



Majority Government Vision

Alex Salmond set out his vision of Scotland in broad terms in his speech upon re-election as First Minister with a majority SNP administration. He declared that “a truly equal, fair and kind society is built on good education, good health and the strength and integrity of public services”. His vision for such a society requires, he asserted, Scotland to obtain the economic powers presently reserved by Westminster. Independence is therefore part of his vision but he declared that the journey towards it will not be rushed. The present political arrangements did not confine the ambitions for Scotland, but it does, said the FM, confine the ability to achieve those ambitions. His priorities, in the meantime, include a call for corporation tax to be devolved; Mr Salmond pointed out that this is the case at present for Northern Ireland and should therefore be the case for Scotland. The First Minister also called for excise duties to be devolved to Scotland in order to

allow the Scottish Government to tackle alcohol abuse. His campaign for a minimum alcohol pricing was thwarted before the election when in minority government, but the First Minister knows his objective can now be pushed through by his new majority. A digital television channel for Scotland was also called for along with control over broadcasting which also still resides with the UK powers. The Scottish Government, he pointed out had come to an agreement for no compulsory redundancies of the 30,000 workers employed by the Scottish Government and its agencies. He espoused the notion of a ‘social wage’, which he called to be part of a pact between politicians, public services and the people. The people’s part of the pact is to “realise their dreams, to reach for their hopes and to meet their ambitions”. The lofty ideals were placed in the context of

the achievements the First Minister outlined as delivered by the Scottish Parliament of “free personal care, the abolition of tuition fees, the scrapping of the tolls and the delivery of free prescriptions”. He outlined the need for a freeze on council tax for the next five years. A “Scottish futures fund” of £250 million to cover five areas was announced. These areas are youth talent, warm homes, transport, digital, and sure start for children. Sectarianism was labelled as “embarrassing to our national image”. “Such hatred...shall end.” vowed Mr Salmond. The realities of the recession and its challenges were acknowledged by the First Minister but they were accompanied, he said, by opportunities presented by internationalisation and the growing markets which are emerging to be tapped in to by Scottish companies. A full legislative programme remains to be announced for putting the vision into reality.

Anti-Sectarianism

The government has acted swiftly to introduce legislation aimed at eradicating the troubles which have arisen in the context of football matches. Most notably this has arisen after the trouble at an old firm match and the posting of primitive bombs to the Celtic football manager and high profile Celtic fans. As is the case for many issues politicians and commentators have expressed different views on the necessity of the legislation and the haste that the proposals were initially being introduced. The Bill will be set to take just two weeks to complete the parliamentary process instead of the usual several months that other bills take for the process. In light of the widespread concern at the haste the First Minister agreed to halt the proceedings by six months. This gives much greater time for analysis of the bill which will strengthen the powers of police to arrest those at football matches as well as on the way to and from matches and at locations where games are being broadcast. Behaviour which threatens or incites hatred

against people and falls under seven different categories will be subject to penalties of up to 5 years in prison. In addition to these measures a second aspect of the bill focuses on the communication of threatening messages. Where an intent to threaten based on religious hatred can be shown then penalties of up to 5 years in prison will also be available to the courts. A remarkable feature of the bill is that in the part dealing with offensive behaviour at football matches it introduces five different forms of ‘transgender identity’ which are to be explicitly protected (transvestism, transsexualism, intersexuality, changed gender and non-standard gender identity). This is a feature which will influence other equality policies and laws. Another feature of the proposals is that causing offence may lead to prosecution but this provision does not have an accompanying freedom of speech clause which has been included in similar types of legislation when they have been introduced in England and Wales. The extent of what are often

referred to as sectarian offences are revealed in the release of figures of Police charges which include a religious aggravation element. These show that since the introduction of this offence in 2003 there have been over 600 cases every year. The vast majority of these have been reported in the Strathclyde area. Last year of the 693 cases reported in Scotland, 548 were in Strathclyde. The next highest number was 66 cases in Lothian and Borders, followed by 42 cases in the Central area. A breakdown of the figures is due to be released in the autumn which will allow detailed information on the reasons and circumstances for the charges.

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The Balance of Government Power

Alex Salmond has started the new term in parliament in a greatly strengthened position as First Minister, commanding a majority government which means he can have much greater hope (in fact an expectation) of having his proposals approved by the Scottish Parliament. It would require some of his own party members to turn against their leader for proposals to be defeated.

This is a test for the Scottish Parliament's capacity for performing its task of legislating and scrutinising the work of the government. The Church has long accepted the view that the powers of the State should be separated out into the executive, legislative and judicial functions. (The executive is often simply referred to as the government). Democracies around the world uphold this model which means that the decisions made by the executive (that is the First Minister and his ministers) can be balanced by the other arms of the State. The Parliament performs the legislative function which is about passing the laws which govern our country. The Parliament is also necessary to hold the executive's actions to account such that governance is exercised transparently and wisely. In a country where the rule of law is upheld it is

important that the actions of judges is independent of pressures other than those of upholding the laws which have been



passed. This means that they follow the laws as they have been created; our legal system allows the growth of some laws through the natural development of judgements from case to case as judges interpret the principles in particular circumstances. Society is then more likely to be properly served by the balance of the institutions of the state—government, courts, parliament; and the danger of investing any particular person or group of people with too much power is avoided.

John Paul II described the situation as follows:

“... the organization of society according to the three powers—legislative, executive and judicial... reflects a realistic vision of man's social nature, which calls for legislation capable of protecting the freedom of all. To that end, it is preferable that each power be balanced by other

powers and by other spheres of responsibility which keep it within proper bounds. This is the principle of the *rule of law*, in which the law is sovereign, and not the arbitrary will of individuals.”

It is the conception of properly balanced powers which helps us put into context the recent tensions which have arisen, on the one hand with the courts due to the Scottish Government's criticism of the role of the Supreme court in Scottish criminal cases; and on the other in the pushing through of legislation at a pace too great to allow Parliament to perform its legislative role at a comfortable pace. This is a separate concern to those surrounding the proposals contained within the proposed new bill.

In the case of the courts there has been a strong defence of its role and autonomy. A fledgling Parliament with 48 new MSPs out of the total 129 with no revising chamber and a majority government is susceptible to being overpowered by the executive. Such concerns helped garner a range of opponents to the proposed anti-sectarian legislation. The decision by the First Minister to postpone may have been due to considerable public opposition but it shows also that the Parliament has been allowed the time to perform its work and this is a healthier situation for democracy.

Population Changes

Among the priorities for the new Scottish Government will be to plan for the long-term future of Scotland's population in the light of recently issued population figures.

Scotland's population now stands at 5,222,100, an increase of 28,000 and the highest population total since 1977. There has been an overall increase of 3.1% in the last ten years. In the previous twelve months up to June 2010, the date of the compilation of the figures, the number of births in Scotland exceeded the number of deaths by 5,200, the largest natural increase since 1991-92.

There will inevitably have to be a re-assessment of the needs of the growing population in a number of areas, including education and health. The birth rate is still found to be below replacement level indicating that it is thanks to immigration that the population is increasing. Population changes inevitably mean that a re-assessment of services is necessary, but present government policies show that it is the provision of homes for an ageing population which is taking priority. This also helps explain the current focus at UK level of raising the retirement age and reducing public sector pension commitments as the number of tax payers reduces as a percentage of the population.

Hostility to Catholic Schools

It is an easy target for an unthinking assessment of sectarianism in Scotland to identify Catholic schools as the problem. In a debate on sectarian problems in the Scottish Parliament Conservative Party spokesman on Justice John Lamont labelled Catholic schools as “segregation” claiming also that “the education system in this part of Scotland is effectively the state sponsored conditioning of these sectarian attitudes.”

In a society that supposedly welcomes diversity and celebrates difference it is revealing that this one difference is unpalatable. Those who choose to put the Gaelic language at the heart of their education are never targeted as divisive, whilst little complaining is evident that those choosing private schools are fuelling hatred. There is a shallowness of thought which permeates the public debate on the issue which is really the issue of anti-Catholicism. In a society where this is so common and accepted, simple arguments that can justify attacks on the Catholic school system are not properly challenged. John Lamont's comments were barely challenged by his own party, whose spokesperson on Education simply stated that Mr Lamont's comments were his private opinion. They may be and he

genuinely feels no malice in holding them, yet any political party ensures their front bench politicians stick to the party policy. The lack of public reprimand is telling. So too the lack of support from the equality and human rights groups who know full well that the European Convention of Human Rights states “In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religions and philosophical convictions.” (Protocol 1 Article 2).

Article 9 of the same convention is the right to religious freedom so there is no lack of legal principles for categorically rejecting the arguments of those who want to do away with Catholic schools but such arguments are generously indulged and highlighted.

In the media it was also interesting to hear Mr Lamont's use of the word ‘segregation’ quickly adopted by the BBC journalist interviewing him. If our society were to take a genuinely balanced and dispassionate account of the principles upon which our human rights systems have grown then they would see the reality that attacks on Catholic schools are in some way or other really an attack on those who uphold the values taught in those schools.

Current Legislation

So far only one bill is in progress and the government is still to announce its legislative programme.

Offensive Behaviour at Football and Threatening Communications (Scotland) Bill (Ex)

Stage 1 completed 23 June

(Ex) = Executive Bill.

Energy Costs and Political Debate



Scotland's energy bills have increased greatly and are likely to continue to do so. It raises a concern which is linked with several noble objectives which require proper analysis and a balancing of priorities. Targets for reducing fuel poverty are impacted by choices that are made for future energy provision and for environmental targets.

Scottish MEP Struan Stevenson called on John Swinney the Finance Minister to be more up front about the reasons for the increases being paid for by "beleaguered consumers".

Scottish legislation has forced power companies to provide a quota of their energy from renewable energy sources which means they are having to pay the higher costs for methods which are still much more expensive than traditional forms of energy generation and of nuclear energy production. This subsidy, argued Stevenson, will represent a massive move of wealth from the poor to the wealthy because it is companies

and large landowners who are able to benefit from the subsidies. It will result, he argues in "over the greatest transfer of wealth from the poor to the rich in Scotland's recent history".

Whilst concern for the environment is a high profile cause the wider impact of policies in this area are not often linked in the public's mind and a fuller consideration allows a proper perspective to be taken on policy decisions. For example tackling the suffering due to fuel poverty is also a government priority. The charity 'Age UK' has estimated that 250,000 elderly people will live in fuel poverty due to the steep price rises.

Debate around such issues is unfortunately hampered due to the inflexible position that some have taken where they are unwilling to consider the rational merits of arguments and evidence and instead rely on attacks on personalities. For example, the EU Commissioner Janusz Lewandowski's future is being questioned simply because he questioned whether EU Carbon emission targets were too ambitious. His own country of Poland gets 90% of its energy from coal.

In all matters where political judgements are required there remains a need for a willingness to assess strategies and policies to ensure that policies are not blindly followed to the point of recklessness.

Democracy can only exist if debate is permitted. Yet increasingly some views are so unacceptable that they cannot even be aired. Such an attitude undermines democracy.



The journal of religion and politics *First Things* for instance recently published an article arguing that carbon dioxide levels will have a considerable positive impact on crop growth. Such views have to be engaged to allow the best analysis possible to inform our political decisions.

The scaremongering and polemics of some environmental groups is not the approach needed in a world where reason should prevail. Rather the words of Pope Benedict reminding us of the capacity for humanity of facing and dealing with the challenges the world faces. In *Caritas in Veritate* he states: "The idea of a world without development indicates a lack of trust in man and in God. It is therefore a serious mistake to undervalue human capacity to exercise control over the deviations of development or to overlook the fact that man is constitutionally oriented towards 'being more'".

News in Brief

An Equalities Office consultation on whether to allow Civil Partnership registrations to take place on religious premises closed on 23 June 2011. The provisions will permit the registration of same-sex partnerships to take place in Churches in England and Wales but not Scotland. However, civil servants in Scotland are now working on proposals for introducing the practice to Scotland and part of this work will include looking at redefining marriage in Scotland to include same-sex couples. The government has committed itself to holding a consultation on the issues.

The number of abortions in 2010 has been given as 12, 826 which represents about 1 abortion for every 5 live births. The birth rate has climbed steadily over the last ten years and the abortion rate has only dipped slightly in the last two years.

The European Court of Justice is to consider whether human embryos can be patented. The case arises after Oliver Brüstle obtained a patent for cells produced from human embryonic stem cell research in Germany but which was then repealed following a complaint sent to the German patent court by Greenpeace. The German Federal Court of Justice has referred the case to the European Court of Justice which is likely to take until next summer to rule on the matter.

The Home Secretary, Theresa May has launched a new initiative 'Prevent' which aims to prevent the growth of terrorist ideologies and recruitment of adherents to these causes. Tougher action will be taken on "hate preachers" and authorities will work with universities and other institutions to prevent "radicalisation".

Bruce Crawford, Parliamentary Business Secretary, has called for reform of Scottish Parliament procedures to allow speedier response to public concerns, to improve scrutiny of legislation, improve effectiveness of committees, allow greater input from backbench MSPs and to change the sitting of Parliament which at present only happens on Wednesday afternoon and all day Thursday.

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**Wishing you a
pleasant Summer
break**

Steps to Protect Children's Innocence

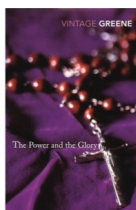
The UK government has backed proposals aimed at preventing the sexualisation of children in our society. The proposals are contained in a government commissioned report from the Mothers' Union Chief Executive, Reg Bailey. They detail steps for addressing advertising, internet, newspaper and magazines, television and music video to remove the sexual imagery that has become part of "the wallpaper of children's lives". The government has however not given backing to make the proposals legally enforceable and it will depend on the voluntary adherence of retailers, editors, producers etc. Such initiatives do give the opportunity of groups in society to be organised and choose to make use of organisations which do uphold decent values and refrain from using those services or places which do not. There is much work to do in changing wider public attitudes as was illustrated when panellist Peter Hitchen was booed by the BBC's 'Question Time' audience for outlining the ways in which our media, sexual health services and sex education approaches push children towards premature sexual involvement. The diet of provocative and sexualised entertainment is now so widespread that many are loathe to accept either its inappropriateness or its level of influence. Author Ben Shapiro has recently released a book 'Primetime Propaganda' which analyses how TV bosses in America have used their programming to overturn the moral values of society. He reveals how those behind massive hits like 'Friends' have boasted of how they have made casual sexual relationships popular and how they've advanced the profile of homosexuality and transsexualism. Shapiro notes however that television is just too enjoyable to expect people to turn it off and that since people are so attached to their favourite programmes they take offence at those who dare propose that it can be damaging to their moral views. The answer he proposes is that the bias of views of the producers of television have to be exposed and challenged such that television can become more moderate and balanced to the values that wider society could accept rather than be at the mercy of a libertarian minority intent on advancing their own lifestyles. His message is pertinent to the UK as well as we have now come to the point where Soap Opera plot lines are distorted to help advance visions of society that are far from reality. Former 'Coronation Street' actor Nick Cochran who played Andy McDonald has commented "How many streets in Britain would have schoolgirl lesbians, gay married couples, a transsexual and children to gay couples? It is a little bit far-fetched... fans love Corrie for its traditional values. I don't think it's the right platform to highlight so many gay issues all at the same time."

Another actor on the show had at one point demanded that script writers end the affair of his character because of the upset it was causing him having to play the part.

The soap opera, 'Emmerdale' recently combined two popular hobby horses of television dramatists by having a homosexual quadriplegic man being helped to commit suicide.

Information from Ben Shapiro can be found at <http://benjaminshapiro.com>. The list of the Bailey recommendations can be found at <https://www.education.gov.uk/publications/eOrderingDownload/Bailey%20Review.pdf>

Recommended Reading



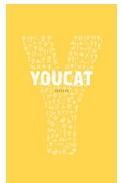
The Power and the Glory by Graham Greene is a gripping novel following the struggle of a Mexican priest to escape pursuing communist soldiers intent on his death. Set in 1930s revolutionary Mexico, the story explores the weakness and greatness of the human spirit in the face of duty and temptation.

Christian Citizenship

Contact the office for details of the distance learning unit on Catholic social teaching.

Youcat is primarily a youth Catechism and is available from the Catholic Truth Society. It presents the Church's teaching in an attractive and readable way.

Pope Benedict has urged youth to "study the catechism with passion and perseverance...you must know what you believe". The text is also recommended for adults.



Consultations (with closing date)

Consultation on the addition of Preservation Seed Mixtures to the Fodder Plant Seed (Scotland) Regulations 2005 (23/09/2011)
Extending Local Bus Registration and Bus Service Operators Grant (BSOG) to Demand Responsive Transport (DRT) (01/10/2011)
Election Regulations for the New Crofting Commission (23/09/2011)
The "Student Fees (Specification) (Scotland) Order 2011" (02/09/2011)
Time Extension Application for meeting EU Air Quality Limit Value for Nitrogen Dioxide (04/08/2011)
The Poultrymeat (Scotland) Regulations 2011 (02/08/2011)
Economic Returns from Variety Trialling in Scotland (09/10/2012)