

The Parliament and Constitution  
of an Independent Scotland

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## SUMMARY OF PROPOSALS

1. A written constitution will be incorporated in the Independence Settlement to be placed before the Scottish people in a referendum.
2. The written constitution will include a Bill of Rights, guaranteeing fundamental rights and liberties and will override all other laws. These rights and liberties will include the right to housing, health care and education, the right to liberty and will reinforce the rights of minority communities. The Bill of Rights will also guarantee the freedom of the press. The rights shall be enforceable at law.
3. Sovereignty in Scotland rests with the people, not Parliament. That clear legal situation must be reflected in the constitution and in the operation of government. The people will be Scottish citizens, not British subjects.
4. The right of Scottish citizenship will belong to all those resident in Scotland on the date of Independence and to those who were born in Scotland but are resident elsewhere. The Constitution will allow naturalisation as a Scottish citizen and protect the residency and other rights of those living in Scotland who do not take Scottish citizenship or are citizens of other nations.
5. The Queen and her successors will remain Head of State for as long as the Scottish people so wish, but the role of the monarchy will be re-defined to reflect the proper role of a constitutional head of state in a modern democracy.
6. The Chancellor of Scotland (the elected presiding officer of the Scottish Parliament) will act as Head of State in the Queen's absence from Scotland and will act as the democratic representative of the Scottish people on public and ceremonial occasions.
7. The Parliament will be a single chamber legislature. There is no place in a modern democracy for a House of Lords whose membership is based on accident of birth or political patronage.
8. The Parliament will have 200 members - 144 constituency members elected by the Alternative Vote system, and 56 members who will be drawn from party lists by the Additional Member System. The Additional Member System will allow each party in a politically balanced parliament to reflect Scottish society in terms of gender, ethnic origin and geographical diversity in the balance of its representation.
9. The same system of proportional representation will be used to elect members of the European Parliament and Scottish Local Authorities.
10. Legislation may be initiated by means of Government proposal, Committee proposal or public petition. The people of Scotland will have a participatory role in Scottish democracy and Scottish democratic institutions. A Parliamentary Committee

system will be obliged to consult widely on legislation before it begins its parliamentary journey.

11. The Parliament will have a constitutional mechanism to defer and delay contentious legislation through a blocking mechanism in the Parliament and the option of a referendum.

12. The Scottish Judiciary will be independent of the Executive and appointments to the judiciary will be made by a Commission established for that purpose.

13. The Parliament may freely enter into international treaties and obligations, acting on behalf of the people of Scotland.

14. Scotland, as one of the successor states of the United Kingdom, will be a member of the European Union.

15. As a member of the European Union Scotland will be entitled to elect 16 members to the European Parliament, by proportional representation, appoint a Commissioner to the EU and participate fully in the Council of Ministers, taking its turn at the Presidency.

16. Scotland will become a full member of the United Nations, and will participate fully in UN institutions and activities, including peace keeping.

17. Scotland will promote, and co-operate in the formation of, an Association of States of the British Isles which will aim to maintain close links amongst the former parts of the United Kingdom and other nations and parts of these islands and to co-operate, where appropriate, in matters concerning the EU and other international bodies.

18. Scotland will inherit the treaty obligations of the United Kingdom, including membership of NATO, but under an SNP government will not participate in the command structure of NATO and would adopt a non-nuclear policy. However an SNP government will take part in European and other defence and security structures.

19. Scotland, as a successor state to the United Kingdom, will be entitled to membership of the Council of Europe and will remain bound by the provisions of the European Human Rights Convention (the provisions of which shall be incorporated in a strengthened form in the Bill of Rights built into the Scottish Constitution).

20. Scotland, as a successor state of the UK, will be a member of the Commonwealth.

21. Scotland will establish diplomatic relations in the normal international manner and maintain embassies and consulates in relevant foreign states. Many of these diplomatic missions will be commercially orientated.

21. The fundamental provisions of Scotland's constitution will be changeable only by the will of the people expressed in a referendum, which would take place after three-fifths of the Parliament had approved such a change.

## 1. Making a Real Scottish Parliament

Over the past thirty years there has been an unfulfilled thirst in Scotland for an effective, home based, decision making body elected by Scots which would represent their interests and apply their resources to the many problems of their country. That thirst has existed in some form or another ever since the Union with England in 1707 but the opportunities that now present themselves to Scotland within a more united Europe, and as a nation richer in energy than most on the planet, have given Scots a renewed desire to speak for themselves. Scotland's thirst will not be slaked except by action.

The Scottish National Party believes that the interests of Scotland will be best served by a Parliament

- which is modern and democratic in structure
- which is elected by a fair and proportional electoral system
- which is entrenched in a written constitution
- which is subject to judicial review of its decisions
- and which offers guaranteed protection to all its citizens by a Bill of Rights.

Such a Parliament should draw on the best practice in Europe and elsewhere for its inspiration. It would be a powerhouse of an independent nation, within the European Union.

The SNP has already presented its economic proposals for a Scottish government in the first four years of Independence. It now presents for consultation and discussion its proposals for a Scottish Parliament, operating in accord with the principle of the sovereignty of the Scottish people, the legal basis for Scottish democratic government.

The Constitution and democratic structures of an independent state are the building blocks of stability, success and prosperity. It is essential that they are well planned, firmly rooted in good practice, and clearly understood, as well as being informed by a wide range of opinion.

That is why the SNP published its original paper on "The Constitution and Parliament" as a consultative document in November 1995 and this final set of proposals has drawn on submissions and comments received since that time. The contents of this document will be reflected in the SNP Manifesto for the 1997 General Election.

At that election we will campaign for the people of Scotland to choose effective self-

government, and the status of an independent nation once again. By making that choice, Scotland will place itself in a position to take maximum advantage of its rich abundance of natural resources and native talents and will be able to speak directly to the world, contributing from its store in appropriate fashion both to the international order and to those nations who are less advantaged.

Scotland will, in short, become a normal nation, playing a normal part in the world.

Scotland and the Scottish people deserve the best government that it is possible to create. No other political party puts that objective, and that responsibility, at the top of its political agenda. The guiding principle for all constitutional change must be what is best for Scotland, not what is best for Labour, the Tories or the existing state, in whose scheme of priorities Scotland is a distant, unimportant but economically and politically useful part.

Scotland can and must rise again. These proposals show the way.

## 2. The Constitution - a framework for Democracy

At the centre of the democratic framework of an independent Scotland will be a written constitution.

The United Kingdom is unique among developed nations in having no written constitution. That lack, though claimed as a virtue both by the present Government and its predecessors over the centuries, is in fact a considerable hindrance to the development of good government and to the protection of democracy. The people of Scotland, having full sovereignty, have the right to lay down the terms on which their government will exercise its powers, and the right to hold parties and politicians to observing those terms.

The SNP propose to place a written constitution before the people of Scotland as part of the Constitutional settlement in the referendum that will take place after an SNP victory in a General or Assembly election. Acceptance of that settlement, including the constitution, will result in the declaration of Independence and the first general election for the Independent Parliament.

The process of negotiation, and the context in which it will take place, has been examined in detail by an independent working group on the "Transition to Independence" who published their report in the summer of 1996. That report lays out the highway to Independence - this document indicates what lies at the end of the highway.

### *The Principles of the Constitution*

The Constitution will be based on the following principles:

- The right of the people of Scotland to self-determination and to sovereignty over the territory and natural resources of Scotland will be affirmed
- There will be a limited and constitutional Monarchy, with executive power exercised by a Cabinet led by a Prime Minister elected by the Parliament of Scotland.
- Legislative power will belong to the Parliament of Scotland which will be a single chamber Parliament, elected by a fair system of proportional representation. All persons over the age of sixteen who are citizens of Scotland, and all EU citizens resident in Scotland will have the right to vote in elections to that Parliament.
- Supreme judicial power will be vested in the Court of Session and the High Court. The independence of the judiciary will be guaranteed.
- The fundamental Rights and Liberties of all citizens and persons within the jurisdiction of the Scottish Courts will be guaranteed by law and entrenched in the Constitution.

- Local Government will be guaranteed genuine autonomy and freedom from interference by central government and elected by a fair system of proportional representation.
- The Constitution, as the supreme law of the land, will over ride all other laws.

The Bill of Rights and the operation and powers of the Scottish Parliament will be dealt with in separate sections of this paper. The operation of the other constitutional principles can be summarised as follows:

#### *The People of Scotland*

Citizenship of Scotland will be the right of everyone whose principal place of residence is in Scotland at the date on which the Constitution comes into force. Those who are residents of Scotland at the time of Independence but who for any reason do not choose to take Scottish citizenship at that time will have a guaranteed continuing right of residence and of return to Scotland for themselves and their dependants.

Citizenship will also be open to those whose place of birth was in Scotland. No laws will be constitutional which attempt to extinguish any person's right of residence

#### *The Head of State.*

Whilst The Queen and her successors shall remain Head of State in an Independent Scotland for as long as the people of Scotland so wish the role and function of the monarchy will be clearly defined in the written constitution.

The Head of State will represent the people of Scotland on ceremonial, state and international occasions but will have no executive power. There will be no Scottish Privy Council.

Whilst the Scottish Government and Parliament will keep the Head of State closely informed of current political business, the Head of State shall no role except advisory to the Government, and such advice will be limited to matters of constitutional propriety. Parliamentary bills will not be subject to Royal assent but instead to certification by the Chancellor that they have duly passed all their stages.

The Scottish Parliament will approve an annual subvention to support the role and function of the Head of State, but this will be disbursed in accordance with the duties performed and will not be payable for any time that the Head of State is not resident in Scotland, saving on official duties approved by the Government. The Payment will be made in support of the role and activities of the Head of State only.

The SNP would encourage the Head of State to develop a new and modern role in Scottish society, with appropriate and non-imperialistic forms of public ceremony and public duties which enhance the positive aspects of Scottish society. Ceremonial will be kept to a

minimum to allow this to take place.

In the Queen's absence from Scotland the Chancellor of Scotland (the elected presiding officer of the Scottish Parliament) shall act as Head of State.

### *The Prime Minister & Government*

The Head of State (acting on behalf of the people) will confirm the appointment as Prime Minister of the person, being a member of the Parliament, who is elected to serve in that capacity by the Parliament - normally the leader of the largest party, or the leader of the party able to form a government that will command a majority in the Parliament.

There will be fixed four-year term for the Scottish Parliament. A government will not be able to dissolve Parliament and call a General Election for its own electoral convenience. Only if no viable majority exists in Parliament for any administration will an early general election be called.

The number of people holding office in, or receiving payment as, Ministers of a Scottish Government will never be greater than one-fifth of the whole membership of the Parliament.

### *The Judiciary*

The Court of Session and the High Court of Judiciary will be the supreme courts of Scotland. Except where provided for in European and international law there will be no appeal to any other tribunal from decisions of either Court which fall within its jurisdiction.

Judges (Senators of the College of Justice and the Lord Commissioners of Justiciary) will be independent of the executive and the legislature. Judicial appointments will be made by the Head of State, acting on the advice of a Commission on Judicial Appointments comprising the Lord Advocate, the Chancellor of Scotland, a Judge (Senator of the College of Justice) elected by the whole body of Senators and two eminent and impartial persons appointed by the Parliament for a ten-year term.

Judicial appointments will be terminable only by resignation, on the achievement of the statutory retiring age, on grounds of incapacity through ill health or by order of the Head of State acting upon a resolution passed by two thirds of the membership of the Parliament, calling for the dismissal on grounds of stated misconduct.

The Sheriff Courts and all Courts or tribunals of inferior, local or other jurisdiction will continue in existence as provided for by the laws in force at the time of Independence save that the appointment of Sheriffs and Sheriffs Principal will be undertaken on the advice of the Commission on Judicial Appointments.

### *Local Government*

The Constitution will guarantee the status of local government in Scotland by conferring a

power of general competence and adequate tax-raising powers and by prohibiting arbitrary interference in the structure and functions of local government.

An SNP Government will sign the Council of Europe's Charter of Local Self-Government , and adopt its most substantial provisions.

A Local Government Commission will be established , with Commissioners appointed by Parliament and local government to consider any proposals for changes in the structure and functions of local government. Its initial tasks will include a review of the arrangements for financing local government; an examination of the case for returning the functions removed from local government over the last 18 years and for conferring other functions currently assigned to non-elected bodies; and a review of the boundaries of the new single tier authorities to take account of the wishes of local communities.

The powers of the Islands Councils will be similarly reviewed and their rights, integrity and autonomy guaranteed.

Local Authorities will be elected by proportional representation, and Councillors will have full-time salaried positions.

### 3. Protecting Scotland's Citizens

At the heart of Scotland's Constitution will be a Bill of Rights, which will offer absolute legal protection to each and every citizen of Scotland and to all who live here.

The rights enshrined in this part of the constitution will not be capable of removal from the constitution by amendment, nor of suspension except in times of National Emergency, and then only by a resolution approved by three fifths of the members of Parliament and effective only for a period of three months after which renewal must be sought by the same mechanism.

All rights and liberties within the Bill will be guaranteed without discrimination on any grounds such as sex, race, colour, religion, personal beliefs, sexual orientation or disability and, as part of the Constitution, will be enforceable at law

These rights incorporate the provisions of the European Human Rights Convention except where the provisions of Scots Law go further or where our proposals in the draft constitution are more extensive, for example in the field of economic and social rights. The Bill of Rights will, amongst other internationally accepted provisions,

**Guarantee access to justice and fair and public judicial proceedings**

**Guarantee the presumption of innocence and the rights of accused persons**

**Guarantee freedom of thought, speech, conscience and the free confession and practice of religion**

**Guarantee the freedom of the press and the freedom of opinion and expression**

**Guarantee freedom of assembly and the freedom of association, including the right to free trade unions.**

**Guarantee the right to housing and guarantee that no person shall be involuntarily deprived of shelter**

**Guarantee the provision of health care free at the point of need to all persons**

**Guarantee the right to education for the optimal development of all individual abilities**

**Guarantee the rights of children and young people**

**Guarantee the right to peaceful enjoyment of private property and guarantee no expropriation without fair compensation**

**Guarantee the right to work and pursue peacefully any profession or**

vocation.

**Guarantee the right to fair and decent remuneration for work and conditions of work that respect the dignity of the person.**

**Guarantee the right to alternative means of support for those unable to work by reason of age , physical or mental disability or infirmity or because suitable employment is not available**

**Guarantee access to governmental and official information save on a restricted range of matters in which security and confidentiality is authorised or required by law.**

**Guarantee the right to use the Gaelic language for public and private purposes, guarantee official status for Gaelic alongside English and guarantee the encouragement of Scots and the provision of facilities for other languages in use by Scotland's ethnic communities.**

**Guarantee freedom from restrictive trade practices or monopolies.**

**Guarantee the right of access to hills, mountains and the countryside**

**Guarantee protection from persecution for those who seek asylum in Scotland.**

**Guarantee the right to vote to all Scots and all other EU citizens resident in Scotland aged 16 and over and the right to stand for election to Parliament, Local Authorities and other elected bodies.**

The provisions of the Bill of Rights are a vital part of the terms on which governmental power may be exercised. They protect against abuse of power by government agencies or even temporary legislative majorities. They secure the freedom of the whole people to participate, without fear or discrimination, in the institutions both of state and of civil society.

With such a charter of rights, Scotland will match up to the best models of well-ordered democracy in the modern world.

#### 4 Electing Scotland's representatives

The SNP proposes that proportional representation be introduced for all elections in Scotland - local, national and European.

The system of proportional representation shall be broadly as used in Germany and Belgium - that is the Alternate Vote System with a "top up" list to secure an accurate reflection of the people's wishes.

##### *Local Authorities*

Each of Scotland's Local Authorities will, after legislative provision, elect their members by the proportional system above. There will be territorial divisions and a list system but the total number of councillors will be as at present (subject to changes introduced by the Local Government Boundary Commission and subsequently by the proposed Local Government Commission).

The threshold for election will be 2% , which will give the opportunity for smaller local interest groups to be represented where there is significant public support. The make up of Scottish Local Authorities under proportional representation will also ensure that there is no continuation of the "one party states" established by Labour in Central Scotland which have excluded democratic opinion and abused public trust for far too long.

##### *The Scottish Parliament*

The Scottish National Party proposes a 200 member Scottish Parliament, elected by universal suffrage by all those aged 16 or over.

The 200 members will be elected by proportional representation. There will be 144 constituency members, elected by the Alternative Vote system. The remaining 56 members will be drawn from party lists and elected by the Additional Member System to ensure that the representation in Parliament is as near as possible to each party's proportion of the votes cast.

The election on the lists will take place on the basis of total votes cast . The lists will require to be published by the parties in advance of the election and no person not standing for election in a territorial division may be included on any list. There will be no back door way into a modern Scottish Parliament.

The threshold for election on the list system will be require that a party must secure at least 2% of the votes cast. This will prevent the exclusion of significant bodies of public opinion from participation in the political process.

The lifetime of a Parliament will be four years. The Prime Minister will not have the power to call an election at will, and Parliament will be dissolved before its full term only if

it is impossible to form a government.

The Parliament will hold annual sessions, which will include recesses as the Parliament decides.

### *The European Parliament*

The UK is the only country in Europe which does not have a proportional or semi-proportional system of election to the European Parliament.

The 16 Scottish MEPs will be elected under the system above, with eight representing territorial divisions, and eight selected by the list system. Again the requirements for inclusion in the list will ensure that there is a transparency in selection and inclusion. The technical threshold will also be at 2% but given the small number of members the effective threshold will likely be higher.

### *Reflecting all of Scotland*

The Additional Member System, as well as ensuring political proportionality, will provide the mechanism for the parties to secure a fair reflection of Scottish society, with particular regard to gender, party preference, ethnic grouping and geographical location. The SNP is strongly committed to the use of the Additional Member System for this purpose and sets great store by ensuring a proper gender balance and representation from the ethnic communities

## 5. A Modern Scottish Parliament

The Parliament will have to ensure that its method of operation, working hours and outlook is such that it will provide a forum that does not disadvantage or deter women from participation. Political parties should feel the same obligation to prevent the system being orientated towards men.

### *Checks and Balances*

The 200 member Parliament single chamber Parliament will do away with an unelected second chamber. There will be no place in a modern Scotland for a House of Lords whose members are there by hereditary right or by patronage. This is a notion deeply repugnant to the Scottish democratic instinct.

However, there will remain a need to provide checks and balances in the democratic process and the means to deal with contentious legislation. The SNP consider that there are three ways to ensure that the absolute responsibility and fairness of the Parliament in this regard.

First of all the Parliament will establish a series of standing committees which will be obliged to consult widely and in depth on all contentious legislation. Public hearings will take place, which will be broadcast and reported. The final legislation will be required to take account of this process.

Secondly the Parliament will adopt a procedure whereby, at the conclusion of the legislative process for any measure, there will be a brief period during which a significant minority of the members could vote to defer and delay that measure. Such a delay - of not more than eighteen months - would allow for a referendum or further debate.

Third, the provisions of our entrenched Bill of Rights, alterable only by constitutional amendment, provide a vital guarantee against subversion of democratic safeguards by the will of a party enjoying a temporary majority in Parliament.

The deferment or delaying process as envisaged above will not apply to financial measures.

### *Electing the Parliament*

Following an affirmative vote in the Independence Referendum a General Election will be held within a period outlined in the Independence Settlement.

Following the election, which all parties will have contested, the Parliament will assemble and as its first action elect the Chancellor of Scotland, who will be the presiding officer of the Parliament and will act as Head of State in the absence of the Sovereign.

The Parliament will then adopt its standing orders.

### *Standing Orders of the Parliament*

It is clear that there is no support in Scotland for the continuation of the archaic , anti democratic and sometimes farcical Westminster parliamentary system.

The Scottish Parliament needs to be a modern, responsive, well run and efficient Parliament. It must also be one that involves the people of Scotland .

The Parliament must take as its guiding principles in the development of its standing orders the following two points:

- A general public right of access to proceedings including a mechanism to initiate legislation by means of petition.
- A structure that embraces powerful Select and Standing committees, able to propose legislation and enquire into administration or matters of public concern.

A Committee on Standing Orders will be established during the independence negotiations to produce the draft standing orders for the Parliament. This committee will also produce the regulations on standards and proceedings that will outlaw political lobbyists and introduce and enforce mechanisms that will make the role of a Member of Parliament not only full time, but financially transparent.

### *Prime Minister & Government*

The Parliament will then proceed to elect a Prime Minister, who will be confirmed in that position by the Head of State following that election. The Prime Minister will form a government that can command the confidence of Parliament.

That government will be formed of Ministers and Junior Ministers whose duties are assigned by the Prime Minister.

All members of the Government will be members of the Scottish Parliament.

### *Legislation*

Except for such laws as are incompatible with the constitution all laws in effect at the date of Independence will remain in effect unless and until repealed or superseded by legislation of the Scottish Parliament.

The Prime Minister will propose to Parliament at the beginning of each annual session a programme of legislation. This will be a "Prime Minister's Speech" and not a "Queen's Speech": legislation may also be proposed by Committees of the Parliament or initiated by public petition, in a manner to be defined in the Standing Orders.

The "First Stage" of legislation will be publication of the proposed measure , the

public consultation by Standing Committee if so required, and its debate in principle. If approved by a majority it will pass forward to the second stage.

The "Second Stage" will be consideration by a Committee of Parliament, which will permit amendments to be tabled and in particular amendments arising from the public consultation.

The "Third stage" will be consideration of the Report of the Committee and Parliament may reject or adopt amendments recommended by the Committee or further amend as it sees fit.

The "Fourth stage" will be a vote by Parliament to enact or not enact the proposed measure in the form adopted at the conclusion of the Third Stage.

Legislation thus passed shall be so certified by the Chancellor, acting on behalf of the people. In the case of financial measures this shall be done immediately and in the case of other members shall be done unless a deferment measure is initiated.

#### *Participating in the Parliament.*

A modern Parliament, in a state where the people are sovereign, must ensure that there are structures that encourage public participation.

In addition to the mandatory consultation by Standing Committee, the Parliament will be under an obligation to consult widely, to hold public hearings and to invite submissions. Their proceedings, along with the proceedings of Parliament, will be broadcast (both through broadcast and through the internet) and will be open to the press, save on the few occasions when national security dictates otherwise.

The parliament will have a mechanism to hear and receive petitions and there will be a statutory obligation on the Parliament to debate petitions with more than a minimum number of signatures.

Legislation may be initiated by petition, if the petition so demands. In the event of such a petition, which will be above a minimum size determined by the Parliament, the legislative process will start when the petition is accepted by the Parliament by a majority vote.

The Parliament will also seek to make knowledge of its proceedings widely available and to encourage primary and secondary schools to include in their curriculum the elements of the Scottish democratic structures and their operation.

In developing its standing orders and its method of operation, the Parliament will always be mindful of the need for transparency and clear procedures. It is time to have done with the empty ceremony and mystification of the democratic process that is the norm at Westminster.

## 6. A Voice in the World

Independence will free Scotland from the position described by Prof. Christopher Harvie as "The invisible nation of Europe".

We will be able to speak to the World again, and to take part in international organisations.

The context of Scottish Independence lies within the Europe that has developed since the Second World War. The continuing development of European Institutions, and the powers that have already accrued to them, provide an ideal forum for Scotland to work within as a free nation, and can define clearly the relationship between Scotland, England, Wales, Ireland and the other parts of Europe.

### *The European Union*

As part of the Independence Settlement Scotland, as a successor state of the United Kingdom, will have continuing membership of the European Union

Scotland will appoint a Permanent Representative to the European Union, will have the right to appoint a Commissioner, will participate fully in the Council of Ministers, will take its turn at the Presidency and will send 16 members to the European Parliament (double the present number), who will be elected by proportional representation.

Scotland would expect to negotiate within time the establishment of at least one European Institution within its borders and will work within the Union to ensure productive trading, social, economic and political links with all members, including England. An SNP led Scotland will be mindful of the benefits of European monetary union and the common goal of economic convergence and would ensure that a referendum was held on any proposal to adopt a common European Currency.

An SNP led Scotland would also be a willing signatory of the Social Chapter and would ensure that working standards and hours, pensions and the minimum wage were well within acceptable European practice.

Scotland will participate fully in the structures of the European Union and will wish to work with other states to develop a European perspective on international peace keeping through the Western European Union as well as to take part fully in United Nations peace keeping activities.

### *Association of States of the British Isles*

Scotland will also wish to promote, and co-operate in, the establishment of an Association of States of the British Isles, which will include England, Wales, Northern Ireland, the Republic of Ireland, the Isle of Man and the Channel Islands. This Association will endeavour to identify areas of common concern and interest and to foster continuing productive relationships and to act together, where appropriate, in issues before the European Union and other international bodies.

### *United Nations*

Scotland will become a full member of the United Nations.

Scotland will participate fully in the institutions of the United Nations, including such agencies as UNESCO and will support UN Peace keeping operations by the provision of troops and finance.

### *NATO and European co-operative structures*

As a successor state to the United Kingdom, Scotland would inherit a continuing membership of NATO and of many other international bodies. An SNP Government of Scotland would negotiate a phased withdrawal from the command structure of NATO and forbid the stationing of nuclear weapons on its soil, in keeping with its non-nuclear defence policy.

To enable the European Union to be effective in response to foreign policy crises we support strengthening the CFSP, with the qualification that no state would be obliged to participate in military operations against its will.

The SNP supports participation in the Western European Union and will also ensure that Scotland participates in the Organisation for Security and Co-operation in Europe, the Partnership for Peace and the North Atlantic Co-operation Council.

Scotland, as a successor state to the United Kingdom, will be entitled to membership of the Council of Europe and will remain bound by the provisions of the European Human Rights Convention (the provisions of which shall be incorporated in a strengthened form in the Bill of Rights built into the Scottish Constitution).

Active and full participation in this web of structures will allow an independent Scotland to play a proper role in collective security whilst encouraging a peaceful and internationally co-operative Europe.

### *The Commonwealth.*

Scotland as a successor state to the UK will be a member of the Commonwealth. Its membership will allow it to work with other Commonwealth nations in the interests of education, justice, peace and development.

### *Relationship with other states*

An Independent Scotland will seek to establish full diplomatic relations with all states, within normal international guidelines, utilising the good offices of the United Nations Organisation as necessary. It will establish embassies and consulates within those nations which are of diplomatic and trading importance, and will orientate its representation to provide the most effective promotion of Scottish business and interests.

*Treaty and other obligations*

The Scottish Parliament shall have the full power to enter into international treaties and obligations.

## 7. Best for Scotland

This paper has outlined the principal elements of the democratic structures that will underpin an Independent Scotland.

These structures are, in a very sense, best for Scotland for they draw on best practice in many different countries and take as their role model the proper operation of modern governance in a small, wealthy state.

The transformation that they will make to the present muddled, archaic and anti-democratic structures in which we presently live cannot be overestimated. They will have the effect of letting light shine on the operation of government and give all citizens of Scotland the opportunity to participate fully in making their country anew.

Scotland more than pays her way. But instead of exporting our wealth, we should be applying it not just to the vital tasks of economic and social regeneration: we should be applying it also to the democratic revitalisation of our country.

For too long we have been subjects of a state that cares little for us, and offers us nothing but continued decline.

Now we can choose to be citizens of a vibrant and exciting country.

That is the choice before us at the General Election.

Edinburgh  
February 1997

