

Scottish Independence Efforts in the Wake of Brexit

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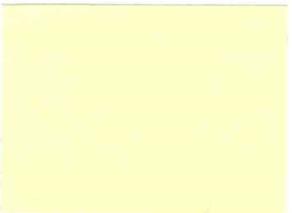
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ABSTRAKT

Tato bakalářské práce si klade za cíl popsat snahy o nezávislost Skotska v důsledku Brexitu. Práce je strukturována chronologicky, a proto začíná historickým kontextem. Každá kapitola popisuje událost, která zásadně ovlivnila veřejné mínění ve Skotsku s ohledem na jejich vztah ke Spojenému království. Dále se práce zabývá významem Brexitu pro Skotské záležitosti a ukazuje, proč je skotské hnutí za nezávislost na historickém vzestupu. Následně vyhodnocuje pravděpodobnost druhého referenda o nezávislosti, které je závislé na souhlasu vlády Spojeného Království. V závěru práce nastiňuje budoucnost Skotska v případě, že se jeho nezávislost stane skutečností.

Klíčová slova: Skotsko, nezávislost, referendum, Brexit, nacionalismus, SNP, EU

ABSTRACT

This bachelor thesis aims to describe the Scottish independence efforts in the wake of Brexit. The thesis is structured chronologically, and therefore it begins with a historical context. Each chapter describes an event that fundamentally influenced the public opinion in Scotland with regard to their relationship with the UK. Furthermore, the thesis examines the importance of Brexit on Scottish affairs and demonstrates why is the Scottish independence movement on the historical rise. Additionally, it evaluates the likelihood of a second independence referendum, which is highly dependent on approval from the UK government. Finally, the thesis outlines the future of Scotland in case its independence becomes a reality.

Keywords: Scotland, independence, referendum, Brexit, nationalism, SNP, EU

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I hereby declare that the print version of my Bachelor's thesis and the electronic version of my thesis deposited in the IS/STAG system are identical.

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INTRODUCTION

The Scottish sense of nationalism and independence has been known to the world for several centuries. Since the Wars of Independence, which took place in the 13th and the 14th century, Scots experienced several other significant events that affected the relationship between their nation and the whole United Kingdom. Sometimes United Kingdom seemed strong and united, other times weak and polarized.

This thesis focuses on the key events, primarily between 2016-2021, which shaped Scottish public opinion on its independence from the United Kingdom and what possible routes are available for Scotland after the Brexit. Considering the results of the UK referendum on European Union membership, in which 62% of Scots voted to remain within the organization, it is safe to say that a major number of Scots were left rather unhappy with the referendum outcome. This raises a question regarding the future of Scotland. Brexit is a great opportunity for the Scottish National Party and its supporters. The Scottish National Party, whose popularity and thus influence rose dramatically over the last 60 years might now have the best chance of achieving their long-awaited goal – Scottish independence. They were never shy or quiet when it came to the criticism of British control of Scottish affairs, nor felt heard in the Brexit referendum.

Moreover, the pro-independence parties have finally achieved a majority in the Scottish Parliament. Even though this can be seen as a nice set-up for the next independence referendum, it is not that easy. Although the surveys suggest that the independence movement has the highest support historically, the second referendum needs to be allowed by the UK government, which has repeatedly rejected the proposal. Moreover, the nation is not entirely sold on the independence since leaving the United Kingdom does not necessarily mean a solution to all the problems Brexit caused. Therefore, there is a feeling of scarcity when it comes to being independent and remaining out of the European Union, which could easily result in an even worse situation. All the possible consequences need to be addressed by the Scottish National Party before the next referendum takes place, or it will likely result similarly to the 2014 attempt. Although the Scottish sense of nationalism and hunger for independence is apparent, they cannot compromise on the pragmatics of everyday life no matter how proud they might feel about their identity and the unity with Great Britain.

1 HISTORICAL CONTEXT

1.1 Rebellion against England

The origins of Scotland, precisely the Kingdom of Scotland, date back to the 8th century when supposedly Kenneth I. MacAlpin formed the nation under his reign. The first significant challenge to Scotland's sovereignty occurred during the 13th and 14th century. It began rather fractionally with Eduard I. being invited to partly govern the Scots while they were looking for a proper successor to the throne. Edward's mandate was meant to be temporary, but he did not intend to drop his powers. As a result, Scotland, supported by France, decided to attack England. In 1296, Edward I. successfully undermined Scottish independence with a victory over John Balliol, who was chosen as the proper successor in Scotland.

Edward's actions did not sit well with the rest of Scotland, which gave William Wallace an opportunity to become one of the most influential and admired leaders of the Scottish independence and nationalism movement. William Wallace was a son of a Scottish farmer, and eventually became an iconic character in the fights for the Scottish freedom. His response to Edward's steps happened just a year later. Wallace mobilized an army in Scotland, and with the help of Andrew Moray, they triumphantly defeated England army at the Battle of Stirling Bridge. This did not make Edward happy since England's army should have been much better trained, whereas Wallace and his warriors were mere amateurs when it came to weapons and chivalry. The idea of a farmer, William Wallace, who out of nowhere led a strong rebellion against the dominating England, gave Scots a strong feeling of patriotism and Scottish identity, and to this date is being pictured as the ultimate freedom fighter in the Scotland-England history.¹

1.2 Wars of Scottish Independence

Wallace's rebellion was just the beginning of the Scottish wars of Independence, and his own momentum did not last for long. Edward made sure to capture Wallace, completely humiliate him and later execute him. Nonetheless, his deeds were not forgotten, and the Scots kept the rebellion alive, feeling a grudge against the Kingdom of England. One of Edward's people, Robert the Bruce, turned his back on his King and declared himself an independent King of Scotland. Bruce was confident that he would be the next successor of the throne in

¹ Neil Oliver, *History of Scotland* (London: Orion, 2010), 135.

Scotland, and with the pope's blessing, he led the Scots to yet another war against England. His major achievement was the victorious Battle of Bannockburn. The final dot of the First Scottish war of independence is the signing of the Treaty of Edinburg-Northampton.

Moreover, the Declaration of Arbroath, which is to this day one of the first and most significant declarations of Scottish independence, was sent to the Pope. The document was written and signed by several Scottish leaders and barons, with the intention to justify the First War of Scottish Independence.

The Second War of Scottish Independence took place in 1332 and lasted until 1357, all starting, once again, with England's invasion of Scottish territory. There are plenty of similarities between these two wars, such as England's aggression, involvement of the church, and bloodshed, but most importantly, both these conflicts resulted in the fact that the Kingdom of Scotland gained its independence. It is fair to say that these events dramatically shaped the relationships between all the kingdoms present in the British Isles.

1.3 The Age of Revolution

Another significant Scottish era in terms of independence is the reign of Stuarts, specifically the 17th and 18th centuries, also referred to as the Age of Revolution in Scotland. As the religion was dynamically developing and ultimately resulted in the creation of Kirk, which is a Scottish term for Calvinist church, major upheavals also took place on the parliament scene. England went through the civil war with the participation of all three nations, mainly caused by the unpopular governance of Charles I. Oliver Cromwell, one of England's generals, successfully overthrew Charles and ended the civil war, and the reign of the House of Stuarts.

However, there still were efforts of restoring the House of Stuarts, most considerably by the Jacobite Revolts which occurred at the beginning of the 18th century. The movement originated in the Highlands of Scotland and continuously put pressure on the English Government.

1.4 Treaty of Union

The Treaty of Union was signed in 1707 and that meant the creation of Great Britain, which included England, Wales and Scotland. Scottish jurisdiction took a significant hit, leaving a majority of its competencies to London in exchange for economic benefits. Nonetheless, the Scots kept their legal, educational, and religious systems, but obviously they had to join the Westminster Parliament. Even though Scots were given several seats in the new parliament

(although very limited), they feared the idea of being just another England's conquered territory, like Wales, so they decided to sign the treaty and minimize the possible damage while still having at least a little bit of voice on the future matters. Another problem with the treaty was the fact that Scots were not reasonably taxed. Moreover, their money was to be put into things and actions that Scots were not very fond of, such as continental wars against France, which not too long ago was a Scottish ally.²

Nonetheless, ordinary Scots would prioritize being poor, economically unstable, and free to being depended on and united with the rest of England.³ This thought process can feel frankly very similar to today's mood regarding Brexit. The same year, Scottish Parliament was finally dissolved. Thus, Scotland was officially stripped of its independence and jurisdictional powers. It is safe to say the relationship between Scotland and England was not ideal, and perhaps most of the time, it was an era of endless conflicts rather than prosperous collaboration. The history of such patriotic nations is not forgotten easily nor quickly, so even four hundred years forward, it is essential to keep these historical events in mind when observing new struggles regarding Scottish relations with England.

On the one hand, Scotland joined the Great Britain and left some of their responsibilities up to Westminster. On the other hand, they remained self-aware of their national identity and were still seeking the independence, or at least some sings of it. Scots were also inspired by the Irish Home Rule, which was a movement in Ireland in the 19th century which wanted to attain more political power for Ireland. Therefore, Scotland established the Scottish Office inside the Westminster in 1885 and thus they were able to restore some control of their affairs through that. The Scottish Office operated until the Scottish Parliament was created in 1999. Another product of the desire for Scottish independence came in 1934, when the two biggest pro-independence parties in Scotland (The National Party of Scotland and The Scottish Party) merged and together created the Scottish National Party.

² Neil Oliver, *History of Scotland* (London: Orion, 2010) 352.

³ *Ibid.*, 350.

2 POLITICS OF POST-WAR SCOTLAND

In 1957, when the Treaty of Rome was signed to create the European Economic Community officially, the public in the British Isles did not show much interest. They were in the process of recovery after World War II, and the focus was merely on themselves. Besides the achievement of co-creating NATO, the objective of the public as well as of political leaders was to rebuild or improve (depending on the industrial sector) the British industry independently. The post-war consensus, which is a political term for an agreement between Labour and Conservative parties, lasted for more than 30 years and stressed the importance of morals and nationalism. Thus, people all over the UK were united and shared the same vision of working hard and making their homeland a prosperous place that could compete with the biggest economies around the world.

2.1 The ECC debate

While the public dedicated its post-war thinking and actions to improve the UK from the inside, the political elite, mainly in London, began discussing the possibility of joining the European Economic Community. This conversation was held mainly on high political levels since ordinary people in the British Isles showed just a little interest, thinking of it as a somewhat unrelated topic in their daily lives.⁴ It is also worth mentioning that the UK had a closer relationship with the USA, compared to the continental Europe. That was mostly because of their post-war collaboration, in which the USA supported the rebuild of the UK's economy through the Marshall Plan.

Nonetheless, such a position of public opinion became an opportunity for the Scottish National Party, which shortly began working with this information. Their rhetoric and political attitudes dramatically changed to create a new debate regarding all the possible negatives that would play out as a result of European interference in the British Isles, but especially in Scotland.

The objective of starting a new political narrative toward EEC membership began developing in the 1960s, with Scots starting to show interest in the topic. Following their political leaders, Scots were quick to adopt a new point of view on the EEC matter, mainly

⁴ Andrew D. Devenney, "Regional Resistance to European Integration: The Case of the Scottish National Party, 1961-1972," *Historical Social Research* 33, no. 3 (2008): 324, <https://www.jstor.org/stable/20762312>.

focusing on features that were not much discussed to this point, such as the influence of the EEC on Scottish sovereignty and nationalism.⁵

2.2 Development and influence of the Scottish National Party

Considerable shifts in public opinion are always a direct result of someone's actions, typically an influential person or organization exposing or creating new pain points for its audience and following.⁶ The case of Scottish independence efforts now is no exception, and it is safe to say the SNP played an essential role in the movement's launch.

It is worth mentioning that the SNP was not as organized and successfully ran political party as it is today, but quite the opposite. Since its foundation in 1934, they struggled with plenty of difficulties on the management side as well as on ideological bases. For over 25 years, they were happy to have at least a seat or two in the United Kingdom's government. Finally, in the 1960s, a spark of hope for SNP's popularity emerged, even though it was initially caused by the death of John MacCormick, a strong leader from the opposing party called Scottish Covenant Association, which at that time dominated the position of nationalism in the Scottish political climate. Although the SNP's behaviour did not seem too calculated in their early days, they eventually made the right decisions to put their movement and political ambitions back on track. They were building their popularity on top of both factors, the new political dynamic regarding the EEC membership and being the new leader of nationalism movement in Scotland after the breakdown of the Scottish Covenant Association.

One of the most important people responsible for the SNP's improvement was Ian Macdonald, who joined the SNP during these times and was appointed the party's new leader, mainly for his experience in business and management, which later showed to be quite fruitful for the SNP's development. The number of party branches grew intensely, as well as the financial support. This was all possible because of Macdonald's systematic work, business connections and management skills, and the result was the fact that the SNP was on the right track to establishing itself as a relevant and stable political party with the clear

⁵ Andrew D. Devenney, "Regional Resistance to European Integration: The Case of the Scottish National Party, 1961-1972," *Historical Social Research* 33, no. 3 (2008): 324, <https://www.jstor.org/stable/20762312>.

⁶ John G. Bullock, "Elite Influence on Public Opinion in an Informed Electorate," *The American Political Science Review* 105, no. 3 (August 2011): 496, <https://www.jstor.org/stable/41480854>.

ambition of being Scot's favourite.⁷ Their popularity grew tremendously in smaller towns, where SNP's local branches put a lot of effort into all the necessary political activities, which resulted in several election successes on the regional level. Even more populated cities, such as Glasgow, Aberdeen, and Hamilton, which usually voted for the Labour Party, started to show a glimpse of inclination towards the SNP, which later caused not only good voting results on municipal levels but also in the General Elections.⁸ As the SNP went through several management changes in the 1960s, on which they built their election success later that decade, the 1970s did not start too well for them. Their impact and popularity plummeted, and it almost seemed like the nationalist movement was not far from its collapse.⁹ The party moved further left from the centre and began to operate on quite a populist level, with the intention to improve their political chances, but without much success.¹⁰

In general, the SNP's objective was not as aggressive as it is today. While nowadays they are seeking a complete independence, back in the 20th century their focus was primarily on getting a larger representation in Westminster and therefore having a greater influence on Scottish affairs. Even though their goals changed throughout the times, the ideology behind the party remained pretty much the same. The core values are the Scottish identity, nationalism, more control of their own affairs, social security, and proper conditions mainly for the working class. The Scottish identity has its origins in the history and was shaped by the conflicts between Scotland and England. The grudge toward Brits being in control of the Scottish affairs prevailed in Scotland and is now used as a backbone of the SNP's political program.

2.3 Scotland's Oil

It did not take long until another excellent opportunity for a nationalist, semi-populist party like the SNP occurred, and it was the oil. In the early 1970s, British Petroleum shared the news that a vast oil field was discovered in the North Sea near the city of Aberdeen. This was fantastic news for Great Britain since such natural resources would allow for

⁷ Andrew D. Devenney, "Regional Resistance to European Integration: The Case of the Scottish National Party, 1961-1972," *Historical Social Research* 33, no. 3 (2008): 326, <https://www.jstor.org/stable/20762312>.

⁸ Richard W. Mansbach, "The Scottish National Party: A Revised Political Profile," *Comparative Politics* 5, no. 2 (January 1973): 186, <https://doi.org/10.2307/421240>.

⁹ Christopher Harvie, *Scotland and Nationalism, Fourth Edition: Scottish Society and Politics 1707 to the Present* (London: Routledge, 2004), 126.

¹⁰ *Ibid.*, 129.

improvements in the overall economy. Mainly by replacing the imported oil with domestically extracted one, creating a new stream of revenue from exporting the newly found crude, new job positions, international investment opportunities, and giving the government a bigger space to manoeuvre with tax alterations.¹¹ As suggested, the SNP, on the edge of survival, took the chance given and ran with it once again. In 1972, they came up with a new political slogan, “It’s Scotland’s Oil”, addressing the fresh theme, with the focus on Scottish interests and efforts to maximise the socioeconomic outcomes of the newly discovered oil field. William Wolfe, who was the party leader from 1969, made numerous comments regarding the potential threat of leaving the oil discovery in the hands of the English government. He pointed out that Scotland’s wealth would be compromised because of Britain’s interference, and a possible immigration wave would take place, which would consequently overwhelm Scotland’s nation.¹² Continuously stressing the Scottish independence, the SNP won 6 new seats in the General Elections in 1974, indicating both the nationalism in Scotland and trust in the SNP survived.

2.4 Devolution

The reaction to the Scottish nationalist voice was the first referendum on devolution in 1979, and even though 51% voted in favour of devolution, thus decentralization of political powers in the UK, it was required that at least 40% of the electorate would participate, which was not the case. Nevertheless, nearly 20 years later, they were given another chance, and that time the decision was loud and clear. Scots voted in favour of devolution with such results that even the most optimistic surveys did not predict. Scotland voted in favour of both the Scottish Parliament and the Tax Powers, with 74% for the first and 63% for the latter.

In essence, the Scottish National Party matured during the second part of the 20th century, with the support of the above-mentioned events which took place in the political climate. They were proactive in addressing any matter which was even slightly connected to their nationalist program. What they lacked in management and organisation skills, they made up in political activity on regional levels. Another thing that certainly contributed to the nationalist upsurge in Scotland was the government of Margaret Thatcher, which destabilised the social structures and standards of lower classes, therefore a big part of the

¹¹ H. M. Al-Ali and R. Burdekin, “An Analysis of the Economic Impact of North Sea Oil Activity on the Scottish Economy in 1973,” *Managerial and Decision Economics* 1, no. 2 (June 1980): 67, <https://www.jstor.org/stable/2487427>.

¹² Billy Wolfe, *Scotland Lives: The Quest for Independence* (Edinburgh: Reprographia, 1973), 160.

SNP's voter spectrum.¹³ Even though many economic experts objectively supported Thatcher's reforms, they resulted in fewer jobs for Scots in the traditional industries, and that was all they cared about. Over the upcoming years, the resentment towards the Westminster grew among the Scottish people, which eventually resulted in the long-time awaited independence referendum that is furtherly described in the next chapter.

¹³ Ben Jackson, *The Case for Scottish Independence: A History of Nationalist Political Thought in Modern Scotland* (Cambridge: Cambridge University Press, 2020), 169.

3 SCOTTISH INDEPENDENCE REFERENDUM IN 2014

3.1 Scottish Parliament

The Scottish National Party is the main engine of the Scottish independence efforts, and that's why it is continuously mentioned within this thesis. In 2007, the SNP became the largest party in the Scottish Government for the first time in its history. With 46 seats and Alex Salmond as the leader, they finally started to build up a realistic case regarding a vote on Scottish independence with a minority government. Obviously, it was a part of their political program and possibly the biggest driving factor for their voters. The party worked towards the referendum, outlining numerous explanations and benefits of the eventual end of the UK's interference in Scottish affairs, but being a minority cabinet; they had to remain patient.

The next Scottish Parliament election in 2011 was another success for the SNP since they received enough votes to form a majority government with 69 seats. Following a period of debates between the Scottish and United Kingdom governments as to how the referendum should look like in terms of legal details, the date was set and the UK government legally approved the referendum.

3.2 Referendum outcome

On the 18th of September 2014, it was time for the Scottish people to answer the official referendum question: "Should Scotland be an independent country?". The results were 55.3% "No" and 45.7% "Yes". With a massive turnout of 84.6%, people in Scotland decided to remain within the United Kingdom. As far as the demographic of voters is concerned, roughly 80% of the SNP supporters voted to leave, the majority of people living near the England border voted to stay, and just a slight difference between men and women voters, but overall, it seems like the most significant factor of the voter's decision was the economic status of Scotland and age (25-49 years old voters supported independence).¹⁴ Therefore, Scots were more pragmatic than ideological in their 2014 independence referendum.

3.3 General Election in 2015

Alex Salmond resigned with reference to the referendum outcome, and the party elected the former Deputy First Minister Nicola Sturgeon to be the next leader of the SNP, therefore

¹⁴ Tom Mullen, "The Scottish Independence Referendum 2014," *Journal of Law and Society* 41, no. 4 (December 2014): 633, <https://www.jstor.org/stable/43862407>.

also a First Minister of Scotland. Besides the changes in the leadership, the main objectives and visions of the SNP stayed the same. Even though they received very plausible results in Scottish Parliament Elections in recent years, they were still waiting for their success on the higher levels – the House of Commons. However, they did not have to wait long. In 2015, they dethroned the Scottish Labour Party after a half decade long era of dominance and with 56 seats in the House of Commons, they became the largest Scottish party in Westminster. Factually speaking, this was the most successful General Election for the SNP by far. Their second-best result was from 1974 when they won 11 seats. Keeping in mind the results of the SNP's evoked referendum on Scottish Independence, the General Election results can seem shocking. Even though the Scottish people decided to stay within the United Kingdom, they were now more interested in the whole sovereignty debate and social differences in the British Isles, and they felt that the SNP was a better choice compared to the Labour and Conservative party.¹⁵

¹⁵ Davide Morisi, "When Campaigns Can Backfire: National Identities and Support for Parties in the 2015 U.K. General Election in Scotland," *Political Research Quarterly* 71, no. 4 (December 2018): 903, <https://www.jstor.org/stable/26600636>

4 BREXIT

This chapter focuses on Brexit since it is the most important event in the UK's politics recently and the primary reason behind the Scottish commitment to hosting a second independence referendum.

4.1 Public opinion

Brexit definitely did not bring British people together, even though many politicians in Westminster tried to prove otherwise. Scotland, Northern Ireland, and London were some of the key locations which significantly voted to remain in the EU, making the referendum outcome clearly not united.¹⁶ What is fascinating regarding the voter demographic is the unexpected bond that was created between the lower and upper class, at least to some degree, since both these groups sought more freedom.¹⁷ As soon as the referendum results went public, it was clear that Brexit was only the beginning. There was not a clear strategy put in place, and people were not certain as to what to expect. The most realistic outcomes were either a Soft Brexit, Hard Brexit, or No-Deal Brexit, but it is crucial to understand that even though the pro-leave political leaders put plenty of effort into the referendum's campaign, they lacked the practicality of the eventual victory. As a result, people who voted to leave the EU were not often on the same page since they did not know what to expect, and each projected a somewhat different version of the Brexit.

4.2 Reaction to the referendum results

The sudden events following the referendum results were everything but positive. David Cameron, who called the voting, immediately resigned as the prime minister. British economy plummeted by several per cent as well as the British currency. Even the pro-leave politicians seemed rather frightened by the result, which is a great indicator of the movement's thoughtfulness.¹⁸

4.3 Theresa May's government

One of the politicians who tried to make sense of the Brexit and repeatedly stressed the unity behind the decision was Theresa May, the next Prime Minister after David Cameron.

¹⁶ Gerry Hassan and Russell Gunson, *Scotland, the UK and Brexit: A Guide to the Future* (Edinburgh: Luath Press, 2017), 14.

¹⁷ Fintan O'Toole, *The Politics of Pain: Postwar England and the Rise of Nationalism* (New York: Liveright, 2019), 71.

¹⁸ Chris Grey, *Brexit Unfolded: How no one got what they wanted* (London: Biteback, 2021), 23.

However, she never earned the trust of all leave voters, mainly because her words seemed more like an obligation rather than a true belief in Brexit. This should not come as a surprise since, prior to her term, she openly showed her support to maintain the British presence in the EU, but as the Prime Minister, she was put into a quite different situation and had to work with the new conditions. Furthermore, as each voter thought something different of the actual EU leaving, she was in a very bad place to fulfil everybody's wishes. Some people wanted to leave the EU and stay in the single market, others were looking for a free trade agreement instead of the single market, and lastly, some voters wanted completely out, relying only on the World Trade Organization terms.¹⁹

4.3.1 The Lancaster House speech

Theresa May decided to minimize the ambiguity of Brexit; therefore, on April 17th, 2017, she delivered the famous Lancaster House Speech, which should have made things crystal clear. She stated that she does not mind losing the single market and that the No Deal is better than any kind of a bad deal. Moreover, she mentioned that the UK should stay in full control of immigration. This was appealing to the more extreme group of Brexit voters since Ms May gave them a feeling that her intentions were along the lines of the Hard Brexit. On the other hand, it widely polarized the society in the British Isles and made the political climate even more severe.²⁰

4.3.2 Brexit negotiations

To ensure a calm negotiating process regarding Brexit, Ms May decided to call an early general election. The results were not shocking. The two traditional UK parties dominated with 317 seats for the Conservative Party, 262 seats for the Labour party and 35 seats for the Scottish National Party. Except for the fact that her plan did not work. When it came to a vote on future Brexit negotiating strategies in the House of Commons, May's government was defeated three times in a row, which ultimately resulted in her resignation. Boris Johnson, the leader of the Vote Leave movement, was elected the next Prime Minister. Three years after his campaign, his ideology and rhetoric became the leading part of the UK's government.²¹ People who voted for Brexit were satisfied since they finally got a person who was truly committed to making Brexit happen and shared the core values of the anti-EU movement. It took four years and a half to finally make Brexit a reality. Mr Johnson delivered

¹⁹ Chris Grey, *Brexit Unfolded: How no one got what they wanted* (London: Biteback, 2021), 8.

²⁰ *Ibid.*, 63.

²¹ *Ibid.*, 167.

a deal in which the UK leaves the single market as well as the customs union and gets full control of migration, besides other things.

4.4 Scotland's point of view

The general opinion on Brexit in Scotland is mainly negative, with the SNP pushing against Brexit from the very beginning, and since it is the largest Scottish party, their opinions correlate with the general public. They pointed out numerous economic threats to the Scottish economy and culture which would come with the actual Brexit. However, it was not enough. Even though 62% of people in Scotland voted against Brexit, the other parts of the UK decided in favour of leaving the EU. These results were upsetting, and Scottish people instantly felt injustice since their matters were decided against their will. Following the outcome of the referendum, the Scottish Government published a whitepaper, "Scotland's Place in Europe", sharing their intentions and opinions regarding the future of Scotland outside the European Union. They revealed their intention to maintain in the single market and customs union and overall demanded different solutions for Scotland.²² To add fuel to the fire, neither of the two post-Brexit Prime Ministers in Westminster received the trust of the Scottish Government, with clear reasoning that Scottish interests were not valued enough, or at all, in the Brexit negotiations. This gave the people in Scotland a feeling of injustice once again.

On the one hand, Brexit can be perceived as a catastrophe for the Scottish people since they got overruled, but on the other hand, it is a great outline of how England and other parts of the UK can democratically and absolutely legally make decisions regarding Scottish economy, migration policy and other socio-economic matters.²³ Thus, the SNP can be obviously sad that their will was overridden and yet be happy they could finally show people the threat of dependency.

Nevertheless, the most logical argument as to what Scottish people desire hides in both recent referendums. The most optimal result is staying in the UK while also being a member of the European Union. The question is whether that is a possibility and which of these two

²² The Scottish Government, *Scotland's Place in Europe*, (Edinburgh: 2016), 15.
<https://www.gov.scot/publications/scotlands-place-europe/documents/>.

²³ Gerry Hassan and Russell Gunson, "Scottish Public Opinion and Brexit: not so clear after all?" in *Scotland, the UK and Brexit: A Guide to the Future*, ed. John Curtice (Edinburgh: Luath Press, 2020), 63.

debates holds a bigger value for people in Scotland. The likelihood of any future Scottish independence referendums will be greatly influenced by these metrics.

Brexit shook things up in the British Isles, and as controversial as it is, there are arguments regarding the financial benefits which are associated with the UK leaving the EU, but it is much harder to create the same arguments for Scotland since they are much more depended on the single market as a smaller economy.

5 THE FUTURE OF SCOTLAND

5.1 Post Brexit independence debate

The Scottish Government, led by the SNP, published a clear stance regarding Brexit with reference to a possible independence referendum. Scottish independence is a long-term ambition of the SNP, and because they failed in the 2014 referendum, it is necessary for them to set up a considerable case to trigger another vote. It is essential to evoke a debate that includes every Scottish citizen, something undoubtedly important for both the economic and the cultural future of Scotland. Obviously, Brexit can be used as the condition needed, and Nicola Sturgeon precisely pointed out the significance of it:

‘We believe that the Scottish Parliament should have the right to hold another referendum if there is a clear and sustained evidence that independence has become the preferred option of a majority of Scottish people – or if there is a significant and material change in the circumstances that prevailed in 2014, such as Scotland being taken out of the EU against our will’²⁴

Understandably, the popularity of Scottish independence rose after Brexit. Not only because of the clear Scottish will to remain within the EU but also as a consequence of the exit negotiations which followed. Although Theresa May agreed to create a Joint Ministerial Committee, in which all four main governments (England, Scotland, Wales and Northern Ireland) were represented with the objective to navigate the exit of the EU altogether, it was not much of a success. Scotland continuously stressed the desire for Soft Brexit, which would mean remaining in the European single market. What happened was a clear validation of how weak the Scottish devolved parliament is compared to Westminster.²⁵ Even though the Joint Ministerial Committee was established and political leaders of all the devolved parliaments were meeting there regularly, debating the future steps to ensure that the Brexit conditions were bearable for each entity in the UK, it was evidently irrelevant in the end.²⁶ Scotland’s proposals and objections did not mean much to the UK’s government. Thus all

²⁴ “The SNP 2016 manifesto explained,” The SNP, last modified April 20, 2016, <https://www.snp.org/the-snp-2016-manifesto-explained/>.

²⁵ Nicola McEwen, “Negotiating Brexit: power dynamics in British intergovernmental relations,” *Regional Studies* 55, no. 9 (April 2020): 1541. <https://doi.org/10.1080/00343404.2020.1735000>

²⁶ Nicola McEwen and Mary C. Murphy, “Brexit and the Union: Territorial Voice, Exit and Re-Entry Strategies in Scotland and Northern Ireland after EU Exit,” *International Political Science Review* 42, no. 2 (March 2021): 9. <https://doi.org/10.1177/0192512121990543>.

the serious negotiations between Great Britain and Brussels were in the control of Westminster. To add an insult to the injury, Scotland was not the only one struggling with UK's dominance. Wales and the Northern Ireland did not manage to get much achievement in the negotiations either, which visibly demonstrates the supremacy of London politics.

People in Scotland can feel like they have been betrayed several times now, they voted to remain in the UK, but nobody ever mentioned that there would be a possibility of a Brexit referendum. Regarding Brexit, they have got overruled and just after that, they were assured that the leaving negotiations would be a team project with everybody's opinion evaluated, which was again not the case.

Moreover, both Theresa May and Boris Johnson declined the possibility of another Scottish independence referendum. With the intention to hold the United Kingdom together, they justified their decision by referring to the 2014 referendum and stating that Scotland was given a choice to leave the UK already, with a clear result and thus no need for repetition. Some Scots were in favour of the new referendum immediately after the Brexit results since the SNP announced that leaving the EU against the Scottish will would be the triggering condition. However, objectively such referendum would be rather chaotic since nobody knew what Brexit practically meant.²⁷ Currently, it seems like the Scottish Government is not legally allowed to host another independence referendum without permission from the UK government.

5.2 Legislature

In 1998, when the Scottish Parliament gained new powers devolved from Westminster, a Section 30 order was made. This type of legislation provides Scottish Parliament with the ability to increase or restrict its legislative powers. Besides other less significant cases, this legislature was used to trigger the initial independence referendum in 2014. In 2017, Scottish Prime Minister Nicola Sturgeon mentioned that she wanted to start negotiating with the UK Parliament to utilize this exact same law for the possible second independence referendum. Her intention was to host the referendum in 2020, with the words that Scotland needs to establish its independence as soon as possible, otherwise they will become even more

²⁷ Gerry Hassan and Russell Gunson, "Brexit, the SNP and independence" in *Scotland, the UK and Brexit: A Guide to the Future*, ed. Marco G. Biagi (Edinburgh: Luath Press, 2020), 167.

dependent on the rest of the UK since they got cut out from the markets of the European Union.²⁸

However, Theresa May made it clear that during the Brexit negotiations, there was no time to have a decent debate regarding this proposal, and Boris Johnson stated that he respects the outcome of the 2014 referendum. Besides the legislative obstacles, another major concern of the Scottish people is the economic situation. Even if a majority of Scots is upset with the UK's interferences, they need to be assured that the economic development would be prosperous and that they would not end up leaving the UK and the single market simultaneously.

5.3 Sustainable Growth Commission Report in 2018

To address the economic obstacles, the SNP established the Sustainable Growth Commission in 2016, which serves as a guide to an eventual economic policy for independent Scotland. In 2018, the commission published a vital report, "Scotland – the new case for optimism", which focuses on the challenges and solutions concerning the economic situation. Moreover, it lists 50 practical recommendations which should be applied and outlines the relationship between the Scottish Central Bank and the Bank of England. One of the major differences between the economic policies from the 2014 referendum and this one is the currency.

While Alex Salmond, the former Scottish Prime Minister and leader of the 2014 referendum, desired a new currency for Scotland, the economical route map of the next referendum counted on the British pound sterling. The reason behind retaining the UK's currency is to minimize the possibility of financial instability and uncertainty since changing the currency could result in a problematic situation for mortgage payers, for example. With that being said, the Bank of England would be in control of monetary policy (setting interest rates, trading government securities) for as long as Scotland does not change their currency.

On the other hand, the Scottish Bank would be in control of fiscal policy (managing the taxpayer money). As far as the national debt is concerned, Scotland would respect the

²⁸ Libby Brooks, "Nicola Sturgeon urges SNP to resist Brexit arguments against independence," *The Guardian*, September 13, 2021, <https://www.theguardian.com/politics/2021/sep/13/nicola-sturgeon-urges-snp-to-resist-brexit-arguments-against-independence>.

historical debt of the UK and would be making annual instalments of 5 billion pounds. Besides that, an independent Scotland would start with zero debt of its own.²⁹

Another difference between the framework of the 2014 referendum and this one is the approach to revenue coming from oil in the North Sea. This was a great deal to the 2014 debates, but the commission states that any profit from the North Sea should be seen as a bonus and will be put into an investment fund for future generations. Besides other relevant prognoses, which can be found in the report, the commission builds its case on the performances of other small economies in Europe, countries like Denmark, Sweden and Ireland are continuously repeated within the text.

Another target that is constantly mentioned is the importance of the global market and how Scotland needs to focus on the opportunities outside of its borders. Overall, the commission came to the conclusion that the creation of an independent Scotland would cost roughly 450 million pounds. Another thing which is closely connected to economic performance is population growth. According to the commission, the solution for stopping the population decline lies in immigration policy. Preserving the arrival of new people to Scotland plays an essential role with regard to the Scottish population demographic. If the amount of immigration plummets, then the whole tax system will not work. The impact of immigrants in Scotland on the Scottish economy is approximately 12 billion pounds per year, with a plan to significantly increase this number in the future decades. To accomplish such a mission, Scotland needs to remove all boundaries created in the wake of Brexit and provide an excellent education for international students.

This document is essential as it should clarify many doubts Scots have regarding the possible referendum and should assure people that the possibility of an independent Scotland is not a threat to their wallets, at least not in the long-term.

Understandably, the report received a wave of criticism from parties and institutes with the opposite opinion. One of the most relevant responses came from the UK's think tank These Islands, which stated that the majority of proposed ideas could easily be implemented without Scotland's independence and that the cases which were built in the report actually contribute to the argument of Scotland's remaining in the UK.³⁰ The Labour Party leader Richard Leonard called the Sustainable Growth Commission a 'cuts commission' after

²⁹ Philip Sim, "What's in the SNP's growth commission report?," *BBC*, May 25, 2018, <https://www.bbc.com/news/uk-scotland-politics-44237956>.

³⁰ "Response to the Sustainable Growth Commission," These Islands, last modified July 23, 2018, https://www.these-islands.co.uk/publications/i301/gc_executive_summary.aspx.

reading the report, with a conviction that the Scottish Government would need to make some severe budget cuts in order to adopt all the recommendations proposed. The Scottish Conservatives shared a similar view on the matter. It is fair to say the criticism also came from pro-independence entities. For example, the Common Weal criticised the idea of repaying the UK's debt, and some SNP members were firmly against the idea of having the pound sterling as a currency.³¹

On the other hand, a British research company YouGov reported increasing support for Scottish independence following the Sustainable Growth Commission report, specifically 13% of responders were "More likely to support independence" in comparison to 6% of responders who were "Less likely to support independence".³² Therefore, the SNP accomplished its goal of elevating the support for the Scottish independence by providing precise answers to the economic questions.

5.4 General Election 2019

The SNP's success in General Elections is fundamental for their goal of independent Scotland. Not only does it show the support for the party, but also it puts more pressure on the UK's government and its decision on whether to allow the referendum or not. The SNP did well in 2019; they gained 13 new seats in the Westminster since the last term and also their domestic popularity rose to 45%, from the initial 37%. The Referendums (Scotland) Act was passed in the Scottish Parliament the same year, and it was a result of the SNP's efforts to maximise their legislative power. Nicola Sturgeon still believes that the independence referendum is the SNP's duty and that they cannot delay it any further. Thus, she mentioned that her ambition is to host the referendum in 2021 when Brexit is done and the UK is out of the EU officially.³³

This was also a part of their newly published document, "Scotland's Right to Choose: Putting Scotland's Future in Scotland's Hands". Nonetheless, the main problem remains the same. Even though the Scottish independence movement might be historically the strongest

³¹ "Growth Commission blueprint limits Scotland's options," *The National*, last modified March 16, 2019, <https://www.thenational.scot/news/17505342.growth-commission-blueprint-limits-scotlands-options/>.

³² "YouGov / Scotland in Union Survey Results," YouGov, accessed April 1, 2022, https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/ftpvjhppow/ScotlandinUnion_Results_June18_Client_2_website.pdf.

³³ Sarah Smith, "Sturgeon wants Scottish independence referendum by 2021," *BBC*, April 24, 2019, <https://www.bbc.com/news/uk-scotland-scotland-politics-48026430>.

it has ever been, Sturgeon did not solve the Westminster question since Boris Johnson repeatedly declined the second referendum proposal.

5.5 Official rejection 2020

Although Boris Johnson's stance on the Scottish Independence referendum was crystal clear, at the beginning of 2020, he formally rejected Nicola Sturgeon's proposal on the matter. He mentioned that the Scottish independence referendum in 2014 was meant to be one in a generation vote and that the SNP and other pro-independence parties agreed on that. He also argued that Scotland would experience a major setback in several sectors, including medical care, education, and economy, in case of the separation which is why he cannot give the permission needed.³⁴ Undeniably, this was not good news for the SNP but also not too shocking.

On the other side, the same year, research on Scottish independence support by the company Ipsos raised the attention of the public. It reported that 58% of responders would vote for the Scottish independence in case the referendum goes through, which is the greatest support the movement has ever achieved. Moreover, 64% of responders stated that the UK government should allow for the referendum to happen.³⁵ Despite the legal obstacles which come with the referendum, the independence movement accumulated profound encouragement and support from the Scottish nation in 2020. However, it was ultimately slowed down by the Covid 19 pandemic. Similar case to when the SNP waited for the actual Brexit to happen, now they had to remain patient since the pandemic was priority number one. However, they never really put the movement on stop.

5.6 The Road to Referendum

In the first month of 2021, the SNP published an 11-step guide for triggering the second independence referendum. This should have been the answer to the major obstacle of the vote; legislation. The roadmap starts with the reminder that Scottish Parliament has already passed two significant bills, which create the groundwork for any potential referendum that takes place in the Scottish future. Furthermore, it says that these bills will be put into action

³⁴ Philip Sim, "Scottish independence: What is a section 30 order?," *BBC*, December 19, 2019, <https://www.bbc.com/news/uk-scotland-scotland-politics-50744526>.

³⁵ "Record public support for Scottish independence," Ipsos, accessed April 2, 2022, <https://www.ipsos.com/en-uk/record-public-support-scottish-independence>.

to hold the second independence referendum in case the SNP wins a majority of seats in the Scottish Parliament election, which takes place in May 2021. This approach of leaving the UK Parliament out of the picture was not supported by the Scottish opposition, which ultimately expressed their unwillingness to respect such referendum.³⁶

By publishing this roadmap, the SNP reduced the ambiguity of their political program and established clear conditions under which the referendum would occur. Therefore, people who decide to vote for the SNP accept the reality of another independence referendum.

5.7 Scottish Parliament Election 2021

Once the Road to Referendum went public, the Scottish Parliament Election in 2021 got even more essential, as its results would directly influence the likelihood of the referendum. The SNP did not get enough votes to establish a majority on its own. However, they decided to create a coalition with the Scottish Greens, which is also a pro-independence party. Therefore, they achieved a majority in the parliament together. Consequently, the SNP will be part of the Scottish Government for the fourth time in a row, which undoubtedly demonstrates the public opinion on Scottish independence matters.

In August, they officially agreed on the specifics of their political program and ambitions, which included holding the independence referendum within the next five years, preferably in 2023 after the Covid 19 pandemic, getting back in the market of the European Union and making changes in legislature, energy politics, and transport.³⁷

The response of Westminster remained the same, one of the UK Parliament Members, Michael Cove, reacted that the main focus of Boris Johnson as well as of the whole Parliament is to repair all the damage that Covid 19 crisis caused in the British Isles and that he does not see a chance of holding another independence referendum before the next

³⁶ Severin Carrell, "Scottish Tories would boycott unofficial independence referendum," *The Guardian*, January 25, 2021, <https://www.theguardian.com/politics/2021/jan/25/scottish-tories-would-boycott-unofficial-independence-referendum>.

³⁷ The Scottish Government, *Scottish Government and Scottish Green Party: draft shared policy programme*, (Edinburgh: 2021), 6. <https://www.gov.scot/publications/scottish-government-and-scottish-green-party-shared-policy-programme/documents/>.

General Election, which is scheduled to take place in 2024.³⁸ Thus, the main obstacle to the referendum persists.

Even though the SNP published several documents as a response to economic doubts regarding an independent Scotland, gathered the highest support for their movement historically and repeatedly succeeded in Scottish Parliament elections as well as in UK's General Elections, it is still unclear whether they can make a legally proven case of holding the referendum.

5.8 A legal way to the second independence referendum

The legal case of establishing an independent state is crucial, and it seems like it might be the last standing piece between the UK and Scotland. According to international law, the fundamental principle of a sovereign state is the acceptance of other sovereign states. Therefore, a proper legislative process needs to take place before any country, including Scotland, announces an independence referendum that would be valid. Yet there are examples of illegal independence referendums, such as the one concerning Catalonia in 2017, in which the outcome was irrelevant since the case for the independence was not appropriately established in terms of legality.

With the Scottish case, it seems like it would be very difficult to earn a permission for a valid vote without the Westminster's legal blessing. As a matter of fact, a Scottish citizen Martin Keatings went to the court with the question of whether Scotland is able to hold the referendum without the consent of the UK government, and the court's ruling was relatively straightforward. The court described Keatings's case as 'hypothetical and premature' and stated that answering the question is not for the benefit of the general public.³⁹ For that reason, cutting out the UK government in regard to the referendum does not seem like a fruitful idea.

It is hard to imagine that after the several UK rejections of the referendum, the members of the SNP are naïve and think that Westminster will suddenly cooperate. This raises the question if the SNP is just not mindlessly putting pressure on the UK government to

³⁸ PA Media, "Gove rules out 'foolish' Scottish independence vote before election," *The Guardian*, June 23, 2021, <https://www.theguardian.com/politics/2021/jun/23/gove-rules-out-scottish-independence-vote-before-election>.

³⁹ Scottish Courts and Tribunals, *Opinion of Lady Carmichael In the cause Martin James Keatings*, (Edinburgh: 2021), 2.
<https://www.scotcourts.gov.uk/docs/default-source/cos-general-docs/pdf-for-opinions/2021csoh016.pdf?sfvrsn=0>.

showcase the powerlessness of the Scottish Government to its voters, whether it is rightful or not.⁴⁰

The plan of avoiding the UK government is based on an idea of unilateral declaration, which has its precedent with Kosovo's independence in 2008 and Kosovo, to this date is respected by the majority of the free world and according to the International Court of Justice, there is nothing wrong with their independence. However, the SNP is not a fan of this idea as they are not sure whether Scotland would be similarly accepted by other countries as it was with Kosovo.⁴¹

In general, the main dispute lies in the approach toward who owns the right to decide the future of another country. In this case, should Westminster be the decision maker or the Scottish people? With regards to the Scottish approach, people there believe that they should be in control of Scottish matters through the parliament elections. The Westminster argues that they have been given a referendum already and that there are currently more important affairs that need to be addressed. Nonetheless, it is uncertain how long can the UK government postpone the will and ambition of the Scottish people. They will most likely ignore the Scottish voices until the next General Elections, and then things will get interesting. Although, the SNP will need to maintain its support over the future years, or all their work and effort of the last decades will end up worthless.

5.9 What to expect

To get an understanding on what the SNP and thus Scottish Parliament plans in the near future, it is essential to go through Nicola Sturgeon's speech which was delivered at a virtual SNP conference in November 2021. The speech opens with a reflection on the Covid 19 crisis and what future steps will the parliament adopt in order to boost the economy and avoid the spread of the Omicron variant. The more important part with regards to this thesis starts right after that. Ms Sturgeon assures the Scottish people that if Covid permits, the campaign for independent Scotland will continue in the spring of 2022 and that she will make the referendum possible since she sees that not being dependent on Westminster will

⁴⁰ Eve Hepburn, Michael Keating and Nicola McEwen, *Scotland's new choice: Independence after Brexit* (Edinburgh: Centre on Constitutional Change, 2021), 42, <http://www.centreonconstitutionalchange.ac.uk/sites/default/files/2021-03/Scotlands-New-Choice.pdf>.

⁴¹ Eve Hepburn, Michael Keating and Nicola McEwen, *Scotland's new choice: Independence after Brexit* (Edinburgh: Centre on Constitutional Change, 2021), 42, <http://www.centreonconstitutionalchange.ac.uk/sites/default/files/2021-03/Scotlands-New-Choice.pdf>.

help Scotland repair the pandemic damages and establish a productive economic route ahead.⁴² However, that is not a new story. Ms Sturgeon does not provide a specific plan on how to achieve the independence referendum, which might signalize this matter is not fully in her powers as she is still seeking the agreement from Westminster, rather than looking for other options such as the unilateral declaration.⁴³

An argument can be made that the SNP is not any closer to the indyref2 (shortcut for the Second Scottish Independence Referendum) and that a minimum development was made since the first referendum. Which is a pity since the movement itself has gathered the historically highest support. Specifically speaking, the support mildly fluctuates but overall, the trend is increasing since Brexit. As long as the SNP is requesting the agreement from Westminster and not persuading any blurry ways, it appears that their goal is to create a movement so enormous that it becomes simply too overwhelming to ignore. Anyhow, the chances of that happening are low with Boris Johnson as the premier.

⁴² “Nicola Sturgeon’s full speech to #SNP21 Conference,” The SNP, accessed April 5, 2022, <https://www.snp.org/nicola-sturgeons-full-speech-to-snp21-conference/>.

⁴³ Philip Sim, “Scottish politics in 2022 – five things to watch,” *BBC*, January 13, 2022, <https://www.bbc.com/news/uk-scotland-scotland-politics-59754427>.

6 THE REALITY OF AN INDEPENDENT SCOTLAND

This part of the thesis is purely hypothetical and is based on several prognoses by various experts. If the SNP can hold a legally binding referendum and the outcome is pro-independence positive, then this part outlines what would follow.

To eliminate the situation which occurred in the Catalonia independence referendum, the cooperation between the Scottish Parliament and the UK government is crucial. However, if such consent is achieved, there are no other official obstacles left.⁴⁴ As far as the legislation of independent Scotland is concerned, they would most likely respect a majority of already existing UK laws, and the only change, even though a significant one, would be in the creation of the Scottish Constitution.⁴⁵

As far as the economy goes, there are definitely some points which need to be addressed because they are no longer relevant as a result of the Covid 19 pandemic, which shook the economies of all countries. The overall economy of Scotland is slowly rebuilding, and some sectors, such as tourism, will take even longer to get back on track. Thus, the anticipated economic deficit with which the Sustainable Growth Commission counted in 2018 will significantly deepen. This will provide the opposing political parties with an argument that it is wiser to rebuild with the UK's collaboration since their economy is bigger, and Scotland can benefit from that, rather than being dependent just on themselves.⁴⁶

On the other hand, if Scotland was independent, its Minister of Finances would have more options and tools to regulate its fiscal policy. The other essential matter, which was brought up several times in the SNP's speeches and publications, is the re-entry to the European Union. Even though the SNP's stance on this issue is evident as they view the partnership as highly beneficial in several ways, the question is whether it is possible, in what timeframe and under which circumstances.⁴⁷

⁴⁴ Eve Hepburn, Michael Keating and Nicola McEwen, *Scotland's new choice: Independence after Brexit* (Edinburgh: Centre on Constitutional Change, 2021), 69, <http://www.centreonconstitutionalchange.ac.uk/sites/default/files/2021-03/Scotlands-New-Choice.pdf>.

⁴⁵ *Ibid.*, 77.

⁴⁶ Graeme Roy, "The Scottish National Party's Economic Prospectus for Independence: Out with the old?," *The Political Quarterly* 93, no. 1 (March 2022): 91. <https://doi.org/10.1111./1467-923X.13101>.

⁴⁷ "What is the SNP's position on rejoining the EU?," The SNP, accessed April 5, 2022, <https://www.snp.org/policies/pb-what-is-the-snp-s-position-on-rejoining-the-eu/>.

6.1 Re-joining the European Union

Suppose the UK government decides to recognise Scotland as an independent state. In that case, Scotland can apply for membership in the European Union just as any other European country, with not much of a difference even though they have already been a part of the organization before. Of course, each member of the EU can veto a new candidate, and there has already been some uncertainty about whether Spain would go against the Scottish membership since it could backfire on their situation with Catalonia. However, the official message from Spain politicians is so far rather welcoming.⁴⁸

Anyhow, it is essential to bear in mind that the process of joining the EU (from submitting a formal request to officially being accepted) can take up anywhere from a few years to a decade. The greatest challenge to Scotland's economy will be cutting ties with the UK and forming new collaborations with countries in the EU. This is a significant change since the UK is Scotland's biggest export partner by far, and the EU will require an adjustment of their trading terms and conditions.

Besides the economic modification, Scotland will need to showcase that they are truly independent of the UK's legislation and that their law systems and other devoted processes work. This would be detailly analysed by the European Commission, the same entity which would eventually provide Scotland with additional suggestions whose adoption will result in a smoother acceptance process.⁴⁹ However, it is hard to see why Scotland's acceptance should be difficult, keeping in mind that they are familiar with the EU laws and regulations. The only change comes with the Scottish Parliament being responsible for obeying and looking over these regulations instead of Westminster.

The only obstacle that could appear would probably come from the inside of the EU rather than from the poor Scottish preparation. France raised a point of changing the conditions under which new countries are being accepted, and potential solutions are being discussed. Yet it is still not sure when any amendments will be adopted and therefore influence the Scottish case.⁵⁰

⁴⁸ "Scottish independence: EU membership and the Anglo-Scottish border," Institute for Government, accessed April 3, 2022,

https://www.instituteforgovernment.org.uk/sites/default/files/publications/scotland_eu_border.pdf.

⁴⁹ Eve Hepburn, Michael Keating and Nicola McEwen, *Scotland's new choice: Independence after Brexit* (Edinburgh: Centre on Constitutional Change, 2021), 174,

<http://www.centreonconstitutionalchange.ac.uk/sites/default/files/2021-03/Scotlands-New-Choice.pdf>.

⁵⁰ "What would it take for Scotland to rejoin the EU as an independent state?," The London School of Economics and Political Science, accessed April 3, 2022, <https://blogs.lse.ac.uk/brexit/2020/02/03/what-would-it-take-for-scotland-to-rejoin-the-eu-as-an-independent-state/>.

As far as the eurozone is concerned, nothing indicates that Scotland wants to adopt the euro quickly, and there is also no obligation to. Several members of the EU, including the Czech Republic, are avoiding the practical adoption of the euro as their national currency while respecting the eurozone with no negative consequence.⁵¹

Besides the standard procedures which would occur in the case of Scottish becoming an EU member, the situation with Scotland – UK borders seems interesting. Scotland would officially represent the EU's border in the British Isles, dividing England from the rest of the UK for the first time in centuries. This could easily end up with security, customs and goods checkpoints, the same which are currently established on the UK - EU borders, and that will bring some complications to the Wales – Northern Ireland – UK trades, even though the free movement of citizens between the countries would probably prevail.⁵² It must be mentioned that the specifics of this matter will highly depend on whether Scotland seeks to join the Schengen or not since it is not obligatory. What has been observed so far is the Scottish will to make the movement of people and the overall immigration a simple process, since a great part of Scottish economic development is based on the population growth, mainly from immigration.

The other matter which is closely connected to the economy is Scottish fisheries. This is an unpleasant pain point for Scots, and there is not much hope that this economic sector would not be regulated in order to meet the EU's criteria, although it is one of the trade-offs that Scotland needs to respect. The Scottish fisheries will be again regulated by the controversial Common Fisheries Policy, which aims to regulate overfishing, however the Scots are very sceptical towards this policy as they do not see any improvements on the ecological front, and all their experience is losing money.⁵³ Overall, the fishing industry was one of the leading voices towards exiting the European union in 2016, and now it will be even more painful for them as they have experienced the freedom of these regulations for some time.⁵⁴

⁵¹ “Scottish independence: EU membership and the Anglo-Scottish border,” Institute for Government, accessed April 3, 2022,

https://www.instituteforgovernment.org.uk/sites/default/files/publications/scotland_eu_border.pdf.

⁵² Eve Hepburn, Michael Keating and Nicola McEwen, *Scotland's new choice: Independence after Brexit* (Edinburgh: Centre on Constitutional Change, 2021), 176,

<http://www.centreonconstitutionalchange.ac.uk/sites/default/files/2021-03/Scotlands-New-Choice.pdf>.

⁵³ Gerry Hassan and Russell Gunson, “Troubled waters: Scottish fisheries and the EU” in *Scotland, the UK and Brexit: A Guide to the Future*, ed. Griffin Carpenter (Edinburgh: Luath Press, 2020), 101.

⁵⁴ *Ibid.*, 105.

In other words, re-joining the EU has its pros and cons. However, it is essential for maintaining the lifestyle of the general public in Scotland, as they would partially reorganize their economy from being highly dependent on the rest of the UK, to being a country on their own. If Scotland wanted to find a more balanced solution to their relationship with the UK, there is an option of just being a member of the European Economic Area and not pursuing a full European Union membership, just like Norway or Liechtenstein.⁵⁵ Nonetheless, even this solution would affect the economic terms and conditions between Scotland and the rest of the UK, but in a smaller degree.

⁵⁵ “Scottish independence: EU membership and the Anglo-Scottish border,” Institute for Government, accessed April 3, 2022, https://www.instituteforgovernment.org.uk/sites/default/files/publications/scotland_eu_border.pdf.

CONCLUSION

In 2014, people in Scotland decided to remain part of the United Kingdom through the independence referendum. At that time, it seemed like a finished job, Scotland got its referendum, and the life in the British Isles continued as usual. However, the United Kingdom chose to leave the European Union, which shook things up.

It is crucial to mention that some parts of Britain, including Scotland, voted significantly to remain within the organization. Therefore, Scotland is rightfully upset with the outcome, at least to some degree. The Scottish National Party, the major independence seeker, is experiencing growing support from the Scottish people. They view Brexit as a critical change in Scottish matters and therefore use it as a condition for the second independence referendum. Surveys suggest that the support for Scottish independence is at an all-time high. However, that might not be enough. In order to declare Scotland an independent country, the UK government has to allow for a second referendum. Otherwise, it will not be legally binding, and other sovereign countries will not respect the Scottish decision.

The Scottish National Party believes in cooperation with the UK government and is not currently seeking any other way to achieve the independence besides the referendum. The objective of the Scottish National Party is to create a movement that is so overwhelming that the UK government cannot ignore it any longer and will eventually accept the referendum proposal.

If the second referendum takes place and the Scottish people agree to become independent, the following steps will most likely lead to re-joining the European Union. Essentially, there would be no debate regarding the second Scottish independence referendum if it was not for Brexit.

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LIST OF ABBREVIATIONS

| | |
|----------|--|
| EEC | European Economic Community |
| Indyref2 | Second referendum on Scottish independence |
| SNP | Scottish National Party |