



A NEW WRITTEN CONSTITUTION FOR SCOTLAND

Part 1

WHY WE NEED A NEW WRITTEN CONSTITUTION FOR SCOTLAND

Scotland is a proud and ancient nation. In spite of our relatively small size we have given much to the world and have much more, yet to give. Our continuing Union with England is now limiting our potential for development. We are treated as subjects of the Crown and under the Sovereign will of the UK Parliament. We have no political or constitutional rights entrenched in law. **In this constitutional vacuum the UK government has de facto unlimited power and its actions are often contrary to the will and aspirations of the Scottish people.**

The UK constitution is a collection of treaties and laws, which are simply changed to suit the diktat of the party in power, not a centralised written document as understood in the rest of the world. It perpetuates a system of centralised government control and it is no longer fit for purpose in a devolved, let alone a modern self governing Scotland.

The UK constitution has been high-jacked by the UK political parties, and Parliament cannot be held to account by the people other than at the time of a general election. In Parliament, the party leader with the most seats is appointed by convention, not elected by Parliament or the electorate, and as Prime Minister, controls and appoints the executive, and thus essentially Parliament is controlled and managed by the leadership of a single party.

This situation is further exacerbated, and democracy diminished, by the 'whipping system' on party MPs, designed to ensure that the outcome of a vote will suit the party line. The result of the fusion of powers currently controlled by the party leader is in effect an elective dictatorship.

In current practice, this means that any party or coalition of parties in power, with sufficient votes, can change the law to suit their own objectives. **Any change in the law effects an alteration to the rights of the people.**

The democratic accountability and citizen involvement in the present system is minimal at best, resulting in apathy and indifference, and a justifiable lack of trust in government by the voters. Scotland is substantially over governed, therefore we need to shrink the size and role of the state to reflect the needs of the modern world in which we now live.

The government of a Self Governing Scottish nation must be accountable to the people, not to a political party philosophy.

Scottish Independence is the political ambition of some political parties, advocacy groups and individuals who wish Scotland to secede from the Union and become a self-governing state, separate from England, Wales and Northern Ireland.

For Scotland, Secession is the process of putting aside "The Act of Union 1707". To start this process in accord with international law a settled majority of the Scottish electorate must wish it. This can only be done by convincing a majority of voters that a better way of governing Scotland is on offer.

Nationalists have been advocating Independence for many years. As political parties however, they always shy away from changing the fundamental features of the present system, which offers them power through parliamentary sovereignty. Scots (as did the Welsh and Northern Irish) voted for devolved assemblies, as offered by unionist parties, ostensibly to stem the rise of nationalism. The Unionists however made a mistake. Instead, the desire for increased regional autonomy spread throughout the UK, even to England.

In Scotland, the devolved government has performed well, achieving a better economic performance than the UK government, in spite of the restricted autonomy, and the deliberate obstruction by the unionist parties.

Since their election to minority government in 2007, support for the SNP has fluctuated around the 35% mark. Due to a biased Unionist dominated media, there is still much confusion, and a lack of understanding amongst Scots, on the benefits of being a self-governing state, with a written Constitution which will protect the rights of the people, as opposed to the broken system they are familiar with.

To involve and meet the aspirations of today's better educated Scots, a plainly written, codified constitution is a necessity for Scotland; establishing once and for all that the people are sovereign and entitled to accountable self governance in the nation state of Scotland; voted for by the electorate, showing that it is the settled will of the Scottish people.

The Scottish Democratic Alliance welcomes all positive responses and suggestions.

Please direct your points for debate to info@scottishdemocraticalliance.org