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Review Article

Gianfranco Baldini:* **Devolution and Scottish Politics Ten Years on**

John Curtice and Ben Seyd (eds), *Has Devolution Worked? The Verdict from Policy Makers and the Public* (Manchester: Manchester University Press, 2009).

Matthew Flinders, *Democratic Drift: Majoritarian Modification and Democratic Anomie in the United Kingdom* (Oxford: Oxford University Press, 2010).

Gerry Hassan (ed.), *The Modern SNP: From Protest to Power* (Edinburgh: Edinburgh University Press, 2009).

Michael Keating, *The Independence of Scotland* (Oxford: Oxford University Press, 2009).

James Mitchell, *Devolution in the UK* (Manchester: Manchester University Press, 2009).

Klaus Stolz (ed.), *Ten Years of Devolution in the United Kingdom: Snapshots at a Moving Target* (Augsburg: Wißner-Verlag, 2010).

The date 5 May 2011 will be remembered in the annals of British constitutional history for two important concomitant events: the defeat of the referendum on the alternative vote electoral system for the British general elections and the advent of a Scottish National Party (SNP) majority in the fourth Scottish elections for the Holyrood parliament. The first event meant that the Westminster model – challenged on many respects since Labour had returned to power in 1997 – was safe in one of its central components, the first-past-the-post electoral system. However, a year after the birth of the Conservative–Liberal Democrat coalition in London, the surprising result of the Scottish elections was also 'turning Westminster upside down': the mixed-member proportional electoral system, mainly

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designed to prevent the emergence of single-party majorities in Scotland (and Wales), was delivering exactly that unexpected result; the winning party's long-term commitment to independence from the United Kingdom was adding further significance to this event.

As devolution moved into its second decade, several volumes were published that began to assess the significance of this first decade, building also on a series of important volumes on the 'State of the Nations',[1] published under the aegis of the Constitution Unit in London. In the public debate, interpretations and assessments of devolution have been affected by some predictions/judgements made on the eve of its introduction by important politicians and constitutionalists alike. In the first camp, there were three famous declarations. In 1995, Lord George Robertson, then shadow secretary of state for Scotland, declared that 'devolution would kill nationalism stone dead'. According to former secretary of state for Wales, Ron Davies, devolution famously was 'a process not an event'. Finally, according to the last Conservative secretary of state for Scotland, Michael Forsyth, 'devolution [was] not just for Christmas'. On the second camp, perhaps the most cited quotation comes from one of the leading British constitutionalists, Vernon Bogdanor, who started his classic on devolution in the United Kingdom by referring to it as 'the most radical constitutional change this country has seen since the Great Reform Act of 1832' (1999: 1).

This article reviews some of the most significant volumes published in 2009 and 2010 by leading scholars of devolution and constitutional change. A particular focus is devoted to Scotland, not just because of the important breakthrough by the SNP in 2011, but also because there the scope of devolution is more extensive than it is in Wales. While the SNP's surge has (at least so far) proved Robertson's forecast wrong, the jury is still out on Bogdanor's pronouncement, while Davies's affirmation has by now become a cliché. Perhaps it is Forsyth's judgement that most comes under scrutiny today: after the 2007/8 financial crisis and the 2010 British election, the context in which the first years of devolution went rather smoothly has changed. Today different parties govern in different territories and, most crucially, the era of increasing public spending is gone. However, for obvious reasons, the books reviewed here cannot take into account these new prospects, to which we shall come back in the conclusions.

In order to assess the significance of the volumes reviewed in interpreting the first decade of devolution (see also Mitchell 2010a),

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the rest of this article is divided into four sections. The first section reviews the book by Matthew Flinders, which has the wide scope of assessing the (lack of) coherence in the constitutional policies implemented by the New Labour governments in its first decade in office (1997–2007). The second section looks at the comparative politics of devolution, in two different perspectives: the current 'state of unions' and the alleged exceptionalism of the United Kingdom in comparative perspective. The third section focuses on Scotland. The fourth section concludes by relating some of the evidence presented by the books with some events that took place after their publication.

DEVOLUTION AND CONSTITUTIONAL CHANGE: CONSTITUTIONAL ANOMIE?

The (old) British Labour Party has never been enthusiastic about either constitutional reform or, more specifically, devolution; generally speaking, the pursuit of social democracy presupposed a strong and centralized state (Keating 2004). However, by the 1997 general election, New Labour had embraced a programme of radical constitutional reform, which included proposals on many different fields, such as composition of the House of Lords, human rights legislation, electoral reform and local government (with plans for elected mayors), freedom of information and, last but not least, devolution. Indeed, reforms on most of these sectors had already been proposed by Tony Blair's predecessor as leader of the Labour Party, John Smith. During Blair's premiership an unprecedented number of reforms were approved, on the significance of which constitutionalists and political scientists are still divided – between those who claim that change has been revolutionary and those who underline the continuities within the British political tradition (Marquand 2011). A similar dividing line also applies to devolution, as there is no agreement on its radical, rather than evolutionary, nature.

Flinders uses Arend Lijphart's scheme in order to assess the lack of coherence in New Labour's approach towards constitutional reform. The book is divided in three parts. The first part introduces the concept of 'constitutional anomie': the party implemented a series of reforms, he states, 'with little appreciation of: (a) what (in the long run) the government was seeking to achieve; (b) how reform in one sphere of the constitution would have obvious and far-reaching

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consequences for other elements of the constitutional equilibrium; or (c) any detailed analysis of the nature or model of democracy that existed towards the end of the twentieth century' (Flinders 2010: 5). The book then identifies the meta-constitutional orientations, building also on David Marquand's definition of the so-called 'Blair paradox': the contradictions between the almost revolutionary zeal of some constitutional reforms and the parallel centralizing tendencies displayed by the leader (Marquand 1998). The core of the book is the second part, which applies Lijphart's model and identifies the main changes in the 10 characteristics which define the Westminster model (from party system format all the way down to central bank independence) at the UK level and, as a consequence of devolution, the main 'constitutional cartography' of the devolved territories. The third and final part concludes by focusing on the concepts of 'bi-constitutionalism' and 'democratic drift'.

Bi-constitutionalism derives from the consideration that the two-dimensional (executive–parties and federal–unitary) conceptual map of the UK gives substantially different results when one compares the overall UK level and the devolved territories, as 'devolution has engineered a quite different form of democracy in relation to executive politics' (Flinders 2010: 280). Having convincingly shown that the major reforms at the UK level occurred in the second dimension (federal–unitary) and identified 'a slight increase or greater concentration in executive power since 1997' (Flinders 2010: 274), Flinders argues that the two diverging models of democracy emerging at the 'national' and 'sub-national' level are generating problems, because 'seeking to accommodate bi-constitutionality within the bounds of a *unitary state* is likely to prove unstable' (Flinders 2010: 282, emphasis added). The use of these emphasized terms is problematic. Since Kenneth Dyson's study (2008), we have known that the UK suffers from a comparative lack of theoretical reasoning about the state. This has led to several misconceptions and an unqualified use of 'state' and 'nation' as synonyms – an operation that is correct only for a minority of European countries, and by no means accurate for the UK. At the same time, to talk about a 'unitary state' means overlooking both the 'union state' concept developed by Stein Rokkan and Derek Urwin (1982) and the 'dual polity' image popularized by Jim Bulpitt (2008) in the early 1980s.

According to Flinders, this coexistence is resulting in a 'democratic drift', a situation by which the state is struggling to cope with the

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existence of increasingly incompatible models of democracy at different territorial levels. While few informed readers could disagree that there was a lack of coherence in Labour's constitutional policies, one is left wondering whether this argument is not overstated: is there really a democratic drift in the UK? If so, is this a consequence of these disjointed constitutional reforms? Although Lijphart's model allows comparisons across both time and country (New Zealand, Switzerland, Canada and Ireland are indeed compared to the UK in the last chapter of the book), the extent to which this allows us to assess the overall state of democracy remains questionable. In other words, although the book is very useful in assessing the challenges to the Westminster model (Hazell 2008), one can raise some doubts as to its effective explanatory power in going beyond institutional assets, i.e. in assessing both the model of democracy and the significance of the new devolution settlement in terms of the policy-making capacity of the new institutions. Clearly this second point was beyond the scope of the author. But Flinders's argument about the incompatibility of the different models of democracy between the centre and the peripheries appears to stick to the 'consensus myth', which was instrumental both in fostering the general case for devolution and, more specifically, for the reconvention of the Scottish parliament. The 'consensus myth' refers to the belief that 'the shift from old Westminster to the new Scottish Parliament . . . would produce a more consensual political system with fewer problems of government' (Cairney 2011: 209). This perception was clearly spread not just among supporters of devolution, but also among many students of devolution. However, as has been persuasively argued, 'a decade of evidence suggests that these claims were largely misleading' (Cairney 2011: 209). Besides, in order to assess the current state of democracy in the UK one should also analyse the important effects of EU membership. These effects were perhaps still negligible when Lijphart first devised his models (the UK only joined the European Economic Community in 1973), but they are clearly becoming more and more important even for a country that still displays many opt-outs, as the UK does (for a recent assessment see Thorlakson 2011).

The conclusions of this book also raise some doubts. The author links drift, anomie and political (dis)trust and concludes by underlining the low level of political engagement as assessed by the Hansard Society's 2008 'Audit of Political Engagement'. Even if it is undeniable that anti-politics is on the rise in the UK (see Stoker 2011) – as it is in

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the rest of Europe – the conclusions look too rushed and too rooted on a short-term context, affected by the turbulence of Brown's 'election that never was', the Northern Rock case and the beginning of the global financial crisis. Indeed, a look at the 2011 'Audit of Political Engagement' (Hansard Society 2011) confirms that interest in politics has increased since 2008. Moreover, it is not clear whether a democratic drift (if any) can be connected to lack of trust: while the two phenomena can be correlated, Flinders does not explain why and how. Is Britain really experiencing such a democratic malaise or is it the case that, as *The Economist* recently put it, after three important crises in three years – the banking crisis, the MPs' expenses scandal and the Murdoch phone-hacking affair – Britain looks more 'shaken than broken'? (*The Economist* 2011a).

Last but not least, the book lacks a comparative understanding of the intrinsic difficulty of constitutional reforms. In the first part of the volume, the author mentions the difference between act-contingent and outcome-contingent factors in explaining reforms, which has been successfully applied to the analysis of electoral reforms (Renwick 2010), but then he does not use this distinction in the rest of the book. Though we lack a systematic comparative analysis of the aims of constitutional reforms in Western Europe, incoherent constitutional policies are by no means a prerogative exclusive to the British Labour Party.[2] A more comparative-driven understanding of the incentives and constraints that contemporary parties and leaders face in attempting institutional reform could have strengthened Flinders's case, perhaps suggesting also a more nuanced view of the state of democracy in the UK.

A 'STATE OF UNIONS': THE UK IN COMPARATIVE PERSPECTIVE

James Mitchell's book carries almost the same title as Bogdanor's book quoted above. But while Bogdanor was writing on the eve of the approval of the legislation on devolution, Mitchell analyses the long historical evolution of the UK as a 'state of unions'. Mitchell's name is associated with the view of the UK as a 'union state', instead of a unitary state. As mentioned above, this view was pioneered by Rokkan and Urwin (1982), and Mitchell (2009: 14) in the first chapter of his book recalls this by pointing to the peculiar nature of the UK state (formed through an 'amalgamation of territories').

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While England was clearly built as a unitary polity, the peculiar relations with Wales, Scotland and (Northern) Ireland have today come into question to such an extent that, according to the author, 'a more accurate conceptualisation of the UK today is as state of unions' (Mitchell 2009: 15). The book is structured in 'parallel chapters' on the four components of the state, first treated in their historical-institutional evolution, then analysed in the view of the first effects of the devolution legislation (up to 2008). The book allows us to appreciate fully the different origins of devolution and the importance of the existence of previous institutional structures as well as of informal institutional settings for devolution.

This is a masterful approach to the comparative perspective on the current complex architecture of the British state. The volume assumes that the reader has some knowledge of devolution. It does not focus on the recent legislation, on which matters were devolved or reserved; indeed, one should first know the basics in order to appreciate the extent to which, for instance, 'devolution was never inevitable' (Mitchell 2009: 219), or to grasp fully the plausibility of Mitchell's core argument, spelled out in the last chapter of the volume. Building on the compelling evidence presented in the previous chapters, Mitchell (2009: 220) claims – in line with Flinders's core argument – that 'the thinking that led to devolution was political, rather than constitutional, in the sense that it was informed by political pressures rather than any coherent system-wide constitutional thinking'. This meant that most of the problems identified by Bogdanor in his classic book – the West Lothian and the English question(s), the financing of devolution and the 'quality' of intergovernmental relations – still need to be solved.

In the debate on the evolutionary/revolutionary effects of devolution, Mitchell (2009: 221) clearly stands in the first camp: 'the strength of the myth of pre-devolution unitary state has meant that devolution has been perceived as far more radical than it actually has been'. However, one should resist the temptation to polarize the debate between 'gradualist' and 'revolutionary' currents of thought: despite his famous sentence quoted above, Bogdanor (2010) also believes that many institutions are still evolving. The architecture of the state has undergone significant changes as devolution has come of age, so much so that 'the description of the UK post-devolution as a union state has come to resemble past complacent descriptions of the UK as a unitary state' (Bogdanor 2010: 225). The result is an 'ever looser union', where

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the political and economic contexts play decisive roles in the overall solidity of the post-devolution state.

Mitchell's detailed analysis of institutional evolution throughout the twentieth century is indeed essential reading for anyone wishing to detect the systemic effects of devolution, and it allows us to appreciate the extent to which the questions posed by Dicey with regard to Gladstone's 1886 Home Rule Bill are still relevant today. More specifically, Dicey's concerns were related to: the preservation of parliamentary sovereignty; the constitutional fulfilment of justice; and the holding up of hopes for finality. For Mitchell (1992) – and this is a point he already made 20 years ago – the whole discussion about parliamentary sovereignty is misconceived, and the stress on newness 'hides continuities from the old system of territorial government in the UK' (Mitchell 2009: 223). Similarly, any consideration on justice should be linked to the capacity of the new institutions to be recognized as legitimate. Lastly, finality should be linked with stability, and this goes to the heart of the matter: the acknowledgement that 'the different components of the UK should be treated as different polities' (Mitchell 2009: 224) is the real test on which the institutionalization of devolution comes under scrutiny during this age of austerity.

To what extent are the British dynamics of devolution unique? This is no easy question as it implies pushing the comparative analysis beyond the state borders, and looking at other European countries – notably Belgium and Spain, but potentially also Italy, where the process is slower and in constant evolution – that are also experiencing some devolutionary reforms, starting from a regionalized form of unitary state. This is the subject of the first chapter of the third book reviewed here (Stolz 2010). The book is the result of a conference (held in Germany in spring 2009) and it contains, in its first part, comparative chapters on strategies for territorial management (Wilfried Swenden), intergovernmental relations (Michael Ott), models of devolution (James Mitchell) and party territorial organization (Klaus Detterbeck), while the second part is dedicated to the constituent parts of the UK.[3]

Swenden compares the UK to Belgium and Spain, the two other European countries that have recognized the legitimacy of multinational assets and have progressively devolved competences to sub-state levels. However, this process has had different consequences. Belgium, with a federal constitution approved in 1993, recently remained without a proper government for over 500 days, and is increasingly subject to

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centrifugal dynamics (*The Economist* 2011b). Spain is different, as a famous slogan put it ('*España es diferente*'), both from Belgium (it displays 17 autonomous communities, some of which have more advanced statutes; it does not have a fully federal constitution and devolution of powers is negotiable with the centre; support by non-state-wide parties is often crucial for government survival in Madrid, etc.) and from the UK ('*nosotros no somos ingleses*' was another slogan during the Spanish transition to democracy). And yet, as Swenden correctly points out, the cases can be compared as in all of them devolution can be analysed as 'an interactive bargaining game' that can be assessed on the basis of the two dimensions of self and shared rule. The asymmetric nature of UK devolution and the different degrees of self-rule still displayed to this day by – in decreasing order – Scotland, Northern Ireland and Wales become problematic when one considers the very low level of financial autonomy displayed by them. Shared rule is even weaker: there is no solution in sight for the West Lothian question, let alone a reform of the House of Lords that could bring about at least some elements of territorial representation. Swenden persuasively identifies the lack of shared rule as 'the Achilles heel of UK devolution' when compared to Spain, and especially Belgium. Intergovernmental relations – explored in more detail in the following chapter by Michael Ott – also need to be reinforced, as in the first decade of devolution they were based on the two favourable conditions mentioned above: the same party ruling in centre and periphery and constant economic growth.

It is context, then, which comes back as the 'key explanatory variable', as James Mitchell (2010b) stresses at the end of his chapter, which carries a somehow misleading title, as the focus is on Scottish devolution rather than the comparative UK perspective one might have expected.[4] Indeed, Mitchell's analysis is again invaluable in highlighting the extent to which the different expectations of the two models of federalism (dual and interdependent) can also be applied to devolution. Mitchell's conclusion, which underlines the convergence by the parties on the acceptance of devolution, stresses one of the key successes of devolution: even though devolution is not formally entrenched, politically, it has become increasingly difficult also for the Conservatives (at one time fervently unionist) to reverse the process (see also Aughey 2011). This brings us to one of the most controversial issues after the SNP's success in the 2011 elections: the independence of Scotland.

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TOWARDS SCOTLAND'S INDEPENDENCE?

Over the last 25 years Michael Keating has been at the forefront not just of the study of Scottish politics but also, more generally, of the comparative study of multinational states and territorial politics, a research field to which he has given several important contributions, and which is on the rise in Europe and elsewhere. Keating's chapter (2010) included in Stolz's book sums up the main arguments that are treated in more depth in his own book reviewed here (Keating 2009). Chapter 1 ('State and Nation') is a masterful example of how to deal with such a complex issue: the title says exactly what you get – a careful comparative analysis that shows that a complex relationship between state and nation is not unique to the British case, and that, at the same time, there are 'multiple paths to both statehood and nationality' (Keating 2009: 12). Equally compelling is the understanding of the Union (chapter 2). If one resists the temptation of seeing the UK as an exceptional case (and Keating also recalls similarities with Belgium and Spain), no understanding of the current prospects for a possible future Scottish independence can be gathered without the analysis of how the Union came about. It is at this point that Keating underlines some shortcomings of Rokkan's work on the development of the nation state, and particularly those in which the UK ended up in the same category as France, the prototypical unitary state.

Scottish nationalism is different from many other nationalist movements: historically, it lacks an ethnic (and linguistic) core; it was only politicized at the end of the nineteenth century, as it was only after Gladstone promoted the first Irish Home Bill Rule that it became a state-seeking modern form of nationalism. At the same time, Scottish nationalism should be understood in the context of unionism, as 'unlike state-nationalists in other European countries, unionists fully accept national cultural diversity, administrative decentralization and Scotland's distinct civil institutions' (Keating 2009: 38). The birth of a nationalist party only took place in the 1930s, in the context of a union built around a crucial external frame: that of empire, which was intertwined with the role of the monarchy. Scotland was profoundly affected by this peculiar path of state- and nation-building both in its economy and in the consolidation of a dual identity whereby many citizens identify themselves with both Scotland and Britain (though we lack specific evidence from survey data until the mid-1980s).

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Readers expecting straight and strong answers on 'The Strange Death of Unionist Scotland' (chapter 3) will be disappointed. The picture is indeed not straightforward and the author clearly detects all the different implications of the possible strengthening of the devolution settlement, up until the prospect of independence, a long-term aim of the SNP, but which becomes very elusive once Scots are asked about their opinion. Keating underlines that there is no evidence of majoritarian support for independence. When, periodically and with much commotion, the media report the emergence of such a majority, it is linked to the particular wording used in the poll. It is a crucial point indeed: what kind of independence are we talking about? It is also a very difficult question to answer. Keating convincingly shows that the demise of empire has given way to the rise of Europe in defining the external frame of Scottish sovereignty. Today sovereignty is no longer the same concept as it was in the early days of Scottish nationalism: 'the issue at stake is not how to be different, but what are the boundaries of the political community and the institutions for shaping a social and economic project' (Keating 2009: 48). The argument Keating makes about the different implications – constitutional, economic and political – of the debate on independence is that the re-territorialization of politics has profoundly changed the meaning of a possible future prospect of an independent Scotland. Today Scotland could have the economic means for becoming independent. While there is much talk about technical issues related to financing and agreement on separatism, Keating (2011) wishes the debate to become more political. That is something that only started to happen after the SNP's victory in 2011, especially on the issue of how to frame the referendum on the future assets of devolution.[5]

What kind of party is the SNP today? The SNP belongs to the heterogeneous and still under-researched category of the 'autonomist' (or regionalist) parties (Elias and Tronconi 2011). The book edited by Gerry Hassan (2009) does indeed helps us to detect the transformation of Alex Salmond's SNP from a force of protest to a party of government, as its subtitle reads. The book is very informative, and it covers a topic that has so far attracted much speculation but very few detailed analyses (Lynch 2002; Mitchell et al. 2012). It is a veritable *tour de force*, where academics are joined by journalists and former party members in an interesting journey on many important aspects of the party. At the same time, however,

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it is also a bit disappointing as it omits some crucial issues, to which I shall come back below. This does not mean that there is no useful information. Quite to the contrary: one can find detailed analyses on many different aspects, such as the party's origins (Richard Finley) and its transition 'from breakthrough to mainstream' (James Mitchell), the electorate (John Curtice), the 'gendered paradoxes' of Members of the Scottish Parliament (MSPs) and the electorate (Fiona Mackay and Meryl Kenny), the SNP membership (James Mitchell, Robert Johns and Lynn Bennie), the party and the new Scottish parliament (Colin Mackay) and the 'old' one in Westminster (Isobel Lindsay), the party's approach to economy (Jim and Margaret Cuthbert), social justice (Stephen Maxwell) and cultural policy (Philip Schlesinger), the party's relations with the Labour Party (Gerry Hassan), the legacies of the 79 Group (David Torrance) and intergovernmental relations (Alex Wright). In the last two chapters of the volume, by Eve Hepburn ('Degrees of Interdependence: SNP Thinking in an International Context') and by Michael Keating ('Nationalist Movements in Comparative Perspective'), the crucial issues regarding the party's approach to independence and the peculiar aspects of Scottish nationalism allow us to appreciate the peculiarities of the party in a truly comparative perspective.

While Hassan's initial chapter sets the stage for a general understanding of what the SNP is today, with data on the party's recent electoral fortunes and a focus on the main dilemmas the party faces in governing Scotland today, perhaps the book could have benefited from a more analytical structure, linked also to what the party did in its first months in office (there is only a short analysis of Alex Salmond's first 100 days in office in the chapter by Colin Mackay, which indeed is most centred on personalities). This is a pity, because all the expertise was there for a more consistent work on the crucial issues that one would like to see highlighted, especially in the case of a party that is finally fulfilling its long-time aspiration of governing Scotland – although in a problematic minority status (at least until 2011).

The book could have profited from a more direct focus on three issues: the selection of the ministers, the relationships between executive and parliament (a crucial element in assessing the consensus/adversarial nature of Scottish institutions) and the underlying importance of the party leadership. The book takes for granted what some of its potential readers would have liked to see

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spelled out, at least in some detail. Who were – and indeed still are, as turnover has been very limited after the 2011 elections – the SNP ministers in 2007, and how were they selected? (for a comparative assessment, see Dowding and Dumont 2009). This is a crucial question since the 2007 government consisted of an entirely new team, composed of people who had never had any government experience before. How did the new government relate to parliament in its first months in office? Has the party lived up to its rhetoric after its attacks on previous Labour and Liberal Democrat executives? First Minister Salmond[6] – whose provisional retirement from Holyrood is examined in the book – has clearly played a major role both in setting up the government and in living with some of the frustrations the party had to face in its difficult minority position. Hence, what is lacking is an attempt to draw this picture together. Although the book was published in 2009, and this might have hindered a more structured approach to the party's performance in government, one is left with the feeling that such an impressive team of experts could have done more. We must hope that a second edition will come out in the near future that will compare the two SNP governments, and see what changed before and after the achievement of a parliamentary majority.

Has devolution worked? This is the title of the last book analysed here (Curtice and Seyd 2009a), which provides good research and yet, as is inevitable, only provisional answers to the question. The editors have assembled an authoritative team in order to assess the impact of the first years of devolution in Scotland and Wales, as perceived by the public, interest groups and politicians. Besides an introduction and conclusions, written by the editors, the volume includes a chapter on 'How We Got Here' from Iain McLean and Alistair McMillan, one on the territorialization of interest representation (Michael Keating, on a comparison between Scotland and the north-east of England), another on 'The Politicians' Response to Devolution' (Meg Russell and Akash Paun) and three more by the editors on the citizens' responses. Although the table of contents reflects a somewhat uneven treatment of the three perspectives chosen (only one chapter each on politicians and interest groups, the latter on a comparison between Scotland and the bordering territory of north-east England instead of Wales), the book is coherently structured and full of insights. Those who follow devolution will not find much that is new, especially as far as citizens' opinions are concerned. The chapter by McLean and McMillan is

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excellent: using archival sources, the authors show how the two main British parties converted to devolution, from nationalist surge of the early 1970s to the 1997 referendum. However, no analysis is provided on the content of the devolution legislation, either in this or in other chapters. This can be seen as a minor omission, as the conclusions provide some answers to the research questions set out in the introduction – 'how far devolution has been seen in Scotland and Wales to deliver more effective policy decisions and more responsive and accountable government' and 'whether devolution has satisfied or stimulated demands for political autonomy within Britain' (Curtice and Seyd 2009b: 8).[7] On all three points the results are somewhat mixed. Even well before the 2011 elections, it was clear that devolution had not 'killed nationalism stone dead', as the percentage of those who support independence in Scotland has remained rather stable. However, summing up the evidence of the previous chapters, the book concludes by underlining the doubts about the capacity of devolution to achieve both the policy and accountability objectives set out more than a decade ago:

> the majority of citizens and elected representatives do not believe devolution has improved policy outcomes in Scotland and Wales. Equally, they are not convinced that devolution has met all their hopes for better democratic control and participation. The new institutions are not thought to have secured sufficient public participation in the decision making process, while the way people have voted in devolved elections does not ensure that those in power are representative of, or accountable to, the general public. (Curtice and Seyd 2009c: 175–6)

In the first years of devolution, citizens were (and indeed some still are, though in decreasing numbers) not able to identify which level is responsible for which policies. And yet in Scotland, where the scope of devolution is stronger, one wonders whether in 2011 the Scottish Labour Party could have been misled by what emerges from this book – that in the previous devolved elections 'voting decisions appear[ed] more strongly related to issues not falling within the competence of the Scottish government' (Curtice and Seyd 2009c: 169).

CHRISTMAS IS OVER: BEYOND THE NEXT REFERENDUM

New Labour's legacy on constitutional reforms, and in particular on devolution, is a mixed one. The party lacked a coherent design in

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setting up the new territorial structures of government. Devolution was the result of different demands and expectations in the different unions that constitute the UK. Things went rather smoothly for New Labour, at least while it enjoyed continuous electoral support in the peripheries and a buoyant economy. This came to and end with the SNP's first minority government in 2007, and with the financial crisis that started the following year. With the advent of the Conservative–Liberal Democrat coalition in 2010, and with the surprising victory of the SNP in 2011, the context has changed again.

The books reviewed in this article allow us to understand the overall success of the dynamics of devolution in its first decade, especially in the Scottish case. Some of the polemics that emerged after the 2011 Scottish elections seem to indicate that the terms of the constitutional debate are yet to be agreed (Trench 2011a). This is unsurprising, as the British constitution is in itself traditionally open to different interpretations. Although there have been interesting developments both in Northern Ireland and Wales which have not been treated in this review article, currently Scotland poses the greatest challenges to the unionist architecture of the British state. It is a peculiar challenge indeed, since constitutional, financial and political issues are complexly intertwined. Long-term factors (such as the rise of a modern, credible and professional leadership in the SNP and the decline of the Conservatives north of the border) as well as short-term factors (such as Labour's mismanagement of the electoral campaign and the Liberal Democrats' unpopularity as a result of their alliance in London with the Conservatives) are both relevant in explaining the 2011 Scottish election's results (Hassan 2011). The financial challenges that the coalition government in London faces today mean that Scotland is no longer assured of the continuation of the block grant it receives annually from the UK government. Intergovernmental relations will be tested as never before. Nationalist forces are usually penalized in economic downturns, and the SNP will find it hard to blame the policy consequences of the cuts from London, especially if the perception that Scotland should share more of the burden of the crisis spreads among the Scottish electorate (McTernan 2011).

One of the main successes of devolution has been its institutionalization. Future studies should concentrate on the importance of the new political and economic context under which the further advancement of devolution in Scotland will take place. The SNP today can benefit from a sort of polarization that has been favoured

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by the formation of the Calman Commission on Scottish Devolution, by the three unionist parties, in 2008. As the commission reported in 2009, the books analysed here only cursorily mention its final report, on which a 2012 Scotland Act has subsequently been drafted. However, what is most interesting is that this initiative has allegedly had the effect of polarizing public opinion into two camps, helping the SNP's aim of portraying itself as a sort of 'National Party of Scotland', the party best suited to pursue the interests of the Scottish people vs. the unionist plot working against it. This task has been facilitated by a series of mistakes and misperceptions by the Scottish Labour Party, and indeed by the failure by the London Labour leadership to understand the different dynamics of Scottish and British general elections.[8] Having polled 42 per cent of the votes in Scotland in the 2010 Westminster election, Labour thought it could win by denigrating the Conservatives and, as Ed Miliband put it, by 'sending a message to Westminster' (Macwhirter 2011, quoted in Hassan 2011: 371). There is no evidence that the game of the nationalist party vs. rest of the (unionist) parties – a sort of constitutional polarization – has played a role in the 2011 elections. On the contrary, the SNP did not campaign on the constitution, but was the preferred choice among all the categories of the Scottish electorate simply because it was perceived as the best option for governing Scotland, which is what was at stake at the Scottish election (Scottish Election Study 2011).

One consequence of the success of devolution in Scotland is that Salmond today seems to enjoy a great freedom of manoeuvre in framing the future referendum, which with all likelihood will not be on a straight yes/no option, but rather on a multiple-choice option suited to support the case for a gradual achievement of more autonomy, which is the current preference of the majority of the Scottish electorate (Trench 2011b). The future architecture of the British state depends on the extent to which the current and future UK governments understand that Scotland, as much as the other components of the UK, should be treated, as devolution comes of age, as equal political partners.

NOTES

[1] See the State of the Nations Yearbooks, starting from Hazell (2001), until the last one, Trench (2008).

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[2] See the interesting volumes on the four major European countries, as well as the US, in the 'Comparative Political Institutions' series, published by Oxford University Press. For Spain, see Gunther et al. (2006). Interesting insights into the comparative dimensions of institutional reforms can be found in Mahoney and Thelen (2010) and Lanzalaco (2005).

[3] With chapters on the English questions by Michael Kenny, Guy Lodge and Katie Schmuecker, Scottish independence by Michael Keating, Wales by Richard Wyn Jones and Roger Scully, and Northern Ireland by Roland Sturm.

[4] To his credit, the author clarifies the object of his research at the very start of his contribution.

[5] Keating seems to go a bit too far back in arguing that 'since the 1970s the referendum has become the accepted British way of dealing with constitutional matters' (2011: 83). While referendums are increasingly being used in the UK for many constitutional issues, this practice was only used twice before 1997, in the two instances mentioned by Keating, i.e. the referendum on the EEC in 1975 and the first failed referendums for devolution in Scotland and Wales in 1979. Indeed, as the 2011 referendum on the alternative vote was the second UK-wide referendum to be held after the EEC referendum, one could better argue that referendums seem standard practice in devolution issues rather than in constitutional issues more generally.

[6] See the – sympathetic but nonetheless very detailed and insightful – biography by Torrance (2010).

[7] Most of the data on citizens' views come from post-electoral surveys (2003 and 2007, though more often from the first than the second).

[8] These arguments come from interviews I conducted with some of the main experts of Scottish politics (including some authors of books/chapters reviewed here) in August 2011, in Edinburgh and Glasgow. See also Hassan (2011).

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