

PHIL BUDDEN: Hello, and welcome to the Starr Forum this afternoon, where we're delighted to have the presiding officer of the Scottish Parliament joining us, today. My name is Dr. Phil Budden. I'm a senior lecturer here at MIT, and I'm delighted to be your host today. Before I turn to the presiding officer, let me just say a few words of welcome. I saw from the poll that we have people from around the world joining us today. So you're all welcome. Good afternoon from Boston, Massachusetts.

I'd like to particularly thank two of our co-sponsors. First of all, MIT Center for International Studies, and specifically its Starr Forum, which is our flagship public events program. So thank you Starr Forum for pulling this together, and congratulations CIS on your 70th anniversary this year. The other part of MIT I'd like to thank as a co-sponsor is MISTI's MIT UK program, and we're delighted to now have an MIT UK program that is encouraging links between MIT, a very international institution based here in the United States, with the United Kingdom, which, as you can tell, is my home country. So I'm delighted to be the faculty co-director of MISTI's MIT UK.

Now, today's event is being recorded, but also sent out to you live thanks to YouTube. I am, in a moment, going to introduce the presiding officer, and then he's going to talk to us about the amazing things that are happening in Scotland. And what a time we have chosen to have the presiding officer with us. During that 20 or so minutes, I will be keeping an eye on Q&A and conversation in the chat. So as you think of questions along the way, please do put them into the Q&A or the chat. And I will then pull those together, and then put those questions to the presiding officer who has said no subject is off the table. So please do put your questions in there.

And then, we'll take this through to the top of the next hour, which will be 1 o'clock here in Boston time, and wrap up and let the presiding officer get back to the parliament. So with that, as you can see, there's various pieces of information for you in the chat already, but it is a great honor to get to introduce to you today, the Right Honorable Ken Macintosh MSP, member of the Scottish Parliament, and its presiding officer.

As you will discover, Ken is a very knowledgeable and insightful person. He's coming to the end of his time as the presiding officer. He will explain more about that particular role. But all I can say is, what a fascinating five year term he has had since the May elections in 2016, after which there have been other elections, which have led to Brexit, and to Trump, and then, as some of you would have noticed over the last year, we've had a planet-wide pandemic.

So an exciting five years for any presiding officer, but as I hope Ken will tell us a little bit more about, there's an awful lot of other changes going on, including in Scotland, where an election has now been called, and were in the run up to the election on the 6th of May 2021. So after that introduction, please join me in welcoming the Right Honorable Ken Macintosh, the presiding officer of the Scottish Parliament. Ken, thank you for joining us. I think you might be on mute.

**KEN
MACINTOSH:** A year into the pandemic, and my first amateur mistake. Put myself on mute. Think we'll ever get used to it?

PHIL BUDDEN: Ken, I don't think we will. And let me just say, you have been doing so much today. For those who follow Scottish politics, it has been a fascinating week, and I know you've had a busy day today as the parliament is heading off for election. So thank you so much for making time in your busy, busy schedule to join us today, Ken.

KEN Not at all, Phil, it's a real pleasure. In fact, I'm just sorry that we can't be there in person. I think, originally, we
MACINTOSH: reached out last year, when we were heading over to the States. We're always looking, as a parliament, to countries and institutions around the world, not least in North America, and we have a particularly strong relationship with America. So we would have been there in person, and unfortunately our team are here because of the pandemic, but the wonders of technology, even if I can't work the mute button. Still fantastic.

PHIL BUDDEN: Excellent.

KEN Do you want me to kick off with a description of my role or anything like that?

MACINTOSH:

PHIL BUDDEN: That would be wonderful, because I know with the Scottish Parliament, it's a very particular role with the presiding officer. So if you could tell us a bit about that role, and as you've probably seen from the poll, we have an international audience. So yes, a Scottish Parliament 101 would be lovely.

KEN Indeed. That'll be great. So I've been an MSP for 22 years, and for 17 years, a member of the Labor Party, but in
MACINTOSH: the last election, 2016, I put myself forward as presiding officer. Now, the first job we have, when we follow an election, the first vote we have in parliament following an election, is to choose our speaker. So the presiding officer is the speaker of the parliament. And as you might imagine, it's a tremendous honor, tremendous privilege.

You've not just been elected by your constituents, you're then chosen by your peers. I would also say that it's the only secret ballot in the parliament. So every other vote in the parliament is transparent and public, published, as you might imagine, very important. But the election of the presiding officer is a secret ballot, and that's just to try and minimize the influence of the parties and the party whips in this. So there's a genuine relationship, a bond of trust between the members who choose you, and yourself.

And you reciprocate by leaving your party, so you become impartial. So this is the Westminster tradition. You probably know that as well. The speaker of Westminster is not a member of a political party, and acts impartially on behalf of everyone in the parliament. So just to explain that rule. What it does mean, it means that you don't get to vote unless it's a tied vote, a casting vote. You don't get to vote on issues. I can't put in questions. I can't submit motions. I can't speak in debates. My job is primarily, the most high profile one, is to preside over sittings of the chamber, to select speakers, and to maintain order, obviously, to chair two of the parliamentary committees that run the parliament.

So as well as the chamber work, I chair the parliamentary Bureau, and that's the body that decides what's going to be on our agenda for the coming weeks. Usually we choose the agenda a few weeks in advance. The way the Business Bureau works, there are all the parties in the parliament that have more than five members have a representative on the Bureau, and the government, who will nearly always be the largest party, will, through me, present its business program, and then we'll discuss it, decide whether that's what members want to discuss, and then put that to the parliament, and it's voted on each week.

So that's the Bureau. It's very important in terms of setting the agenda. The other body I chair is the corporate body, the Scottish Parliamentary corporate body, which is a bit like being chairman of the board, essentially, of a large organization. So that's the body that runs the parliament that provides everything from the parliaments security, and IT, and research, [INAUDIBLE] facilities and so on.

It would also make decisions about the amount of allowance MSPs have to spend on employing staff, running an office, and so on. We also get engaged in things like security issues, flags outside the building. I was just talking to Phil beforehand. I've put some flags up, and these are very sensitive issues in Scotland at the moment. So I run that body, or chair that body. And then, on top of that, I have a few other rules. I represent the parliament abroad, hence my pleasure in having this meeting, which is just fantastic, and my big thanks to MIT, a fantastic institution, a real honor for us to be represented here.

But I also welcome many visitors. For example, heads of state and so on. And we do have quite a lot of American visitors. So anybody here, the parliament itself is a very open, accessible, transparent institution. So if you ever do get the chance to visit Scotland, make yourselves known to us, and we really will go out of our way to show you around and show off what we do in the parliament itself in Scotland. And then in terms of that, I have a few other rolls, such as I chair what's called Scotland's Futures Forum, which is our own think tank. We assemble this body.

It's to allow members to operate outside the normal electoral cycle. As you might imagine, whenever a subject comes up, even long term issues such as environment policy, or the nature of social care, or drugs, or things that are long term issues that aren't going to go away, it's quite difficult to get out of the, this is what was in your election manifesto. This is what you promised. This is our position. And sometimes you need a broader forum beyond that, and that's what the think tank provides. So really quite an interesting, very interesting actually, body to chair.

So that's my role as presiding officer. And now, Phil already said that I'm happy to take any questions, of course, that doesn't mean to say I'm going to answer them. Like a politician. Of course I will.

PHIL BUDDEN: Very well trained.

**KEN
MACINTOSH:** But because I'm impartial, what I'll be able to do, I'll be able to tell you what people here think, or I'll give you my view of what they think. And it is a particularly interesting time. So this particular session, which is just coming to an end, where the elections in 2016, Five weeks-- and at the time of the elections, more power had come to the parliament over taxation-- I'm sure most of you will be aware of the makeup of the United Kingdom.

We have a Westminster parliament, which governs the whole of the UK, and then we have a Scottish Parliament, a Welsh parliament, and a Northern Ireland Assembly, and England doesn't have a parliament, England just retains the House of Commons. But in the House of Commons, Scottish MPs tend not to go. Only English people who are English representatives vote on English matters. So it's a devolved set up in the United Kingdom.

When we had our election in 2016, we just had new powers over taxation and social security, which we thought would dominate, but six weeks after the election, the Brexit referendum happened, and Brexit utterly dominated the agenda for four years. Leaving, whether we'd leave, how we would leave, and so on. Really shifted the electoral landscape. And then, of course, for the last year, the global pandemic dominated and pushed that to the side.

Just on that, just where we are, just for information on the pandemic, we had our second wave. I think some countries are possibly in the third wave. But our second wave over Christmas was really, really bad over winter, and it's receding now. We're still living with a lot of restrictions. We're not allowed to move around. Everybody has to work from home whenever possible. The economy is pretty well shut down still, to a large extent anyway. All shops are closed except for essential shops. And so we're still really living in quite a lot of lock down. People wear masks all the time now.

However, having said that, we've just reached the stage where half the population, half the adult population, have now had the first doses of the vaccine. So that means that the figures are really coming down. We can see the end in sight. The number of deaths is dropping, number of people in hospital, number of people in intensive care, and so on. So we can see the end of this pandemic, here in Scotland, and it's giving us a lot of optimism, but we're not quite there yet.

Yeah, so politically however, the Brexit referendum really did change and dominate the landscape here. In the parliament, we have five political parties. The SNP is by far the largest. They are just short of a majority, and they form the government.

PHIL BUDDEN: Ken, would just like to set out what SNP stands for just in case we have any listeners who aren't familiar.

**KEN
MACINTOSH:** Sorry, yes. The Scottish National Party. So this party is fundamentally wanting an independent Scotland. They are pushing for independence for Scotland. So breaking up the United Kingdom. So Scotland is a country in its own right. Scotland, England, Wales, Northern Ireland are all countries in their own right, and Scotland wants to break away and be an independent country. And that's the *raison d'être* for the SNP. Politically, where they are on the political spectrum, for interest, is that they were a collection of views, possibly could be portrayed as more right wing than left, maybe, but mainly because they represented agrarian and fishing interest.

They tend to be dotted around the fringe of the country, and fishing ports, and agricultural communities, but they made a huge breakthrough. I delivered a breakthrough. They reinvented themselves as a social Democratic party of the center-left, and that's where they are now. So they're very, very, very similar, in terms of policies, to the Labor Party. Very similar in terms of support for the health service, or social security, or distribution of income, and so on, but with the big difference being they want independence, and that's the key purpose.

So they rose to prominence and dominated, been in government now for 14 years in Scotland, and they're the single largest party, just short of an absolute majority, but the largest party. And the main opposition party, well, the largest opposition party is the Conservative Party who formed the government at Westminster, that's Boris Johnson's party. And then, after that is the Labor Party, who's the second biggest party in Westminster. Then, after that we have two smaller parties. We have the greens who had six MSPs, now just under five because one of the members left, and 5 liberals. And that's the makeup of the parliament.

Back in 2014, when the SNP had come to power for some time and got a majority, they pushed for an independence referendum. This was a very huge event in Scotland, and there's always been support for independence in Scotland, usually somewhere between 20% and 40%, somewhere between a quarter and a third, that sort of idea. But once the SNP came to power, they went into the independence referendum on about a third of the vote, and as that referendum continued, the people suggested, just the week before the referendum itself in 2014, they'd just gone over 50% of the vote of voting intentions.

And then, it just came back. So on the actual day in September, 2014, the result was 55% no, to stay in. That's 55% to stay in the UK, and 45% to break away. So we agreed to stay in the United Kingdom. But the issue didn't go away. It was beginning to diminish. It was a very divisive time. It was a very huge turnout. Way more than 80% of people voted. It really animated people, got people engaged in politics.

But the political, sort of, temperature began to simmer a little, and then Brexit in 2016 just rocketed it back up again, because Brexit is all about coming out of the European Union. In many ways, you could describe Brexit as English nationalism, so about English saying that we want to take-- if you look at the arguments, they're very similar to Scottish nationalism. It's about taking control of your own affairs, taking charge and repatriating powers and so on.

And it just put constitutional issues back up at the top of the agenda, and also it improved the popularity of the SNP yet again. So it's back on the agenda again. So we're going into this election. So this week is our last week as a parliament. We now have six weeks of campaigning. Election on the sixth of May, and we're going to this campaign on the back of both, the Brexit and the pandemic, and with these issues very much to the fore. And today, just to add fuel to the fire, today, the former first minister, Alex Salmond, who dominated Scottish politics for 10 years, really, in the Scottish Parliament there, he has launched his own political party, today.

So his successor, Nicola Sturgeon, leads the SNP going into this election. They're on certainly high 40s percentage in the opinion polls, but he's launched a rival political party. They're only standing on the list, they're not standing in constituencies. It's literally happened this afternoon, so I haven't had a chance to catch up myself. But anyway, it's going to be a lively election with a lot to play for. So Phil, like all politicians, I could talk forever, so shall I stop there and you take over and tell me which questions to answer.

PHIL BUDDEN: Well, first of all, thank you for that wonderful introduction to your role as presiding officer, and thank you for your service within that. The fact that you have to step back from your own party, and play such a key role. And it's helpful the way you set it up, because often here, in America, the role of the speaker is much more political. They remain a member of their party. So it's very helpful to hear the differences. Thank you also in an even handed presiding officer way of explaining the five main parties, and the events, both of the referendum in 2014.

And just to pick up on this new party, and I know this is just coming in, so this is almost back to sort of a BBC television producer role. You know, news just in. So Alex Salmond used to head the SNP, but now he's broken away from that, and is running, presumably, a pro independence party, another one.

**KEN
MACINTOSH:** Exactly, yes. For your colleagues on the call, I used to be a BBC TV news producer. So yes, this is very much me in a news producer roll now. Yes, Alex Salmond was the first minister. Alex Salmond has been one of the most prominent figures in Scottish politics for more than 20 years, actually even before that. He became the first minister in 2007. It was a very important moment actually, in the life of the Scottish Parliament, because we'd had a Labor, Lib, Dem coalition.

And then, in 2007, the SNP got one more seat than the Labor Party, and Alex Salmond became the first minister in a minority administration. They only had about a third of the MSPs in the parliament, but they made it work. In terms of the evolution of the parliament, it's a very important moment in terms of making that work. And it was so successful that he went on to form a majority administration in 2011.

So now, the Scottish Parliament is a proportional representation parliament. We have 73 seats elected first past the post, then an additional member system giving us an additional 56 seats. But it's designed in such a way that no one party is expected to get an absolute majority, but Alex Salmond and the SNP did exactly that in 2011. And the result of that, the momentum, and the model mandate that gave him, meant that he could negotiate with the, then conservative government under David Cameron, to hold a referendum in Scotland, the independence referendum. So Alex Salmond took the SNP from this small, fringe party that had never had more than, perhaps 10 MPs at Westminster at its height, to the largest party, and the government of Scotland with him as first minister, and a referendum on the future of Scotland.

Really a huge transformation and change. They lost the referendum, and he stood down. And his protege, who had been his deputy for at least 10 years, was Nicola Sturgeon, and she took over as first minister. But what's happened just in recent two years, is that in the light of the MeToo movement. As you know, the allegations against Harvey Weinstein and so on, these were felt all around the world, and they were certainly felt in our parliament in our country. People looked again at their behavior.

We were always very proud in the Scottish Parliament of having a huge number of women. We were at one point at the second highest gender equality record of any parliament in the world.

PHIL BUDDEN: Wow.

KEN
MACINTOSH: Well, exactly. Yes. So we thought we were absolutely at the forefront of this. No problem here, nothing to see, move along now sort of thing. And then we discovered, when we shown a spotlight, as the MeToo movement did, that we, living in a sexist society as we do, were just as guilty of sexist and misogynistic behavior as any other part of our society. And what happened was that the rules were changed about making complaints. The government specifically allowed complaints about sexist behavior to be made to former ministers. And the first thing that happened, was that a couple of civil servants made complaints about the behavior of Alex Salmond.

These were investigated. These were investigated and he challenged the investigation on grounds of fairness. It was unsuccessful, and it was thrown out by the court of session, the highest court in Scotland, and he was awarded half a million pounds in damages. But then, the police charged him with sexual assault and attempted rape. 14 charges, but one was dropped. He went to court, he was acquitted, and he's come out to tell his side of the story. And it's been unbelievable. And I'm not sure if he blames Nicola Sturgeon, but certainly the relationship between them, which used to be incredibly supportive and friendly, is now they are absolutely at each other's throats.

And this has been playing out over the last two years. So on the back of this, he has now launched this other party. So the former leader of the SNP who led them to glory has now launched a different party. So it's interesting, to put it mildly, Phil.

PHIL BUDDEN: Oh, my goodness. Well, thank you for giving us those insights and that background, and that's amazing that a new party has been created going into this. And also thank you for highlighting the Scottish parliament's role on taking these gender issues importantly, and dealing with them. They are serious and they need to be dealt with, and we all need to face these systemic changes.

Could I ask you a question about the referendum, because I know a lot of people who do international studies probably would have seen the Catalan Referendum. And I just wonder if it's worth putting the Scottish referendum of 2014 in context, just the due process that went into that being held, because I got a feeling that another referendum may be part of political parties views in the coming six weeks. So perhaps you could give us some context as we then sort of listen to events in Scotland.

KEN
MACINTOSH: Phil, a very pertinent question, indeed. The 2014 referendum. First of all, the powers over the Constitution rests with Westminster. So the way the [INAUDIBLE] settlement works is that all powers are assumed to rest with the Scottish Parliament unless they are reserved, held back to Westminster. So the powers that are reserved include mostly defense, foreign affairs, a lot of the economic powers, and social security powers, and the Constitution. So in other words, Scotland cannot decide by itself to organize a referendum and have one, and break away. It's a decision for the UK government whether or not to have.

There are Scottish representatives still at Westminster, just to be clear. It's not English, this is the UK parliament. And so what happened in 2014 is that the UK government, led by David Cameron, agreed and approved by the UK parliament, agreed under section 30 of the Scotland Act to allow a referendum to be held, and that was signed as part of the Edinburgh agreement between David Cameron and Alex Salmond, and the referendum was therefore legal, it was proper, it was officially run, and it had legal standing.

As you said, the Catalan example is not quite the same, and what has been fascinating in Scotland in the last year, the last two years, has been pressure in the independence movement, to hold a similarly wildcard referendum. Westminster has made it clear that they don't want to hold a referendum. Boris Johnson has come in as prime minister with a very-- well, it's the same as an English national position, but it was a pro-Brexit position. And he's made it absolutely clear, he has no intention of granting a section 30 order to allow a referendum to be held. So within the referendum movement, the independence movement, they can see the popularity of the SNP.

They can see, for the last year, every opinion poll from virtually a whole year, has shown support for independence above 50%. Now that's the first time that's ever happened on a sustained basis. So you can imagine the pressure, and the frustration amongst independence voters. Look at this, the country clearly wants independence. We need a referendum now. Let's have it. So there's huge pressure to hold a wildcard referendum. And the SNP under Nicola Sturgeon, Nicola Sturgeon herself is very law abiding. She's very conscious of legal matters. A former solicitor.

But she just wants to do things properly. She wants to do things by the book, and she's resisted this. And she's tried to adopt a political strategy of pushing the UK government to grant permission. That changed just a matter of weeks ago, a few months ago at the most, when they said no, OK, We will. They'll bring forward their own referendum bill. And the Scottish government published a referendum bill on Wednesday this week. Tuesday this week, sorry, or Wednesday. I've forgotten. I've lost track of time, Phil.

PHIL BUDDEN: It's been a busy last week for you, Ken. I'm so glad you're joining us. But this is really helpful. And so what does that mean that that bill has come forward?

KEN Well, I'll be honest with you, I don't know. I think we'll need to get some constitutional lawyers on this. One of the
MACINTOSH: roles of presiding officer is to take a view on any bill presented to parliament on whether or not it is within the competence of the parliament. So I should have mentioned it earlier as one of my key roles. It's a very low profile role. Well, most of the time it's not an issue, because most bills presented are government bills, and as you might imagine, the government has got their whole legal team on this, and they don't present bills that are incompetent. However, it does come up.

From the last session, there were a couple of member's bills. There was one about corporate manslaughter, another one about double parking, which I said, well, these bills are not competent, and it doesn't stop them proceeding, it just is a ruling. And I've got 16 lawyers or more in the parliament working for me, yeah. So normally, by the way, they produce these huge reams, which I read all the time, and then they destroyed afterwards. What a waste. I get to see it, have a big discussion with them, and then it's torn up, shredded. But we had a huge battle, not a huge battle, just had a huge worrying time over leaving the European Union, and the government produced what's called the continuity bill.

Now, the European Union, that's part of foreign affairs, so it's reserved. The Scottish government got involved because the powers that were coming back to Scotland were over agricultural and fishing, which is devolved, and the Scottish government published this continuity bill about the way these powers would come back to Scotland, and our lawyers advised, well, that's not within competence. So I had to make a ruling against a government bill on an incredibly sensitive matter.

PHIL BUDDEN: Gosh.

KEN Exactly. I can tell you, I thought that would be the most dramatic and worrying time of the office, and little did I
MACINTOSH: know. But anyway, the future presiding officer, my successor, will almost certainly have to rule on a bill. So the moment the government has published the proposal, they've not presented it to parliament yet, as a bill. So it will have to come to parliament as a bill. The presiding officer will express a view. That doesn't stop it, that's just a view. And then, the continuity bill, which I gave a ruling on, it went through parliament, it was passed, and then it was taken to the court-- the Supreme Court in fact, at a UK level, and it was thrown out at the Supreme Court.

PHIL BUDDEN: Gosh

KEN Exactly. So we don't know. So I don't know what will happen. Only the courts can rule. In our division, and checks
MACINTOSH: and balances division of powers, only the courts can rule on the legal authenticity or veracity of a bill. So I don't know is the short answer. But just as a political strategy, it's very interesting, what's happening.

PHIL BUDDEN: It certainly is. And thank you for explaining that. And I think it's very helpful. I know sometimes people look at the UK and say, it doesn't have a Constitution, but clearly there are constitutional arrangements, checks and balances, things that are going to the judiciary to be checked. And Ken, you have obviously had a key role in your years, and the next presiding officer is obviously going to have an interesting entree for she or he to look at. I was wondering if I could turn to these next coming six weeks.

So now that we've got such a large audience, and I can't believe we've got such a large audience for the Starr Forum, but it must be something about your particularly exciting Scottish times. So as we look to these next six weeks and the election, and I know you're non-partisan presiding officer, but we've got the five main parties, and somebody has asked, will the new party, Alex Salmond's party, whatever it's called, will all six of those be competing, and when should we expect results? Will it be as slow as it is in the United States, or can you count more quickly there in Scotland?

KEN
MACINTOSH: Well, two very good questions. I'll take the last one first, because that's a simple one in theory. We count immediately the polls close. So on a polling day, we always have polls on a Thursday, and the polls close at 10. And we count immediately, in person, every seat except for the Western Isles, and the result is known overnight. However, because we're in a pandemic, that's changed. So for the first time ever, we're not going to have any counting that day. The count will start the next day, and will almost certainly continue into the Saturday.

So this will be a slower than usual with slightly less drama. Well, or the drama will be displaced, or maybe it will be elongated. You know. So yes, we won't know the results of the election, I think, possibly Friday night, but possibly not until Saturday. Yes, let's go back to the election. So although we're six weeks in, and I'm still presiding officer until the new one gets in place. So rather than give you my views, what I'm going to do is I'm going to give you Sir John Curtis.

PHIL BUDDEN: Oh.

KEN Exactly, you knew John.

MACINTOSH:

PHIL BUDDEN: Of Strathclyde. Lovely.

KEN
MACINTOSH: Of Strathclyde University. He did an absolutely brilliant podcast, yesterday, or the day before, on the Fraser of Allander Institute with [INAUDIBLE], in which he gave the background. And so I'm going to quote him, because it seems me giving you my view, and I can tell you that the SNP, at the moment, the way that they sign the opinion polls, are likely to get 64 seats out of 129. 64 is one short. And I know that's an opinion poll. Therefore, it could be up or down by a few. So in other words, and what John pointed out from that was, if the SNP were to get an absolute majority, it has all sorts of repercussions for the way the parliament is set up.

The parliament is designed to be run by minorities and party sharing power. The checks and balances within the parliament, they will be tested. I'm sure they will adapt. They will be tested by majority, because essentially, a ruling party, if they wanted to, could have a majority in every single committee, as well as in the chamber, and therefore could, essentially, you could just rubber stamp everything, which is not in anybody's interest. It's not in the government's interest because you want to be challenged. And then, you want the authority of the parliament as a respected institution to give your decisions weight.

Whereas, if people think the parliament is just there as a puppet for you to manipulate, then it actually undermines your authority. Anyway, that's a different matter, but that will be an issue if a government gets an absolute majority. But the key thing in the long term would be, if the SNP get an absolute majority, that will be taken as a moral mandate, as it was in 2011, to demand a referendum. That will certainly give the party power to target that.

The two other parties in second place and third are the conservatives, at the moment, and labor, and the opinion polls, according to John Curtis, show them neck-and-neck now, which is very interesting. So the Labor Party used to be the largest party in Scotland by some way, and was slowly replaced by the SNP. And the conservatives came through into second place, and so they're going to be vying neck-and-neck for second place, and that's quite important, who's the main opposition. Then we've got the greens, the Lib-Dems, and now, Alba, this new party.

Alba is Gaelic for Scotland, by the way. So Alba. I'm not doing it precise. I'm from a Gaelic family. I do justice to the way the ael sound is. It's Alba, like that. That's for a different subject.

PHIL BUDDEN: That's excellent.

KEN
MACINTOSH: Yeah, so the Greens and the Liberals, at the moment, were hoping to do quite well. But quite well means, we're talking, at the moment they've got 5 and six MSPs, but their hoping for perhaps a slight increase, I still don't know. But now Alba coming in and getting the second vote, it's very difficult to know. I mean, I just could not tell you. I couldn't even begin to tell you what their expectations are. The argument that Mr. Salmond is putting is that, if every vote SNP in the first vote, then there's no point voting SNP in the second vote, because the way that our electoral system works.

You have two separate votes, but when you're adding up the second vote, which is the proportional vote, you work out how many seats you get, and then you subtract the seats you won in the first vote. So if the SNP do phenomenally well on the first vote and win most constituencies, or a lot of constituencies, which is the expectation, then they would win hardly any on the list because they're already proportionately overrepresented in the first vote.

Mr. Salmond is saying, well, in that case don't bother wasting your second vote, because it wouldn't effect the SNP. Vote for another independence party, and he'll try to track votes that way. And he says, and I'll support independence. Therefore, we could have this huge independence majority. That's the argument.

PHIL BUDDEN: Very interesting.

KEN
MACINTOSH: Yeah, but whether it works, as an argument, and politicians see it, but do voters actually vote that way? I mean, I think most voters vote for lots of reasons. And tactical voting on that scale has absolutely never been seen at all, as far as I'm aware. So I'm intrigued. And I'll be honest with you, I'm just not the person to be able to predict.

PHIL BUDDEN: Sure. I wouldn't press you to predict. But, Ken, that is really helpful background for people to understand that it's a two vote approach, and that maybe the creation of the Alba party could increase the independence nationalist vote, and it'll be interesting to see how that plays out. And certainly I'm glad we flagged that, because I think the political scientists here at MIT will be intrigued to watch that and see how people actually vote, and hopefully listen to the Strathclyde expert. Can I turn you to, sort of, repercussions of the election. Because we don't know how it's going to work out, but there's obviously two independence nationalist parties, a variety which seem to like the union, so a more unionist.

There's the bill that will go to your successor, the presiding officer. A lot of people here in America, and also in the Q&A that I'm seeing here, are asking about how this could play out depending on who wins. What are the big subjects, constitutionally? It sounds like the discussion about an independence referendum, the relationship within the wider UK, the relationship with the EU. Do these look like the big issues that you think your successor is going to be seeing coming up in the next five years of the Scottish parliament's life?

KEN MACINTOSH: Well, again, this is absolutely fascinating because I would have thought myself that the big issues dominating the agenda, until Brexit happened and then the pandemic, would be, at the moment, the pandemic first and foremost. I mean, we have spent, like everybody around the world, we spent our whole life, a whole year, living with pandemic, living with the repercussions, devastating the economy, bringing grief and misery to so many thousands of families. And working our way out of that we thought would dominate.

There's a lot of people, for example, wanting to talk about, well, the pandemic has revealed quite gross inequalities in our country, and maybe this is a chance to resolve some of these things. It has thrown up, for example, the use of technology. So as you'll know, and not just for the Zoom call, we've introduced virtual voting in the parliament and so on.

PHIL BUDDEN: Oh, wow.

KEN MACINTOSH: Well, Yeah. Well, exactly. I mean, there are all sorts of changes, and the decline in use of cash compared to cards, and the nature of, well, a carbon based economy, generally, is high up. As you probably know, the big world environment conference, COP26, is coming to Glasgow in Scotland in November. These are the issues that I thought would dominate, but, I'll be honest with you, listening to John Curtis, again I'm going to quote him, it's quite clear that, in terms of voting intention, independence is going to be a hugely important issue.

He was fascinating on this actually, because he pointed out that people say, when you ask what's more important, education, health, social services, the environment. If you put independence on that list, it doesn't get the same traction. It's usually quite low down, but that's because it's not the same sort of issue. It's not a subject like independence. So you actually have to measure independence, and support for independence, and how much it matters, in a different way by its association with other issues. Listen to John Curtis rather than me, because he explains it better as well.

But it was quite clear that, in terms of voting intention, this will be the issue. And I'll be honest with you, it depends on the result how much it will dominate. We are utterly, utterly dominated by constitutional politics over five years because of Brexit. So Brexit, how to come out of the European Union, how to repatriate powers, where the new decisions will be taken, what's the new relationship going to be like with America, with the European Union, with China and Russia? You know, these were big, big issues, and within that, prompting within Scotland, well, do we want to stay in the UK, or do we want to actually go back in as an independent country to the European Union.

So these were huge issues, and they still are, and they really have reshaped the agenda. And I suspect they will stay, because although Brexit has happened as an event, it's an ongoing issue. For example, at the moment, we're having big discussions with Europe about vaccines, because we've had this phenomenally successful vaccine program, but most of the vaccines we use are made in Europe. So the Europeans are going, hang on a second. We running at about 8%, we've got 50% vaccinated, they've got 8% or 10%, but they're all made in Europe. So it's creating vaccine nationalism battles.

Brexit will continue to play out. Depending on the result of the Scottish election, Scottish independence movement will continue to dominate. If it doesn't, and you know, through the pandemic, it's shown that the people who we've relied upon to get us through the pandemic-- caterers, people running buses and public services, they tend to be, at the front line, they're the ones who have had the highest death rates because they're still out there meeting everyone else. And yet, they're the lowest paid of everybody in society.

And it's really put a lot of people up, face-to-face with these equality issues. So I would have suggested, and still would suggest, that these will be addressed. Scotland has North Sea oil, we're quite an oil-based country. Our wealth, originally, was based on heavy industry, steel, shipbuilding, and so on. And we've moved away from that, but we've still got North Sea oil. We have to work out where we're going with it with the Green Revolution, and the transition to that. Lots of big issues. I suspect constitutional ones will dominate.

PHIL BUDDEN: Interesting. Thank you for that, Ken. And we certainly saw that here in the US where, once it got into the election, there were a variety of issues that came up, and the population, having been through the pandemic and seen some of the inequities that have thrown up for that, just like the MeToo movement threw up some gender inequities. I think it's important to address those. On the international side, you mentioned COP26, which is the UN event, climate committee. The parties will be coming together for a conference, the 26th one.

Senator Kerry of Boston, Massachusetts, and now the lead for the Biden administration on climate, has called this, in some ways, the last best chance to deal with things. So it's remarkable that the UK has landed COP26, and that Glasgow, in Scotland, will be hosting it. And so to what extent are international environmental issues, and net 0 of interest to people in Scotland, would you say?

KEN
MACINTOSH: Hugely. It is probably the biggest change in terms of political agenda over the last 10 years. The greens, as a party, for example, are still, I think they're about 7% in opinion polls, I think, at the moment. They've got six members in the parliament. So it's not the driving issue that gets people voting at the polls. However, if you look at then, how all the political parties have responded, it has absolutely moved right up the agenda. And so all the parties now, it's not a question of whether they're green, it's how green they are.

PHIL BUDDEN: Interesting.

KEN
MACINTOSH: I'll tell you something else that's quite interesting in the Scottish Parliament. Our first minority administration was back in 2007, when the SNP came in, and because they only had 37 MSPs out of 129. They could get their budget through with a deal, but they couldn't get their legislation through, guaranteed. So it was quite a legislative light session. But what did happen, when they brought forward an environment bill, was all the parties posted it, and it became an incredibly powerful bill. So this was a bill that set very, very ambitious environmental targets for Scotland. And it was done because the government didn't control it. Governments quite often have to wrestle with promise against delivery, unrealistic expectations for what they can do.

In this case, the government brought forward a bill, and all the opposition parties just grabbed it and said, yes, well, never mind doing this by 2060, let's do it by 2040. Never mind this target, let's double it. I mean, they really went to town on it. And we came out with a bill, a committed Scotland, to really, really tough environmental targets well ahead of other parliaments in other countries, I'll be honest with you. Now, the difficulty, of course, is putting that into practice. And we are really at a difficult stage at the moment. And we have North Sea oil just off the coast of Scotland.

Compared to oil in America, it's nothing, but it's an important part of our economy. Just in this last month, we've had a big discussion about whether or not any North Sea leases should be renewed. In other words, should there be any further oil. Green politicians would argue, look, this is the end of the oil economy. You cannot take any more oil out of the ground. The others would say, no, no, wait a second. We still need to literally oil the wheels of industry to keep it going. Sorry, terrible pun.

PHIL BUDDEN: No, that's very good, Ken. Very good.

**KEN
MACINTOSH:** And we also have to shift a green transition to the renewable energy sector and so on. And the Westminster government did approve new licenses with obligations about transition. And it was quite interesting, one of the last questions as first minister was on this issue, and she didn't come down very clearly. She addressed both issues. She didn't absolutely come out one way or another. She steered her way through it. It was quite interesting, I thought.

So it just shows you how difficult it is. It's very difficult in practice, and that's where Scotland is at the moment. Very excited in a parliamentary way about how this worldwide conference will give a boost to the whole movement. And not only that, it will put our focus on practical delivery. So it won't just be about [INAUDIBLE]. Hopefully, we'll have to come up with some concrete decisions.

I should emphasize, it's being hosted by the UK government in Scotland. UK government are the host. Scottish Parliament, Scottish government, will be very much involved, and anybody that is coming over for that conference, make sure it's known to us, because we very much want to welcome you to be part of it. And yes, where it will lead to, I don't know. Senator Kerry was here. He met with Nicola Sturgeon, with the prime minister first, and he met with Nicola Sturgeon, our first minister, as well, about three weeks ago when he was on his way to Asia.

I can tell you also that the biggest impetus to the perceived success of this conference has been the change from the Trump administration to the Biden administration, more than any other factor, by far, is the fact that President Trump was clearly hostile, and President Biden is immediately taking America back in, and that's hugely significant, hugely significant for anybody interested in these issues.

PHIL BUDDEN: Well, that's excellent. Thank you for that great context. So as Americans follow the Biden administration and Senator Kerry, secretary Kerry's role, they'll be hearing lots about Glasgow and Scotland and the wider UK in the run up to that. Now, you invited people to drop by to Scotland, and I'm hoping that people have a good sense of what a welcoming place Scotland is. I know, in popular culture at the moment, Ken, there's a show going on called Outlander, which has really put Scotland on people's radar screens in a way that I think Game of Thrones did for Northern Ireland, which has come up in questions. But between Outlander and COP26, there are many reasons to be coming to see Scotland I imagine.

KEN Yes, indeed. It is very strange. Here in Scotland, as you might imagine, we are so proud of our heritage. When

MACINTOSH: you come to Scotland, the first thing that will strike you is what an old country it is. It's a country full of castles, and battlements, and lochs, and historical stories, folklore going back, and historical reenactments going back centuries. I'll just say, for example, in my own family, my own family on my wife's side, make highland dress. So they make tartan and kilts. I'm not wearing my Tartan tie today, but you are, Phil. I'm delighted to see it.

PHIL BUDDEN: I am.

KEN So we're very proud of that. We're very proud of the whisky, the Tartan, and the Celtic Pictish background. All of

MACINTOSH: that is fantastic. At the same time, we are a modern country. We are a modern democracy. We're wanting to be part of the 21st century, we're not wanting to be backward looking at all. So Scotland's always split with this. We absolutely love the Outlander phenomenon. We absolutely love it. At the same time, although, I should say personally, by the way, I don't watch Outlander. I watch American sitcoms. That's what I watch.

PHIL BUDDEN: A good trade.

KEN Exactly. I would swap you any day of the week. American sitcoms, you take Outlander. But here at home, we're

MACINTOSH: very proud of it. At the same time, we're always slightly anxious that people just view Scotland as a sort of historical backwater, rather than a modern country that's producing thinkers, bio-scientists, creative people generally. So yeah.

PHIL BUDDEN: That's very helpful, Ken, because I know here, at MIT, we've got to meet some of the amazing innovators and inventors from Scotland. I know there are moves along the Clyde river, along Strathclyde in Glasgow, to have a real innovation district there. So I'm hoping that through our Misty MIT UK program, we can continue to expose MIT to some of the amazing strengths in that part of the United Kingdom alongside others. It's not all in London. There is amazing capabilities North of the border as well.

KEN Yes, you'll know this, Phil, yourself, and I'm sure many of your colleagues will. Scotland's higher education sector

MACINTOSH: is one of the areas we are most proud of. We have got more universities per head than most countries in the whole world, and they rank in the top universities in the world. I'll be honest with you, I'm a big fan of American Universities. I went to Edinburgh and we had an exchange scheme with University of Pennsylvania. So I had the joy of spending a year in Philadelphia.

PHIL BUDDEN: Excellent.

KEN Absolutely loved every minute. So much so that three of my own kids are now-- I've got one in Davidson in North

MACINTOSH: Carolina, one in Kenyon in Ohio, and one coming to Tufts just down the road from you.

PHIL BUDDEN: Excellent. Well that is wonderful to see these transatlantic links. It really does come down to the people. And I hope, Ken, at some point we can tempt you over when things lift, perhaps when you're visiting the child at Tufts. It's just across the water in Boston from us, to come visit us. And before we start turning to final remarks. I do have a question from here. Somebody's like, what are you going to do next, Ken? You've obviously had a very storied career. You've probably had one of the busiest presiding officer periods to date, although the next person is going to have quite the handful too. What are you going to do next?

KEN Do you know what, Phil? I'm not 100% sure. I've been incredibly fortunate. So I loved my job at the BBC. I worked
MACINTOSH: at the BBC. I was a TV producer in news for the BBC, which is such a great organization. Absolutely loved that. And then, put my name forward for the Scottish Parliament, first was established in '99. The way that you do it in parliament. People talk about a political career. Career implies you've got some sort of say of it, or it also implies it's a meritocracy. I can assure you it isn't. You're neither responsible for your successes, nor are you entirely responsible for your failures, perhaps more responsible for your failures.

So yes, I didn't expect to be here as long as I have, and I have enjoyed every minute. But having had such a fortunate, and very fulfilling, life, always in the public sector in Scotland and the UK, and I'm sure I'll make some sort of contribution. But I might just take a few weeks off, you know, just to see how things develop over the next few weeks.

PHIL BUDDEN: Ken, I think you deserve that after these busy times. And I'm glad to hear that, while the other members of the Scottish Parliament MSPs, head off to the hustings to fight the election and argue over constitutional, and environmental, and many other issues, that, Ken, I'm glad to hear that you're still there as presiding officer to keep an eye on things through to the other side of the electoral process.

KEN That's right. I stay presiding officer until the first vote they have, which is to elect a new presiding officer, on the
MACINTOSH: 13th of May. And that will be fascinating because the role of a presiding officer in a new parliament, I think, when the numbers are tight, will be crucial. One of the few votes I do get to exercise, and I'll be honest with you, I don't like it, is you get the casting vote.

PHIL BUDDEN: Oh.

KEN So when they're tied. Yes, and in the early part of this parliament, I had a number of casting votes.
MACINTOSH:

PHIL BUDDEN: Really?

KEN Yes, the only good thing is that the advice is always to vote against. Whatever it is, vote against it. It's good
MACINTOSH: advice isn't it, because parliament has not reached agreement. If they've not reached agreement then it's not for you to make up its mind for it. So you vote it down, and they can present it again. So you always vote no, no matter what it is. If it's the opposition, or the government, just vote it down. So quite different from what's happening in the Senate at the moment and the House of Representatives, where the speaker's vote is absolutely crucial in getting legislation through the Senate.

PHIL BUDDEN: Very, very much so. And I think it's important to recognize these varieties of constitutional democracy. And Ken, as we prepare to wrap up, there have been more questions in the Q&A, and in the chat, and directly to me. I hope I've done a good job trying to get through most of them. You have certainly done a wonderful job answering them. So, Ken, before I do officially the thanks, were there any concluding remarks you'd like to make before we get to the top of the hour?

KEN Simply to say, thanks, Phil. It's fantastic to have such an interest in what's happening here in Scotland, in the UK,
MACINTOSH: and in Europe. As you might imagine, I'm an absolute committed Americanophile. So we look to America all the time, we follow the American presidential elections with huge interest, but it's great to have the level of interest, and I really would put out the welcome to any of your colleagues, who are visiting Scotland, to make sure to drop by the Scottish Parliament and say, hello, and they will be very warmly received.

PHIL BUDDEN: Excellent. Well, Ken, that is a very kind offer. I know several of your staff are on there, the Civil servants. So don't be surprised if you see people with MIT email addresses emailing to come and visit. We also have our program manager, Stephen Barnes, of the MIT UK program. And I hope we can build on the massive interest in Scotland that we've seen from, Ken, your kind remarks today, to build up links with those real centers of excellence, and science, and innovation in Scotland, because it's not only a place of wonderful history, and heritage, and I understand whisky, but also of cutting edge research into the future.

So, Ken, it just leaves it to me to give a vote of thanks. Thank you so much for joining us. I know when we were setting this up, I certainly had no idea what an exciting day it was going to be, but you have had a remarkable week and a new party. And I think you've set us all up, given our many interests about Scotland, independence, Northern Ireland, Europe London, you've set us up with a really helpful platform to understand what's going on in the next six weeks.

And I hope you'll do the honor of coming to visiting us in person, and perhaps having an off the record chat, when you're no longer presiding officer, here at MIT.

KEN
MACINTOSH: I'll absolutely look forward to that, Phil, you can bet your life. Thank you very much to everybody.

PHIL BUDDEN: Excellent. Thank you, Ken. And thank you for all who've attended today. Thank you for your interest. Thank you for your flow of questions. Thank you to our sponsors, the CIS Starr forum and the MIT UK program. With that, please do stay in touch with us. As you can see, this is just one of the many exciting and senior speakers that CIS Starr Forum attracts, and we, through the MIT UK program, will continue to build links between this part of the United States and what is obviously a very welcoming part of the United Kingdom. So with that, thank you very much from me, and enjoy the rest of your day. And Ken, good luck to Scotland's rugby team against France, later today.

KEN
MACINTOSH: Thank you, very much, Phil.

PHIL BUDDEN: Excellent. Take care, everybody.