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Common Weal Policy

**WITHIN OUR GRASP:
A CAMPAIGN STRATEGY WHICH CAN
ACHIEVE SCOTTISH INDEPENDENCE**

COMMON WEAL



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KEY POINTS

- The independence movement has many strong advantages just now but needs to be more realistic about its weaknesses. By far and away the biggest weakness is that we still do not demonstrably and consistently carry a majority of Scottish voters with us. Until that changes the lack of majority will become a barrier sooner or later and since there is no prospect of a close-at-hand referendum there is no case for postponing further the development and execution of a campaign designed to achieve a consistent, substantial pro-independence majority.
- The final goal of an independence movement is an agreement with rUK. The easiest way to do that is to agree mutually on a binding referendum and negotiation process (effectively a Section 30 Order) but there are other routes to reaching that agreement – so long as we remain focussed on getting there.
- The only routes to independence that should be categorically ruled out are anything that involves violence or anything that expects it to be achieved under UK law but without a public vote. The former is simply unacceptable, the latter is an illusion that won't work.
- They can then be ranked in desirability but we should not make too many assumptions about 'which one will work'. They all lead back to negotiation with rUK – even a unilateral declaration of independence would have the goal of quickly achieving an agreement. The only mistakes would be either to rule out options or to pursue them too quickly.
- This latter point is important – the first escalation from asking for a Section 30 Order is a consultative referendum which would be challenged in court. The next escalations from there are increasingly 'nuclear'. Diving too fast into a court challenge on that could go either way and if it went against us we would be at a dead end, not having prepared the conditions for any further escalation.
- This point is particularly important – outside of an agreed referendum the whole campaign is a game of perceptions. We can do anything a majority of the public thinks is 'reasonable' and can do little or nothing that a majority of the public thinks is 'unreasonable'. So we must clearly 'earn' each escalation by being seen to have exhausted all options at the previous stage. Misjudging the pace of escalation is perhaps the biggest threat we face.

- This is particularly the case as this must be won not on 'hard power' (an electoral or legal route) but on 'soft power' (steps which force rUK to agree an electoral or legal route). Our goal is to make a politician do something he doesn't want to do. Most political decisions will be made on the basis of 'the balance of pain' – which decision will cause the least political and personal harm to the individual making the decision. Unless we can change this equation and make it such that NOT acting is more painful than acting, there will be no action.
- This in turn can't be achieved electorally (put simply, their mandate is as solid as our mandate) so will involve placing a high degree of pressure on the UK Government. This will need a coordinated campaign of 'maximum pressure' – but it must be very carefully handled.
- People often misunderstand the nature of a 'maximum pressure' campaign and assume it is risky or involves law-breaking (which is civil disobedience). There are two things to make clear here. First, most big social change has involved civil disobedience of some form (a peaceful sit-down protest which closes a road is civil disobedience) but second, there is a long route to go before we should be escalating to that extent. First comes protest, boycott, non-cooperation and mockery. Then comes direct action – non-payment, 'civil obedience' (doing the legal thing in annoying ways like paying tax bills in coppers), 'hands around' stunts which partially close down infrastructure, domestic policy designed to infuriate (Tories will not be happy at widespread land reform or reform of their grouse moors) or be symbolic (perhaps renaming public spaces named after UK monarchs). Only once the public is demonstrably of the opinion that we have done everything we reasonably can in these spheres do we accelerate to civil disobedience (perhaps 20,000 independence supporters staging a sit down protest in London which closes all access to Westminster).
- The aim is to make UK Government Ministers unwilling to come to Scotland (because of mockery and unpopularity) and to give the strong perception that Scotland has become 'ungovernable' by Westminster. This is the only tool we have to force the UK Government to the negotiating table.
- The paths to independence will then become elements of that maximum pressure campaign – but the further they escalate the more difficult they become (and in orders of magnitude). When the time is right to attempt a consultative referendum that should be tried. Next should be creating a 'democratic event' (a pro-independence majority at Holyrood voting no confidence in the Scottish Parliament as an institution, dissolving it and turning the resulting election into a referendum. From there the last remaining option would be a unilateral declaration of independence – so long as everyone is very, very clear on just how difficult it would be to pull that off, and that it would still primarily aim to drag London to the negotiating table.
- This cannot be all worked out in advance – the campaign must constantly adapt as we try the first thing, assess progress, plan and do the next thing, assess progress and so on.
- From there we must focus on the first major task which is to achieve a pro-independence majority, and that requires a much more professional

focus on our target audience. We must know (not through guessing or anecdote) which groups of people are most likely to shift from No to Yes (this is called segmentation) and then get good information on what is most likely to help them change their vote.

- Some research has been done on this but it is out of date. Roughly the groups it looks like we should target are female No voters who profile like men who voter Yes, everyone under 30, the over-mortgaged, over-worked middle classes, low-income pensioners and public sector workers. We also have to motivate low-turnout voters without whom we cannot win. There is a body of about 25 per cent or so of the public which is unmoveably unionist
- There is then much research on what is likely to shift those voters. That is discussed in more detail in the paper but the headline is that fear-hope is the strongest motivator (the fear of the direction of the UK versus the hope that Scotland could be better) and preparedness is our biggest barrier (the public likes the idea of independence but is not convinced we are ready to deliver it effectively).
- How to reach them is also important. While the 'anti-expert' conception of the public isn't quite correct, it's not wrong either. Authority figures are not automatically trusted, but what they say is heard. The crucial stage is that this information is then 'negotiated' between people who assemble it into stories that make sense to them. In this regard the biggest impact on opinions is 'peer shifting' – the way that conversations with 'people like me' formulate our beliefs. The media is just another 'expert source' here and so that fact it is biased is less of a problem than people think, but equally activity in a parliament has much less impact than some believe.
- There are really effective modern methods to achieve 'peer shifting' of political views. These are discussed in more detail in the paper but they involve specific techniques that enable very large numbers of 'casual supporters' to play a small part in passing messages about independence round their peer groups and so take much more control of the content of the conversations which will have the biggest impact on people's vote – the conversation they have with each other. This is innovative but well-practiced and is shown to work very effectively when properly organised.
- There is another form of 'peer shifting' from 'affinity groups' (people who feel a close connection to an organisation like a church, a football team or a trade union). We should aim to shift them as well by reestablishing a wide range of pro-independence affinity groups – Young People for Independence, Trade Unionists for Independence, Environmentalists for Independence and so on. This will help shift opinion. Celebrities and 'kent faces' will help here too.
- A specific note here; the importance of young people shouldn't be understated so it is absolutely crucial that the independence movement develops strong links with the climate change movement.
- But none of this addresses our biggest 'voter-shifting weakness' – a sense of lack of preparedness. Put simply, when we're asked about questions

like currency the public does not sufficiently believe we have worked-out answers, that we are properly prepared to deliver the independence we talk about. This stops otherwise sympathetic voters from having the confidence to 'make the leap'. We absolutely **MUST** appear prepared and that means being ready confidently to answer the big (and reasonable) questions about currency, borders, continuity of public services and so on. This **CANNOT** be fobbed off by telling voters 'all these arrangements are for later once you've given us your vote'.

- None of this can be achieved without a delivery infrastructure and that very measurably works best if the deliver mechanism isn't purely party politics. There is substantial evidence that the best way to approach undecided voters is not by wearing a party political badge and most readers will realise that instinctively. We need an effective civic campaign alongside the parliamentary work being led by political parties. There are four aspects of that delivery framework:
 - We need to coordinate the movement through an over-arching body which represents all organisations and allows them to bring their expertise together to plan and discuss – and to stimulate the establishment of 'affinity groups'. The Scottish Independence Convention is far from perfect but is exactly that body already and so should be properly supported by the movement.
 - We need an effective campaign vehicle. The SIC invested substantially in creating the best possible campaign vehicle, working with a leading branding company and a leading public attitude research company to create a brand and approach which would best speak to winnable voters. That organisation is Voices for Scotland and since it would not be possible to replicated it in a better form it should also be supported.
 - There must be a respected body which can answer key questions and put forward respected people (not politicians) to answer those questions in the media. In the short term we should set up a Transition Council of esteemed experts in their area to begin this process, but a National Commission (effectively a respected, sober pro-independence think tank) which could let us employ a 'Chief Economist for Independence' or a 'Head of Independence Policy' who could represent us on the media and send out the clear message we're preparing.
 - A means of managing a campaign of maximum pressure should be created. A Committee for Scottish Democracy made up of a dozen respected elder statespeople drawn from places like the churches, the peace movement, the trade unions and the charity sector would develop and guide (with input from the whole movement) a programme of 'maximum pressure' and very carefully judge when we have earned the right to gradually escalation that campaign. It must be listened to and we must operate with discipline and calm heads.
- All of this being done there is no reason we could not force the UK Government to the table in say three years and rapidly deliver a vote for independence on that basis. The longer we wait to get started, the longer it will take.

PREFACE BY THE AUTHOR

Like most places Scotland is a country of stereotypes – for us the that stereotype is famously divided. On the one hand we are a nation of romantics, poets, a land of wild landscape and swashbuckling history. On the other we are a nation of engineers and medics, of pragmatists and thinkers, a cautious country not known to get too carried away with itself. The heart – and the head.

I'm a lifelong supporter of independence who was heavily involved in the 2014 campaign. I care very deeply about Scotland and will never feel we are better subordinated to the whims of London. My heart is very much in this. But I have also had a 25-year-plus career as a senior campaign professional, working at a very high level inside the Scottish establishment campaigning to change government policy. My head is very much in this as well.

Where we stand today, people are worried about the future for the independence movement, about 'what now?'. I have written this strategy paper quickly in early 2020 because I firmly believe that, if we can combine Scotland's heart and its head, its emotional belief in itself and a cool, calm strategic analysis of our options, we will soon see a clear path to independence. I don't think we've used enough of either. We've seemed scared of emotion, of a proud and unashamed promotion of Scotland and its culture. But we've definitely been too slow to use our head, believing at face value that 'something would come along' if only we waited. This has to change now or we will slide into stagnation.

So this is my best attempt to map out (pretty comprehensively) the path forward. Please bear with the length (the 'Key Points' may suffice for many of you) and the fact that it is not quite as tidy as I'd like it – urgency seemed the more important factor than polish at this stage. I really wanted to explore the issues properly and to persuade you that what is contained here is not just 'an opinion', it is a careful, underpinned assessment of what needs to be examined to come up with a proper strategy, driven by data and the best international thinking on campaigns. I hope people find it useful and that it stimulates debate.

I wish to add only one thing – this is a contribution to the movement which will bring no financial or other reward to me (who wrote it – with thanks to Craig Dalzell who wrote Annex B) or to Common Weal (which published it, though while this is in part based on a conversation at our last Board Meeting, this paper represents my own views). Common Weal is dedicated for the next year to building support for Our Common Home, our 'green new deal' for Scotland. We will not be delivering anything contained in here so gain no advantage, financial or otherwise. I am very happy with my job and I will not be applying for any other jobs and I don't seek to be appointed as or to anything. I mention this only because I hope people will read this not in suspicion at motives but will engage with what it is, my best attempt to summarise five years of research and thinking into the shape of a path for us to walk together.

INTRODUCTION

The independence movement is now at a crucial juncture. For five years many people believed there was a straight line from where we were to independence via a referendum agreed with the UK Government, awaiting only an electoral mandate. Too much faith was placed in a straight-line path opening up; the history of social and political change suggests there are very few occasions where it occurs in simple ways or by following a route which it was possible to identify at the outset. Social and political change is almost always found at the end of more complicated and less straightforward paths.

The independence movement should not have assumed that there was any likelihood of a process which involved asking for a referendum from a position of minority support in the polls, that referendum being granted and then won in the space of six months with minimal preparation. It may have been reassuring to believe in a quick and simple shortcut that delivered the outcome that was so desired but the biggest impact of holding that belief has been to suppress a much-needed focus on preparation.

In January 2020 there is widespread despondency at the realisation that there really isn't a straight line between where we are and a rapid transition to independence. But there shouldn't be despondency; as people come to realise that the shortcut route was never realistic or achievable it finally enables us to engage with the political situation as it is and begin to map out a more complicated but much more realistic route to the same goal.

This paper seeks to examine more realistically the current environment, to explore the conditions for progress and propose actions which can deliver those conditions. There will be one recurring theme throughout the paper; virtually no political or campaign strategy can be described in a complete form at the outset of the campaign and the kind of rigid business strategy development many people will be familiar with has little application to political campaigning. That is because the political environment has so many moving parts and changes so quickly that 'five year plans' can become outdated in a matter of days. Political campaigning is an iterative process. You set a broad direction, you examine the environment and the conditions for success, you create and enact action plans you hope will achieve those conditions – and then you repeat again and again, assessing how well the last action plan worked and reexamining to find out what has changed as a result.

Anyone who claims they can predict the precise path from here which will deliver Scottish independence is overstating their knowledge. This paper will set out what its author believes is the overarching shape of that path and the steps which will get us far enough along that path to know more. This does not indicate any lack of urgency but rather quite the opposite. Delivering Scottish independence in three years is entirely possible if, as a movement, we do the right things now. But at the moment the movement is in a discussion about what is 'the solution'. This is dangerous; we're not yet anywhere near being able to identify (with any confidence) a single solution which will definitely succeed. Before we get there we must do much work to create the conditions which enable us to see and pursue that solution. The biggest message I want to get over is that we must immediately give up the argument that 'something will turn up' and

recognise that we must be systematic in our planning and execution of what we do.

But amid all of this there is one important factor we must hold on to; all the raw materials of a coordinated campaign and the environmental factors which will enable that campaign to succeed exist in Scotland. It is in largely in the independence movement's hands if we want to make rapid progress towards independence. That is a much more optimistic opening position than that faced by many campaigns which went on to succeed. We start with enormous advantages; we just need to start using them.

SOME KEY CONCEPTS WHICH WILL BE USED REGULARLY IN THIS PAPER

- **Iteration.** Iteration is when you develop something in steps, building on what you learn from each previous step. For a campaign that means map, assess, plan, execute, monitor, map, assess, plan, execute, monitor, map, assess, plan, execute, monitor. Strategy does not control or predict the future, it tries to create and respond to the future – all political campaigning must constantly evolve or it will fail.
- **Audience research.** All campaigns have an audience, an identifiable group of people they seek to influence. Successful campaigns never assume they know what an audience thinks until they have done effective and repeated professional research. Segmentation. Audiences are not monolithic but made up of many kinds of people and different kinds of people respond differently. Knowing about an audience on average isn't enough; it must be 'segmented' to understand who to target and who not to target.
- **Story/narrative.** Modern campaign theory is based almost entirely on the knowledge that human opinions are formed almost

exclusively through 'story' – the way we assemble information with a beginning-middle-end structure which helps us to give it meaning.

- **Spheres of action.** Parliament is one place where things happen. The media is one place where things happen. The school gates, bowling club, gym, workplace and dinner table are each one place where things happen. Because something happens in parliament it doesn't mean the same thing happens at the dinner table.
- **Peer-shifting.** Members of the public are not in an exclusive relationship with parliament or the media. In fact most members of the public have a weak relationship with parliament and the media – but strong relationships with each other. Their opinions are formed in discussion with each other so the most important thing is what they say to each other, not what is said at them.
- **Legitimacy.** People's belief that something is 'true' or 'false' is binary and they will see something as 'legitimate' only when they (not a third party) perceives it to be true. Telling someone something they don't believe to be legitimate is pointless – such as a minority not getting their own way being described as 'unfair'.
- **Earning.** Earned belief is not binary but a spectrum – does current action 'feel' proportionate to previous events? The actor (the person doing the doing) always overrates how much leeway to escalate they have earned.
- **Macro/micro.** It is often assumed decisions are made based on strategy where in reality most decisions are made based on emotion. Trying to interpret an opponent's actions in terms of the macro (a big strategic plan) is often an error; they are often the cumulative effect of a series of micro decisions which are emotionally-driven.
- **Pain.** Pain is a neurological response humans are hard-wired to act to avoid; in the context of campaigns pain means

outcomes which cause stress or humiliation or a sense of failure. In politics in most occasions an individual will pursue a course of action that they perceive as causing them the least pain.

- **Message discipline.** What you say doesn't matter – all that matters is what your audience hears. You must know what you want your audience to hear and make sure that is what they hear; conflicting or opposing messages will almost guarantee they hear something you don't want them to.

REALITY CHECK – WERE STANDS THE CAUSE OF INDEPENDENCE?

There are many positives:

- **Narrative.** Unionists no longer have any compelling story about the future which is likely to be attractive to a widespread audience in Scotland; the independence movement has the capacity to generate many of them.
- **Experience.** It is likely that UK Government policies will prove unpopular in Scotland in the coming years and the practical experience of their impact is likely to be negative.
- **Base.** The independence movement has a strong voting base which appears to be reliable. Within this it has a large 'support group' (people who will take small actions for independence such as go on a march) and a smaller-but-growable activist base.
- **Domestic political control.** Independence-supporting political parties hold a majority in the Scottish Parliament and have a free hand over domestic policy.
- **Opposition shut-out.** Poor performance from electoral opponents mean they have few elected politicians and increasingly reduced visibility.

- **Audience advantage.** The core target audience (those most likely to shift support to independence) show many underlying signs of holding attitudes with a high propensity to drive a shift to supporting independence and profile much more like Yes voters than No voters.

These are a strong foundation on which to build, but they are certainly not the whole story – there are undoubtedly negatives:

- **Constitutional power.** Without a single written constitution the UK takes its legal constitutional position from an amalgam of standard Acts of Parliament and a list of precedents and procedures. For this reason each new standard Act of Parliament is taken to supersede any previous Act legislating in the same area. If in dispute this would be ruled on by the UK Supreme Court. It is very likely that it would identify the 1999 Scotland Act as superseding all other legislation in stating Scotland's constitutional powers. That Act is unequivocal on the Scottish Parliament not having power on the constitution. It is almost certain the Supreme Court would rule any attempt to hold a binding referendum on the basis of Scottish legislation alone (i.e. without a Section 30 Order) as being illegal under the UK constitution.
- **Consultative power.** The constitutional power for the Scottish Parliament to consult on policy areas outside of its remit is much less clear and there are already precedent examples of the Scottish Parliament consulting or taking symbolic votes on reserved matters. However the strength of feeling on this issue means a move towards a consultative referendum on independence would almost certainly face a legal challenge which would almost certainly end up in the Supreme Court and there should not be too much confidence that it would find in our favour – though it might.
- **Support.** Support for independence appears to remain below (or very close to) 50 per cent. Lack of majority support and the perception that there is not (yet)

majority support is the single biggest weakness of the independence movement.

- **Message vacuum.** While the grass roots of the movement has tried hard to keep campaigning activity alive and there has been plenty of political talk about referendums, it is now more than five years since there was a public campaign in favour of independence. 'We want a referendum' is not a case for independence and so without a campaign there has been little or no consistent case for independence projected to the public. The public in turn is unable to articulate what the case for Scottish independence is (there is clear evidence for this). Expecting opinion to move without a message or a campaign is crazy.
- **Lack of structure.** The independence movement has simply not been nurtured or developed – quite the opposite. Outside of the SNP there is no well-functioning campaign structure. There are a few national organisations, two political parties with parliamentary representation and an uneven spread (and declining number) of active local Yes groups or hubs and there is the Scottish Independence Convention – but there is no effective structure in the movement and no real delivery mechanisms.
- **Lack of detail.** Common Weal has done a lot of work on the processes required to become an independent country and these enable a comprehensive set of answers to the many questions undecided voters have about achieving independence (see the Annex B) – but this work is not recognised by the SNP. It has commissioned the Growth Commission but the report of that commission does not answer these questions and has such fundamental flaws as a campaigning base that few people still think it is a viable case for independence. Without this detail legitimate questions about independence cannot be answered.
- **Lack of preparation.** The independence movement has not built a campaign

structure and it has not agreed or accepted a body of work capable of answering questions about independence. Not has it developed a coherent strategic approach to independence. There has been a belief (which is difficult for this author to understand) that the best time to do all of this preparation is after a Section 30 Order is granted. Preparation for a campaign is virtually never best left to the last minute.

WHAT IS INDEPENDENCE?

It is worth very briefly being clear about what we are trying to achieve. 'Independence' is partly legal status, partly perception. However even legal status is in part a matter of perception - for example, the legal ability to enter into a contract as a nation state depends on the other party perceiving you as legally able to enter into that contract. Many nation states have had the legal right to enter into contract but can't where other bodies have imposed sanctions on them.

To be functionally independent Scotland needs to be able to act autonomously at home and engage on a 'normalised' basis internationally. By far the best way to achieve this is for all other nation states to recognise your new independent status and by far the fastest way to achieve this is through official recognition of Scotland as an independent nation state by the rUK which almost certainly would lead to rapid membership of the United Nations. This may not be the only way in which Scotland can function autonomously at home and be recognised in a normalised way internationally - but any alternative approach must be considered carefully against these benchmarks.

MAXIMUM PRESSURE – LEVERAGE, ESCALATION AND LEGITIMACY

The paths to independence are considered below but all of them are (to a greater or lesser extent) blocked by the UK Government. The UK Government has a pretty strong incentive to stonewall Scottish independence for as long as it can given that it is in a vulnerable position post-Brexit and so will most certainly not wish to lose a large proportion of its own land mass, natural resources and ability to host nuclear weapons. And there is very little counter-incentive – Scottish Tories make up such a small part of the Westminster parliamentary majority that there is little reason to fear electoral consequences (particularly given that the Scottish Tories electorate now comprises a limited but unmoveable unionist base) and the rest of the UK simply won't care. Scottish independence may have been on their agenda as part of Brexit but that will now fade rapidly and the focus will return to domestic politics as normal on either side of the border. All being equal there is no reason for Westminster to engage in any way on independence and moaning about 'democracy' will have no impact whatsoever.

The only way to change this is to change the balance of incentives. If we want Westminster to reverse its current position it would need to be politically painful for it not to. And since there would be political pain for this Government in doing a u-turn of this sort, the pain must be greater than the pain caused by the u-turn. So only by making 'saying no' to engagement on the constitution more painful than 'saying yes' is there likely to be progress. This will not just happen by itself.

So what does political pain look like? In the end the biggest lever on political decision-making is money and power – when people making a good living out of government face losing that living or when they face losing power they are most likely to act. Unfortunately Scotland cannot do much more to withdraw democratic support from the Tories so there isn't much pain that can be inflicted (south of the border) on that

basis. Most of the rest of the pain in politics comes from the fear of negative perception (humiliation, embarrassment, loss of reputation, appearance of weakness) or from the frustration of being bogged down and unable to pursue a programme. These are the two opportunities the independence movement has to inflict political pain on the UK Government if it continues to refuse to give ground.

There is a wide range of activities which are internationally recognised as techniques for doing this. The term 'civil disobedience' is the best understood framing of this but that is only part of the picture (and it causes anxiety among some as they do not understand the meaning of the term). It is best to consider this as a campaign of 'maximum pressure' of which civil disobedience is only one tool – and certainly not the one that should be used first. Annex A contains an illustrative list of the kinds of activities this might involve. The first thing to say about these is that it is absolutely essential that these remain 100 per cent non-violent – and that includes violence against property. This is a game of perceptions and the arbiter is the voting public in Scotland. What they feel to be reasonable is (for our purposes) reasonable; what they feel to be unreasonable is not. Public opinion beyond Scotland still matters but isn't crucial – indeed rUK voters becoming increasingly tired with Scotland may be beneficial.

If we lose the support of the public, it's over and we lose. It is therefore absolutely essential that we are very clear that we must start at the beginning and then from there we must 'earn' each escalation. The spectrum here runs from 'keep marching' to 'declare unilateral independence' and if steps along that spectrum are made too fast the public will be alienated. They must feel the movement has tried hard to exhaust an option before another is pursued.

But the range of options is substantial. They begin with protest and demonstration (including satire, humour and mockery). From there direct action (things which are annoying but not illegal such as paying income tax in coppers...). From there civil disobedience (remember, a peaceful sit down protest is technically illegal so is civil disobedience). Along with that are a range of

governmental options – what legislation does the Tory leadership NOT want to see (substantial land reform which would hit their friends), how can non-cooperation make life harder for UK Government priorities or how can the work of UK Government be legitimately frustrated (the timing of roadworks to cause maximum disruption to UK Government events). And along with that is a very wide range of creative, cultural and symbolic moves – from 'hands around...' to setting aside a government fund for assertively Scottish filmmaking and culture.

The aim of all of this is to give the strong impression that Scotland is 'ungovernable', that Westminster is kidding itself on that it is in control, that when Government ministers come to Scotland it is an unpleasant experience because of protest and mockery, and that, no matter what they do, it gets knocked back, stymied, undermined, contradicted and mocked. Over time it is very difficult for any administration to deal with this other than through repression – which would backfire badly.

A campaign of maximum pressure is always risky and so it must be very closely managed. The structure for doing this is discussed below.

CONSIDERING THE PATHS

There are a number of ways forward to Scottish independence – but they are certainly not unlimited and not every option that has been raised is viable. To be able to envisage the path forward it will help to be clear what the options are, their implications and an assessment of how realistic they are. This paper rules out one and puts the others in order of desirability. However, picking up the point about perceptions and legitimacy that have been raised above, some of these options are best considered not as solutions but paths to a solution. In the end an agreement with Westminster is without doubt the goal and there may be ways to achieve that without going through the Section 30 Order route – but here the other paths are probably best understood as part of a 'maximum pressure' campaign rather than as a sort of legalistic way to actually achieve the outcome.

- **A legal route.** There is no legal route. As has been pointed out above the idea that the UK doesn't have a constitution is simply wrong, it just doesn't exist in a single document and is instead made up of ordinary Acts of Parliament and each new Act of Parliament supersedes the preceding one. The powers and rights held by Scotland are therefore in very large part defined by the 1999 Scotland Act and this will undoubtedly be taken to have superseded historic legislation such as the Act of Union. It is clear on constitutional matters being reserved to Westminster so anything which involved any test of whether the Scottish Parliament can legislate in these areas will meet a swift response from the UK Supreme Court. Under the UK constitution the Scottish Parliament has no right either to hold a binding referendum on independence or to legislate on the constitution within UK law (and that includes a legal right to announce independence unilaterally). The Courts are not the independence movement's friends.
- **Section 30 Order.** As everyone will be aware, this is a legislative process in which Westminster agrees temporarily to remove the constitution as a reserved matter in the 1999 Scotland Act. That enables a binding referendum recognised by both sides and is clearly the best option. There are two versions of it – 'in principle' (like 2014, a question about the general principle of independence) and 'confirmatory' (asking for a vote on a specific deal post-negotiation). The independence movement should absolutely reject the idea there should be two referendums, but were it to find a way to force the UK to the negotiating table prior to a vote it could be held as a referendum on a particular deal. This is riskier for independence but might be an option for breaking a logjam.
- **Consultative referendum.** This is a much less clear position constitutionally. While the 1999 Scotland Act makes clear the Scottish Parliament cannot legislate on reserved issues it does not prohibit the Scottish Parliament expressing a view on reserved issues (as it did with a

symbolic vote on the Iraq War) and so it is not clear that there is a legal barrier to a consultative referendum to inform the Parliament on a matter which is otherwise reserved (the Scottish Government has commissioned work on the impacts of Brexit on Scotland covering areas which aren't devolved so there is a precedent for being able to spend money on nominally reserved issues as well). There are two major problems. The first is that it would be next to impossible to hold that referendum without a legal challenge. That challenge would end up in the Supreme Court and if it ruled in the wrong way, that would be that avenue closed forever (barring new legislation from Westminster). That is a high-stakes gamble. The other problem is that the opposition would almost certainly boycott such a campaign. This doesn't mean it couldn't be effective, but it would need to be managed very carefully indeed. Bear in mind this referendum wouldn't be binding on the UK Government and so should be thought of in terms of legitimacy and leverage. A possible option would be to use this as a confirmatory referendum in which negotiations (or a detailed plan) are pursued and developed with the promise that it will be consulted on at the end. However, neither Westminster nor Whitehall will participate and tasking Scottish civil servants to work in this area would have a very high likelihood of being deemed illegal, so it is a tricky option to manage.

- **Another democratic event.** This has been promoted quite a bit – that a victory in a standard UK election or similar would represent a 'mandate' for independence. The problem is that there is no legal basis for this whatsoever – the Scottish Parliament has a mandate to ask, the UK Parliament has a mandate to say no. But again this can be used to create a sense of legitimacy and to 'earn' the right to escalate. It would work best if it was managed for dramatic impact – if everything else had been tried a pro-independence majority could pass a vote of no confidence in the institution of the Scottish Parliament, dissolve parliament

and seek to make the resulting election a de facto referendum. Again, this would have no legal basis but would certainly influence opinion (and the opposition couldn't boycott it...).

- **Unilateral Declaration of Independence.** Here we get into murky territory. There is clearly no constitutional way to do this in the UK, but by definition this would be a statement that Scotland intended to reject the UK constitution altogether and therefore no longer be bound by it. Many nation states in history were created in this way (though many of them through violence) – but this is exactly where it becomes a game of perception (treason or liberty from oppression). There are two main problems with this approach and they're both substantial. The first is that the UK Government controls a substantial amount of Scotland's infrastructure and without that infrastructure Scotland would struggle to operate like a modern nation. The UK might well try to shut Scotland out of that infrastructure so the first challenge would be keeping Scotland running while a highly contentious process of nation-building was undertaken. The second problem is that it is unlikely Scotland would gain international recognition in the short term on that basis – the risk of the Kosovo situation (functionally independent but not internationally recognised) is high and since Scotland's economy is highly internationalised it would require a lot of very careful planning not to face a domestic crisis. So this is not impossible but no-one should kid themselves on about how difficult it would be to pull it off. In fact, even if achieved Scotland would still want to negotiate an agreement with rUK on a number of matters so this might best be thought of as 'maximum maximum pressure' – with the ultimate aim STILL an agreement.

What does this tell us? First, we should simply stop talking about legalistic routes as they are illusory. From there the other four options should all be kept on the table (none ruled out) but pursued only in the strict order set out above. This can only be achieved if carefully coordinated

with a campaign of maximum pressure. It is really important for everyone to be aware that at no point can Scotland de-escalate as this would kill the campaign stone dead. Each next step can only be taken when we are certain we are really ready to take the next step. Talking about it in advance is counterproductive and floating it but then going back on it is a blatant sign of weakness. This is particularly relevant to a consultative referendum – moving to that option too quickly bounces us into a situation where there is no remaining space for escalation short of the more nuclear options. It is almost certain that at some point it will be necessary to use that option but if it is used too early (especially if it is rejected) it is likely to backfire. An extended campaign of maximum pressure demanding a Section 30 Order should be pursued first.

SEGMENTING OUR AUDIENCE

Before looking at what we know about the views and attitudes of our audience it is worth breaking down who that target audience appears to be. This assessment is based on detailed research but it is important to note that this research is now a bit out of date and some of this may have changed in the last 24 months.

The first thing to say is that there is a hardened body of unionist opinion in Scotland and in the last five years it has become harder in its opinions. The aggregate polling numbers appear to show that Scotland has become more polarised in the last five years but this disguises the more nuanced pattern below – yes, it has become more polarised on average but that's because a fairly contained group of unionists (sitting at about perhaps 25 per cent of the voting population) have hardened their views substantially. But that is a function of a contained group of unionists and the 'median Scot' (neither in the very-pro or very-anti independence camp) has not hardened their view one way or the other. In fact there is a strong suggestion that they have softened their view on independence and if you profile their social attitudes they appear to be much more like independence supporters than hard-core unionists. The basic summary here is that there is a quarter of the voting population

we should simply write off altogether as they are not going to change their minds. That group is mostly wealthier and undoubtedly older but also has a culturally-based working class element (basically the 'orange' vote).

The second thing is to note not the opinion of the segmented groups but their size. There simply aren't enough higher income Scots to win independence and if everyone who pays above basic rate tax but voted No in 2014 changed their vote it wouldn't even cut the electoral gap by 20 per cent. There has been an ideological obsession with big opinion moves from this smallish group of people at the expense of a more effective focus on smaller opinion moves from much larger bodies of voters. Put simply, a giant opinion shift from a wealthy group could never achieve the electoral change that would result from a much smaller opinion shift from a much larger groups of people (for example women or the young). And those smaller shifts are easier to achieve both because they're smaller and because the target audience is much more receptive to the case for independence. The independence movement has become obsessed with pursuing a group of imaginary voters ('aspirational middle class on good salaries who are very pro EU and indy-curious') without any evidence they exist (or evidence that this approach has had any effect at all in moving this voting group).

In terms of the public (and with the caveat that much more research is needed) our best targets look like 'No-voting female peers of Yes-voting men' (women who profile economically and socially like men but voted differently), vulnerable middle class (much more than the affluent it is middle class homeowners under financial duress and over-working), lower-income pensioners (their age appears to tip them towards voting differently than others in the same economic category who are strong Yes voters), everyone under 30 (where the problem is motivation and awareness rather than opinion) and people working in the public sector who are worried about public services. In addition we must never lose sight of the fact that it will be hard to win independence without highly-motivated low-turnout voters (people much lower on the economic spectrum whose participation in elections is at best patchy). Many of them voted

for Brexit and they must be reassured that the independence movement is still a place for them.

IDENTIFYING AFFILIATION GROUPS

Of course there are other kinds of audience segmentation we should be considering under the category of 'affiliation groups' – people whose opinions are directly influenced by organisations or institutions. These can be political (Labour voters), work-based (trade unions of professional groups), religious (of any church), social movement (climate movement or anti-racism), arts and sports (football teams, music fans) or cultural (a wide range from organisations that celebrate cultural heritage to institutions that reflect geographic identification). Messaging and organising designed around these kinds of affiliation groups can move many voters closer to supporting independence.

The vast majority of institutions are now very hesitant to engage directly with politics (civic organisations, churches, professional groups), those that do to any extent may not be engaged in the right direction for us (certain trade unions, certain football teams) and some are just too disparate to really express a view (smaller locally-based organisations). The 1990s model of a national 'civic consensus' is little understood, was much harder to achieve than people think, was only achieved a decade after a majority voted in favour and after public opinion had moved even more substantially in a supportive direction and even then took lengthy and frankly masterful negotiation to achieve. Replicating that in contemporary Scotland seems to this author to be highly unlikely on a formal basis. That does not mean there should not be engagement with affiliation organisations, but the expectation should be that this is softer 'outreach', seeking to influence the tone of their position more than expecting to radically change it.

So the more effective way to achieve this is to create clear signifiers of large numbers of people inside these affinity groups are pro-independence (see 'peer shifting' below). That

means creating parallel pro-independence affinity organisations to send that message, and to recruit and encourage high-profile members of those communities to be more visible in their support for independence. Basically we need to replicate the '[affinity group] for Yes' model from 2020 (NHS Yes, Teachers for Yes and so on) but more systematically and with better coordination and organising (this was much harder to do during a proscribed referendum period where coordination was effectively banned but is absolutely no longer a problem). Below evidence is presented that the Yes brand may no longer be the best way to present this and an '[affinity group] for Scotland' model might be better.

There are some very clear targets. Engagement with Labour is essential and to do this we should really dial down the party politicking somewhat. The trade unions are pretty ripe for building inside of and this should be done properly. Football (and sport more generally) is important in Scotland and representing that community is therefore important. The public sector is a crucial battle ground and the public sector professional groups (health, education, local government) must be visible in independence campaigning. A particular note here on the climate movement; it is hard to overstate how crucial it is that the independence movement and the climate movement are closely linked. The importance of the young vote is so great and the importance of climate to that group is so great that failing to make that link would be a very major setback. But since all of these groups must be driven by their own members and would not be centrally driven (though would be centrally coordinated) there is no limit to how many can exist.

A final mention here of 'influencers'. As well as organisational affinity people have affinity with known faces (TV celebrities, arts figures, bands, sports stars and so on). Many of them support Scottish independence – but other than in a few cases their visibility in support is very low. The idea that the public 'doesn't like kent faces talking politics' is rubbish, but it becomes more problematic if a small number of celebrities are over-exposed. We should build up a much more effective database of publicly-recognisable supporters and use them much more.

All of the above will require active coordination

and a structure and method for achieving this is discussed below.

UNDERSTANDING OUR AUDIENCE

Political strategy should be established not on the basis of opinion or assumption but on evidence and practice. A rigorous, practice-based approach to establishing a strategy for the independence movement is urgent and this cannot be based on anecdote and opinion. There is no alternative to public attitude research – an academic practice used by all serious campaigns to learn about their target audience.

The Scottish independence movement barely does this at all. To illustrate how far behind best practice Scotland is it is worth noting that in the US it is now routine to put sample members of target audiences in MRI scanners and to monitor brain activity when exposed to A/B message testing. Between practices like this and breakthroughs in data analysis, enormous strides forward have been made in understanding how and why campaigns do or don't work. Of course if everyone is doing this the effects tend to negate each other – but if you're NOT doing it you're miles behind.

Until you do a proper process of audience research you will be unprepared to develop a campaign. This has only been done systematically once by the independence movement and it was funded by the Scottish Independence Convention. It's findings almost certainly remain entirely relevant – but it is now well out of date and must be updated with urgency.

(A note for people who think this is 'a waste of time' because 'we already know' – this is why people lose campaigns. No-one anywhere with any basic professional knowledge of any kind of campaign would give this view a second's worth of consideration if it was based on anecdote and opinion. That is an amateur-hour opinion and must be quashed if we do not wish to run an amateur-hour campaign).

The following analysis is the best currently available and is based on a variety of research sources focused mainly on '3,4,5,6,7' – that is, it excludes those at either end of the 'strength of commitment of my vote' scale, the most unionist and the most nationalist of voters. The following is a rapid assessment of what would enable this group to change their opinion.

- **Visibility.** The independence movement has had a major visibility problem. Outside of marches most people have very limited awareness of an ongoing campaign and no-one can articulate any messages from that campaign (other than politicians talking about referendums). By comparison most people are aware of an ongoing campaign against independence and are able to recite its primary messages (such as 'now is not the time' or 'once in a generation' or 'it was all too divisive').
- **Yes-positive.** Among winnable voters there is a very positive response to the Yes campaign of 2014. It is viewed as friendly, enthusiastic, fun, optimistic and (very importantly) it is seen as being made up of people 'like me'. By comparison the No campaign is seen as unfriendly, negative, angry, pessimistic, condescending and 'elitist'. This remains true whatever the final vote of the individual; many people who ended up voting No still responded very positively to the Yes campaign (particular the 'carnavalesque' grass roots element) and virtually no-one, no matter how they voted, had anything positive to say about the No campaign.
- **Realism not optimism.** No voters did not identify optimism and positivity of the Yes movement as their reason for voting No and did not agree that if the case had been just a bit more pessimistic, a little less positive, they'd have been more likely to vote Yes. The barrier was on another axis – not optimism versus pessimism but confidence versus lack of confidence. Put simply, they liked the pitch but were unconvinced it could be delivered. The weakness is on confidence of delivery, not the positive pitch. Post-Yes?. There is recurring evidence that the use of the

Yes brand is counterproductive, is seen as historical and the losing side and is seen as a 'tribe' which winnable No voters do not identify with. There is reason to believe a fresh start would work better.

- **Doubts.** The doubt of wavering No voters was repeatedly expressed as 'do they know what they're doing?'. It's not that they didn't believe Scotland could be independent and successful but that they weren't convinced there was proper planning for this. Put very simply, if they didn't believe the currency question had a solid answer they were likely to believe the case was not prepared and so delivery wouldn't work. Confidence in delivery is crucial.
- **Confident and collectivist.** When personality factors are raised (risk aversion, personal confidence and collectivism) there is a clear pattern. The more people can be made to feel personally confident about the future and collectivist in their outlook ('together we can fix this') they are much more likely to consider independence. Individualism and a fearful outlook on the future have the opposite effect.
- **Winnables are like Yeses.** The voters most likely to change their vote (more than enough for a comfortable pro-indy majority) profile much more like Yes voters than voters who are No voters with very low levels of likelihood to shift. It is very important to differentiate between these groups.
- **Conflict fails.** There has been a conceptual model of an independence campaign which sees it as a conflict model – that it consists of two sides in a battle and whomever inflicts most damage to their opponents 'wins'. This is a very big mistake and is having the absolute opposite effect on winnable voters. Deescalating conflict is much more likely to create conditions where voters will listen to the case and then change their mind.
- **Don't project; make real.** Projecting into

the future has been done so much no-one trusts it ('in five years we project that...' is not taken to mean the thing projected will happen). Our audience says it wants something 'real' – which looks more like experiential evidence, solid action plans and three year timescales. Throwing data around only works if it tells a story.

- **Numbers are a turn-off.** Numbers are unhelpful in most occasions because both sides throw numbers around and people do not have the skills to adjudicate so they switch off. We shouldn't 'prove things with numbers' but rather 'persuade or explain things through stories'.
- **Message carrier.** People respond badly to being 'talked down to'. They do listen to experts and (to a lesser degree) to politicians but they assess whether they believe what they heard through conversations with their peers. The single most likely thing to close down the possibility of a conversation is to approach it from a party political stance.
- **Tone.** There is far too much to cover but these are three conclusions on tone. First, the fear that swithering voters are turned off by symbolism of 'Scottishness' is not supported by evidence; there is much more scope for 'emotional Scottishness' than many believe. Second, there is a clear preference from almost everyone on a tone which is confident and has a bit of pluck, daring, humour and style. Safety or 'looking like an annual report' has much less purchase. Third, messages land better the more people identify messages and imagery as being 'like their life' – and for most that does not mean 'aspirational lifestyles'. Poor 'unpacking'. There is clear evidence that any formulation that uses 'independence can...' or 'independence will...' have substantially more impact. This strongly suggests that the independence movement has had something of a problem post-2014 of explaining what independence is 'for' or what it can do or enable.

is fear-optimism and the biggest barrier is doubt about preparedness (fear-optimism is the balance between disliking the status quo and really liking a change proposition).

MESSAGING

This is a very short note to express the author's view that we have insufficient data to be able to say confidently what the most effective messaging system is just now. A messaging system is not just the 'stories' you want to tell but the emotions you want to influence, the language and visuals best able to achieve that influence, the tools you use to get that message across and the 'stunts' you create to illustrate and repeat that message. This requires better audience research than we currently have.

But there are two things that can be said just now. First, there is something which there is strong evidence DOESN'T work; shallow, high-level philosophy. At the start of the 2014 campaign the official message was 'the best people to make a decision about a place are the people who live there'. The fact that it is almost impossible to believe the opposite of this shows how shallow and ineffective it was going to be. It was. But recently there has been an alarming return to this campaign line – 'Scotland's right to choose'. Put as simply as it is possible to put it, saying 'we're not going to answer any questions because that'll be up to you and how you vote later on, but take this big risk on the basis of the abstract philosophy that democracy is self-evidently in the wrong place just now because we say it is' is a woeful, woeful argument and it will not work. Independence must be FOR something and pretending there's a formulation that helps us escape saying what it is for is simply wrong.

The second thing to say is that we do not need to feel bad about the core message of 2014 – a better future is possible if we escape bad UK rule will still have strong resonance. As we saw above, what is needed is not more pessimism but a stronger sense of preparedness. We need to support the 'better Scotland' line with 'and there is a really good plan for how we can deliver it'.

But there are other positive messages that may be opening up. The UK story about itself just now is that it is bitterly divided and is so in a way that it may not be possible to repair in the near future. There are very many measures which suggest Scotland is much, much less divided (other than on the constitutional question there is a much more coherent Scottish public political attitude towards things like public services and tax). There is a good chance that ‘togetherness’ (we can escape the division and bitterness if we are our own country) may be an effective message – but it must be tested.

MOVING AND MOTIVATING OUR AUDIENCE

The research outcomes above match closely with current best practice in campaign development right across the spectrum of campaigning (advertising, marketing, social campaigns, political campaigns, fundraising). People frame their understanding of events by taking fragments or chunks of the public narrative (what they see and hear in current affairs) and then ‘checking, adapting and rearranging’ those fragments into their own stories through conversations with their peers. They listen to the public narrative rationally but then they reframe it emotionally as a story about ‘their life’.

This is at the heart of ‘micro-targeting’ and ‘big data’ (Trump campaign, Brexit) – but also ‘social shifting’ and ‘peer shifting’ (Sanders campaign, Black Lives Matter). Big narratives are created as the ‘top line’ story and then they are shaped over and over again in many ways according to any given audience using whatever tools are available, but in a systematic, planned and coordinated way. In each case the point is to draw on and manage what people already feel (angry Trump supporters, ‘sick-of-it’ Sanders supporters, ‘can’t take any more’ Black Lives Matter supporters) by shaping your stories in ways that fit with them and then delivering them directly using your best resources (money for Trump, enthusiastic supporters for Sanders, angry victims of racism for Black Lives Matter, strong media support for Brexit). Every one

of these campaigns grew faster and more effectively than could have been expected from their starting point.

It is worth adding one extra point here; there are other methods of campaigning, but they’re failing. The standard model in the 1990s and 2000s was ‘authority, triangulate, dog whistle’. This used perceived authority figures to tell the public what to think based on finding a ‘sweet spot’ with the maximum number of people in it who can be reached with shallow messages that reflect their existing prejudices. This was pioneered by Bill Clinton then Blair and was effective (powerful politicians telling people they’re going to govern from the centre through short ‘pledge cards’). But it was based on a lie – that the centre ground was good for everyone and that simple national data (GDP) was a proxy for ‘good lives for all’. This model broke down as an effective tool after the financial crisis of 2008. The three most high-profile campaigns to use it recently were Hilary Clinton, Remain and Macron. All three greatly underperformed and two of the three lost campaigns they should most certainly have won.

This all being the case, shifting support for independence will best be achieved through a formula of ‘echo fears about the direction of Britain, make people feel enthusiastic about what Scotland could do, back that up with a strong message of preparedness then deliver it through a series of memorable, emotional and highly visual messages reinforced by peer-delivered shifting campaigns’.

It is probably too early to be confident about a full messaging system (see above) but there is plenty basic messaging which is much clearer during early stages of the delivery. We need to populate and control not the phase in which big messages are broadcast to the public (though we must be much, much better at that) but the phase where our target audience ‘rebuilds’ that story for themselves in conversation with the family, friends and colleagues. Put simply, a positive case for independence must be a much more consistent part of everyday conversations.

There is not space here to detail how this is done in a comprehensive way but the following is a basic summary of the approach:

- Make working for independence sound easy, not difficult – something anyone can do very easily with no discomfort. Start recruiting people who want to get involved in this kind of ‘easy campaigning’. Invite them to short training sessions where it is explained how easy it is. The following are the basic rules:
 - Never talk to someone you wouldn’t have talked to anyway, don’t talk to anyone you don’t know, don’t start a conversation that wasn’t happening anyway.
 - But when conversations emerge which touch on a pre-planned set of circumstances, learn and be ready to use one of half a dozen simply ‘talking points’: For example, when housing is raised remember to say ‘of course the UK has Europe’s worst housing system and we could do so much better with Scottish independence’. Then ‘get out’ – don’t make any more comments, don’t argue, just leave it.
 - But repeat every time. Continually research what are the big issues playing on people’s minds where there is a clear case for independence to be made. Regularly update this ‘army of advocates’ with new talking points when relevant.
- Now that these advocates understand how easy this is, ask them to find five or ten friends who also support independence, explain how easy it is and what a difference it could make – and invite them to another short training session. Repeat all of this until a very large, very well trained ‘army of advocates’ have taken control of Scotland’s political conversations.
- As people become more comfortable with this process they will gradually be confident to deliver more complex messages. No door-knocking should take place during this phase, but this also increases the confidence of people who might consider door knocking during a referendum campaign.

This must be supported with creativity – visual messages which are funny or different or memorable and land a message quickly and simply. Clearly there is a world of more organised campaign activity which can be organised around this approach – so long as there is some degree of message discipline.

PREPAREDNESS

Although the data needs updated, it certainly appears that the biggest single barrier for winnable voters is the sense that we’re not prepared to properly implement independence. This in turn was the result of a perception among voters who sensed an inability to answer basic questions about crucial issues; by far the stand-out was currency. If we ‘blinked’ when asked about a currency solution in 2014 and it cost us, what are the things we can’t afford to ‘blink’ about this time? Common Weal has produced work which answers all these questions but it has not been adopted by the SNP leadership. Instead there is the Growth Commission which does not answer most of these questions and which many people feel answers the questions it does answer in a way more likely deter than encourage new voters.

- **Currency.** If the independence movement makes a mess of answering the currency question in the next referendum it has no-one to blame but itself because the message that this was a major problem for us is unmistakable.
- **Border.** Brexit has made the Scotland/ England border more complicated and this has been highlighted by the ferocity of feelings about the implications for the Irish border. Addressing this must make border arrangements sound simple, stable and unobtrusive – which is not quite as easy as it might sound, not because the problem is unsolvable but because the solution does not easily lend itself to simple explanation.
- **Trade.** This is now a more complicated issues because of regulatory drift in the UK – we align either with EU regulation or UK

regulation and there will be ‘trade friction’ with whomever we don’t align with. This must be tackled head-on.

- **Pensions and mortgages.** While this is in some ways a subset of the currency issue, there is a very good reason why it is being targeted by unionists – it is a very clear and important issue to voters because it impacts them directly. This is another ‘slightly tricky to describe but fairly easily solvable’ problem.
- **Public finances.** The independence movement knows this as ‘GERS’ and while lots of work on this has been done (again, mostly by Common Weal) the official position is to accept GERS in total and constrain public spending until the ‘deficit’ is reduced. It is very hard indeed to understand why anyone thinks this will work in a campaign.
- **Service continuity.** We will of course face scare stories about the continuity of public services (will the lights go out after independence...). They are virtually all nonsensical but we must be able to state clearly that there is a coherent plan for how to assure continuity during the transition to independence and in its early years.

THE BIG CHALLENGES

From this it becomes clear what we mainly need to do (and be able to do):

- **Secure autonomy.** The options for this are discussed above. They are not unlimited and everyone should be clear that at the end of the process Scotland will undoubtedly want to have an effective and manageable agreement with the UK. There may be roundabout ways to get there, but we will want to get there.
- **Gain recognition.** On the whole getting proper recognition from the international community is best achieved through agreement with rUK. But there are a few

other (outside) options for this and very good reasons to begin engagement sooner rather than later.

- **Win support.** It doesn’t really matter whether Scotland seeks to become independent through a formally-agreed referendum process or by a less direct route, a point will be reached where there will be an unavoidable barrier if public support for independence is not substantially above 50 per cent. There is no avoiding the need to grow support and the longer it takes to begin that process the longer it will take to complete the task.
- **Build pressure.** There is no chance of an agreement with rUK for the foreseeable future unless its government is put under substantial pressure – so there must be some kind of campaign of ‘maximum pressure’.
- **Ensure the case.** We must make sure that there is a comprehensive and coherent case for how the transition to independence will be handled if we wish to allay fears about preparedness. Focus the message. The movement needs clear, shared, top-line messages about what independence is ‘for’.
- **Build delivery infrastructure.** Campaigns simply do not deliver themselves; the independence movement has suffered substantially from having no campaign infrastructure outside of the SNP. If any cross-party-non-party campaign is ever to be run again we must quickly rebuild the infrastructure.

THE IMPORTANCE OF SUCCESSFUL INDEPENDENCE

This paper is about campaign strategy, but independence is something more than just a campaign. If you support independence you must support successful independence – a win followed by a Brexit-style mess benefits no-

one. The analysis above explains why those who say everything except for a referendum 'is for after independence' are simply wrong. The public wants to know the point and purpose of independence as it impacts on their lives and they certainly want to know that we are well prepared for it. Failure to tackle these is our biggest challenge.

But it's not just that we need to appear to be prepared – we actually need to be prepared for when we win. Grassroots activists understandably don't care much at this stage about arcane matters like payment systems and border infrastructure – but they will care very much if their wages don't get paid or drug smuggling over the border increases rapidly. When it comes to independence, 'after' is not an abstract concept but a rapidly-approaching reality. The volume of work required to deliver a successful nation state is being underestimated by probably a majority of the independence movement, the timescales required to complete it are much longer than is often thought and the impacts of not being prepared to complete this work quickly are greatly underestimated.

There is a belief that this can be 'filled in' quickly. That belief is based only on people wanting to believe it is true. It isn't. Scotland doesn't have enough senior, skilled people currently working in the country to complete all of this – and since these are very senior posts recruitment can easily take 18 months from when the process starts. That is before any of the work can actually start. Taking Common Weal's work as the best measure here (and that is based on being very well prepared), it would probably take two years to properly get ready and prepare and then at least three years to deliver the work. If that doesn't happen until after an independence vote the lead times may well be longer – but it means Scotland couldn't hope to be meaningfully independent for five years after a vote. If the work doesn't start until after negotiations with the UK Scotland's real independence is closer to a decade away than it is to 18 months after a successful referendum.

And the idea that this can be knocked together by the civil service quickly after a Section 30 Order is granted or that Scotland's current civil service has sufficient spare capacity to actually

do the work is well beyond wish fulfilment and well into the category of worryingly ignorant. We must prepare not only so we can be seen to prepare – we must prepare full stop.

DELIVERY INFRASTRUCTURE

None of the content in this paper can be delivered using the infrastructure we currently have. The independence movement has become fragmented and has not easily been able to talk properly to itself. This cannot all be subsumed into a political party; we need some diversity and to recognise that diversity. So there needs to be an overarching body which enables the entire movement to talk and plan together and which can lead in building the infrastructure we need. That is the first part of a delivery mechanism.

Then, campaigns need organisation (which is why there hasn't been one for five years) and organisation needs resources of time and money. No major campaign of this sort which has ever been run has been run on a purely self-organised part-time volunteer basis. Unless there is a properly-equipped campaign organisation there won't be a properly-equipped campaign. The second priority is an effective campaign organisation and since the evidence is overwhelming that it will work much better if it's not a party political campaign it needs to be a non-party civic organisation working on behalf of the whole movement.

The third part of the delivery mechanism is needed to impose the messages of preparedness and to instil confidence in voters. This is also needed to actually prepare because this is work the Scottish civil service cannot do unless there is a Section 30 Order. We must be able to prepare proper answers to reasonable questions and we need to project those answers with confidence and authority and not let them all be bogged down in the to-and-fro of party-politics. We need more authoritative pro-independence voices to deal with the arguments necessary to win the campaign and they will need the answers.

The fourth part of the infrastructure we need is some way to manage and roll out a campaign

of 'maximum pressure'. It is of the utmost importance that we get this right; misjudging a campaign of maximum pressure is one of the most damaging things we could do. There must be strong reassurance to all involved that this is being appropriately managed by people who know what they're doing and the public must see evidence that this is a respectable course of action. It needs some kind of 'governing council'.

Some will look at this list and feel it is too much. Indeed, the belief that an independence referendum is round the corner has been used to suppress all moves towards developing this infrastructure. That's why there's so much to do – we've five years behind where we should be, five years of pursuing attractive-but-false shortcuts. Campaigns without a campaign organisation, preparation without people doing preparation, movement without coordination and pressure somehow emerging from thin air have all been deeply-damaging misapprehensions. Continuing to make that mistake will simply delay the day of Scottish independence.

Pillar One: coordination

It seems a non-controversial statement that the movement would benefit from a coordinating body in which all national and regional pro-independence organisations and political parties could get together and plan collectively. The motivation for attacks on this concept can be considered another time but those attacks must stop. There is already an organisation of this precise form in the Scottish Independence Convention and it already has membership from almost all the pro-independence organisations in Scotland. The briefing against the SIC must end and everyone must work together to make the SIC work.

It should set up and broadly oversee the other campaign infrastructure, providing collective advice. It should also carry one of the main tasks outlined above – developing relationships with affinity groups and helping to encourage pro-independence affinity groups to set up and grow. A priority should be a 'young people for independence' organisation, an 'artists for independence' organisation (or a replacement for National Collective) and a 'climate change

for independence' organisation. The SIC might benefit from having an administrator but it does not have any runnign costs otherwise and this work would be done on a volunteer basis.

Pillar Two: campaigning

We need to develop and deliver a campaign at a national level and to support and coordinate the many local campaigns which will be crucial parts of the over all campaign. It's functions will be standard campaign functions – strategy development, media relations, coordination of campaigners, production of campaign materials, social media campaigning, research (and public attitude research) and support and training. It must be inclusive of all parts of the independence movement but be able to respond quickly and adapt strategy in a way responsive to events. It must also be designed carefully in terms of tone, branding and language to be best able to open and sustain communication with target voters.

Much of this has already been done and it is hard to see a reason to repeat what has been done. The SIC fundraised and used that money to develop a really effective campaign vehicle. Through a long and intensive process of research, design and testing (carried out by a leading branding firm working with a leading public attitude research firm) a blueprint for a campaign organisation brand was developed. It was launched earlier this year as Voices for Scotland and currently has two staff doing its development work. There are various reasons why it has not been embraced properly by the entire movement, but those reasons must be set aside for the greater good. There is such strong evidence of the need for a civic-led campaign (which involves but is not a subset of political parties) and so much first-rate work has gone into working out what that organisation would look and sound like that it would be crazy not to build on what is there.

It needs funding – but a major fundraising strategy is soon to roll out. The more money available, the more can be done. Whatever has held people back from supporting Voices for Scotland (mostly a view that a new electoral mandate would make it unnecessary) should be

set aside and the weight of the movement must be thrown behind it now.

(One small note; there will be two major and very distinct campaign phases – pre-referendum period and the referendum period. It is the belief that the former could be skipped which has caused the independence movement so many problems. What you do in each of these phases is different. For example, during an electoral event like a referendum the public is very willing to listen and engage with questions they are being asked to vote on. In that phase they take the time to answer the door to campaigners. Outside of a decision period they simply do not want to be disturbed by campaigners at home to talk in abstract terms. Voices for Scotland has been very explicitly designed for a pre-referendum phase and there is no assumption that it would go on to become the official campaign body during a referendum – thought it might.)

Pillar Three: preparedness

The independence movement needs a structure for preparing and being seen to prepare for independence. Here it is suggested that this might best be done in two phases. Immediately a 'Transition Council' can be established with perhaps a dozen leading non-party figures who are esteemed in their area of expertise which would cover the main subject areas on which we must answer questions. They can start to prepare outline answers. They should also be invited on the basis that they can then present those answers in the media with the authority they bring to the subject. It is important that this messaging is clear – the cause of independence is serious and taking things seriously.

However in the longer term (assuming it'll take at least two or three years to get to a referendum) there is a very strong case for a kind of pro-independence hybrid body which is part think tank, part transition organisation. Common Weal has promoted this idea as a National Commission for an Independent Scotland. It would give the movement the capacity to prepare properly for a campaign (equipping us with the really solid and well researched data which would enable us to take head-on the Project Fear attacks ahead)

and it would also do work which the civil service can't to actually get Scotland ready for independence.

The National Commission would be established as a trusted and authoritative organisation which avoids both party politics and tribal arguments with opponents. That said, a key role of it will be to present information to the public, particularly via the media, and so involvement in direct political debate will be necessary. But in so doing it must retain its authority and credibility. It must work to very high standards in developing both policy and data and it must therefore have the respect of people in fields such as academia, government, international relations and economics.

Its work programme should probably start to deal with two things; developing the economic and other data needed to support a campaign (including financial modelling of the early years of independence), and addressing some of the most pressing and tricky policy issues, particularly border and trade arrangements. This is undoubtedly complicated by the problem of the Growth Commission and currency, a little-supported policy of Sterlingisation-then-new-currency creates a number of problems to do with mortgages and pensions which do not occur in a Sterling Union or can be addressed comprehensively in implementing a new currency. This will require negotiation.

It should be said that a National Commission is the kind of thing that should have existed decades ago and so building it up quickly isn't the ideal situation to be in. But to get an idea of the potential for what it can do it is worth thinking about where, ideally, it would be just now. To do that let's think about the kinds of roles it could play:

- **Chief Economist.** A Chief Economist would lead on creating and presenting economic data on the case for independence. It would be for this position to pull together existing economic and social data, filling in holes in the data, challenging the economic case put by the other side, engaging in budgeting projections for the early years of independence and would also be in charge of general research where needed. Presenting this to print media and on

broadcast media would be an important part of the job.

- **Head of Policy.** A Head of Policy would work to develop policy answers to key issues for Scottish independence such as border arrangements. This would be done to prepare a implementation plan for after a successful vote and to equip the movement with comprehensive answers during a campaign. The Head of Policy role would also lead on developing an interim constitution (the role of designing a process to produce a constitution would be for the Head of Engagement as below). Answering media questions about these issues would be a central role. **Head of Transition.** This post will be wholly dedicated to preparing a full project implementation plan for the months and years after a successful vote. The position would have less of a media focus but would be expected to be able to answer media questions on specifically what would happen in the post-referendum period up until independence day.
- **Head of Withdrawal.** The Head of Withdrawal would prepare for the parliamentary processes required after a successful referendum vote. This would in particular mean the preparation of a Withdrawal Bill and any necessary changes in legislation in Scotland. The post would also have responsibility for any legal issues relating to independence and would be the lead figure on developing a negotiating strategy. Other than in terms of explaining legal issues, this post would not be particularly public-facing.
- **Head of Preparation.** The Head of Preparation would be focussed on logistics and planning. While it is for the Head of Transition to develop the transition plan, it would be for the Head of Preparation to put in place the infrastructure to develop it after a successful vote. This is very largely a recruitment job with significant organisational development aspects.
- **Head of Engagement.** This post will be a liaison post with a wide range of

stakeholders in Scotland to ensure that they are as engaged as possible in all the above work. It will mean working with private, public and social sectors to inform all of the above work and to help to communicate plans to those stakeholders. The post would also have responsibility for public engagement activity.

In the run-up to a referendum the National Commission would act like a respected and authoritative think tank with a substantial back-room project development team. After a successful vote for independence it would become the implementation agency of the transition plan it has developed – as sort of short-life civil service unit delivering one project and then dissolving.

Of course it is unlikely that an organisation of the type envisaged above could be put together quickly, but a ‘chief economist’ and a ‘head of policy’ would be an enormous asset to the movement and could be achieved quickly. If for any reason Scotland is drawn into a protracted campaign for independence the role of the National Commission would become stronger and stronger.

Pillar Three: maximum pressure

Running a successful campaign of ‘maximum pressure’ is difficult and risky. It requires activities which create the greatest negative impact for decision-makers but must find a way to stay comfortably on the right side of public sympathy. If the pressure is too little it will be ignored. If it is misjudged it will alienate voters which will embolden decision-makers to reject the approach. It is particularly fraught against the context of a hostile media which seeks to present activities as more militant than they are. The path between imposing sufficient pressure but maintaining public sympathy is a narrow one and must be navigated carefully. Each phase of action must be ‘earned’ by the previous phase; the escalation of the strength of activity must be felt to be proportionate to the way the political reaction to the last phase is handled. If a campaign of resistance and civil disobedience is escalated too quickly it is very likely to backfire, but if it doesn’t sustain continued momentum

it won't work. It is particularly dangerous if a careful, shared process of 'maximum pressure' leads to uncoordinated guerilla actions by third parties. It only takes one independence supporter to make one mistake which leads to death or injury to a bystander to discredit entirely the whole process. This danger must be taken very seriously indeed.

The infrastructure for delivering a campaign of 'maximum pressure' is not onerous. Direct action only works where there is widespread participation by the public and so the design and coordination of actions (which are generally very simple in themselves) is comparatively simple – it is for the participants to deliver resistance. The much more important part of such a campaign is a combination of good judgement and the appearance of respectability. On the one hand it needs people who have a good sense of what is and isn't acceptable actions at any given time and on the other it must have a 'public face' which the public views as reasonable, fair and respectable.

To achieve this the independence movement should establish a Committee for Scottish Democracy. This should be made up of a dozen elder figures who are selected on the basis of being seen to be experienced, reasonable and authoritative. This means looking for people with experience of protest and civil disobedience

campaigns but who do not come across as 'dangerous' or militant. This will mean looking for individuals among sectors like the peace movement, the churches, the charity sector and the trade unions. They would have the dual role of advising on what activities to pursue and presenting a calm and reasonable face to the world. They might invite suggestions from the public of forms of creative resistance and then assess the ideas that emerge and form them into a plan. They might wish to research and speak to existing campaigns which are using protest and civil disobedience effectively (the Black Lives Matter and Extinction Rebellion campaigns both offer lessons on what and what not to do). And they will of course have a wealth of experience among themselves to draw on.

CONCLUSION

There is a lot in this paper and even at this length it is a long way short of comprehensive. Campaigns are like that – complicated, requiring a lot of thinking. This is its authors best contribution and with luck it will help in developing thinking. There is no reason Scotland can't move rapidly towards independence, but we must start to plan and act systematically.

ANNEX A: A FEW EXAMPLES OF 'MAXIMUM PRESSURE'

The joy of a campaign of 'maximum pressure' is how much creativity it involves. It is a remarkable history – Gandhi making salt illegally on the beach, poll tax non-payment, the Upper Clyde Shipyards work-in, peasant land occupations in Argentina, flying pickets and strikes and much, much more. From the civil rights movement in the US, the anti-apartheid campaign and the suffragettes to Mary Barbour's rent strikes and the French farmers dumping manure outside McDonalds to get a fair price for their produce, there are surprisingly few social movements which have achieved their goals WITHOUT some element of civil disobedience.

But all of these examples are illegal and there is a long way we can go before we escalate to illegality. Indeed, there is a long we we MUST go before we escalate to illegality. The following list could be pretty well endless, only as creative as we are. So it attempts to group activity into a few categories to illustrate what is possible.

A couple of points that are essential. First, everything must be non-violent, and that includes violence against property (other than where it is very minor). Secondly, everything must be carefully managed, coordinated and gradually and carefully escalated. Finally, everyone involved must be made absolutely clear about the implications – if pursued towards the end of this list, people will end up in prison and everyone must engage in this activity with a clear understanding of the impact it may have on them.

Clearly this list is nothing like comprehensive; the independence movement should start crowdsourcing as big and a creative list of these ideas as it possible can.

Protest

Marching, demonstrations, agitprop, set-piece stunts, 'arms around' activities, mass leaflet drops and much more falls into the category of straight-forward protest which no-one could disagree with. Also think of legitimate protests

such as the bombarding of UKIP events in Scotland with pro-independence supporters until they couldn't hold them any more.

Mockery

This is very powerful – politicians hate being mocked. A group of young creatives could ensure no UK Minister ever comes to Scotland without being chased around by people focussed on making them look daft. Think of the scene as Labour politicians were made to march up Buchanan Street to the Imperial March from Star Wars – multiplied by three years. There is a lot that can be done in the field of political satire.

'Civil Obedience'

This is fulfilling your duties as a citizen in a manner that causes the maximum irritation. This could be anything from making payments to government in large numbers of small denominations to returning unmanageable large amounts of information when required to answer question. Anything which makes the deliver of UK state services in Scotland as annoying as possible for politicians.

Targeting

Identifying particular organisations or functions for campaigns of boycott and non-cooperation or direct protest, mockery and 'annoying compliance' at them. Targets must be selected carefully and it must not seem like bullying. This can also involve activities like 'shareholder activism' or campaigns of disinvestment (moving your money or business away from activities or organisations you wish to target).

Work disruption

This can tip into 'civil disobedience' because of the UK's repressive trade union laws but strikes, go-slows, pickets and work-to-rule are crucial parts of the history of social change. These are best when carefully targeted.

Propaganda and symbolism

The Scottish Government could fund films about Scotland's history which are conducive to maximum pressure campaigns (a retelling of the true story of the Act of Union?). Arts events, poetry, renaming ceremonies and a wide range of other forms of what is effectively propaganda can have a high visibility.

Hostile policy agenda

The Scottish Government and local authorities can pursue policies (and administer them) in ways that are particularly unhelpful to Westminster – this was one of the key tactics used against Margaret Thatcher. This can range from things they know will hurt those pressure is being put on (land reform and grouse moor regulation which will directly impact on senior Tories) to more symbolic acts (renaming public spaces named after UK monarchs) to more combative steps (timing roadworks to cause maximum disruption to UK events in Scotland).

Civil disobedience

Then we reach acts of varying degrees of illegality. This can start with non-payment campaigns, peaceful sit-down protests, occupations, the deliberate breaking of unjust UK laws (for example on immigration or 'extremism'), unofficial protests and blockades, wildcat strikes, mass trespass and debt refusal. There are more accelerated forms of sabotage such as coordinated blockades of key sites of importance but this is at the farthest end of where we should be going.

ANNEX B: ANSWERS TO KEY QUESTIONS ABOUT INDEPENDENCE

With apologies, this section will be added later today.