

27 May 2021

## ELECTIONS TO THE SCOTTISH PARLIAMENT ON 6 MAY: WHAT THE RESULTS MAY MEAN FOR THE UK: MIGHT BREXIT BE THE CAUSE OF ITS BREAKUP?

### Part 1



**Colin Munro CMG** was UK Permanent Representative to the Organization for Security and Cooperation in Europe (2003-07), Deputy High Representative in Bosnia and Herzegovina (2001) and Ambassador to Croatia (1997-2000). He was Deputy Head of Mission at the British Embassy to the GDR in East Berlin from 1987-90. He is now based in Vienna, consulting on European political and security issues, and on Brexit, as Chairman of UK Citizens in Austria. Colin was born and educated in Scotland.

\*\*\*\*\*

During a visit to Scotland on 27 January for photo opportunities with military and NHS staff combatting the COVID 19 pandemic, Boris Johnson said:

- “Wild horses will not keep me away from Scotland during the election campaign. I’ll be campaigning across the whole country”.

He didn’t. There can be little doubt that Douglas Ross, Conservative and Unionist Party leader in Scotland, persuaded Johnson not to boost the SNP/Green share of the vote by campaigning in Scotland.

Johnson – who has proclaimed himself “Minister for the Union” – now appears intent on ignoring, or refusing to consent to the wish of SNP/Green majority in Edinburgh to hold a second referendum on independence. The government in London is holding firm to the position – correct in law – that a referendum on independence is a reserved power. Westminster rules: in this case against a second referendum.

In the Brexit negotiations, the UK government’s overriding objective was to regain sovereignty for the Westminster parliament. Damage to the UK’s security, prosperity, and territorial integrity was less important. Johnson lied to the unionists in Northern Ireland (NI), about the provision in the Withdrawal Agreement (WA) for a border between Great Britain and NI, with consequences now visible with regard to implementation of the Northern Ireland Protocol. Johnson and his minions are not – at least not yet - telling outright lies in Scotland. But proclaiming devolution a disaster and accusing First Minister Nicola Sturgeon – a famously canny politician - of irresponsible and reckless behaviour, is Johnson’s way of asserting the sovereign supremacy of the House of

**Access. Engagement. Resolution.**

Commons, where his largely English party enjoys an absolute majority. He can indeed dictate to a country which consented to the union in 1707.

The Scottish Parliament is elected, like the Bundestag, by proportional representation, a system which, unlike elections to the House of Commons, is designed to prevent absolute majorities, and ensure approximate equality of vote when more than two parties are competing. Each elector has two votes, one for a constituency MSP, one for a party list. Including votes for Alex Salmond's new Alba party (no seats won), pro-independence parties won 50% of the vote, as did pro union parties. This election confirmed a trend in favour of independence since the referendum (45%) in 2014, evident since the UK general election of 2015 when the SNP won 50% of the vote (and 56 of 59 seats), and reinforced in 2016 by opposition to Brexit – 62% for remain in Scotland. Meanwhile, the Conservatives have consolidated their position as the leading, avowedly pro union opposition party in Scotland. In the medium to longer term support for the union is likely to decline. Up to age 35, 72% favour independence. In the 35-54 age bracket, 59% are pro-independence.

The 62% turnout on 6 May, was the highest at any election to the Scottish Parliament since it reconvened in 1999, but 20% below the turnout at the referendum in 2014. The SNP now has 64 seats – more than Conservative, Labour, and Liberal Democrat combined (57), while the Scottish Greens have eight.

At local elections in England the Conservatives gained nearly 300 seats. The Labour party is in turmoil after losing the pro Brexit constituency of Hartlepool, a former stronghold in the north of England. But Labour consolidated its position in Wales, winning 30 of 60 seats in the Welsh Parliament. The Labour Party also remains in charge of London (Mayor Sadiq Khan) and Manchester (Mayor Andy Burnham). Elections will be held in Northern Ireland next year.

The Prime Minister's first move since the Scottish election, has been to convene a COVID recovery summit with the heads of government in Northern Ireland, Scotland and Wales. The SNP support this. They have made it clear that there can be no question of Indyref2 so long as the pandemic persists. Johnson's next move will be to woo Scottish voters with a Scottish version of the levelling up agenda, channelling Treasury funds to local authorities and private bodies with a Union flag attached, to demonstrate its beneficent power, bypassing the Scottish parliament and government. This was evident in the Queen's speech at the state opening of parliament on 11 May. However, the Conservatives control only 6 out of 32 local authorities in Scotland. The political impact of Conservative pork barrel largesse in areas controlled by SNP, Labour and Liberals is untested in Scotland. It might also be perceived as contrary to the spirit and principles of devolution, and would probably be unpopular in England.

The union of Scotland with England (and Wales) was achieved, indeed bought, by a vote in favour in the Scottish Parliament in 1707. Neither parliament was democratic by contemporary standards. Initially the union was not popular. Such a "parcel of rogues in a nation" proclaimed the national poet, Robert Burns, eighty years later. But the rogues, Protestant like their English counterparts, consented to the union. Unlike Roman Catholic Ireland which was incorporated,

effectively as a colony, after a rebellion in 1798 during the war against revolutionary France. The rebels had aimed to establish an independent republic inspired by the French revolution.

Michael Gove (Minister for the Cabinet Office), who understands Scotland (educated in Aberdeen), is now trying to prevent Johnson from using reserved powers to block a referendum. Using law, derived from the sovereignty of the Westminster parliament to frustrate the manifesto commitment of parties elected to test whether the people of Scotland still consent to the union that they joined in 1707, would scarcely be democratic. Moreover, in 2014 Prime Minister Cameron advised Scots to vote against independence, to be sure of staying in the EU. Brexit may still be popular in England, but not in Scotland, where, at the European elections in 2019, Farage's Brexit party (the only pro Brexit party in Scotland) won just 14% of the vote. The Labour party's vote collapsed. The UK's longest serving MEP (Labour) lost his seat. David Martin argued that "the UK would no longer exist unless a flexible and imaginative Brexit solution was found for Scotland." He himself would be inclined to vote for independence in future.

*Part 2 will be published on 10 June 2021*

*This article was first published by the Austro British Society on 17 May 2021*

\*\*\*\*\*

### **Access. Engagement. Resolution.**

The Ambassador Partnership LLP is a **unique international** partnership of former Ambassadors with unrivalled networks of influence in almost 100 countries. We provide discreet services to resolve your international problems and to improve your capacity to operate effectively wherever you need to.

We are **dispute resolution** specialists and **political risk** experts.

To discuss how we can help you to manage your political risk please call:

**Tracey Stewart**, Partnership Secretary

+44 (0) 7950 944 010

[tracey.stewart@ambassadorllp.com](mailto:tracey.stewart@ambassadorllp.com)

[www.ambassadorllp.com](http://www.ambassadorllp.com)