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# In the interest of our nation:

## Scotland's First Minister on the country's constitution

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**The Rt Hon Jack McConnell MSP**  
First Minister for Scotland

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St Mary's Parish Church, Haddington

### Introduction

At the entrance to the Donald Dewar Room in the Scottish Parliament at Holyrood, the following statement is engraved in the stone floor: *'People in Scotland want a degree of government for themselves. It is not beyond the wit of man to devise institutions to meet these demands.'*

Those words are extracted from the Hansard record of a House of Commons debate that took place thirty years ago. They were spoken by the man we've gathered here tonight to honour and commemorate.

This man was John P. Mackintosh: Labour MP for Berwick and East Lothian; an academic and writer; above all, a Scottish patriot. There are few politicians whose legacy lives on for thirty years after their death. And those who do are usually former Prime Ministers, Party leaders or cabinet members. It is the mark of the man that so many people, so regularly, honour his memory.

At this point I would like to thank all of those who have worked hard for so many years to keep his memory alive. In particular - to Edinburgh University, to East Lothian Council, to the J. P. Mackintosh Memorial Committee - and of course, the local constituents and Labour Party members who knew him well.

*'People in Scotland want a degree of government for themselves. It is not beyond the wit of man to devise institutions to meet these demands.'*

Those two short sentences embody the great cause with which John P. Mackintosh was, and forever will be, identified.

This cause was the campaign for a Scottish Parliament. John P. Mackintosh first made the case for such a parliament at the annual conference of the Scottish Labour Party in 1958.

At that point, whether inside the Labour Party or more widely, there was no significant backing for Mackintosh's pro-devolutionary views. But by 1978, when John P. Mackintosh's tragically early death deprived us of his voice and his wisdom, this position had changed - and changed radically.

By 1978, the establishment of a Scottish parliament was a central policy objective of the Scottish Labour Party and of the then Labour government. As we all know,

devolution fell. But though the Tory governments that followed were unremittingly hostile to the idea of a Scottish Parliament, the idea did not die.

Through the Campaign for a Scottish Parliament the Scottish Constitutional Convention grew. It was an inspiringly pioneering, and successful, attempt - involving not just the Labour and Liberal Democrat parties but civic society at large - to reach a national consensus both on the kind of parliament we wanted and on how that parliament could be secured.

Because of our participation in the Constitutional Convention, we went into the general election campaign of 1997 with a set of widely endorsed proposals as to how a Scottish Parliament could at last be made a reality.

That same year, within months of Labour's general election victory and in order to ensure that devolution had the wholehearted consent of the Scottish people, the proposition that there should be a devolved Scottish Parliament was put to a referendum - and carried overwhelmingly.

In 1998, the necessary enabling legislation, the Scotland Act, became law. In 1999, twenty-one years after John P. Mackintosh's death, the Scottish Parliament came into existence.

It was my privilege to be a member of the Constitutional Convention. It's been my privilege to represent Motherwell and Wishaw in the Scottish Parliament since 1999. It's been my still greater privilege, since November 2001, to hold the office of First Minister in the government of Scotland.

Tonight we honour the memory of J. P. Mackintosh: a man who believed passionately in a democratic solution for Scotland, but who recognised our dual identity inside the UK, whose politics were international and for whom democracy was forever intertwined with a passion for social change and an end to poverty.

**Tonight, I want to re state the political, economic and cultural case in favour of Home Rule inside the UK.**

If we were to start from the beginning again with a blank sheet of paper this is still the settlement that best serves the interests of the people of Scotland.

This is no longer just a theory - we have experience of devolution in practice. Before, we believed in devolution but we couldn't know for sure that we were right. But now we are able to argue on the basis of evidence and experience.

Home Rule is tried and tested, so tonight I will also describe Scotland's progress since 1999, and set out what I believe should be the next steps, in a third term devolved Scottish government.

## The case for Home Rule

The case for Home Rule has too often been made as an alternative to something less palatable.

In the 80s and 90s the case for devolution was made against the Westminster status quo.

Post devolution, the debate is couched in terms of defending the Union versus a full blown independent Scottish state.

But my starting point today, must be - what is best for Scotland?

I want to answer the question, what is "In the interest of our nation?"

If we were to start over again - what would be the optimum constitutional arrangement that we would come up with for Scotland?

What would be our judgement now, towards the end of the first decade of the 21<sup>st</sup> century?

Well, if that judgement were to be taken today, it would be taken in a very different world from that of the Constitutional Convention. In today's world there are two extraordinary forces at work:

- The first is the force of **globalisation**. There are multinational companies with turnover in excess of Scotland's entire Gross Domestic Product. The continued march of globalisation will likely create many more.
- The second is the force of **interdependence**. Actions taken in one part of the world quickly affect individuals across the globe. Our futures are more closely related than ever before. And to lessen climate change, defeat terror and tackle 3<sup>rd</sup> world poverty - the great challenges facing our planet - governments and peoples must increasingly collaborate.

As a result, I believe, the two principles that are the bedrock of Scotland's devolution settlement are more relevant now than ever.

The first principle is subsidiarity. In other words, decisions are best made, at the most appropriate level, by taking into account cultural bonds, national identity and geographical common sense.

The second principle is solidarity. By pooling our resources, the nations of the United Kingdom gain more than they put in. We all benefit from being part of a greater nation that is rich in tradition and diversity.

It is my considered opinion - based on all the evidence before me - that a separation of powers, broadly along the lines of the current division of responsibilities between Holyrood and Westminster, is the most advantageous arrangement, not only to

improve the lives of ordinary Scots now, but to prepare Scotland for the enormity of the future challenge.

### **A great enterprise**

We are today in Scotland no more than seven years into a great enterprise, a great venture.

This venture, devolution, will show - is indeed already showing - that it's possible for one ancient nation, Scotland, to construct a good and distinctive future for its people while, at the same time, sustaining a close and mutually beneficial partnership with the other, equally ancient, nations with which we share the island of Great Britain.

We're not the only Europeans engaged in this sort of endeavour. The Catalans, Bavarians, the Flemish are other ancient nationalities with an identity every bit as strong as ours. They have similarly found their own way forward while preserving their longstanding links with the other peoples who together make up their respective nation states.

I recognise, of course, we are relatively unusual in this respect. I'm well aware that Europe, in the course of the twentieth century, starting in the aftermath of the First World War and continuing down to the break-up of former Yugoslavia, has been characterised by ever-increasing fragmentation - as nation after nation has struck out on its own.

But that, of itself, is no good reason for us to do the same. In fact it may indeed be a powerful reason for Scotland to be different.

In a world that's globalising economically, a world that's simultaneously racked and torn by inter-ethnic conflict, we should surely be starting to look beyond nationalisms of the stand-alone variety; beyond further territorial division; beyond the drawing of still more boundaries and frontiers on the surface of what's a tiny - and increasingly endangered - planet.

Be that as it may, to abandon devolution here in Scotland after just seven or eight years - to declare the game a bogey and to take ourselves off in a huff - would be to demonstrate quite shocking irresponsibility.

### **Achievements of Home Rule**

It's not, after all, as if our Parliament is not delivering. It's delivering a great deal - with a set of results that are starting to look quite remarkable. But those results are a product of political choices - a government putting the right priorities first.

Our economy is growing - it has grown every year since devolution.

With over 150,000 more jobs than we had in 1999, our employment rate is amongst the best in Europe. And this week, for the first time in many years, the Scottish unemployment rate is a fraction of the UK rate, rather than a multiple.

We've built new schools, recruited more teachers, brought in smaller class sizes and provided nursery places for every three and four year old. And school results in consequence are getting steadily better.

Our fifteen-year olds are among the highest performing young people in the world in literacy, maths and science.

At the other end of the age spectrum, we've introduced free bus travel for Scotland's older people.

Increased investment in the Scottish NHS has secured more nurses, more doctors, more consultants, and a growing focus on Scotland's killer diseases.

Deaths from heart disease, strokes and cancer are all down. Waiting times in the Scottish NHS are the best ever.

And for the last six months, every pub, club, restaurant and enclosed public space in Scotland has been smoke free.

We are a better country for that.

Just as we're a better country because of the action we're taking on knife crime and anti-social behaviour and the action we're taking to root out the scourge of sectarianism.

The smoking ban, of which an overwhelming majority of Scots approve, is a clear-cut example of the Government of Scotland having the guts to take a United Kingdom lead on an issue where a lead badly needed to be taken.

As with smoking, so with renewable energy. In setting the highly ambitious target of having 40 per cent of our electricity provided from renewable sources by 2020, we're again way out in front on what's easily the most vital issue of our time - the requirement, the urgent requirement, to rein in climate change.

And in contrast to the vast majority of European countries, devolution has allowed us to take a very positive view of immigration. Our Fresh Talent initiative, welcomes immigrants of skill and of ambition - irrespective of their origins. And we are a better country for that too.

Home Rule is a powerful platform from which to express Scottish values. And those values have ended net emigration, and reversed population decline. 19,000 net immigration last year, and 26,000 in the year before - at last the end of Scotland's brain drain.

Moreover, all achieved within the powers of devolution.

And rather than lagging behind the rest of the UK, we now aspire to be the centre for innovation and creativity in the UK - to be the UK's innovation hot house. With research and development activity already reaching the top of UK league tables.

A recent report found that Scotland attracted the greatest amount of R&D of any region in the UK. 20% of UK Research and Development was conducted in Scotland.

What we're about, by these and other means, is ensuring that Scotland becomes the best small country in the world.

As our record demonstrates, ours is a government firmly empowered to map out, and carry through, a far-reaching agenda; a government that's reasserting Scotland's role both in the United Kingdom and in the wider world.

### **Enlightenment and making the parliament work**

In the United States earlier this year, I spoke at Princeton University about the Scottish Enlightenment of the eighteenth century - and about the extent to which our Enlightenment thinkers, men like David Hume and Adam Smith, provided the ideas which motivated and inspired America's founding fathers.

According to US academic Arthur Herman, the global significance of the Scottish Enlightenment was such as to allow Herman to claim, in the title of his recent book, that the Scots invented the modern world.

Well, I don't go quite that far. But I do think it is important to make the point that the Scottish Enlightenment - this huge flowering of thought and creativity - occurred **after** our union with England, not before it.

From the union, in the eighteenth century and after, we gained tremendous benefits - primarily by way of access to markets, both elsewhere in the British Isles and overseas, that would otherwise have been closed to us.

But those gains were not at the expense of any diminution of our Scottishness. That's because the union was then sufficiently loose, sufficiently flexible, to permit us in Scotland to go our own way, do our own thing, in vital areas of our national life.

By the mid-twentieth century, however, much of this former flexibility had vanished from our constitution.

After a hundred years of Westminster taking more and more powers to itself, Britain had become one of the most centralised countries in the world. Here in Scotland, because of the collapse of previously basic industries, and because of the deep-seated difficulties afflicting rural areas like the Highlands, we were in all sorts of trouble.

This was the problem which devolutionists like J P Mackintosh set out to solve.

What Mackintosh wanted, in effect, was a rebalancing of the union; one that would restore, in an up-to-date and democratic guise, a constitutional settlement sufficiently imaginative to get the most out of Scotland's partnership with England on the one hand, while liberating the Scottish people's too-long-stifled energies on the other.

But Mackintosh didn't just believe in the ideology of devolution. He thought it through.

In 1976, John P. Mackintosh published a newspaper article which carried the headline: *'Making [a] Scottish Parliament more effective than the Commons'*. This article's starting point was what Mackintosh called *'the public's lack of enthusiasm about Westminster'*.

*'If a Scottish Parliament is to have vitality and win respect from the public,'* Mackintosh declared, *'it must be seen to have an independent life of its own.'*

When those words were written in 1976, they were thought hopelessly idealistic by many of Mackintosh's fellow-politicians in Westminster.

Yet he wrote prolifically about how a parliament might work, and the principles that would underpin it.

What a Scottish parliament required, Mackintosh wrote, was a set of permanent committees which, in his words, *'would [first] hear the [Scottish] Government's case for legislation and [then] get the reactions of those citizens and pressure groups ... affected [by the legislation in question]'*.

In this respect, Scotland's Parliament is as John P. Mackintosh wanted it to be.

As is shown by the care with which he thought about the procedures of a legislature he didn't live to see, it was critically important, from Mackintosh's standpoint, that the Scottish Parliament worked well.

This is because, to John P. Mackintosh, the devolution of power from London to Scotland was a key objective in its own right.

As everyone knows, the motives of devolution's backers have always varied. From the 1960s and 1970s forwards, some Scottish devolutionists were reluctant converts - people who feared that, if nothing was conceded to Scotland, then Scots might quit the union.

To others, support for devolution was merely a tactic - a devolved parliament, in their view, being no more than a staging post on the road to independence.

John P Mackintosh was in neither of those camps.

While - as I've already emphasised - he was by no means in favour of Scotland abandoning its partnership with England, Wales and Northern Ireland, his commitment to the creation of a Scottish parliament was wrapped up in a wider conviction that democracy can't flourish if all decision-making is concentrated in a single centre.

That's also very much my view.

Like many of the intellectuals of his generation, Mackintosh rejected independence. He was in favour of devolution by choice. There was intense debate in his time, and the case in favour of devolution had not been won. But he believed that the UK could be reformed. Others believed reform was impossible, and only separation would tackle Scotland's woes.

History, however, has proved him right. History shows precisely what an immensely forward thinking, brave, conviction politician Mackintosh was. He is an example to generations that follow him.

### **What next for Home Rule?**

The Scotland Act may not be perfect. I don't deny that it might require, in time, some modification.

But I do claim that the constitutional arrangements which the Scotland Act brought into existence are a huge improvement on what went before.

Perhaps the most depressing characteristic of pre-devolution Scotland was the dependency culture which our pre-1999 constitution helped greatly to engender. Because, prior to the formation of the Scottish Parliament, we were unable to shape our national destiny in a meaningful manner, we took to laying all our ills at London's door.

Either we were down there with a begging bowl or we were up here bemoaning the alleged iniquities of English rule.

Those days are gone now.

In the Scottish Parliament we have a whole welter of powers at our disposal. It can't be other than sensible for us to make the fullest possible use of those powers before demanding lots more.

For if such demands become a persistent feature of Scottish politics, and there are those who want this to be so, then we'll sink all too quickly into a collective - and wholly self-imposed - inertia.

We can do nothing meaningful about this, that or the next thing, our pro-independence politicians will get into the habit of ginning, because the provisions of the Scotland Act are too restrictive.

That would be to betray Home Rule, and ultimately to give up on the reform agenda - an agenda with a long, long way to run - that the Scottish Parliament, as now constituted, enables us to carry through.

Indeed, perhaps the next developments in government are not about the Scottish Parliament at all.

In the next twenty years the Westminster government will need to be able to respond more flexibly to the differing needs of the constituent parts of the UK.



A one size fits all policy is not always the best course of action.

With our highly successful Fresh Talent policy, and the support from Westminster colleagues in devising the strategy, it is clear that the potential for such flexibility at Westminster is possible - and at times, desirable.

### The 'union dividend'

Today there are those who want independence to replace Home Rule.

I'm not one of them.

This is not because I don't define myself as fiercely patriotic, or describe my identity as passionately Scottish.

It's because I consider it my duty, as a Scottish patriot, to make crystal clear - whether to you this evening or to the Scottish nation as a whole - my conviction that, withdrawal from the United Kingdom would not serve us well.

But it would be very wrong to define this lecture as just anti-independence. I am simply being pro-Scottish.

Rather than saying Scots couldn't afford to be independent or that Scots are incapable of going it alone, as some will argue, my argument is more positive.

The ground on which I stand, the ground on which I'm confident most Scots will join me, is quite different.

I believe there is a prize to partnership and collaboration.

By the strength of our common endeavour we achieve more than we do on our own. That is true for individuals but it is just as true for nations. England, Scotland, Wales and Northern Ireland have access to the 'union dividend' by virtue of being part of a strong UK.

At its most simple, the union dividend could be described as the higher public expenditure per citizen than the UK average. This is true of many parts of the Union, not just Scotland, Wales and Northern Ireland but parts of England too.

We all receive this 'dividend' because we have greater social, economic or geographical need.

Scotland represents one third of the UK land mass, one half of its coastline, and many thousands of people live on a large network of island communities.

The union dividend caters for the challenging nature of providing public services.

But there is more to the dividend than this.

There is a dividend to families, whose interconnections throughout the UK have become more complex than ever before. More than 2 million Scots have relatives in

England. 400,000 of the Scottish population were born in England and over 800,000 Scots live in England. The ease in which citizenship, identity, movement and even personal finances can be organised is a dividend to each and every family.

There is a dividend to Scottish businesses who want to open branches south of the border. The dividend of a single accounting system, single tax system and a single set of employment laws.

There is a dividend to Scotland's universities because they compete against some of the best universities in the world - English ones - for UK research funds. That competition raises the bar - and our universities compete very well gaining far more than our population share of UK research council funds.

But perhaps the greatest dividend of all - is in the shared aspiration of the Scottish and UK governments to abolish child poverty by 2020, and half it by 2010.

Since 1997 - child poverty across the United Kingdom has been cut dramatically. However, the combination of UK and Scottish policies has been even more dramatic for young Scots.

130,000 Scots children have been lifted from **relative** poverty - the most important poverty measure - reducing child poverty by 35%. The equivalent reduction for Britain is 19%.

I am certain that Mackintosh would have approved. He was a democratic socialist, and both of these words mattered to him equally.

He believed that democratic institutions were there for a purpose. Social justice and the abolition of poverty were his primary aim, and he believed that democracy was the best way to achieve it.

Like Mackintosh, I came into politics for this greater purpose. I am convinced he would have been proud of Scotland's Parliament, but I am equally certain that he would have been prouder still of our collective efforts - and results - in reducing child poverty.

### **The best of both worlds**

And I share two other particularly strong beliefs with J. P. Mackintosh.

To Mackintosh we were Scots and rightly proud to be so. But we were also British. He said devolution should enable us to derive the fullest possible benefit from both aspects of what he called our '*dual nationality*'. He believed Britain could be reformed, without Scots having to distance themselves from either part of their dual identity.

This, to me, enables us to have the best of both worlds - the best of what's Scottish, the best of what's British as well.

Mackintosh's passions for Scottish devolution and social justice were matched by one other: rather than focus on the parochial and be inward looking and insular, he held a broader view of the world. He had worked in Nigeria and was passionate about Africa. He spoke widely against the apartheid system in South Africa.

That wider view of the world is exactly what I have been trying to achieve in Malawi, and elsewhere. It clearly matters to developing countries that we join with them in solidarity as they reach towards progress and development.

But it matters to Scotland too. It is about the kind of country we are, and the values that we hold as a nation.

These matters are neither reserved to Westminster nor devolved to Holyrood. They are matters of humanity and we all, just like Mackintosh did, have a role to play.

### The Future

The beauty of Home Rule is not its institutions, but the world of possibilities that are now open to Scotland.

The record of the first 7 years speaks for itself. I know my political opponents will paint a picture of decline and failure. But it is getting harder and harder for them to do that. The vast majority of people recognise the immense progress Scotland has made in recent years.

I am pleased with the progress. But I am far from satisfied.

The most important debate in the months to come is about how the various political parties intend to use those powerful tools of devolution.

I, for one, have never been more certain of the course of action we must take.

I have been Scotland's First Minister for nearly five years now.

But before I was a politician, I was a maths teacher.

I taught in the 1980s and 1990s when girls and boys could see fewer and fewer opportunities open to them.

I loved teaching, but I wanted to change all that.

And for 80% of young Scots attainment has improved, and around 50% of school leavers go into higher education. There are also better jobs and more training than before.

But the world is changing; competition in the global economy is fierce.

And our competition is not just from low skill, low wage economies.

Others have up-skilled, and competition comes from people and countries who are innovating and developing quickly.

It is the job of the Scottish Parliament to help prepare Scots for the future.

Whatever the future world may throw at us, whatever challenges may come our way, I believe Scotland's strategy for that future has to be continuous, high quality education and learning.

Scotland was the first place to institute universal schooling; our standards are amongst the best in the world.

But I have no doubt that we can actually be the best.

When we achieve this for all children, Scotland will be a country fully ready and able to compete, ready to take up opportunities in the global economy.

And that is why, I believe, the third term of the Scottish Parliament should be defined by the next steps that need to be taken to improve the education of Scots.

I am sure Mackintosh would have wanted that.

### **Conclusion**

The choice immediately before us is both clear and stark.

We can put the governance of Scotland in the hands of those who, in their desperation to go it alone, will happily countenance years, even decades, of constitutional upheaval - with all the divisiveness, rancour and strife such upheaval is bound to bring.

My appeal tonight to Scots everywhere, is to reject the old arguments from those who want a separate Scotland, regardless of the consequences; but also to end talk of subsidies and dependence.

Scotland has the best of both worlds - a democratic Home Rule Parliament and a union dividend from the UK.

Government is about priorities.

And my first priority must be to act in the interests of Scotland. That interest is best served now and in the future by a united national effort to create the best education system in the world.

**It's time to get on with the job.**