

THE DEVOLUTION REFERENDUM CAMPAIGN
OF 1979

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No one can now deny that the Scottish referendum on devolution, held on March 1, 1979, was a significant event. On that day Scottish voters were asked "Do you want the provisions of the Scotland Act 1978 to be put into effect?" 1,230,937 voted "Yes", 1,153,502 voted "No" and 1,783 did not vote at all (more detailed results are given in the next section). This indecisive result led within a month to the defeat of the Labour Government in a vote of confidence in the House of Commons — the first such defeat for fifty years — and a General Election. So we can expect the referendum campaign to attract continuing interest from political scientists and historians, and this will certainly be a good thing. It is still too early to take an objective view of why the campaign developed the way it did and why the Scottish people who had apparently been heavily committed to seeing a Scottish legislative Assembly being set up in Edinburgh did not turn out to vote in sufficient numbers to ensure their wishes were fulfilled.

I make this qualification at the beginning of this article because, although I shall attempt to be impartial and to take no part in either side in the campaign, what I write will necessarily be subjective if it is to be anything more than a meaningless rehearsal of speeches and handouts. Some of my conclusions have already been published in an article in *The Financial Times* and have been challenged, notably by Mr Adam Ferguson of the "Scotland Says No" organisation (*The Daily Telegraph*, March 11, 1979).

My argument is that, despite beginning with the advantage that opinion polls had consistently over many years shown that Scottish voters two-to-one in favour of devolution, the

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side failed to win a sufficient majority in the referendum because it was hopelessly divided and its arguments and its efforts were often contradictory, because it underestimated the strength of the opposition and because it made several tactical blunders.

The devolution referendum was important, not only for its immediate political effect, but also because it confirmed the place of the referendum in British politics. The precedent had been set by the referendum on membership of the European Economic Community in 1975, but the Scottish devolution referendum (and the similar one held in Wales on the same day) and its campaign, differed significantly. Firstly, a simple majority of those voting was not sufficient to decide the outcome, as it had been in the EEC referendum; and, secondly, neither the groups campaigning for a "Yes" vote nor those on the "No" side were able to find sufficient common ground to unite them under all-party umbrella organisations. Whereas in 1975 there had been two sides, offering a clear-cut choice, in 1979 there were at least six bodies pressing the electorate to vote "Yes" or "No".

The idea of holding a referendum was first mooted in the autumn of 1976 when the Labour Government's first attempt at devolution legislation, the Scotland and Wales Bill, was making its faltering way through Parliament. Who originally made the suggestion is not clear, but it was taken up by Mr Michael Foot, Leader of the Commons, as a way of persuading dissident Labour MPs to support the Bill. When the second measure was introduced, as the Scotland Bill, the referendum idea was revived with the same intention and in fact a number of Labour MPs (such as Mr Robin Cook, Edinburgh Central) who were opposed to devolution were prepared to vote for the Scotland Bill on the understanding they would be free to campaign against it in the referendum. The date for the vote was announced in the Queen's Speech on November 1, 1978. The Prime Minister told the Commons that March 1, 1979 had been chosen to allow the referendum to be held on the new electoral register which would be published in mid-February and was therefore likely to be reasonably accurate when the vote was held. This was important because a clause inserted into the Scotland Act (as it had then become) against the Government's wishes required 40% of the whole

electorate to vote in favour of devolution before the Act could be put into effect. Opponents of this clause (the "Cunningham Amendment", after Mr George Cunningham, Islington South, who proposed it) argued, with justification, that the older the register, the harder it would be to clear this hurdle, since as time went on and people died or moved away from places in which they were registered, the register would increasingly overestimate the size of the total electorate. But the long delay between the announcement and the referendum itself also gave the two sides plenty of time in which to prepare themselves.

The pre-Christmas period was spent mainly in internal organisation, sorting out who was going to campaign with whom, forming local groups, raising funds, booking meeting halls, poster spaces, newspaper advertising and so on. On the "Yes" side (that is, campaigning for devolution, since the referendum question asked whether the Scotland Act should be put into effect) the main campaigning groups were to be the Labour Movement Yes Campaign, the Scottish National Party, the Yes for Scotland group, the Alliance for an Assembly, the Liberals and the Communists, although other groups emerged during the campaign, such as the Conservative Yes group and several student organisations. The "No" side was slightly less fragmented, with Scotland Says No, Labour Vote No and the Conservative Party No campaign.

This fragmentation, particularly among the "Yes" groups, crucially affected the campaign and the way the issues were presented. It resulted mainly from the fact that the different groups had different reasons for supporting the devolution legislation. The Labour Movement — the Labour Party, Co-operative Party and Scottish Trades Union Congress — supported the establishment of an Assembly with limited powers over domestic affairs as a way of answering the demand from Scots for more say in their own affairs without going as far as setting up an independent state as demanded by the SNP. In three by-elections in 1978 Labour had used devolution as an effective counter to the Nationalists' demand for independence. The Nationalists, on the other hand, supported the Assembly only as a step on the road to independence. This divergence of view led Labour to refuse to take any part in a joint campaign with the SNP: "We will not soil our

hands," said Mrs Helen Liddell, secretary of the Scottish Council of the Labour Party.

This schism was the most damaging to the "Yes" cause. It led to wasteful duplication of effort, particularly at local level, where SNP branches and the committees set up by all but a handful of Labour constituency parties worked in parallel delivering leaflets, arranging meetings and canvassing. But it also meant there were occasional public arguments between the two groups and it gave the "No" campaign an effective argument against the Assembly: there was an obvious contradiction between Labour urging a "Yes" vote against separation and the SNP urging a "Yes" vote as a means to independence.

There were lesser splits in other parts of the "Yes" campaign. Scotland Says Yes, supposedly an all-party group led by Lord Kilbrandon, who had chaired the Royal Commission on the Constitution which had recommended an Assembly for Scotland, was boycotted by Labour because it contained Nationalists. Although it did have a Conservative as its organiser, its leading lights were the Nationalists Mrs Margo MacDonald and Mr George Reid MP and the leader of the breakaway Scottish Labour Party, which advocated independence for Scotland, Mr Jim Sillars MP. This close identification with nationalism was too much for Mr Alick Buchanan-Smith, the Conservative MP who had resigned from the Shadow Cabinet over his support for devolution. He formed his own cross-party group, the Alliance for an Assembly and was joined by the Liberal MP Mr Russell Johnston and the Labour MP Mr Donald Dewar. The Liberal and Communist Parties contributed at local level to the efforts of Scotland Says Yes, but also ran campaigns of their own.

The effectiveness of the "Yes" argument was weakened still further by the split within the Labour Movement itself. There had always been a difference of opinion, even in Scotland, over the importance of the devolution policy to Labour, but the party leadership was unprepared for just how much this was to counter the success of the official "Yes" campaign. The split ran through the party from the six of thirty-nine Scottish Labour MPs who openly urged a "No" vote, to the unions, councillors and constituency parties. The Labour Vote No group, chaired by Mr Brian Wilson, one of the ablest of the younger Labour candidates, was effective chiefly in frustrating

the "Yes" campaign at local level by persuading activists not to take part, in seeking publicity and in taking a very bold initiative in the Court of Session to stop party political broadcasts during the campaign which would have been three (Labour, Liberal and SNP) to one (Conservative) in favour of devolution. The official Labour leadership also underestimated Mr Tam Dalyell (West Lothian), the most persistent anti-devolution MP. It regarded him as so fanatical as not to be taken seriously, but he addressed a phenomenal number of meetings with the same simple arguments (the nature of which I will discuss later) and by the end of the campaign there was evidence that they were going home.

Labour Vote No did not formally co-operate with Scotland Says No, but there was not the same antipathy between the groups that existed between Labour and the SNP and in fact at least one member of the Labour No campaign, Mr Robin Cook, appeared on a Scotland Says No platform. The "Yes" groups also underestimated the effectiveness of Scotland Says No. This organisation had its origins in a loose group called Keep Britain United, formed in 1976 by Iain Sproat (Conservative MP for Aberdeen South) to campaign within the Conservative Party against its then official policy of setting up a legislative Assembly for Scotland. The following year it was broadened to include the Confederation of British Industry, some Chambers of Commerce and some individual Labour Party members like Mr Archie Birt, a party activist from Gourock, and Mr Danny Crawford, Scottish executive member of the building workers' union UCATT. The name was changed to Scotland is British and the group campaigned effectively against the two devolution Bills. It was relaunched as Scotland Says No at the end of November 1978 with many of the same people involved, but also some new faces, including its joint chairmen, the Very Rev Andrew Herron, a former Moderator of the General Assembly of the Church of Scotland, and Lord Wilson of Langside, a former Labour Minister, and its full time campaign manager, a former Conservative agent, Mr Hew Carruthers.

Scotland Says No was well organised. It raised money quickly (about £80,000, mostly from companies), produced eye-catching leaflets and other propaganda, booked advertising space in virtually every local and national newspaper in Scot-

land and organised local campaign groups. Its contacts in management not only donated money, but also distributed leaflets. The Clydesdale Bank sent Scotland Says No material to its branch managers and some other firms put them in pay packets. Although they decided not to join forces, the two main "No" groups remained friendly and Scotland Says No attempted to avoid duplication of effort by leaving what might be called "subversive" work among Labour activists to Labour Vote No. The larger group also kept a record of Labour No public meetings and gave information on them when asked.

The position of the Conservative Party in the campaign was equivocal. Its official policy still favoured some form of devolution, although there were varying degrees of enthusiasm among the leadership, but the party was against the Scotland Act. Some prominent members, like Mr Teddy Taylor, then MP for Cathcart and shadow Scottish spokesman, wanted the party to campaign all-out on its own behalf against the Act, but at a private conference early in 1979 the decision was taken to take part only as a supporter of Scotland Says No and allow proponents of devolution, such as Mr Buchanan-Smith and Mr Malcolm Rifkind, MP for Edinburgh Pentlands, to follow their consciences and campaign for the Act. In the event, although Mr Taylor and other individuals put a lot of effort into the campaign, the contribution of the party machine, the Central Office staff in Edinburgh and local agents and elected officers, was muted. Very little party money was spent on the campaign and many local parties did nothing more than distribute the Scotland Says No leaflet supplied to them free of charge by Central Office.

These, then were the main actors in the campaign. The period between the Queen's Speech and Christmas was taken up with internal organisation, there was a lull for the Christmas and New Year holidays and then most of the groups began their campaigns. The exception was the Labour Movement, which decided to wait until the second week in February and conduct a short, sharp campaign of General Election length. It was decided that this would be more effective than a longer campaign, which would tend to make people bored with the whole question, but as a tactical ploy it failed. The start given to Scotland Says No enabled it to put its arguments first and stake out the ground for the campaign. When Labour began

to put its case it never effectively gained the initiative. Considering that Labour had the advantage of a virtual monopoly on well-known names, it was a major coup by Scotland Says No to be able to dictate the issues on which the campaign was to be fought.

The Scottish National Party also started its campaign in January after a special one-day conference which adapted the existing policies for an independent Scotland to the limits of the Assembly. Thereafter a large part of the SNP campaign consisted of publicising these policies. The argument was that if people were going to vote for an Assembly, they had a right to know what the parties were proposing it should do. However, this was putting the cart before the horse and deflected effort from actually winning support for the devolved legislature. Yes for Scotland began its campaign in a slightly different fashion, describing at various Press conferences what the Assembly would be able to do, for women, for example, or for the social services or education.

The issues in the campaign were by this time already fixed and from my observations of canvassing and the questions asked at public meetings they varied remarkably little throughout the campaign. They were whether or not the Assembly would lead to the break-up of the UK, whether it would mean more bureaucracy and more government and whether it would cost more. To hear these expressed by genuinely undecided voters was to hear how effective the "No" campaign had been. They were almost invariably expressed in a negative way. When a canvasser on the doorstep — where most contact with the voters takes place — meets a person who tells him the Assembly will lead to the break-up of the UK, it is extremely difficult to argue that on the contrary it will help to prevent the break-up of the UK, particularly when the SNP are campaigning in favour of an Assembly as a step towards independence. Similarly the canvasser confronted with the basic statement that the Assembly will cost more and mean more bureaucracy finds it difficult to put over the much subtler argument that by actually controlling the bureaucracy the Assembly will be able to reduce cost.

The "democratic" argument, that the Assembly was essential to make the Civil Servants in the Scottish Office more accountable and more responsive to public opinion, was to

many "Yes" campaigners the strongest justification for devolution. But it was never established as an issue in its own right, merely as a counter to the "extra cost, extra bureaucracy" argument of the "No" side. Another drawback for the "Yes" canvassers was that the Assembly, as proposed under the Scotland Act, had no economic powers, whereas (as opinion polls during the subsequent General Election campaign showed) the main preoccupations of Scottish voters were prices and jobs. "Yes" canvassers that I watched found it difficult to give electors reasons for turning out to vote for a Parliament which would not be able to deal with their pressing concerns.

For the "Yes" campaign to be effective, it needed to confront these issues head-on, but it did not. Instead it persisted in putting what to many voters seemed like irrelevant points. These were not only the finer details of what an Assembly might do, but the complete red herrings of the 40% rule and the "No" campaign's funds. "Yes" speakers (and it was difficult in the last days of the campaign to listen to Mr Jim Sillars or any one of a number of SNP speakers who did not dwell on both at length) seemed to believe that railing against the unfairness of the Cunningham Amendment, or repeating the unsubstantiated allegation that Scotland Says No was financed by "English Gold" or big business (or both) would produce a wave of popular indignation that would sweep people to the polls to vote "Yes". It did not. Towards the end of the campaign the "No" side also got on to this side track, spending much of its time accusing the "Yes" campaign of deliberately spreading the false impression that an abstention was equivalent to a "No" vote.

The "Yes" side was not without its successes, for example in getting genuine support from shop stewards through the Confederation of Shipbuilding and Engineering Unions. Most unions, except UCATT, paid lip service to the "Yes" cause. Some, like the Transport and General Workers, went much further, producing a full-colour broadsheet and encouraging its officials at all levels to take part in the campaign. But practical help was in short supply. The "Yes" majority in Strathclyde seem to owe something to the work of stewards in their workshops. However, the "No" side produced two coups late in the campaign. Dr Herron managed to persuade the Church of Scotland not to

issue a pastoral message in favour of devolution. Although many ministers had already read the message from their pulpits, the effect of Dr Herron's action was to confuse the position of the Church, which had been a long standing supporter of devolution. The second was persuading Lord Home, a former Conservative Prime Minister and a man with great influence among Conservatives in Scotland, to speak out against the Assembly. Coming from the man who had produced the Conservative devolution proposals, his speech was surprising. He said that the Scotland Act had five fundamental defects including its lack of tax-raising powers and system of election, and ought to be rejected. This was precisely the opposite view to that taken by Mr Buchanan-Smith and Mr Rifkind, who attempted to undo the damage by launching a separate Conservative "Yes" campaign in the last week. They argued that the Act had many shortcomings, but ought to be supported and once implemented could be amended. System Three polls in the *Glasgow Herald* showed that although in the last week of January 39% of Conservative supporters were intending to vote "Yes", against 45% "No" and 16% undecided, by the last week in February the proportion intending to vote "No" had risen to 71%, with 19% "Yes" and 10% undecided.

The Conservatives had a motive for campaigning against the Act which was nothing to do with the government of Scotland. They knew that a defeat for the legislation, which had occupied most of two sessions of Parliament and was central to the Government's policy, would severely damage Mr Callaghan's Administration, although they cannot have foreseen how effectively the strategy would work. Some leading members of the then Shadow Cabinet, including Mrs Margaret Thatcher, the leader, and Mr Francis Pym, who had been devolution spokesmen, wanted to come to Scotland to campaign for a "No" vote. They were dissuaded by Mr Taylor who believed that the appearance of too many English politicians would be counter-productive. Similarly Labour knew that it was fighting for more than a principle. The SNP was split on its enthusiasm for the measure. The "moderate, gradualist" wing such as Mr George Reid and Mrs Margo MacDonald, saw the Assembly as an essential step towards independence. A minority in the party, notably Professor Neil MacCormick, believed it to be possibly an end in itself. But

other influential figures in the party including Mr Gordon Wilson, then deputy parliamentary leader, and Mr Douglas Henderson, then MP for East Aberdeenshire, believed devolution to be a distraction to the main task in hand and therefore campaigned half-heartedly for the Scotland Act.

The difficulty both sides encountered in getting enough active workers to undertake persuasive canvassing meant that the campaign was largely fought out in the press and on television. Of the Scottish nationals, *The Scotsman* and the *Daily Record* were strongly in favour of a "Yes" vote and the *Glasgow Herald* and *Sunday Mail* moderately in favour. On the other side the *Scottish Daily Express*, which had once been rabidly pro-devolution, was equally fervently anti by the time it came to the referendum. So was its sister Sunday newspaper and the *Sunday Post*. Of the London papers, *The Observer*, the *Guardian* and *The Financial Times* were moderately pro and the *Daily Mail* and *The Daily* and *The Sunday Telegraph* were anti. (*The Times* and *The Sunday Times* were not published). Most of the papers (and all the broadcasting organisations) attempted to be fair to both sides in their news coverage. The exceptions were the *Record*, which gave much more space to the "Yes" arguments than "No" ones, and the *Express*, which mainly treated "Yes" arguments with derision and went so far on one occasion as to suppress the main findings of an opinion poll it had itself commissioned (leading its story instead with a report of ludicrously unrepresentative straw polls among students and school children).

In the last days of the campaign the opinion polls predicted the result with reasonable accuracy. After so many years of discussing devolution it is perhaps understandable that many ordinary voters were tired of it. The result is difficult to interpret and is likely to be the cause of controversy for years to come: approximately one-third of the electorate voted "Yes", one third "No" and the remaining third was not sufficiently motivated by either side to vote at all.

I shall end with a short footnote on Orkney and Shetland. We cannot go into the reason in detail, but it should be pointed out that the referendum campaign in the northern isles was largely fought on different issues than in the rest of the country. Shetlanders, particularly, wanted a Constitutional Commission to examine their status within the UK and had been promised

one in the event of an Assembly being set up for the rest of Scotland. However, the parliamentary manoeuvring that went on during the committee stage of the Scotland Bill confused many Shetlanders and they were unsure whether they should vote "Yes" or "No" in order to get the Commission. And so on March 1 only 27% of those who voted, voted "Yes" in Shetland and only 28% in Orkney. These proportions were far below those in the rest of the country — their nearest rivals being the Borders Region, and Dumfries and Galloway in both of which only 40% of the electorate favoured the Act. Yet who would have supposed, even a year before, that devolution far from commanding the support of 40% of the electorate would be endorsed by only 40% of those voting in some parts of the country? It is this reversal which I have tried to explain in this chapter.