

INTRODUCTION

When we wrote our introduction to the first *Yearbook*,¹ we accepted the conventional wisdom that devolution and the Assembly were virtually a *fait accompli*, though we admitted that events changed quickly and unpredictably in the political world. In doing so we lamented the fact that many issues in the debate had been given an inadequate airing and that too much had been taken for granted. We remarked that the major political parties were outbidding each other in their commitment; and that what differences of approach there were, existed only behind the well hung curtains of consensus. Times have changed.

Conventional battle lines meant little, in fact, when *The Scotland and Wales Bill* was before Parliament. The preliminary skirmish of the Second Reading was won by the government, but trouble then began in earnest. Once the government attempted to set a timetable by guillotine the Tories were joined by the constitutional purists and, most important, by government rebels. Such were the difficulties and the unpopularity of the government over this and other issues that their only chance of survival became alliance with the Liberals. And so the year has seen, too, the transition from majority to minority government and to the Lib-Lab pact. As far as devolution goes, the curtain of consensus has lifted and the debate re-opened.

Why? Two sets of reason suggest themselves. The first to do with the nature of the Bill which the government concocted and the second to do with the nature of the problem. By any standards, *The Scotland and Wales Bill* was a bad one. It reflected the lowest common denominator of the consensus: although there was overwhelming support for the principle of devolution, there was no such agreement on how to go about it. If politics is about compromising and reconciling the irreconcilable, this was simple caricature. With hindsight even the government's own managers must accept that it is hard to see how the Bill could have survived its Parliamentary course.

But that brings us to the second set of problems. On the face of it a bad Bill should be susceptible to being fashioned

into a better one — and that is what the Callaghan government is trying to do. A year ago we drew attention to the evident political need to find a way through the devolution issue, but pointed out that it was difficult for the politicians, who were being forced to do this against the clock, to look properly at the complex issues involved. It is undeniable that a disaffection with the present system has been registered by the Scottish people — but they are not alone; it is undeniable that there is something wrong with our governmental institutions and that they are not well adapted to the demands being made of them; and it is also undeniable that there are a variety of ills inherent in the social and economic fabric of the United Kingdom in general and of Scotland in particular.

In a way the devolution consensus subsumed all these things. Maturer reflection, which comes only with time, has led to the realisation that there can be no *one* answer to these problems. And so, during the year the anti-devolution voice has been heard more clearly. C. J. Risk summarises in his paper the commercial community's fears about devolution. The arguments which he marshals — against narrow nationalism, against the creation of additional obstacles for investors, against increased bureaucracy — are forceful. Yet the government is still left weighing up the political necessity — for survival — of creating a Scottish Assembly, now that more and more people are questioning the pay-off of such an act. It will require consummate skill to complete the course. However we are far from clear — whatever the rights and wrongs of the matter — that a Bill can be produced which will be sufficiently sensible and acceptable to reach the Statute Book before a general election marks the close of this particular political era.

John Kerr points out in his article "The Failure of the Scotland & Wales Bill" that the debate has been conducted in the light of the universal assumption that an early General Election would result in an overwhelming Conservative majority in the House of Commons. But, as Kerr points out, Conservative policy on devolution is simply to keep all options open. The hope of the Conservative leaders is that they will come to office in an election in which the Scottish electors do not return more — or, at any rate, many more — SNP MPs than the eleven which that party has at present. In that case the House of Commons would quietly ditch devolution for the course of the next parliament. This is a strategy of stunning irresponsibility. It treats the issue

not on its merits, but on the basis of the pressure for it. Such a procedure will be seen for what it is and could easily lead many Scots to vote Nationalist just to keep up the pressure. If the Nationalists gain a large number of seats at the next election — and at the time of writing we can say only that the opinion polls indicate that this is a possibility but not a certainty — the Conservative government would then have to pass some kind of devolution package. But what kind? As Kerr points out not the least irresponsible aspect of the Conservative strategy is that it serves to stop public discussion of the various alternatives. Whatever happens at the next election, one thing about Scottish politics is clear: they have been changed beyond all recognition by the emergence of the National party as a serious electoral competitor. That party's replacement of the Conservatives as the second party in Scotland at the last election, and its threat to replace Labour as the first party means that the National question has replaced the Labour question as the main campaigning issue of Scottish politics.

But this is to speculate. In launching the Yearbook in 1976, the Unit for the Study of Government in Scotland stressed the importance of giving consideration to the issues of the day. The same intention lies behind this, our second, volume. In selecting authors we have had a mind to matters which were not covered last year. We have also considered it important, again, to unravel some of the complexities of government. Last year we looked at progress — after reorganisation — in local government, and the health service. This year the Rt. Hon. William Ross, M.P., has recorded his observations on the Secretaryship of State for Scotland — a post which he held longer than anyone else and about which on his own admission there is widespread public ignorance — and Dr Lewis Robertson describes one of the more important new Scottish institutions, the Scottish Development Agency (SDA). As a bridge to the discussion of housing and health policy in West Central Scotland, we publish a paper by Councillor Leonard Turpie in which he looks at the problems of political opposition in local government, drawing on his experience with Glasgow Corporation and Strathclyde Regional Council. After the articles about housing policy in Glasgow by Steven F. Hamilton and health policy in the West Central belt by David Hamilton we have two papers about recent campaigns. Dr Edith Cope describes the battle to save four Colleges of Education threatened by the government with closure while

Robin F. Cook, M.P., examines the campaigns to reform the law relating to divorce, homosexuality and licensing. Finally, we publish an analysis of the District Elections of May 1977 and a bibliography of material published during the year on Scottish government and politics. The sheer volume of Mr C. H. Allen's bibliography is a measure of the importance of the field in which this book has a pioneering interest.

Although the intended Assembly chamber stands empty and the Scottish Assembly is no nearer to hand, there have been further developments in the government of Scotland. Notwithstanding the disputes over what should remain the province of Westminster government and what should properly pass to Edinburgh, the Secretary of State has had 'employment' added to his catalogue of functions. Although this administrative re-arrangement will make no immediate difference to the frightening level of unemployment in Scotland, nor do anything to lessen the interdependence of sub-national or international economies.

On the economic front, as Dr Robertson's paper describes, the SDA has begun to establish itself as a powerful institution. While its importance can in no way be denied, it does merit some critical attention in passing. S. F. Hamilton, in his account of Glasgow's housing policies notes the vital role of the SDA in the rehabilitation of the East End of Glasgow, but raises the question of its divorce from the accountable institutions of local government.

It is an interesting reflection on democracy in Britain, as Mr Ross notes, that there has developed a facility for creating quasi-independent organisations outside the established framework of parliamentary and local government to deal with particular tasks of a complex technical nature, or which cross organisational boundaries, or as important, which merit urgent action. In this volume the work of the S.D.A., the Housing Corporation and the Health Boards are discussed. Mr Ross mentions, in addition, the Scottish Arts Council, the Highlands and Islands Development Board, the Sports Council, and many others. The existence of these bodies prompts a worry: are the 'costs' of democracy such as public argument, political conflict, lay judgment — all of which cause delay and weaken the hand of the professional — too high to pay? Or is it that there is

something fundamentally wrong with the machinery of national and local government, or, worse, with their respective representative elements? If so, isn't it time we examined them? Or is it just that the scale and complexity of government in the U.K. is such that it is necessary to hive off tasks to discrete organisations in order to get anything done?

We see here further evidence of the unresolved tension in our society between the competing claims of 'democracy' and 'efficiency'. Several of our authors this year give evidence of this struggle in specific policy areas. David Hamilton raises the banner of democratisation in the health service; Edith Cope's examination of the campaign to thwart the government's attempts to close four Colleges of Education and S. F. Hamilton's paper on Glasgow's new housing policies show how much a good democratic broom can accomplish. And yet, Hamilton is aware too, that democratic control can block desirable change.

Democracy, particularly when it takes the form of competition between sharply differing political parties has been heavily criticised in the past few years. Most of the criticism has focused on central government and specifically on the changes of policy which frequent elections bring. We have thought this criticism overstated and are pleased to publish two papers, Turpie's and Bochel and Denver's analysis of the May 1977 local government elections, which put the other side of the argument. Bochel and Denver show that without healthy party organisation there is, all too frequently, no democracy at all. For the vast majority of candidates in elections are put up by parties, and a choice of one is really no choice at all. In the parts of Scotland where the parties do not contest local government elections there is frequently only one candidate for a seat. Bochel and Denver point out that the Conservative and National parties are increasingly willing to challenge Labour as organised groups and that this has led to healthier democratic competition. S. F. Hamilton points to a different advantage of our 'adversary' system — that it leads to strong party discipline. This can make for efficient administration as strong discipline can guarantee continuity of policy. The absence of party discipline, or of one party control, can lead to changes of policy at each Council meeting. This is what happened to Edinburgh Corporation (in the last days before the reorganisation of local government) and it may now happen on those numerous Scottish District councils, including Glasgow's, on which there is neither

party discipline nor single party dominance. It is not entirely surprising then, given this kind of problem, that governments are tempted to create quasi-autonomous non-elected bodies, like the SDA, to carry out their most cherished policies.

For a variety of reasons, it may have been important to create the SDA to be innovative in regenerating the Scottish economy because that is not a function which fits easily anywhere else. Industrial promotion, however, is already the function of both central and local government; and while urban renewal in Glasgow is abundantly necessary it should not be forgotten that the citizens of Glasgow already have their own representative institutions. Can anyone have confidence in local government if there is no option but to by-pass it? Given the SDA role in Glasgow it is not without interest that the June 1977 White Paper, "*Policy for the Inner Cities*",² eschews the extension of this approach to the urban renewal problem arguing that the use of "new town style development corporations" may not be compatible with the need to preserve local accountability and change the operation of local services such as social work and education.

As far as the problems of urban renewal in West Central Scotland go, they remain as pressing as any in Scotland. Their historical roots lie firmly planted in the first industrial revolution from which the area benefitted so much but from which it has, in a sense, never recovered. The prospects for industrial and commercial expansion on the area's fringes and in other parts of the country suggest that the investment necessary to modernise the social and economic fabric of the older urban areas is simply not justifiable in crude financial terms. And yet it is, paradoxically, the scale of the problem which makes it socially and politically impossible to turn a blind eye. One of the unenviable tasks for Scotland's government, whether based in London or Edinburgh, is the reconciliation of the competing claims of expanding and contracting areas of the country.

It is the urgency with which urban renewal is beginning to be viewed that leads us to use this volume to look at the SDA, housing policy in Glasgow and the, largely ignored, question of public health. The reasons for the apparent political trendiness

of urban renewal and the inner city are complicated and by no means limited to Scotland. They are not new, but their focus has been sharpened by the down-turn in the birth-rate and substantially reduced population projections. For three decades, on the assumption of continuing population growth, successive governments have been encouraging the dispersal of people from the centre of cities to green field developments. Such a movement, quite apart from allowing for the physical renewal of slum and inner-urban areas, seemed necessary to cope with the projected population increases. Now that future patterns seem to be changing, it is suddenly becoming clear that we may have been wrong about the balance between the urban and the suburban/new town development.

Strathclyde Regional Council in its 1976 Regional Report made clear its desire to see the commitment to create a New Town at Stonehouse (near to Glasgow) scrapped before commitments became difficult to revoke. The idea of abandoning the plans had been gaining ground over a long period and the intent to build the town only demonstrated the dynamic conservatism of government. The investment and effort to be committed were to solve the problems of a previous generation: action was lagging way behind changed circumstances in an entirely characteristic way. Whether such a situation is avoidable is open to question. It may seem trite to observe that governments *respond* to their environment, yet the scale and complexity of the problems seems to make it hard to find capacity within government to take initiative and innovate. And because of the time it takes for ideas to filter through and to gain sufficient credence, all too often the response is to yesterday and not to the changes which have made today. Is this an unarticulated reason for creating discrete, problem-oriented agencies?

The Scottish Office did eventually decide to abandon Stonehouse; and this was followed quickly by the announcement of the East End renewal project. Whether there was — as popularly thought — a straight transfer of money and whether the new project was a carefully thought out strategy or the political gesture of a government desperate to stop the erosion of its traditional base, is not particularly important. What has since become clear is that the re-appraisal of Stonehouse was the Scottish manifestation of a review of new town policy analogous to the recently announced modifications to the English programme. The creaming off of one new town has been deemed

to restore the balance between need and population growth in Scotland as a whole.

Whether this is right, or even whether we yet have any idea about how to match houses and people, time only will tell. What is becoming clear is that many parts of Scotland are rapidly moving towards a housing surplus. The full enormity of this fact has yet to be absorbed by politicians and policy-makers, though it is a contributory reason for shifts in housing policy. It is in this field that another of the interesting developments in Scotland's government is taking place.

In order to make for an allocation of housing finance which more effectively matches housing need, the Secretary of State is to receive, from July 1977, annual submissions of Housing Policies and Programmes from the District Councils. These will be five-year rolling programmes accompanied by policy statements attempting to assess need, and define how it is to be met by different segments of the housing market. A block grant capital allocation will be made to each District Council which it will be able to use as it thinks best. Previously, capital allocations were earmarked by central government for particular purposes such as new house building or modernisation programmes. This is another important step in enhancing the influence of local authorities. There will be problems, however, because few District Councils are complete housing markets in their own right; and because this in no way removes the problems caused by the separation of housing from strategic and transportation planning as well as from the provision of education and social services. All of the latter are the responsibility of the regional, not the district, authorities.

Capital expenditure (i.e. spending on buildings) is at the centre of another administrative change, again involving local authorities and further distinguishing the Scottish system from its southern counterpart. Once again the intention is to give local authorities more power and responsibility. Capital spending by local authorities has long been controlled by the Scottish Office. Approval was given only for specific projects and often only after close involvement in the early stages of planning. Authorities are now to be encouraged to produce another set of five year plans — this time for all capital projects. And as with housing, block allocations will be made, with each authority left to determine how the money is used within the appropriate programme. The next stage will be to move beyond programme

heads and for central government to give each council a single allocation for division according to local priorities. Before this happens authorities will have to demonstrate that they can operate the system and that they actually want to go a stage further. This next stage will also require further self-denial on the part of central government.

These proposals throw an interesting light on the devolution proposals: readers may remember that last year we pointed to the inevitable conflict between any devolved Assembly and the local authorities. Is it not the case, we may then wonder, whether by progressively freeing the local authorities from central control, the government will make it more difficult for any Assembly which is created to redistribute resources? Those who are forever searching for a stick with which to beat Westminster will find use for these reflections. We are not convinced that this is fair. But one problem which local government faces in Scotland is that anti-devolutionists in central government have repeatedly used local government as a stick to beat devolutionists with.

For local authorities these new financial responsibilities will not be without problems. No longer will they be able to submit the traditional shopping list of projects to the Secretary of State and then blame him when most are not agreed; local councils, like central government, will have to learn new discipline; and they will also have to learn to make judgements about the future in the face of the notoriously uncertain information contained in the Treasury's plans. Moreover, they will have to be flexible enough to adapt to the spending policies of central government — which since they are used as tools of economic management — are rarely stable.

We have spoken of the tendency of government to respond to problems in its environment in an outdated way. J. M. Fenwick's paper on Shetland and oil is an apparent challenge to this thesis and so is important as well as providing an interesting record in its own right. The Shetland County Council, in its private legislation responded to a new situation. In doing so it took an initiative to control oil development which was remarkable both for the scale of its innovation and because

it flew in the face of the generally perceived view of the island's needs held by the public and by many of its own members and officers.

However, although for Shetland the changes were great, they were spatially and temporally well contained; although the interests with which the County Council had to deal, notably the oil companies, were powerful, the islands were in an immensely strong bargaining position; and although the spin-offs from oil development in social and economic terms were likely to be highly complex, at the stage of the Council's intervention the problems were relatively easy to understand. While there are important lessons to be learned from the political skills and persistence of a few men and from the principles which underlay the exercise, we suspect that the circumstances which allowed this public initiative occur with relative infrequency.

Fenwick's paper is interesting to us for another reason. Here is the account of an important political episode from one who is in a position to view the affair as a whole and who, with the insider's knowledge, is able to relate what happened. This happens all too seldom. William Ross is able to convey something of the flavour of his former office but, with understandable reticence is unable to give many secrets away. Lewis Robertson describes the functions and operation of the SDA but cannot be expected, from his Chief Executive's chair to lay bare his — or his Agency's — soul. We alluded to this problem last year: it is difficult for the insider to write or even talk freely of all he knows about a particular problem, particularly if it is still "live". Information is power; the people he will need to talk about are the ones with whom he has to continue to live; personal trust and personal relationships are an essential ingredient of any administration or political system.

Edith Cope's paper on the College of Education debate illustrates the problem from another perspective. Her account is of the public debate and of the fight to save the colleges. What no one except civil servants and Ministers at the Scottish Office can know is why the consultation document was presented in the form it was and, more important, why it did not appear until January 1977 when the information it contained was not new; why the Secretary of State allowed himself to be so outmanoeuvred by the Conservatives and the education lobby alike; and why the college at Dundee had been built after sufficient evidence was available to suggest that earlier estimates of teacher

demand were extravagant. The answers to these questions are difficult for the outsider to find.

In part the problems derive from the tension between the administrative and political system: the contrast between apparently sensible or rational action and political expediency or practicality. While it may be the case that the Scottish Office was caught wholly unawares and that the SED had done their sums wrong or turned a blind eye to new information, it is just as likely that political expediency dictated inaction until it was too late and then that there was political mismanagement. Without more information we can only speculate.

Edith Cope's record of the public debate shows the success both of Parliamentary influence and pressure groups. In fact, the issue — and this may be significant — aroused far more fervour in Scotland than the failure of *The Scotland and Wales Bill*. By coincidence, Robin Cook's account of the attempts at reforming Scottish personal law challenges any idea that Scottish pressure groups are particularly sophisticated. As far as Parliament is concerned, the House of Commons provides an effective stalling mechanism. For the Colleges of Education, it is arguable that this provided an important check on the bungling of the administration; for personal law reform it has been a balk to progress.

Much has been written in the last couple of decades about the impotence of the Commons and its back-benchers. The evidence here suggests overstatement of the case. It does not, however, tell us anything about the potential for individual initiative in Parliament. It may well be that it is easier to be negative and to prevent action than to be positive and initiate it. Cook demonstrates well the devices that are available to MPs to ambush their colleagues. This, together with his point that it was not lack of capacity in the system which prevented personal law reform in Scotland, suggests that overhaul of legislative machinery is much needed. By implication he makes clear that the creation of an Assembly is not the only way of dealing with that problem. Are the procedural peculiarities of Westminster a contributory factor in the search for an Assembly? The lessons of these articles must be that they are.

Edith Cope's interest groups organised themselves in an *ad hoc* way around the specific issue of college closure and, in doing so, were effective. Robin Cook's concern is with the more clearly established groups with a continuing interest. His

judgement of them is salutary. If his criticism is right then there is a lot to be learned: and it won't do simply to say that poor performance is not surprising given the absence of the proper institutions and difficulty of getting the right kind of practice. The problems are much more complicated.

The Scottish pressure groups have always had difficulty in distinguishing themselves — in the popular mind if not in their own activities — from their UK counterparts. They are either offshoots of or have some kind of allegiance to London-based organisations. This makes for a real problem when it comes to image-making. The Scottish TUC has been characterised as making itself distinct by taking an opposite line to its London superior on any given issue. While this is perhaps unfair it does point up the problems. These are exacerbated by the outflow of men and money to the wider, national (UK) organisations. And dependence on these reduces the need for specifically Scottish action. This has all the makings of *Catch 22*, for without strong Scottish lobbies the claim for distinctiveness hardly rings true; and yet without the recognition of distinctiveness there is too little stimulus to do other than ride on the back of the stronger UK organisations.

The same has often been true of the parties. The autonomy of the Scottish element in any British party is paraded in Scotland but all too often is ignored in England. No such problem afflicts the SNP, and their ability during the past ten years to out-manoeuvre the British parties on 'the Scottish issue' owes a lot to this organisational fact. Jealousy of this freedom was one of the reasons behind the formation, in January 1976, of a new party: the Scottish Labour Party. This new party led by Jim Sillars, MP, and also including John Robertson, MP, broke away from the Labour Party in a blaze of publicity at the height of "devolution-mania". In the course of its first hectic ten months, it gathered nearly a thousand active members and performed quite creditably in several local government by-elections. The SLP exploited the fluidity of Scottish politics and looked, for a time, like breaking apart the hitherto solid ranks of the organised Labour movement. All its frenetic activity came to an unpleasant, explosive end in October 1976 at the party's first Annual Congress. Nearly a third of the delegates were expelled amid scenes of acrimony. The new party remains a force now only in a few redoubts — South Ayrshire, Paisley and Aberdeen, most notably. But its quick success in the early

months before its own organisational ineptitude caught up with it points to the potential for re-alignment in Scottish politics.

Although Sillars' party may be alone in breaking away from an existing organisation, its move in the direction of autonomy is but an extreme example of what is happening in all the parties and many of the Scottish pressure groups. In anticipation of devolution — or, even, independence — they have committed themselves to greater degrees of autonomy within their own organisations. Of itself this illustrates an important reason why, stalled though the devolution proposals may be, significant changes are bound to take place in the government of Scotland: too many people are committed to them as a means of dealing with the many problems which face the country.

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