

The first draft of Scotland's interim constitution does little justice to the magnitude of the changes envisaged

By Democratic Audit

The [Scottish Government](#) yesterday published their draft plan for the constitution of an Independent Scotland. As well as dealing with the political arrangements in the event of a 'Yes' vote in September, it also suggested that such a document would enshrine various social and economic rights, as well ensuring that the country became, and remained, nuclear free. In a short reaction piece, **Norman Bonney** takes issue with the document, and argues that the plan pays insufficient heed to the momentous nature of the choices being weighed up by Scottish voters at the referendum.



(Credit: Ewan McIntosh, CC BY NC 2.0)

As a citizen who could find himself within two years, or more, a member of a newly constituted state legally separated from former fellow citizens in the United Kingdom, I am deeply disturbed by the hype and spin surrounding the policy of the Scottish Government with respect to the achievement of independence and the subsequent implementation of a permanent constitution for an independent Scotland should voters decide to favour the independence option on 18 September.

The skimpy sketches of the Scottish Government's thinking do no justice at all to the magnitude of the changes envisaged and with their focus on a future constitution that could not possibly be implemented until the end of the decade, at the earliest, they deflect attention from the interim constitutional arrangements that would prevail, in the event of a 'yes' vote, for several years prior to the adoption of the new constitution.

The policy of the Scottish Government, outlined most coherently in *Scotland's Future*, is not just to secure an independent Scotland, but also to secure one in which the Scottish National Party continues to control the Parliament and Government. Its ambitious, many would say, unrealistic, policies which are part of its independence plan, are the basis of the programme that it would put, in the event of a 'yes' vote to the Scottish people in the Scottish Parliamentary elections in 2016 thus hoping to extend its current place in power from 2007 at least until 2021.

In that interim period Scotland would be governed by a single chamber Parliament, possibly with an SNP majority government elected just prior to independence, with no counter-availing constitutional checks and balances –

other than those provided, in the period immediately following a 'yes' vote, by the UK Parliament and Government in the bargaining over the terms of independence. But the SNP Scottish Government plans, even in advance of the conclusion of negotiations, to assume the constitutional powers reserved to the UK Parliament by the devolution referendum of 1997.

In the event of a 'yes' vote the liberties of Scottish citizens may well, paradoxically, depend on the ability of the UK Government and Parliament to ensure that there is ample protection embedded in the terms of the independence agreement – because the Scottish Government has no interest in checks and balances on its power in the formative immediate post-independence years.

Note: this post represents the views of the author, and not those of Democratic Audit or the LSE. Please read our [comments policy](#) before posting. The shortened URL for this post is: <http://buff.ly/1iDUdax>

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