

With the Smith Commission reporting and the SNP surging, the Scottish Labour party has reached a critical juncture

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The Smith Commission report on further devolution to Scotland has just been published. Here, [Craig McAngus](#) writes about the difficult position the Scottish Labour party is in. It has to portray itself as truly Scottish, capture and understand the constitutional zeitgeist, and give the impression that it cares about Scottish concerns over maintaining the influence of its MPs in Westminster.



In Aesop's fable 'The Man and the Satyr', a man loses his way and, whilst wandering around in the woods aimlessly, comes across a satyr. Feeling pity for his plight, the satyr offers the man shelter in his woodland home. Upon entering the satyr's home, the man proceeds to cup his hands and breathe warm air into them. The satyr asks the man what he is doing, and the man explains that his hands are cold and he simply wishes to warm them up. The satyr then offers the man a hot bowl of porridge, and the man begins blowing on the food. Curious once again, the satyr listens to the man explain that his food is too hot and that he simply wishes to cool it down. Becoming enraged, the satyr orders the man to leave his house, stating that he will have nothing to do with someone who blows both hot and cold from the same breath.

The publication of the [Smith Commission's report](#) on further devolution represents something akin to this story for Scottish Labour. In the months leading up to September's referendum on Scottish independence, Labour produced [a report](#) outlining their proposals for further devolution should Scotland vote 'No'. After much internal wrangling, the party finally settled on a compromise over income tax that stipulated that Scotland be given the capacity to vary income tax by 15p. According to [reports at the time](#), trade unions and a number of MSPs were keen to devolve income tax in its entirety while influential MPs were hostile to the idea. The more power devolved to the Scottish Parliament, the more Scottish MPs have to justify their continuing capacity to vote on legislation that does not affect their constituents. The Prime Minister's [cunning declaration](#) on the morning of the 19th of September that the issue of English Votes for English Laws should be examined in parallel with the question of further devolution to Scotland merely intensified this constitutional nightmare.

Labour's unionism, as outlined in their devolution report, stated that the British state exists to guarantee a common set of social entitlements regardless of where one lives in the UK. Too much devolution of welfare and too much tax devolution disrupts this philosophy given that the Scottish Parliament could, effectively, choose to have different welfare entitlements and different tax rates apply in Scotland compared to the rest of the UK. The party was thus deliberately reticent, careful to not offer too much but, at the same time, portray itself as the party of devolution in the same way that it had done in the 1990's. This strategy backfired when the Conservatives published [their own report](#) which, coupled with the [Liberal Democrats' proposals](#), meant Labour became the most conservative of the unionist parties when it came to constitutional change.

With Smith reporting, Labour now have to accept that the debate may well overtake them. Jim Murphy appears to see the writing on the wall and swiftly [backed the full devolution](#) of income tax ahead of Smith reporting. However, there is still a split in the party between those who think Smith has gone too far and those who think, at the very least, that it has gone far enough. With the SNP [riding high in the polls](#) ahead of May's general election, anything less than getting fully behind Smith could be disastrous for Labour.

The party has thus reached a critical juncture. Even though income tax devolution is not full fiscal autonomy, and even though the welfare recommendations that Smith advocates (outside the proposals to devolve carers allowance, attendance allowance and disability living allowance, for example) really only gives Scotland the capacity to produce a 'variation on a theme' with regards to Universal Credit and mitigate unpopular outcomes through the use of discretionary payments, the wind is only blowing in one direction. The Anglo-Scottish union is loosening, and

assuming that Smith's proposals will be enacted, it will continue to loosen.

This takes us back to our fable. Johann Lamont's accusation that Scottish Labour was run like a branch office, coupled with the shifting constitutional sands that Smith is symptomatic of, has laid down a fork in the road for the party. The party can no longer blow both hot and cold, and it has to choose whether it continues to espouse a unionism that is now outdated, or whether it embraces the new British constitution and truly reflects it in the way it is organised and run. It has to attempt to do this as a matter of urgency ahead of May's election. Scottish Labour has to embrace the 'ever looser union' and accept that, while Scotland is still very much a constituent part of the UK, much of the traditional assumptions of what constitutes that relationship are changing rapidly. Scottish Labour has to portray itself as truly Scottish, capture and understand the constitutional zeitgeist, and give the impression that it cares about Scottish concerns over maintaining the influence of its MPs in Westminster. Should Labour have a really bad night in Scotland come the general election, this choice may be brutally made for them. The party has to act quickly and decisively in order to prevent the Scottish electorate becoming the satyr.

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