



## **Introduction**

Following Professor Nicola McEwen's session on constitutional considerations in Weekend 1, the Assembly expressed a wish to have an explanation of the key terms in the context of the constitution. Professor Nicola McEwen has compiled this list, using her expert knowledge and a range of other sources (listed at the end of this document).

## **Acts of Union**

The respective Acts of the old Scottish Parliament and the English Parliament before the two countries joined in a political union in 1707.

## **Barnett formula**

This is a method used by the UK Government (specifically, the Treasury) to work out how much money should be allocated to the governments of Scotland and Wales and to the Northern Ireland Executive to spend on public services. This money is called the block grant. It is calculated according to population size, not need. The method adjusts the allocations for Scotland, Wales and Northern Ireland automatically, as a share of changes made to equivalent public services for England. So, if health spending in England goes up or down, the devolved governments see their allocated spending go up or down by a proportionate amount. The block grant is now adjusted to take into account the amount of money that is raised by the Scottish Government from income taxes.

## **Bill**

A draft of a law that is introduced into Parliament. Once a bill has completed each stage of the law-making process, it becomes an Act of Parliament.

## **Block grant**

This is the grant that is transferred from the UK Government to the Scottish Government to spend on public services. This grant comes from the pot of money raised from taxes from across the UK. It represents Scotland's share of the money, calculated according to the Barnett formula.

## **Block grant adjustment**

This refers to the adjustment that is made to the Scottish block grant to reflect the increases in the Scottish Parliament's tax powers. For example, the block grant is adjusted to take into account that income taxes paid by all workers living in Scotland now go directly to the Scottish Government instead of the UK Government.



## **Constitution**

A constitution is the set of principles and rules by which a country is organised, and the powers of its government(s) and parliament(s). In many countries, these principles and rules are laid out in a single document, and a Constitutional Court ensures that the rules are upheld. The UK Constitution, by contrast, is laid out in many key Acts of Parliament, accepted practices known as conventions, and the decisions of the courts. The Courts normally only make decisions that give meaning to Acts of Parliament. They do not normally make decisions that concern constitutional conventions.

## **Democracy**

This means “rule by the people”. In practice, the people usually elect representatives (members of parliament) to make decisions on their behalf. These representatives are held to account in free and fair elections, usually at least every four or five years. This is known as a representative democracy. A direct democracy is where citizens make the decisions themselves, for example, in frequent referendums. Switzerland is the closest example of a direct democracy in Europe today.

## **Devolution**

A constitutional system that involves some power being transferred from a central parliament or government to another parliament or government at a lower level. The UK constitution adopted devolution when it created and transferred powers to the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.

## **Devolved matters**

Those areas of policy where the power to make laws has been passed to the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly. These law-making bodies each has a distinctive set of devolved matters over which they can make decisions.

## **Electorate**

The collective name given to all the people who have the right to vote. The electorate can vary depending on which elections are being contested. For example, in elections to the Scottish Parliament and local government, 16 and 17 years olds, and EU citizens living in Scotland, have the right to vote. However, these groups cannot vote in elections to the UK parliament.

## **European Union (EU)**

A political and economic union of 28 **European** countries (known as ‘member states’) that have joined together to make common decisions and laws in a wide range of areas. These include the free movement of people, goods, services and finances between member countries, trade agreement with other ‘third’ countries, and many policy areas such as agriculture, fishing, the environment, regional development and workers’ rights. Every member state has to abide by the EU’s laws. 19 of the 28 member states are part of the Eurozone, meaning that they all use the Euro



as their currency. The EU's origins date to 1957, when the original six member countries set up the European Economic Community (EEC, or 'Common Market').

## **Federalism**

A political principle that aims to balance political unity with recognition of the diversity of territories and peoples that form part of the same country. The political system that embodies the principle of federalism is known as a federation.

## **Federation**

In a federation, the right to rule (sometimes known as 'sovereignty') authority is divided in the constitution between the federal level of government and the constituent units that make up the country. In the United States, the federal level of government is in Washington DC and the constituent units are the 50 states. In Canada, the federal government is in Ottawa and 10 provinces, plus 3 territories, make up the units of the federation. The powers of the federal level and each of the units is protected by the Constitution.

## **Government**

The most successful party in an election gets to form the Government. If the winning party wins over half of the seats, it will usually govern alone. This is called majority government. Sometimes the winning party, even if it has less than half of the seats, will still choose to govern alone. This is called minority government. Parties with less than half the seats sometimes secure the support of another party so that together they can have more than half the seats. Governments with more than one party are called coalition governments. Having more than half of the seats can make it easier for a government to win votes in parliament. Having less than half the seats can make it difficult for the government to make the changes it wants to make.

## **Independence**

This refers to a constitutional outcome that would see a territory leave the country it is currently a part of to form a new country. In the Scottish case, independence would mean that Scotland would no longer be part of the United Kingdom. Instead the Scottish Parliament would be responsible for making laws over all matters, and the Scottish Government would have responsibility for every area of policy, including representing Scotland in the international community.

## **Laws**

These are rules deciding what can and can't be done in a country. The Scottish Parliament can pass laws on devolved matters.

## **Legislation**

This is another term for laws. The process by which new laws are made is referred to as the legislative process.



## **Local government**

The organisation with responsibility for providing local services. In Scotland, local governments are also known as 'council' or local authorities. There are 32 councils in Scotland. Each one is run by a local administration (a local government), made up of one or more parties or groups of councillors. Councillors are elected to represent communities, known as wards, within each council area. Each ward has 3 or 4 councillors.

## **Media**

The media is a collective name for newspapers, television, radio and internet based journalism.

## **Members of Parliament (MPs)**

The individuals elected to serve and represent people in the UK Parliament. There are 650 MPs, and Scotland elects 59 of these. Each MP is elected to represent a local constituency. The system for electing these MPs is known as the simple majority system or, more commonly, the 'first past the post system'. This voting system is more likely to result in a single party winning more than half of the seats even when they win less than half of the votes.

## **Members of the Scottish Parliament (MSPs)**

The individuals elected to serve and represent the people of Scotland in Parliament. There are 129 MSPs. 73 MSPs are elected to represent local constituencies. The remaining 56 are elected to represent larger regions. The voting system used in Scottish Parliament elections is a mixed member system and is designed to be proportional. That means that there is usually a close match between a party's share of votes and its share of seats. As a result, it is more common to have minority governments (made up of one party with less than half of the votes) or coalition governments (where two parties share power so that, together, they have more than half of the seats in parliament.)

## **Parliament**

A parliament is a group of elected representatives that debates and decides upon new laws. Parliaments have a key role in representing their constituencies - the people and communities – and also holding government to account for its actions.

## **Participation**

The idea of "taking part", in this case, taking part in a democracy. This might be through voting in an election, standing for election, joining a political party or taking part in a campaign to change something you feel strongly about.



## **Referendum**

A referendum is held when the Government wants to find out what everybody in the country thinks about a particular topic. Referendums in the UK are non-binding. That means that they do not impose any legal obligation on the government to act on the result. However, if a referendum finds public support for a change to take place, this will usually lead to that change taking place.

## **Reserved matters**

The policy issues that are decided at UK level (in “Westminster”), such as Defence, Foreign Affairs, Immigration, Employment Law, and Social Security.

## **Rights and responsibilities**

In a democracy, everyone has rights (things you are free to do) and responsibilities (things you are expected to do).

## **Scotland Act 1998**

The Act of Parliament passed by the UK Parliament that led to the creation of the Scottish Parliament. This Act sets how the parliament will be elected, how the government will operate, and how powers are divided between the UK Parliament and the Scottish Parliament.

## **Scotland Act 2012**

This amended the Scotland Act 1998, giving further powers to the Scottish Parliament, especially over tax.

## **Scotland Act 2016**

This amended the Scotland Act 1998, giving further powers to the Scottish Parliament, especially over income tax, some social security benefits, including disability and carers' benefits; elections and some areas of energy policy.

## **Scottish Parliament**

Scotland has a long history of having a Parliament with the earliest record being in 1235. After Scotland and England joined in a political union in 1707, Scotland did not have a separate Parliament, and decisions about Scottish affairs were instead made by the UK Parliament. Almost 300 years later, a new Scottish Parliament was set up, following a referendum that demonstrated its public support. The Scottish Parliament is responsible for making laws in areas for which it has been given the authority to do so by the Scotland Act 1998.



## **Westminster**

“Westminster” is often used to refer to the UK Parliament or Government. Westminster is the part of London where you’ll find the House of Commons, the House of Lords, and the main Government buildings.

## **Glossary Sources**

- Nicola McEwen (Co-Director, Centre on Constitutional Change)
- Scottish Parliament Glossary  
[https://www.parliament.scot/help/769\\_785.aspx](https://www.parliament.scot/help/769_785.aspx)
- Scottish Parliament Glossary of Parliamentary words and phrases  
<https://www.parliament.scot/visitandlearn/Education/49676.aspx>
- UK Parliament Glossary of key parliamentary terms  
<https://www.parliament.uk/site-information/glossary/constitution/>