

Response to Scottish Environment LINK's 'Referendum Challenge'

This briefing has been produced as a response to the Scottish Environment LINK 'Referendum Challenge'. More information about the 'Referendum Challenge' can be found at: <http://www.scotlink.org/public/work/referendum-challenge.php>

Introduction and Context

Yes Scotland is the short-life organisation working to secure a Yes vote at the referendum on Scottish independence to be held on Thursday 18 September 2014. It is a cross-party and no-party organisation and does not develop its own policy. It does, however, aim to ensure that, through a Yes vote, the people of Scotland can enjoy a wide-ranging policy debate on the future of our country at the first elections to an independent Scottish Parliament in 2016. By way of contrast, the Westminster Parliamentary election to be held in 2015 will offer the people of Scotland little choice, a limited debate, and even less influence.

The referendum on Scottish independence is fundamentally about 'powers' - where we think Scotland should be governed from and what level of self-determination and decision-making it should have. The 2016 Scottish Parliamentary election will be about 'political parties' and their 'policies' - who will govern us and what they will aim to do and deliver if elected.

The independence referendum will be a choice between two futures. LINK member organisations will need to decide whether their common goal of contributing to a more environmentally sustainable society is more likely to be achieved through Scotland remaining part of the current political and economic union of the United Kingdom, or through Scotland taking on the enhanced powers and responsibilities of an independent country.

Yes Scotland agrees with Scottish Environment LINK, that Scotland's constitutional future should not be debated in isolation from the social and environment issues affecting Scotland's future. One of the principal attractions of Scottish independence is that it will offer the opportunity to articulate a long-term vision for Scotland as a country, and for Scottish society. Scottish independence can be a new beginning, allowing the people of Scotland a wider range of options and opportunities than they have at present, and that can become the catalyst for meaningful, positive, transformational change.

We believe that the current devolution settlement limits what LINK members can achieve as organisations promoting positive change. It is clear that LINK members have made the most of the limited opportunities that have been available to them through devolution and the reinstatement of the Scottish Parliament, but it is also clear that LINK members (and Scotland) would benefit from being able to gain further influence on a wider spectrum of policy areas, many of which remain distant to us all and difficult to influence. Yes Scotland believes this enhanced influence will only be guaranteed through a Yes vote for Scottish independence.

A brief comparison of progress before and after devolution shows that successive Scottish governments have utilised new powers for positive change, and that LINK member organisations have enjoyed considerable success in promoting sustainability and influencing Scottish outcomes since devolution. From renewable energy to land reform, climate change to the marine environment, where Scotland has been allowed to have control over related and relevant policy, it has delivered progressive and positive change for the better – change that is unlikely to have happened without devolution.

The logical extension of this is that an independent Scotland, with complete control over all policy areas, is likely to continue to deliver progressive and positive change across all policy areas. Yes Scotland believes that the opportunities that arise when Scotland gains the full range of economic and political powers are substantial, and that this can only lead to a more holistic and joined-up approach to tackling Scotland's environmental, social and economic challenges, irrespective of the party or parties that form any post-independence Scottish Government.

Those who support Yes Scotland and its aim are united by the belief that independence can deliver a better, fairer and more democratic Scotland. Within those supporters there are a wide range differing views on specific issues. For example, there are those who support the exploitation of the remaining oil in the North Sea to support the Scottish economy and establish a Scottish 'oil fund'. There are also those who believe that the climate change impact of doing so would be disastrous and that Scotland's remaining fossil fuel reserves should not be exploited. Both of these very different approaches could be taken with the increased autonomy and democracy that will come with Scottish independence. The key thing to note is that the decision to do one thing or another (or neither) will lie with the people of Scotland after a Yes vote for independence, not with others elsewhere as it does at present and will continue to do as a result of a No vote.

We are confident that better decisions will be made about and for Scotland when those decisions are made by the people who live and work here – those who have the greatest stake. Scotland's small scale and fresher institutions mean that its political culture is already more intimate and arguably more open than at UK level. It is clear that environmental and social voices are heard more readily by Scotland's more local and more-interested decision-makers, and consequentially those voices have more influence. When Scotland gains full economic and political powers through independence, these voices will continue to be heard from day one as new Scottish institutions and laws are formed, and they will have greater influence across the spectrum of policy areas.

A sound environment underpins and supports a strong economy. Many of the existing strengths in Scotland's economy are ones that rely on, or relate to, the sustainability of Scotland's environment, for example tourism, food and drink and renewable energy. This context means that the issue of sustainability will be ever more important in the future, and that a raft of opportunities will exist for an independent Scotland to improve its action and leadership in this area. Scotland's economy and people will only flourish if we protect, conserve and enhance our environment and Scottish independence will allow us this opportunity.

With regard to the specific LINK asks:

1) Where we measure the success of our society intelligently

There is a clear desire from across the Scottish political landscape to do more in this regard than we currently have the powers to deliver. While successive Scottish Governments have innovated in this area since devolution, the potential for further progress is limited by the devolution settlement.

The current Scottish Government has included a broad range of measured national outcomes and indicators in the National Performance Framework, which has been widely recognised beyond Scotland as a pioneering approach. Similar innovation has not been delivered at Westminster.

Measuring the success of our society in different ways must be more than an 'academic exercise'. The Scottish Government currently has no macro-economic powers and can do very little to pursue a fundamentally different economic strategy from the current failed model. If LINK members are agreed that fundamental economic change is required, then (changes in) measurement must lead to action, and action on the scale required is simply not possible under the current devolution settlement.

With the increased powers of independence allowing Scotland to control all policy areas, it will be possible to take a more holistic and Scotland-focused view of how we measure the success of our society. Better measurement will allow us to further explore how we can measure what really matters to Scottish people. Remaining in the UK will lock Scotland into the current failed economic model and the inaction and stagnation currently offered by the status quo.

Many interesting ideas exist for alternative ways to measure societal progress, but these are matters for the public and political parties to debate as specific policy proposals.

2) Where education reconciles economic, social and environmental issues

Scotland is already becoming a leading light when it comes to education and research in sustainability. Around 3,400 of our schools participate in the Eco-Schools programme, while a United Nations Centre of Expertise in Education for Sustainable Development is being established in Edinburgh, along with the Edinburgh Centre for Carbon Innovation. There are many more examples of Scotland leading in this area.

Education policy is already devolved to the Scottish Parliament. Independence will not change this, but the full economic powers of Scottish independence will give future Scottish Governments more control over levels of investment in education, and complete control across the policy spectrum will allow Scotland to integrate and cross-cut educational activities into other policy areas. This integrated approach will allow wider social and environmental concerns to inform and 'run-through' the education sector, but the decision on whether and how to do so would be a matter for a future Scottish Government.

3) Where we are successfully tackling climate change, and using a precautionary approach to all development

The Scottish Parliament has passed impressive climate change legislation including challenging carbon emissions reduction targets. The analogous legislation in the rest of the UK is less impressive.

Currently, Scotland is failing to meet its interim targets, which is in part due to the political choices that have been made in the Scottish Parliament, but also relates to the limitations of what it can do under the current devolution settlements and the structure of the UK economy.

While the political choices made in Scotland need to develop in order for these targets to be met, this is even more the case at UK level. There is currently no noticeable resurgence of climate denial in Scottish politics, as is clearly evident in other parts of the UK, and many of the structural economic factors driving climate change remain outwith Scotland's control. In order to meet and exceed our climate change targets, we need both the political will and the power to act. Future elections will determine the former, but the independence referendum is about the latter.

Tackling climate change is an immense challenge, but Yes Scotland believes that with full economic and political powers, Scotland will have the ability to take a bolder and more holistic approach to, for example, decarbonisation and the transition to a low carbon economy. Control of energy policy and taxation and spending, for example, will allow the support of appropriately scaled and sited renewable energy developments and the development of carbon taxes, which are unlikely to come from any future Westminster Government in the short-to-medium term.

When decisions are taken more locally, they can be better considered and more responsive to local needs and circumstances. In terms of ensuring that future developments are sustainable, we believe that a yes vote would give an independent Scotland the opportunity to improve and further devolve this kind of decision-making, however the decision on whether and how to do so would be a matter for a future Scottish Government and the adoption of a precautionary approach cannot be guaranteed either under independence or the status quo. It is, we believe, more likely under independence.

4) Where our natural and built environment benefits people's health

Control over health and planning policy is already devolved to the Scottish Parliament.

There is still much to do to tackle Scotland's health challenges. Scotland has fantastic 'natural capital' and we should use this to benefit the health of everyone. Our built environment – housing and transport in particular – need to be brought up to the standards we see in many of Europe's successful small countries. The full economic powers that come with independence would give us both the ability and the responsibility for investing in this future. How exactly this would be achieved would be a matter for a future Scottish Government.

5) Where the uses we make of our land, seas and air are integrated and sustainable

Land reform and land use have been high on the agenda since devolution, with the Scottish Parliament delivering a range of positive measures since 1999, including the abolition of feudal tenure, crofting reform, the right to roam, a community right to buy for rural land and the creation of National Parks. It is unlikely that any of this progress would have been made without the handing of the relevant powers and responsibilities to Scotland through devolution, which allowed a more 'Scottish' view to be taken into account and local interests to be represented.

The constitutional debate should be an opportunity to look afresh at how we can best govern ownership, access, and use of Scotland's land, seabed and airspace especially with full control over our tax system. There is a growing argument for a wholesale re-visit of who owns Scotland and what they do with that land, and independence would allow us the opportunity to revisit that debate and tackle the challenges created by, for example, overseas ownership of large estates and the assets of The Crown Estate.

With full economic and political powers, future Scottish Governments would be able to treat Scotland as a 'single unit' - a political, geographical and ecological entity over which they will have full control, which could lead to a new approach to the integration and coordination of the full range of policies that affect our land, seas and air. Remaining within the UK will leave these under the influence of a disparate variety of conflicting organisations.

6) Where we protect and enhance our ecosystems and all the species in them

Since devolution, the Scottish Parliament has legislated for new protective designations for our most important and treasured habitats, including National Parks, Marine Protected Areas and Sites of Special Scientific Interest. The Scottish Parliament has also passed legislation covering a wide range of species, habitats and ecosystem issues, such as wildlife crime, deer management, the conservation of seals, snaring, game birds, fur farming and wild salmon conservation.

Recent negative moves from Westminster in this area include the questionable culling of badgers, a new drive towards GM crops and the idea of 'biodiversity offsetting' to allow building on environmentally important sites.

We believe that independence would allow us the opportunity to go further than we have been able to so far. Independence will give us full control over the whole range of economic and political decisions that have an impact on our ecosystems. Two examples are, for example, control over military activity on land and in our seas, and the ability to set our own rules on animal testing, but there are many others. Again, what specific action is taken will depend on any future Scottish Government.

7) Where decisions are taken as close to people as possible

The question of democracy is at the core of Yes Scotland's arguments for independence. For too long, Scottish MPs have voted overwhelmingly against unpopular policies at Westminster that have then been imposed on Scotland anyway, most recently, for example, the 'Bedroom Tax' and the privatisation of the Royal Mail. Independence gives Scotland the chance to take full responsibility for the decisions that affect our people and our environment. It will also make the votes of the people of Scotland count more often, giving them improved influence over who governs us and what they do in government.

There is some consensus among proponents of independence that a written constitution would be valuable for a new, modern state. The potential exists for the status of Scotland's environment and natural resources to be recognised in such a constitution. Iceland's draft constitution (Articles 33-36) attempts to enshrine a number of fundamental rights and principles that put protection of the environment on a constitutional footing. An independent Scotland could follow suit. This could never be achieved with a No vote.

Without independence, Scotland will remain part of the UK, an entity without a codified constitution, governed by an archaic approach based on an incoherent set of laws that have never been collectively reviewed. Independence will bring decision-making closer to the people of Scotland, and will allow them to take decisions over all parts of their lives and society. It will go a great way to tackling the 'democratic deficit' that currently exists and could act as a means to re-engage more people with the decision-making process.

By resolving the fundamental question of whether more powers should come from Westminster to Scotland, the space is then opened up for an exciting discussion on how those powers can be spread throughout different levels of governance in our country. Many different options exist, but some have talked of a 'double-devolution' of power, with a new settlement for local councils and island communities, for example.

8) Where we value and nurture our landscape and cultural heritage

Independence means tailor-made action to suit Scotland's unique landscapes - coastal machair, sea lochs, mountains and peat bogs to name but a few. The issues that tend to dominate Westminster-led debate are about flooding and coastal erosion in the south of England. These are hugely important issues for those communities, but an independent Scotland would allow us to focus attention and funding on the specific, urgent and long-term challenges facing the Scottish environment and historic and ancient built environment.

Large parts of central Scotland have a landscape with a legacy from a more industrial past. Full economic powers and the ability to tax land differently following independence could create greater opportunities for restoration and revival of these landscapes and the communities living around them.

Independence would offer Scotland a clear point at which to articulate a long-term vision for our country. This could be an opportunity to resolve some of the long-standing tensions within environmental debate, such as the impact of renewable developments on our landscape. The specific approach to doing so would be a matter for a future Scottish Government.

Scotland has a distinct and unique cultural heritage - one that is renowned and celebrated worldwide. Years of disinterest and neglect from successive Westminster governments have failed to dampen down the Scottish people's sense of 'Scottishness' and their 'Scottish identity', in fact they have, if anything, had the opposite effect, with a growing number of Scots feeling that they are neither understood nor well represented by the UK Government at Westminster.

The independence debate has formed a locus around which Scotland's artistic and cultural communities have coalesced, as is shown by the existence and work of organisations such as National Collective and TradYes, as well as the large number of artists and creatives from all parts of the Scottish cultural spectrum who are engaged with the debate, supporting a Yes vote, and promoting a positive vision for an independent Scotland in which Scottish culture, including the Gaelic culture, is better resourced and promoted as part of the 'whole' of an independent nation.

9) Where openness and public participation are central features of our governance

It is clear to see that the Scottish Parliament has been more open, approachable and accountable than Westminster, not least through Holyrood's innovative Public Petitions Committee, which in an independent Scotland would have a remit extended in parallel with the extension of the Scottish Parliament's powers more generally.

Having a Scottish Government, with full powers, elected by people in Scotland, will ensure that people and communities are closer to their representatives in every sense, and provide more direct access to active politics than a distant and disinterested, Westminster-based government and the UK Parliament does. This would have a positive effect on people's likelihood to get involved in political activity at all levels. The status quo leaves the power in London, hundreds of miles away, with politicians that often do not have Scotland's best interests to the fore.

10) Where we learn from, and play our part in, the rest of the world

With independence, Scotland would be able to freely represent itself and cooperate with other countries as a new member of many international institutions, including conservation bodies such as CITES (endangered species), the IUCN (nature conservation), the IWC (whaling) and within the UNFCCC process (climate).

At present, Scotland's unique voice often goes unheard or ignored. Scotland is poorly represented by politicians from other parts of the UK who have little understanding of the Scottish context and situation and little interest in working on its behalf. This has been seen in fisheries and agriculture negotiations in Europe for many years now, where the needs of other parts of the UK have taken precedence over Scottish concerns. Independence will give us the opportunity to negotiate a new deal for Scotland's communities, especially those in rural and coastal areas who rely on agriculture and fisheries for their income and livelihoods.

An independent Scotland would be able to fully represent its own unique circumstances and interests within the forums and institutions of the European Union. Instead of Scotland being one of the many competing interests for Westminster Ministers in EU negotiations, we would put our own arguments on the table, and we would have the kind of enhanced European Parliament delegation that other smaller countries in the EU already enjoy, plus Scottish nominees to the European Commission.

There is a broad consensus in Scotland that we no longer want to play host to nuclear weapons. Independence is the only option that gives Scotland the opportunity of achieving this long sought-after aim in the short-to-medium-term, bringing a 'peace dividend' worth hundreds of millions of pounds each year to be spent on peaceful and social alternatives. There is real potential for disarmament in Scotland to spark a global shift towards ending one of the biggest threats to both people and to the planet, but this can only even begin to happen with a Yes vote.

Through independence, Scotland would gain full control over international development policy. This is currently reserved to Westminster, although the Scottish Government does control a modest international development fund to support UK work, particularly in Malawi. It is worth noting that the current Scottish Government has already indicated that an independent Scotland would easily meet UN targets on development spending.

We believe an invigorated, independent Scotland would engage on the world stage as an equal nation. It would be able to work internationally to share Scottish environmental expertise, but also learn from its overseas counterparts and adapt and implement examples of best practice from elsewhere.

Stan Blackley

Stan Blackley is currently Head of Communities at Yes Scotland. Before joining the organisation, he spent more than 20 years as an environmental campaigner, working (as a staff member and / or consultant) for a variety of organisations, including a number of Scottish Environment LINK member organisations, such as Friends of the Earth Scotland, the Scottish Wildlife Trust, WWF Scotland, Sustrans and The Woodland Trust.