopted by the Yes side '*hope over fear*' relied too much on emotion and patriotism rather than engaging with detail which made it harder for those voters in the middle to decide on the usefulness of independence.

But try they did.

Although the No side started with a big lead 60-40% in its favour, the outcome was never a foregone conclusion though some foolishly took it to be. There was no settled will. The best way I can describe it, is that - Scots were being very Swiss - about the issue. They carefully considered both sides' arguments weighing up the usefulness of Independence.

For months, I watched - friends and strangers - in all classes talk about independence. There were many earnest discussions and well attended meetings not marching in the street but a determination to get it right. Mainly, with few exceptions they were non-political people - nurses, teachers, cleaners, factory workers, managing directors, lecturers and bus drivers wrestling with their preferences. In families, the sons and brothers were less cautious about the risks than the women. Most started out as No but many wanted to examine the other case not dismissing Yes out of hand.

They include some surprising attitudes that confounded political stereotyping. The Irish nationalist taxi driver; full for the Union. The city banker in his braces swept along by the content of the Scottish Government's White paper; declares for independence. It is a reminder that referendums free the voter from political party.

The Yes side tended to play down explanation of detail in favour of emotion wasting much of the long campaign by doing so. Their '*hope V fear*' strategy suited the temperament of the First Minister, Alex Salmond whose hallmark is gliding brilliantly over detail and induced in some of its supporters a revivalist fervour that swept all problems aside but it intimidated others and failed to engage or convince many of the practical utility of independence.

While it brought them many new supporters, it failed to build a consensus for independence. So in the end, when voters had second thoughts, the Yes side had no margin of safety to sacrifice and they lost. (Yes 44.7% No 55.3%)

There was one small but not insignificant problem with the referendum.

For all of my life, Scottish nationalism and the campaign for independence has been a civilised force whose tolerant spirit was embodied by Sir Neil MacCormick, the great constitutional lawyer and Scottish nationalist and a lifelong friend.

Sadly in the last few weeks, I saw a different sort of nationalism, ugly, intolerant and in your face, the sort of nationalism that one reads of in far-away countries. There was reaction including Nazi signs daubed on doors. Even I found deep within me, strange anger at nationalist friends ripping me out of Britain.

I mention this as a warning to all of the intense forces nationalism can arouse. I blame it mainly on the length of the campaign but also on sometimes careless language. I mention it to record it and dismiss for it was only on the fringes and very late.

Apart from the length, the one certain winner was the referendum process. The levels of energy, activism, and participation were unlike any I have seen in Britain in my lifetime and in great contrast to electoral campaigns.

As to the referendum issue - independence has been defeated but not crushed, Britain has been reaffirmed perhaps conditionally and a longstanding UK constitutional logjam broken. It is still too early to say the decision has brought stability though it seems likely. Not bad for a referendum.

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See CV details below



Nigel Smith - chaired the cross party campaign for a Yes vote in the Scottish Devolution referendum in 1997, advised the Yes campaign in the Northern Ireland referendum in 1998 and chaired the UK Euro No campaign from 2002 to 2004. In the latter role, he worked with the Electoral Commission for two years interpreting PPERA in preparation for the Euro referendum and then beyond its abandonment in June 2003 to the conduct of the North East of England Assembly referendum in November 2004.

Since then he has visited referendums and initiatives in many countries including Switzerland, the US - notably California and Colorado and several of the EU Accession referendums.

He has taken a special interest in how broadcasting balance is achieved during referendums talking to experts in UK, Ireland, Switzerland and Denmark.

He served on the Wilson Committee reviewing the fairness of the BBC's coverage of the EU. He has extensive contacts among practitioners & academics working in IR around the World.