



HOUSE OF LORDS

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Witness: Willie Sullivan

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Members present

Lord Lang of Monkton (Chairman)
 Lord Cullen of Whitekirk
 Lord Hunt of Wirral
 Lord Judge
 Lord MacGregor of Pulham Market
 Lord Morgan

Examination of Witness

Willie Sullivan, Director of ERS Scotland

Q160 The Chairman: Mr Sullivan, can I welcome you? You have the floor to yourself. We had three professors last time, but you are a specialist in a particular aspect of the whole subject matter that is of interest to us, which is electoral reform and how it might relate to the sorts of things that we are looking at. Our questions may roam a little wider than that, and I hope you will feel free to give us the benefit of your views on whatever crops up. I will ask you the first question, which is: is it possible in a future campaign, if there is one, to project a more positive view and image of the union than happened in the referendum campaign and, if so, what would it consist of?

Willie Sullivan: In answering that question, you first have to decide what the union is. I guess, if it is a set of institutions, including yours in Westminster and many other ones, the difficulty is that those institutions seem to be in a bit of bother. It is what I call helicopter politics. These institutions are pretty hierarchical with all these people at the top looking down on everything. That seems to be inconsistent with some of the big social and economic changes going on in society, where things are much flatter, more networked and faster moving. All institutions that are designed in those ways are in trouble. That ties into all the problems with distrust of elites, from FIFA to the athletics organisations. In having a positive view of that, it must be a future model, not a past or a present model. That is the possibility of projecting a positive image of the union.

The Chairman: Do you think the model is seen differently in Scotland from elsewhere in the United Kingdom?

Willie Sullivan: In some ways, it is, but it is as much because of the constitutional debate. I will get my electoral reform argument in here. I am not one of these electoral reformers who think that electoral reform is the answer to every problem and I am not going to try to

shoehorn it into that. I am not sure that electoral reform is necessarily the whole answer, but I would suggest that first past the post has been part of the problem.

If you think of the 1980s in Scotland, despite the fact that the Conservatives were polling a quarter of the vote sometimes and other parties were getting significant votes, just because of the way that the electoral system worked, it looked like Scotland was not being represented at Westminster. That gave rise to the whole devolution movement. The electoral system fired it off and that has been continued in the last election, with it looking like Scotland thinks it is completely different from the rest of the UK but, actually, it is a product of an electoral system that gives around 90% representation on 50% of the vote. First past the post is part of the problem. That horse may have bolted now.

The Chairman: When electoral reform was first set up in the Scottish Parliament, it did not seem to have resolved the problem later on.

Willie Sullivan: The system change did not resolve the problem of Scots thinking that they did not have any representation at Westminster.

The Chairman: No, but it anticipated that no single party would ever have an overall majority.

Willie Sullivan: Some people say that. It was designed to be proportional so, if the majority of voters voted for a majority Government, then it would deliver one. We have had majority Governments on less than that, but it was close enough.

Q161 Lord Morgan: We have heard many commentaries, notably from Professor John Curtice, that Scottish politics has become quite separate from the politics of the rest of the United Kingdom. I am thinking not only in terms of the party balance being quite different, but also differentiation within the parties. The Scottish Labour Party is trying to claim much more autonomy from the Labour Party centrally. How far would you go with that argument?

Willie Sullivan: It makes sense from some perspectives, but then I guess the politics of London are probably different from the politics of Cornwall and from different perspectives.

Lord Morgan: They are not very different, are they? There are no Cornish nationalist MPs.

Willie Sullivan: That is part of this way of thinking about politics from this helicopter view: that it is all about the ones at the top of the hierarchy, all about parties and stuff like that. That is one way to think about it. It looks remarkably different from other perspective. If you do not think that the politics of London are different from the politics of Cornwall, then you need to look a bit closer, I think.

I would explain it like this: there is an anti-establishment vote all over the country. The anti-establishment vote in England went towards UKIP. A big bit of the anti-establishment

vote in Scotland went towards the SNP and they have managed to cultivate that anti-establishment position quite cleverly, despite being in Government. That, for me, is a big difference. As I said, there is a kind of anti-establishment feeling. Where does that go? In some ways, the problem with the union is a bigger problem of institutions, representative democracy and all these things, which manifests itself in lots of different ways in lots of different countries.

Q162 Lord Cullen of Whitekirk: One of the respects in which there is a union is the so-called social union, which has been described as providing “the social solidarity that binds the union together, by redistributing revenue and pooling and sharing risk through welfare benefits and through the pension system”. Is there a limit, in your view, of what can be devolved while maintaining the benefits of that union?

Willie Sullivan: In the current system, yes. All the points I have been making have come from a view that perhaps, instead of power being seen as concentrated in the centre and then devolved out, there is an idea of power coming from much smaller groups of people and then being shared into the centre. If you have a top-down model, when everything goes into the centre and is shared out, simply on taxation it is quite difficult to see how that can survive, unless it is particularly well thought through, very carefully examined for unintended consequences and taken a lot of time over. I would suggest involving citizens in that as well to see how it goes.

The current Scotland Bill that we have nearly completed is quite risky and has a number of possible unintended consequences. Scottish devolution took a long time and a lot of consideration with civil society, all the parties coming together, the constitutional convention and a long debate and discourse in the public arena. Post the referendum, we went back to a system where you get the parties in a room for a few weeks to come up with what some think is a much bigger change, although it is probably not, politically and symbolically. It looks like a much bigger change in terms of devolution than the initial setting-up of the Parliament. That is risky: it is risky for devolution, but it is also risky for the union.

The Chairman: Can you tell us what changes you would like to see under the “social union” heading?

Willie Sullivan: We will probably come on to this. I think that devolution across the UK would be a more sustainable model, and then a pooling and sharing from those units. It would be a pooling and sharing of power as much as a pooling and sharing of resources and decision-making.

Lord Cullen of Whitekirk: Did you mean devolution to England?

Willie Sullivan: Yes

Lord Cullen of Whitekirk: In what sense?

Willie Sullivan: More regional devolution, or whichever way devolution fits for England. I know that there are moves currently but, again, these are done very quickly and are not done with the particular involvement of citizens or civil society. There have been agreements between central government and the elites within local authorities.

Q163 Lord Hunt of Wirral: The power of local communities and local citizens is quite an interesting idea around the doctrine of what is called, at European level, subsidiarity. I wondered, to deal with Scotland first of all, to what extent you believe there should be greater devolution from within Scotland to empower decision-making much more at local level.

Willie Sullivan: Our views on this are formed by a process that we went through three years ago, called *Democracy Max*. We carried out an investigation into what a good democracy was, what would make democracy better and what a good Scottish democracy might look like in 2030. We had a people's gathering, which was a kind of a citizens' assembly, and worked with the university in trying to make it reasonably representative. We took the ideas from that and took it to roundtables of experts, people who had written and thought about these things. There is no doubt that people are interested in having more power locally, those people who were involved in it anyway.

There is always a reaction against more elected representatives but, when deliberated on, people would go down on the side of having more power over their own local place. Even the local authorities in Scotland are too big at the moment. If you look across Europe, by representative per head of population, they are the biggest.

Lord Hunt of Wirral: This is very interesting, because there was an experiment to try to produce regional government in the north of England. That rather floundered on the very argument that you are now putting forward, which is that there were already too many elected representatives. Local people did not want more; they wanted more devolution, but they did not want it in structures. Can Scotland set an example to England in devolving more power without all the drawbacks of increasing the number of elected officials?

Willie Sullivan: It could. On subsidiarity, I will come back to your point. It is always about devolving power to the place where it is most possible for it to operate but, actually, maybe it is a case of giving power up to the place where it is most efficient and best to be operated from. It is turning that around a little. I have never thought that referendums were particularly good ways to make decisions, apart from there being massive benefits in the last one because people were engaged in it and it became a way of growing citizens. People self-educated,

educated each other and became really involved in a political debate. I have not seen any referendums like that before. It might be a product of technology that referendums have changed because people can share, communicate and get their information from more sources. I am not sure about that, but I do not think the north-east referendum was like that.

To come to an informed view about whether politicians are, on balance, worth having if you have more power over your own place, people need to be involved in real deliberation, thinking and discussion, and take real evidence on that. I used to work for a political party. The framing and presentation of information by political campaigns does not always bring citizens to the most informed positions.

Q164 Lord Cullen of Whitekirk: Can I ask you about the public understanding of what is done by various levels of government, the UK Government on the one hand and the devolved Government on the other? Is there more that needs to be done to make clear to the public who does what, from the point of view of whom they can hold responsible for what happens?

Willie Sullivan: It would always be better for people to know more about how their Government works, but there is only so much they have time to think and focus on, and there is probably only so far that those who want to communicate that stuff are able to do so. It would be more important that they felt they were involved in some way and had some sort of influence and power, within the way they are governed. Elections are when you go into a ballot box and post a ballot on your own. It is quite an individual act but, actually, that is not really where democracy happens. Democracy happens in spaces where people get together. This is my experience from the referendum: they get together and have discussions and arguments, and are able to form their opinions before they go in to cast their ballot. We are missing those spaces a little bit. They are online, for sure, and were online during the referendum, but that was not enough. After people found out that they wanted that stuff online, they actually wanted real, physical spaces, where they could go to meet each other and have these discussions and debates. That is the precursor to democracy working properly: people have to be able to have those informed discussions.

Q165 Lord Judge: We have heard mixed views on the subject of English votes for English laws. As elections are your speciality, can I ask you what you make of the impact that English votes for English laws would have on the union? Alternatively, is there a better answer, and, if so, what is it, to what I am going to call the English question? Let us assume for the moment that the announcement, three seconds after the election, that there were going to be English votes for English laws was a daft idea politically; let us just go to the principle of it.

Willie Sullivan: I cannot see how it strengthens the union. Part of the problem with devolution in the UK is that it is done unilaterally in different places, at different speeds. Some people might say that that is a kind of advantage.

Lord Judge: It addresses the question that appears to arise in England: that people in England think, “Well, if Scotland has all this autonomy and Wales has this increasing level of autonomy, why should England not have it?”. That is the issue it addresses.

Willie Sullivan: For sure, but are English voters really a challenge to the union? I do not know that they are. I agree entirely with you that that asymmetry feels undemocratic and there needs to be a way to address it, but that is a different problem from whether it is shoring up the union. Politically, it gives argument to the people who want the union to break up. How might it be done differently? A rebalancing of devolution across the whole of the UK would be the ideal. How do you get from here to there?

Lord Judge: How do you do the rebalancing?

Willie Sullivan: You need to do English regional devolution in some way. As you know, when you start to play about with the constitution, as we have found out, it has all these unintended consequences. Bits bubble up here that you have to fix and bits bubble up here. That is why we are in favour of a long look through some sort of constitutional convention to see how different changes might impact upon others.

Lord Judge: As things stand at present, your view is that the introduction of English votes for English laws would be detrimental to the union.

Willie Sullivan: Yes. If your criterion was whether it was going to strengthen the union or not, I would suggest that it is most likely to weaken it.

Q166 The Chairman: How do you think that the Scotland Act will bed down? What problems do you think might flow from it when the new regime is introduced?

Willie Sullivan: It covers a lot of stuff and I am not an expert on taxation and benefits.

The Chairman: Without the fiscal framework, I know it is quite difficult to answer the question.

Willie Sullivan: That is one of the key things: nobody knows what the financial arrangements are and how they are going to work. It seems to me to be quite inconsistent in how it fits together with previous bits of devolution. There are bits of government activity devolved from one bit and bits of government activity devolved from another bit. It does not seem very coherent in how it all fits together.

The Chairman: No, it is the product of negotiation between four different parties, under the chairmanship of an outside businessman. It is a rather strange way of doing constitutional change, but that is where we are.

Willie Sullivan: If that is where we are, it is probably quite a difficult position for the union to be in, and for Scotland as well.

Q167 The Chairman: What would be your vision of the United Kingdom in future, at the end point of devolution? You hinted at the fact that you would like to see more devolution within England as a way of balancing things, but do you see a stopping point or a final stability that would make sense and work?

Willie Sullivan: I am not sure that states stay as stable as they might have done at one time and that these arrangements stay as stable. Society does not stay as stable, so the social and economic changes, driven by technology a lot of the time, mean that states will have to evolve into something that is a lot more flexible, and not as monolithic and hierarchical as they have been in the past. I know that the German federal system is a long way from where we are. I do not know if there is a way to get from here to there, but that would look like a better way of organising a state.

The Chairman: Yes, it is called federalism, is it not? England is a very big part of what would be a federal Government in that situation.

Willie Sullivan: Yes, and that is why there needs to be an attempt at building some sort of regional identity and regional government. You know, if you polled Scots in the 1970s and 1980s, they would predominantly feel more British than Scottish. It is not like this is a long-time feeling. It is not that identity is always the key issue in these things, but it helps if you want to build up some sort of regional government.

The Chairman: That has been extremely interesting. Thank you very much. You have answered all our questions very helpfully and we are most grateful. You have done it concisely, which is even better.