

The Scottish National Party's Strategy on Home Rule after the 2014 Referendum

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Résumé

Au cours des semaines qui suivirent le référendum sur l'indépendance écossaise, il devint manifeste qu'en dépit des déclarations des chefs de file de la campagne pour le 'Non', la question de la place de l'Écosse dans l'Union était loin d'être réglée, comme en témoignait le nombre considérable de nouvelles adhésions enregistrées pas les trois partis écossais favorables à l'indépendance, et plus particulièrement par le *Scottish National Party* et le *Scottish Green Party*, et dans une moindre mesure par le *Scottish Socialist Party*. En réalité, l'engagement pris par les trois leaders politiques britanniques dans les derniers jours de la campagne de transférer de nouveaux pouvoirs au Parlement écossais en cas de victoire du 'Non', avait pour conséquence que le résultat du référendum pouvait être analysé comme un vote en faveur d'un élargissement de l'autonomie de l'Écosse tout autant que comme l'expression d'un rejet de l'indépendance. C'est dans le contexte de l'augmentation considérable du nombre de nouveaux adhérents et de la participation du SNP aux travaux de la Commission Smith, chargée par le gouvernement britannique de faire des propositions visant à étendre les pouvoirs du Parlement écossais, que Nicola Sturgeon présenta, lors de son premier discours en tant que numéro un du parti, le 15 novembre 2014, la stratégie du SNP pour les élections législatives britanniques du mois de mai 2015 : il s'agissait de faire en sorte que les partis unionistes tiennent leur promesse d'étendre et de renforcer le pouvoir de décision du Parlement écossais. Cet article a pour objectif d'analyser la position défendue par le SNP sur l'avenir constitutionnel de l'Écosse, à savoir « *Home Rule for Scotland* », dans le contexte du débat sur l'extension des pouvoirs du Parlement écossais après le référendum sur l'indépendance, avant de s'interroger sur l'analyse de cette politique comme étant le signe d'un changement de position du SNP sur la question de l'indépendance, comme cela l'a été affirmé dans la presse britannique en particulier.

Abstract

In the weeks following the independence referendum it became evident that, in spite of what the leaders of the 'Better Together' campaign claimed, the debate on Scotland's place in the Union had not been settled once and for all, as shown by the number of new members signed up by the three Scottish parties in favour of independence, in particular by the Scottish National Party and the Scottish Green Party, and to a lesser extent by the Scottish Socialist Party. In actual fact, the commitment made in the last days of the campaign by the three British party leaders to transfer "extensive new powers" to the Scottish Parliament in the event of a 'No' vote, implied that the outcome of the referendum could be interpreted as a vote in favour of further devolution as much as one against independence. It is in the context of the rapid rise in membership experienced by the SNP and of the party's participation in the work of the Smith Commission set up by the British Government to make recommendations for further devolution of powers to the Scottish Parliament, that Nicola Sturgeon in her first

Conference speech as party leader, on 15 November 2014, presented her party's strategy for the forthcoming General Election of May 2015, namely to ensure that the Unionist parties would deliver on their promise of a "powerhouse Scottish Parliament". This paper will explore the SNP's policy to "deliver Home Rule for Scotland" in the context of the wider debate on further devolution for Scotland after the referendum on independence, before trying to assess to what extent it can be seen as an indication of a shift in the party's positioning on independence as argued in the British press especially.

Mots-clés : 'Home Rule' – dévolution – stratégie double – doctrine du mandat – souveraineté – indépendance et interdépendance

Keywords: Home Rule – devolution – twin-track strategy – doctrine of the mandate – sovereignty – independence and interdependence

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Introduction

In the weeks following the independence referendum it became apparent that, in spite of what the leaders of the 'Better Together' campaign had claimed when the final results came out, the debate on Scotland's place in the Union had not been settled once and for all, as evidenced by the number of new members signed up by the three Scottish parties in favour of independence, in particular by the Scottish National Party and the Scottish Green Party, and to a lesser extent by the Scottish Socialist Party. By the time of the first anniversary of the referendum, after the SNP's landslide victory at the General Election of May 2015¹, and in the run-up to the Scottish Parliament election of May 2016, the question of Scotland's constitutional future in the United Kingdom had taken centre stage again; while a new *Scotland Bill* was going through the House of Commons, the demand for more extensive devolution whether in the form of 'devo-max'², Home Rule or 'independence-lite' gathered momentum in the public debate.

As a matter of fact, the commitment made in the last days of the campaign by the three British party leaders – David Cameron, Nick Clegg and Ed Miliband – to transfer "extensive new powers" to the Scottish Parliament in the event of a 'No' vote, did not – and could not – lead to the "decisive" outcome which the one-question referendum was expected to deliver³. In the

¹ The Scottish National Party won 56 of the 59 Scottish seats in the House of Commons.

² 'devolution max', also referred to as 'devo-max', would entail the full devolution of the maximum range of responsibilities to Scotland, and notably full fiscal powers, while matters like defence and foreign affairs would remain the prerogative of Westminster.

³ "They [the two Governments] look forward to a referendum that is legal and fair producing a decisive and respected outcome", (HM Government and Scottish Government, 2012).

end, the 'No' vote could be interpreted as a vote in favour of more devolution as much as a vote against independence.

Indeed, in their joint statement published in the *Daily Record* on 16 September – two days before the vote – and known as 'The Vow', not only did the three British party leaders commit themselves to further devolution in the event of a 'No' vote but they also committed themselves to the timetable unveiled by Gordon Brown at a Labour Party event held in Loanhead, in his constituency of Midlothian, on 8 September 2014. This speech, delivered only one day after a YouGov poll for the *Sunday Times* showed the 'Yes' vote at 51% and the 'No' vote at 49%, was one of several speeches by Gordon Brown in the final ten days of campaigning⁴ in which the former Labour Prime Minister made a point of showing that the 'Better Together' campaign had a positive narrative to offer, a positive vision of Scotland's future in the United Kingdom. Yet while promoting Labour's plans to enhance the powers of the Scottish Parliament (Scottish Labour Party, 2014) and setting out a timetable to deliver further devolution, Gordon Brown also explicitly ruled out the status quo as an option in the referendum (Brown, 2014)⁵. The choice facing the electorate, he argued, was between voting for a stronger Scottish Parliament within the United Kingdom and voting for the break-up of all links with the rest of the UK.

David Cameron acknowledged as much in the statement he made outside Number 10 on the morning of 19 September when he declared that "Scotland voted for a stronger Scottish Parliament backed by the strength and security of the United Kingdom" and immediately announced the setting-up of the Smith Commission whose task was to "take forward the devolution commitments" made by the three pro-union parties and make recommendations for further devolution of powers to the Scottish Parliament by St Andrew's Day as recommended by Gordon Brown in his Loanhead speech.

While the Smith Commission was in charge of overseeing cross-party talks involving the five parties represented in the Scottish Parliament, that is to say the three parties which had campaigned for a 'No' vote as well the Scottish National Party and the Scottish Green Party, who had campaigned for independence, the divergences between the proposals for further devolution backed by each of the three pro-union parties⁶, notably on the nature and degree of taxation powers to be devolved, in themselves made it very unlikely that the Smith Commission could produce what Gordon Brown had claimed would amount to "Home Rule for Scotland... as close to federalism as was possible within the United Kingdom" (Brown, 2014).

In the end, the Smith Commission unveiled its final report on 27 November 2014, and the UK Government published draft clauses together with a White Paper entitled "Scotland in the United Kingdom: An enduring settlement" on 22 January 2015 with a commitment to

⁴ His engagement with the 'Better Together' campaign culminated in his speech at the "Love Scotland Vote 'No'" rally in Glasgow on the eve of the referendum.

⁵ Here is an extract from his Loanhead speech: "Let nobody say that this referendum is a choice between doing nothing and independence. Let nobody say that if you vote 'No' nothing ever happens again and Scotland is forgotten. Let nobody ever say that on September 19th nobody will improve the Parliament or anything in Scotland ever again. Let us be clear; the choice in the referendum is very clear: it's not between the status quo and independence which is irreversible...". See Brown, 2014.

⁶ The three pro-Union parties set up their own commissions on devolution prior to the referendum, which all published their proposals between March and May 2014.

introduce a new *Scotland Bill* in the next session of the British Parliament, therefore after the General Election of May 2015. Meanwhile, in the context of the rapid rise in membership of the SNP⁷ and of the party's participation in the work of the Smith Commission, Nicola Sturgeon in her first Conference speech as party leader, on 15 November 2014, set out her party's strategy for the General Election of May 2015: while the party's goal of independence had not been achieved, the SNP would ensure that the Unionist parties would deliver on their promise of a "powerhouse Scottish Parliament".

The Scottish Government and the SNP welcomed the Smith Commission report for the new powers it proposed to devolve to the Scottish Parliament, however limited these powers might be. Yet they also pointed out that the recommendations made in the final report of the Commission fell far short of "the rhetoric from the No campaign during the referendum" and also of the "extensive new powers" promised in the 'Vow': indeed they fell far short of the proposals made by the SNP in its submission to the Commission, which included among other things the transfer to the Scottish Government of full responsibility for the welfare system and employment policy (Scottish Government, 2015c). Unsurprisingly therefore, following the SNP's landslide victory at the 2015 General Election in Scotland, the debate moved on to constitutional change beyond the recommendations made by the Smith Commission, whether in the form of Home Rule or 'devo-max' or near federalism.

This paper will explore the SNP's strategy to "deliver Home Rule for Scotland", as set out in the party's 2015 General Election manifesto, in the context of the debate on further devolution for Scotland post referendum, before trying to assess to what extent it can be seen as an indication of a shift in the party's positioning on independence as argued in the British press especially. This will lead us to explore the party's post-sovereignty vision of independence.

The SNP's dual strategy: calling for Home Rule while building support for independence

A week on from the referendum, as Nicola Sturgeon was launching her leadership campaign after Alex Salmond had announced that he intended to stand down as party leader at the SNP's conference mid-November, Severin Carrell, Scotland editor to the *Guardian*, in an article entitled "Nicola Sturgeon parks independence and opts for devolution", commented: "Nicola Sturgeon is about to oversee a historic shift in the Scottish National Party's positioning on independence. Under the soon-to-be-elected leader and first minister, the SNP's quest for independence will become secondary to a more immediate and realizable goal: winning far greater devolution within the UK" (Carrell, 2014).

Indeed, by agreeing to take part in the work of the Smith Commission, the SNP and the Scottish Government may have seemed to be putting their commitment to independence on hold, since independence did not feature in the terms of reference⁸ of the Smith Commission published on 23 September, which stated that the cross-party talks were aimed at producing "Heads of Agreement with recommendations for further devolution of powers to the Scottish

⁷ Party membership more than tripled within two months, increasing from around 25,000 members at the time of the referendum to about 85,000 when the party gathered in Perth for its annual conference in mid-November.

⁸ <<http://www.smith-commission.scot/about/>>

Parliament.” In fact, in the Foreword to the written submission presented by the Scottish Government to the Commission, and endorsed by the SNP, Nicola Sturgeon, then Deputy First Minister, acknowledged that a majority of the Scottish people had not chosen independence in the referendum, and accepted that the cross-party discussions aimed at proposing further devolution, and that independence would therefore not be on the agenda. While leaving no doubt as to the Scottish Government's and her party's determination to hold the pro-union parties to their commitment to deliver “extensive new powers” to the Scottish Parliament, she declared: “Our proposals for further devolution are not, and cannot be, an attempt to achieve independence ‘by the backdoor’” (Scottish Government, 2014, ii).

Yet the covering letter sent to Lord Smith of Kelvin by the Chief Executive of the SNP, Peter Murrell, which accompanied the Scottish Government's written submission could hardly be more explicit on the SNP's constitutional objective: “The SNP continue to advocate independence, and believe that Scotland will one day become an independent country.” In the meantime, however, the objective was to deliver “maximum self-government for Scotland within the United Kingdom” as promised in the ‘Vow’, and this meant a “limited number of core areas reserved to Westminster, with all other powers decided in Scotland”. Indeed these core areas were listed in the document submitted to the Smith Commission: apart from defence matters (including intelligence and security) and foreign affairs, which were the two areas to be reserved to Westminster under ‘devo-max’, aspects of the constitution of the UK as a whole, and namely the monarchy, monetary policy – including currency – and aspects of citizenship – including nationality and passports – would remain under the control of the UK Parliament and Government. Thus, not only did the Scottish Government and the SNP call for full fiscal responsibility in the form of responsibility for all domestic expenditure and making payments to the UK for reserved matters, but they also called for responsibility for employment rights and aspects of migration to be transferred to the Scottish Parliament. In fact, far from the Scottish Government admitting defeat, the proposals were presented as “the start of the Scottish Government's own conversation with the people of Scotland on the future governance of our country (Scotland) within the United Kingdom” (Scottish Government, 2014, chapter 8).

In fact by arguing for “maximum self-government for Scotland” in the context of the cross-party talks on further devolution, while maintaining independence as the long-term objective of the party, the SNP's strategy was consistent with the two fundamental aims enshrined in the party's constitution, namely “independence for Scotland” and “the furtherance of all Scottish interests”⁹. Thus, in his speech to the party's annual conference of October 2011, that is to say after the SNP's landslide victory at the Scottish Parliament election in May paved the way for a referendum on independence, Alex Salmond referred to these two fundamental aims enshrined in the party's constitution in the following terms: “They are our guiding lights and they are equally important because they reflect the reality that our politics are not just constitutional but also people based”¹⁰.

In a similar vein, the speeches delivered by both the retiring and the newly-elected leaders at the SNP's first annual conference after the referendum were emblematic of the party's dual political strategy on the questions of Scotland's constitutional future. In his last address to his

⁹ SNP constitution,

<<http://www.snp.org/sites/default/files/assets/documents/constitutionofthescottishnationalparty.pdf>>

¹⁰ <<http://newsnet.scot/?p=106408>>

party as First Minister and leader, on 14 November 2014, Alex Salmond admitted that the referendum had failed to produce the outcome he had hoped for, but congratulated himself on the sense of empowerment, engagement and confidence which the referendum had delivered in Scotland. Indeed his confidence in his party's capacity to achieve its objective of independence showed no sign of having diminished, as he declared: "The referendum 'Yes' vote was 45 per cent not 55 per cent but let us proclaim what each of us knows with a greater certainty than ever before; Scotland WILL become an independent nation"¹¹. However, his message to the party delegates was that, in the meantime, in the run-up to the General Election of May 2015, and looking ahead to the Scottish Parliament election of May 2016, the party must focus on the unfinished business of the 'Vow' and on its commitment to "advancing the Scottish national interest", which he claimed was in the party's "DNA": "So starting now, and until we have secured for Scotland what we were promised our job is to hold Westminster's feet to the fire" (*ibid.*).

Likewise, in her first address to her party as leader, the following day, Nicola Sturgeon herself acknowledged that the referendum results had been a huge disappointment, all the more so as "the prize of independence... had been within touching distance", but the rapid rise in party membership from around 25,000 members at the time of the referendum to about 85,000 when the party gathered in Perth for its annual conference, enabled her to claim that in spite of the fact that the party had not achieved its goal, yet it was "bigger, stronger, more determined than ever before"¹². Looking ahead therefore to the 2015 General Election, in her call for an SNP vote, she appealed not just to supporters of independence but also to supporters of further devolution. Indeed she argued that it was the power of the SNP and of the 'Yes' Scotland campaign which had forced the unionist parties to commit themselves to the 'Vow', and that therefore only the SNP could be trusted to hold them to account on their promise to deliver "a powerhouse Scottish Parliament". The ultimate political objective of the party – to "win the case for independence" – remained unchanged, however, and it was an objective which would be achieved by building on the 1.6 million votes in favour of independence.

Far from signalling a "shift" in her party's positioning on independence, her speech confirmed the gradualist approach to independence which first became SNP policy under the leadership of Alex Salmond in the mid-1990s, at a time when the SNP was making considerable progress on the political stage, having become the second party in Scotland behind Labour in terms of voting intentions in the summer of 1995, and when the Labour Party looked set to win the next General Election. The strategy advocated by Salmond, first unveiled in an interview with Scotland on Sunday on 28 January 1995 and confirmed over the summer¹³ was above all based on pragmatism: independence was the final political objective of the SNP, not devolution, which required Labour winning the General Election and therefore depended on election results in England; yet the party could support devolution as a stepping-stone to independence.

The twin-track strategy to independence, as it became known in the media, was a divisive issue within the ranks of the SNP, as it set in opposition those who considered that a devolved parliament could be a platform for the SNP to champion the cause of independence and those

¹¹ <<http://104.46.54.198/media-centre/news/2014/nov/first-minister-alex-salmond-conference-address>>

¹² <<http://www.youtube.com/watch?v=3fHZfLp5Kcg>>

¹³ See Alex Salmond's interview with *The Herald* on 7 August 1995.

who saw the support for any plans for a Scottish Parliament short of independence as a mistake and pointed to the aftermath of the 1979 referendum on devolution, when the SNP had paid the price of supporting the Labour Government's plans for a Scottish Assembly. It eventually became official party policy at the SNP's annual conference in September 1995. Thus, in the run-up to the 1997 referendum on devolution, after the Labour Party's General Election victory in May of the same year, the SNP supported Labour's devolution plans as a first step on the road to independence while continuing to argue the case for independence, and the SNP campaigned for a 'Yes' vote in the referendum alongside the Labour Party and the Liberal Democrats under the umbrella campaign *ScotlandFORward*.

In actual fact, while the party leadership still argued that winning a majority of seats at Westminster or at Holyrood would give the SNP the legitimacy it needed to begin independence negotiations with the British Government, such absolutist positions on independence as the "Free by '93" slogan of the early 1990s were then consigned to history. Thus, while each manifesto from 1999 onward included a commitment to a referendum on independence, the party's political programme was also aimed at defending Scotland's interests within the United Kingdom. In its manifesto for the 2007 Scottish Parliament election, while pledging to publish a White Paper on independence if it won the election, the SNP also made specific proposals to extend the devolution settlement by transferring to the Scottish Parliament responsibility for the civil service, for North Sea oil and gas, for broadcasting and for firearms. And in the run-up to the 2011 Scottish Parliament election the party promised to hold a referendum on independence if it won the election while at the same time committing itself to improving the *Scotland Bill* laid before the House of Commons by David Cameron's Coalition Government on 30 November 2010¹⁴.

In the aftermath of the referendum, the dual strategy on independence was unsurprisingly therefore reinstated as official party policy. The SNP's manifesto for the General Election of May 2015 underlined both the consistency and the democratic credentials of the party in its approach to constitutional reform and its aim of securing complete independence. Thus, it was because the SNP Government believed that "decisions about Scotland's future were best

¹⁴ Although the *Scotland Bill* – later enacted as the *Scotland Act 2012* – was a Westminster Bill, it was also debated in the Scottish Parliament because it affected the powers of the Scottish Parliament, and as a result required its consent in the form of a Legislative Consent Motion supporting the Bill. The *Scotland Bill* Committee of the Scottish Parliament composed of six members altogether – two Labour, two SNP, one Conservative and one Liberal-Democrat – and chaired by Labour MSP Wendy Alexander, published its report on 3 March 2011: unsurprisingly, it recommended that the Scottish Parliament should support the UK Government's *Scotland Bill* and vote a Legislative Consent Motion to that effect, which the Scottish Parliament did on 10 March 2011. While it was supportive of the UK Government's Bill, the motion nevertheless urged the British Parliament to consider the changes to the *Scotland Bill* proposed by the Scotland Bill committee. The SNP minority government argued, however, that the *Scotland Bill* did not go far enough and was indeed flawed, notably on the question of the new Scottish rate of income tax. Meanwhile the Scottish Parliament was dissolved on 23 March 2011. After the SNP's election victory in May 2011, a new Scotland Bill committee was appointed, composed of eleven members, six of whom were SNP MSPs, which gave the party an overall majority on the committee. On 21 June 2011, the UK Government announced changes to the *Scotland Bill* in the House of Commons. Yet these fell far short of the demands made by the Scottish Government, among which were the demand for an increase in the borrowing powers of the Scottish Parliament, as well as the devolution of corporation tax and of the management and revenues of the Crown Estate in Scotland. Eventually further changes to the Bill were announced by the British Government which, although they still did not meet all the demands of the Scottish Government, made the Bill acceptable to them; consequently the Scottish Government recommended that the Scottish Parliament give its consent to the Bill, which it did unanimously on 18 April 2012.

taken by the people of Scotland” that they had campaigned for a double ‘Yes’ vote in the 1997 referendum on devolution. Later, when the Calman Commission on further devolution was set up by the three pro-Union parties in the Scottish Parliament to counter its first White Paper on Scotland’s constitutional future (Scottish Government, 2007), the SNP Government had looked at the proposals made by Calman and included them in its second White Paper as a fourth option for the constitutional future of Scotland alongside the status quo, devo-max and independence (Scottish Government, 2009); and the SNP Government also supported the provisions for further devolution contained in the *Scotland Act 2012*, limited as they were, while at the same time calling for a more substantial transfer of powers to the Scottish Parliament (Scottish National Party, 2015, 35). Far from being presented as a second-rate option in the General Election manifesto of 2015, as might have been expected since the Scottish Government had failed to win the case for independence in the referendum, the promise to deliver Home Rule for Scotland was rather presented as evidence of the party adopting a pragmatic and sensible approach on the question of Scotland’s place in the Union.

On the issue of democratic credentials, it has to be said that ever since the setting-up of the Scottish Parliament in 1999, the SNP’s positioning on the issue of independence and of holding a referendum on independence has been based on the doctrine of the mandate: in other words, the party would only hold a referendum on independence if it had a mandate from the people of Scotland.

In the course of the independence referendum campaign, the SNP Government was attacked by the pro-Union parties on its proposals concerning the currency issue and Scotland’s membership of the European Union. On the currency issue, the Scottish Government was pressed to present an alternative plan, since its initial plan of keeping an independent Scotland in a currency union with the rest of the United Kingdom had been ruled out by the Chancellor of the Exchequer in February 2014. On the second issue, the pro-Union parties argued that an independent Scotland would have to re-apply for membership of the EU. The aim was twofold: the defenders of the Union pointed out uncertainties in the Scottish Government’s independence plans thereby warning the Scottish people against the risks entailed, while at the same time denigrating the Scottish Government’s independence plans by claiming that they would not amount to complete independence.

Devolution-max or independence-lite? The post-sovereignty vision of independence promoted by the SNP

When it comes to discussing the SNP's independence project as set out in the Scottish Government's White Paper of November 2013, it is interesting to look at the report published at the end of January 2013 by the Electoral Commission on the proposed referendum question. This report followed the request for advice by the Scottish Government on the wording of the question they initially proposed to be put to the people in the referendum, which was: "Do you agree that Scotland should be an independent country?" More than the recommendation made by the Electoral Commission to remove the phrase "do you agree" and change the question to "Should Scotland be an independent country?", what is of particular interest here is the conclusion reached by the Commission on the use of the term "independent". Indeed the Commission concluded that the phrase "independent country" was simple and easy to understand, as evidenced in the responses from individual voters as well as academics and politicians or campaigners interviewed by Ipsos MORI on behalf of the Electoral Commission, and that it was understood as meaning "separation from the rest of the UK" (Electoral Commission, 2013). Yet, the practicalities of independence, in other words what independence would really mean in practice, were less clear to them and the Commission concluded therefore that voters needed to be better informed, especially as there were "different views about what Scottish independence would mean or not mean", and as different views about what would happen after a 'Yes' or 'No' vote would be promoted as part of referendum campaigns.

In this regard, in the run-up to the referendum campaign, and more particularly after the publication of its White Paper on independence, the pro-Union parties accused the SNP Government of inconsistency in advocating independence and the end of the political union between Scotland and the other nations of the UK, while at the same time arguing that independence would bring about a renewed partnership between Scotland and the rest of the UK. Such accusations were based notably on the ambivalence in the description given of the relationship between an independent Scotland and the rest of the United Kingdom: thus it was explained in the White Paper that, after independence, Scotland would no longer be part of the parliamentary union with the other nations of the UK, and that the Acts of Union would be repealed, but it was also argued that "this change in the political and governmental arrangements for Scotland will not affect the many other ties that bind Scotland to the other nations of the UK" (Scottish Government, 2013b, 214-215). Indeed, independence would "enable Scotland to create a new and equal relationship with the other nations" of the UK, it was claimed, and under the SNP's proposals, Scotland would keep its "close links of family and friendship through an ongoing social union" (Scottish Government, 2013b, 456).

In fact, over the summer of 2013, Alex Salmond delivered six speeches across Scotland and beyond¹⁵, aimed at preparing the ground for the White Paper on independence and the referendum campaign by explaining what independence really meant in the 21st century and presenting the place of an independent Scotland in an interdependent world. The series of six speeches was intended to be symbolic of the six unions which Scotland was a member of, namely the currency union, the defence union, the European Union, the social union, the

¹⁵ His second speech, on the currency union, was indeed delivered on the Isle of Man on 16 July 2013.

union of the crowns, and the political and economic union¹⁶. Thus, in his first speech, the First Minister explained that his government would choose to maintain the first five unions after independence, because “they made sense for both Scotland and the rest of the UK”, and could actually “be strengthened and improved by independence” while using the powers of independence to “renew and improve them” (Salmond, 2013a). Regarding the social union for instance, Alex Salmond argued that it would remain because it rested on “ties of history, culture, family and friendship which are not dependent on Governments” (Salmond, 2013e), while the union of the crowns, the currency union, the European union and the defence union through NATO would be maintained as of choice, as a matter of policy. In other words, Scotland’s independence would bring about the end of one union only, namely the political one.

This first speech delivered by Scotland’s First Minister (Salmond, 2013a) led journalist and economic commentator Alf Young to comment ironically that Alex Salmond had “revealed himself as five-sixths a unionist. In favour of five continuing unions. Against just one,” and to warn the supporters of independence in the following terms: “The Yes campaign better watch out or, before we all get to vote, it will have become the almost better together campaign” (Young, 2013). Yet, the idea that the union of the Crowns would be preserved post independence, for instance, was not new: in September 2002, a policy document entitled “A Constitution for a Free Scotland” provided for “a continuing monarchy, with the headship of state vested in Queen Elizabeth and her successors” (Scottish National Party, 2002), while more recent documents have established parallels between an independent Scotland and the Commonwealth states which recognise the Queen as their head of state. On the currency issue, keeping the pound in a currency union with the rest of the UK was also a longstanding SNP policy, set out in the consultation paper on independence unveiled by the SNP in 2005 as part of the party’s contribution to and proposals for consultation within the Independence Convention¹⁷ (Scottish National Party, 2005), and on which the SNP Government’s first White Paper on independence in 2007 was based. Besides, this consultation paper on independence also suggested that an independent Scotland could come to arrangements with the British Government for a continuation of public cross-border services such as the BBC, the Post Office and the licensing of drivers and vehicles. As for Scotland’s membership of the European Union post independence, ‘Independence in Europe’ became the official policy of the SNP in 1988.

There was one issue, however, on which party policy changed radically in the context of the referendum campaign, shortly after the Edinburgh Agreement was signed between the British and the Scottish Governments paving the way for the referendum, when a resolution was passed at the SNP’s annual conference of October 2012, which put an end to the party’s longstanding ban on NATO membership for an independent Scotland. This historic U-turn in SNP policy was controversial to say the least, as it was seen by many party members and supporters as being incompatible with the party’s commitment to the removal of nuclear submarines at Faslane on the Clyde. In spite of the provision made in the resolution for Scotland’s membership of NATO to be based on the condition that no nuclear weapons could

¹⁶ In actual fact, the first speech was meant as an introduction and therefore briefly reviewed the six unions, while each of the next five speeches centred on one specific union, except the fifth one which covered both the social union and the union of the crowns.

¹⁷ The Independence Convention was launched on St Andrew’s Day 2005 and aimed at providing a forum for all those supporting independence for Scotland regardless of any political persuasions.

be stationed in Scotland, and that Scotland would only ever take part in UN sanctioned operations, the new policy commitment led to the defection of the two of the party's MSPs¹⁸.

On the whole, therefore, the claim made by the pro-Union parties that the SNP had changed tack on their independence plans for Scotland, delivering a reassuring message by underlining what would not change after independence in the hope that they could persuade undecided voters to vote 'Yes' on referendum day, ignored what had been SNP policy for a number of years as stated in the first White Paper published by the SNP on coming into office in 2007: "Independence for Scotland in the 21st century would reflect the reality of existing and growing interdependence: partnership in these islands and more widely across Europe" (Scottish Government, 2007, 24). Indeed the narrative of a 'renewed partnership' became a leitmotiv in the nationalist discourse after the SNP came to power in Edinburgh, as the prospect of holding a referendum on independence came more and more within their grasp. Thus, the party manifesto published for the General Election of 2010, minimalist though it was in terms of its size and length, contained, out of a total of 25 pages, a six-page section entitled "Building a new partnership", which presented the case for "independence in an interdependent world". The 300-year-old political union was described as "no longer fit for purpose" and not designed for the 21st century but, far from independence meaning separation pure and simple, what it meant rather was "updating the relationship between Scotland and England" and "creating a new partnership of equals – a social union to replace the current political union" which would result in what was presented as a more appropriate relationship allowing Scotland and England to share the same Queen, the same currency and, as members of the European Union, to continue to enjoy the benefits of free trade and extensive co-operation (Scottish National Party, 2010, 17-22).

In this regard, the change in the definition of the party's political objective, from "self-government for Scotland", as it was phrased in the 1948 constitution, to "independence for Scotland", following the review of the constitution undertaken in 2004 under John Swinney's leadership¹⁹, was not indicative of the party's taking a more radical stance on the constitutional future of Scotland. Rather, the alterations made to the 1948 constitution on this point were driven by the necessity to take account of the setting-up of the devolved parliament in 1999. Hence, while in 1948 the party's initial commitment had been to "the restoration of Scottish national sovereignty by the establishment of a democratic Scottish Parliament within the Commonwealth", the revised constitution called for "the restoration of Scottish national sovereignty by restoration of full powers to the Scottish Parliament". Both the old and the new party constitution, however, recognised that the authority of the Scottish Parliament would be limited by the agreements freely entered into by the Scottish Parliament "with other nations or states or international organizations for the purpose of furthering international cooperation, world peace and the protection of the environment²⁰".

The acceptance of the idea of Scotland's national sovereignty being limited by treaties signed with other states or by its membership of international organisations is nowhere clearer than

¹⁸ The resolution was passed by 426 votes to 332.

¹⁹ John Swinney was elected to the leadership of the SNP in September 2000, after Alex Salmond announced his intention to step down in July of the same year. He remained party leader for four years stepping down in June 2004 after the SNP failed to overtake Labour in the European Parliament elections.

²⁰ SNP constitution, *op.cit.*

<<http://www.snp.org/sites/default/files/assets/documents/constitutionofthescottishnationalparty.pdf>>

in the party's vision of Scotland's place in the European Union. An independent Scotland sharing and pooling sovereignty with its European partners was the vision presented by Alasdair Allan in a paper entitled *Talking Independence*, and published at a time when the SNP was not yet in government: "Independence in Europe means accepting the role and responsibilities of a Member state of the European Union in which independent states have pooled certain of their sovereign rights for the common advantage. Sharing sovereignty in Europe in this way enhances Scotland's sovereignty because it increases our influence" (Allan, 2002).

Such is the vision of Scotland's place in the European Union presented by First Minister Nicola Sturgeon to the European Policy Centre in Brussels on 2 June 2015, as she declared:

As a country of 5 million people, we understand that we can't act in isolation. Whether as part of the UK or as an independent country, we know that partnership is essential for progress. And so the fundamental vision of the EU – of independent nations working together for a common good – appeals to us. And some of the concerns which often get raised about Europe in the UK media – especially about sovereignty – possibly carry less weight in Scotland. After all, Scotland has been pooling sovereignty, in one form or another, for many years. We've always been a nation that looked outwards – to the rest of the UK, to Europe and to the wider world.

It's worth noting that this would have remained the case even if Scotland had voted last year to become an independent nation. There is nothing contradictory about independent countries recognizing their interdependence and choosing to pool some sovereignty for mutual advantage – on the contrary, it is the way of the modern world.²¹

This vision concurs with the concept of a 'post-sovereignty' era developed by Michael Keating in his analysis of the claims for sovereignty made by the nationalist parties in Quebec, Catalonia and Scotland in the context of globalisation and of continental integration. Keating uses the term to designate "an era in which sovereignty has not disappeared but rather has been transmuted into other forms and is shared, divided, and contested" (Keating, 2001, x). More recently, in an article entitled "Rethinking Sovereignty. Independence-Lite, Devolution-Max and National Accommodation", Keating explains that sovereignty is seen "not as a 'thing' that a people has, but a relationship, which means that it always has to be negotiated with other sovereignty-holders, and is usually embedded in wider transnational structures". He then goes on to argue that while globalisation and interdependence between states have transformed the states by reducing their sovereignty, "small states can best protect their remaining sovereignty and exercise real power through integration into larger transnational structures" (Keating, 2012, 11-12).

The SNP, in its call for independence for Scotland, has indeed moved away from the paradigm of the sovereign nation-state, and reframed its claim for sovereignty taking into account both the advanced degree of decision-making provided by the devolved institutional arrangements and the emerging framework of transnational orders such as the European Union.

²¹<<http://news.scotland.gov.uk/Speeches-Briefings/First-Minister-speech-to-European-Policy-Centre-1977.aspx>>

Conclusion

In the wake of the 2015 General Election and her party's landslide victory in Scotland, Nicola Sturgeon argued that contrary to what people might assume, considering that the Conservative Party won an overwhelming majority of seats in the House of Commons at the General Election of May, there were four separate elections in the four component parts of the UK, and that while the Conservative Party had won the election in England, in Scotland the election had been won by the SNP, and in Wales by the Labour Party. With only one MP in Scotland out of 59, while the SNP had 56, the party in government in London had not been given a mandate from the people of Scotland, and was warned by Scotland's First Minister against the risk of fostering a sense of democratic deficit again in Scotland which might fuel the demand for independence if it ignored the Scottish Government. Indeed, in the context of the *Scotland Bill* introduced by the Conservative Government on the first day of the new British Parliamentary session, on 28 May 2015, and in the run-up to the Scottish Parliament election of May 2016, which the SNP looks set to win according to opinion polls, the question of whether or not the SNP might call for a second referendum on independence has taken centre stage in the political debate in Scotland.

Nicola Sturgeon has argued, however, that her party's performance at the 2015 General Election did not provide for a mandate for independence and therefore for a second referendum because there was no such commitment in the party manifesto, while adding at the same time that if the Scottish people did vote in future to have another referendum, then no politician had the right to prevent a second referendum from being held. She has also indicated that significant changes, such as Scotland being dragged out of the European Union as the result of a vote in favour of leaving the EU in England in the in/out EU referendum, while a majority of people in Scotland look set to vote in favour of remaining in the EU, could justify holding a second referendum on independence.

In fact, a poll carried out by Ipsos MORI at the beginning of September 2015 showed that 53% of the respondents would have voted 'Yes' and 44% 'No' in a referendum on independence, while 3% claimed to be undecided. Yet, on the day marking the first anniversary of the referendum, Nicola Sturgeon, in a speech delivered in Edinburgh, chose to put forward the democratic narrative of independence; while pledging that the party manifesto for the 2016 Scottish Parliament election would consider the circumstances which might make it appropriate to propose a second referendum on independence, the First Minister explained that "it would be wrong to propose another referendum without a fundamental change of circumstances or a strong indication that a significant number of those who voted No last year had changed their minds" and went on to underline that the decision as to whether or not another referendum should be held, just as the decision as to whether or not Scotland should become independent, belonged to the people, and not to the politicians²².

In the end, as has been suggested by commentators in the media, such cautious positioning on the issue of a second referendum might antagonise a number of people who voted 'Yes' in the referendum, and notably those who have since joined the SNP, and who might want to see the

²² The full text of her speech is available at the following address:
<<http://www.theguardian.com/politics/ng-interactive/2015/sep/18/nicola-sturgeons-referendum-anniversary-speech>>

party take a more radical stance, especially after its landslide victory at the General Election of May 2015. The challenge for the SNP leader, who has been facing attacks from the Unionist parties which accuse her of not holding to her pledge that the referendum was a 'once in a generation' opportunity, lies in the need to consolidate support for independence so that a second referendum is held only when it is clear that there is definite support for it, while rallying the new SNP members behind the party's strategy on independence.

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