

THE MOVEMENT FOR A SCOTTISH NATION
INDEPENDENT OF GREAT BRITAIN

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Scotland has been historically an independent nation in fact and in thought. Before uniting with England, the two nations endured centuries of political intrigue and armed conflict on either side of their common border. After the uniting of the two nations, Scotland maintained a social and racial identity, legal system, educational system, and religious activities that were purposefully different from those of England. This research is an effort to show that these differences, coupled with the discovery of oil in Scotland, puts it in a strong position to regain independence if it chose.

On the twenty-second of July, 1707, commissioners from the neighboring and sovereign nations of Scotland and England signed the Treaty of Union. This treaty created the Union of Great Britain.

The history of the two nations to that point was long and bloody. Wars of succession, of conquest, and of a punitive nature were frequent. Cross-border intrigues between nobility of both nations were rife. For many years Scotland was allied with England's bitter enemy, France, and often served as a staging area for French incursions into England. Why, then, would two nations who appeared to have nothing in common, save for language, decide that they were better off casting their lot in the family of nations together?

Scotland is a hilly, rugged land with a people that are imbued with a fierce independence. In their conquest of the British Isles, the Roman armies found the inhabitants of the area they knew as Caledonia so fierce that they built a wall, forever known to history as Hadrian's Wall after the then Roman Emperor, to keep the Caledonians penned in on their side of the country and away from the far more malleable Anglo-Saxons and Jutes to the south.

Scotland is a tapestry of clans and families that have fought and connived against each other for centuries, a patchwork of highlands and lowlands, Celts and Picts, at each other's throats in the best of times and united against "The Auld Enemy" to their south in the worst. For many centuries, it was considered a nation of barbarians, yet, in time, Scotland became known as much for its universities as for its fierce fighters, as much renowned for its ingenious legal system as for its whiskey. Political thinkers such as John Stuart Mill and Adam Smith made enduring contributions to the era of the Enlightenment, and Scotland has exported the talents of Andrew Carnegie, Alexander Graham Bell, James Pinkerton, Daniel Defoe, and others who have made lasting contributions.

Throughout the early history of the land, other nations saw the Scots as a dirty, unruly, and violent people, known only for their resistance to the incursions of their country and administration of their country by the

English. But throughout its pre-Union history, Scots had a long tradition of parliamentary government, embracing the concept of a constitutional monarchy even before England's "glorious" revolution in the late 1660s.

Given its history of intermittent independence from, and constant fighting against the English, why doesn't Scotland declare its independence from Great Britain? The reasons are as complex as Scotland itself. This research paper explores the case for Scottish independence: why it has not happened and why it should. Scots have long lived, often purposefully, in the shadow of their English brethren. As Scotland has modernized it has developed its own infrastructure and has discovered the means to produce its own energy and provide that same energy to other nations. As Europe becomes more politically homogenous, the case can be made that an independent Scotland brings more to Europe than one tethered to Great Britain.

PART ONE - A SHORT HISTORY OF A FIERCELY INDEPENDENT NATION

I. Invasions and Alliances

a. The Romans

Like much of European history, the history of Scotland was first recorded by the Romans, starting with the year 81 C.E. After a few years of advancing and exploring, the Roman army withdrew from Scotland. In

the year 121, the Emperor Hadrian visited the island, and twenty years later the famous Hadrian's Wall was built. The Romans returned years later but were never able to subdue the Scottish people. Because of other pressing commitments, Rome was never able to finish its mission to take over Scotland, as it had in many other areas of the world.

b. The Norsemen

In the eighth century, the Norse explorers ventured into Northern Scotland and the islands that dot the North Sea. Warfare by the Norse invaders against the local Scots chieftains continued for a century and a half until King Malcolm II of Scotland was able to bring the northern part of the country under his rule. His grandson, Duncan, was later killed by a pretender to the throne, Macbeth, who, in fact, was a good ruler of Scotland for nearly twenty years, contrary to his fate that we have learned from Shakespeare's play.

c. The Normans

The Normans were not only pivotal in England's development, but there was Norman influence in Scotland as well. Duncan's son, Malcolm III, had interests in the northern part of England and his Norman-born wife, Margaret, helped to shape his thinking on both affairs of state and of the church in Scotland. In 1093, Malcolm was killed by a Norman friend from

England. His wife died three days later. Scotland was thrown into a period of instability that lasted for the next thirty years.

d. The French Alliance

After many years of border disputes and invasions between the Scots and the English, William the Lion of Scotland, entered into a formal alliance with the French, which has passed to this day in Scotland as The Auld Alliance. The Alliance was beneficial to both countries as both had strong disagreements with the English. But when the Plantagenet King Edward I took over and attempted to unite the two kingdoms of Scotland and England through marriage, this not only exacerbated the already strained relations between the two kingdoms, but also caused a great deal of unrest with the nobility in Scotland itself. Some sided with Edward and some with Robert the Bruce, who was one of many pretenders to the Scottish throne.

Rebellions and Resistance

a. Wallace and The Bruce

William Wallace is one of the great historical heroes of Scotland. The popular film *Braveheart* introduced him to the rest of the world. It is difficult to know the difference between the myth and the reality of this man. We know that, after an altercation with some soldiers, the killing of Wallace's girlfriend or wife by the English magistrate; and the murder of

said magistrate, Wallace became an outlaw, one charismatic enough to command forces from all over Scotland in skirmishes against the English. In September 1297, Wallace and his forces defeated a far superior English army at the Battle of Stirling Bridge. While this was a great victory for the Scots, Wallace was not able to consistently deliver victories and overreached badly by pitting his rebels against a much larger English force led by King Edward I. Wallace and his men were thoroughly defeated. After a number of years of hiding, Wallace was captured, tried for treason and then executed by the English. In the meantime, disputes between noble factions in Scotland continued apace.

Many of the nobles in Scotland had served King Edward I during his troubles with Wallace. While Wallace's fight was for Scots independence, the nobles were more interested in property and in avoiding paying taxes to the English king. This could be done by working surreptitiously against Wallace for Edward, who would reward them with lands in Scotland and England for their troubles. The execution of Wallace did not bring an end to the nationalist spirit of the people of Scotland, and a few nobles, such as Robert The Bruce, began to see and work actively towards independence from the English. In defiance of Edward, Robert had himself crowned King of Scots. Edward sent an army into Scotland and over a period of years was unable to win a decisive

victory on the Scots. Upon Edward's death, his son first ignored and then rekindled the war against the Scots, going to Scotland at the head of his own army in the summer of 1314, where he was soundly defeated by the forces of Robert The Bruce at Bannockburn. Thus began the first period of independence from England.

b. Highland Clans and Warring Nobles

Robert, as King of Scotland, ushered in a period of victory over the English and a time where Scots from all parts of the country began to take pride in what they could be as a nation apart. But Robert died in his early fifties and left only a young son as his heir. The nobles came together to plan a line of succession, but this was no guarantee against further strife among them.

As in previous years, some of the nobles were loyal to Robert, but some were loyal to the English king, now Edward III. Edward instigated trouble in the north through these nobles. The infighting became so chaotic that the English saw a chance to intervene yet again in Scottish affairs. With the assistance of their French allies, the Scots were finally able to drive the English south.

Now deeply entrenched in the Hundred Years War with the French, the English turned away from Scotland. The French and the Scots, due to their mutual animosity toward the English, had made a treaty

to join with each other in the face of English aggression upon either. As the Hundred Year War continued, the French requested that the Scots tie the English forces up from time to time. The English seized the young Scottish king, David II (son of Robert the Bruce) and kept him for twelve years. Rather than continue the constant fighting north of the English border, Edward III turned David back over to the Scots and signed a ten year truce between England and Scotland. This truce also came with an indemnity demand by the English to the Scots, which caused the ruin of the Scottish economy. The return of David brought no stability to the throne, as he desperately wanted to return to England rather than rule Scotland, and so began a period of nearly fifty years of uncertainty and several changes of regents.

In the years that followed, various noble families consolidated their lands and power. The families had their own armies, and their lands were considered sovereign in their own right. Powerful families such as the Douglasses, the Campbells, and the MacDonalds, along with various lesser families, constituted political authority in Scotland with the continued revolving door that was the Scottish throne. Despite the upheaval, the Reformation came to Scotland, and the Scottish university system was created.

c. Scotland in the Age of Reformation

In 1488, Scotland finally gained a strong personality on the throne in the person of James IV, one of the most popular and intelligent kings in Scottish history. He ascended to the throne in a time where Scotland was shedding its image as a nation of barbarians. Fitzroy MacLean describes the period:

“It has been rightly said that James stood between two ages. In his Reign the Renaissance reached Scotland and its years were marked by a true flowering of learning and of the arts. It was also a period of peace and prosperity and of progress and expansion in a whole range of different fields. In literature this was the age of Robert Henryson and his *Testament of Cresseid*; of William Dunbar’s *The Thistle and the Rose*; of Gavin Douglas’s translation of the *Aenid*; and Blind Harry’s popular epic *Sir William Wallace*...”¹

Universities were created in the major cities of Scotland, Aberdeen, Edinburgh and Glasgow in the early 16th century. The printing press was introduced during the same time. But despite a popular king and entry into a modern age in the lowland and borders area of Scotland, Scots north of the mountains were resistant to political change, the clan system remained as the primary political and national unit in the lands north of the highlands. As other kings and regents had attempted previously, James IV tried vigorously to bring the peoples in the north of Scotland to heel. After years of trying to use force to subdue them, James travelled north to

¹ Fitzroy Maclean, *Scotland, A Concise History*. New York: Thames & Hudson, 1983, 64

personally extend the hand of friendship to the family chieftains. He tried to introduce new ways of economy to the northern chieftains, which they would not accept. So while there was peace in the southern parts of Scotland, James was forced to wage constant war on the people in the northern areas in order to force them into compliance.

In 1501, James married Margaret Tudor, the daughter of the English king Henry VII. This marriage created a de-facto alliance with the English. It did not mean that James had abandoned Scotland's long alliance with the French, and James gained for himself a reputation as a peacemaker, standing between the English and French and keeping an uneasy truce. This peace lasted approximately ten years, after which time other countries of Europe were determined to conquer and partition France. James found himself not only as France's only ally, but at war with the new king of England, Henry VIII, who had determined that Scotland not only belonged to England but was being held hostage by James. James entered England at the head of his army, but was slain at Flodden Edge along with most of his soldiers. Scotland was once again plunged into chaos on the throne.

Another problem surfaced between the Catholic throne and its largely Protestant population. The church ordered that Protestant rebels in Scotland be punished, and many fled the country. John Knox, founder

of the politically influential Presbyterian Church, however, remained and continued his preaching. Much of these religious troubles were intertwined with Henry VIII's problems with the Catholic Church. Plots and counter-plots went back and forth across the border. Meanwhile Knox, who had been captured by the French and then released, travelled to Geneva to study with John Calvin. After many years of struggle against the Church and the French, John Knox was tasked with creating the new Protestant Church in Scotland.

The Church was strict and harsh from its inception and became more so with the passage of time. MacLean describes the period:

“Under the influence of Knox and indirectly of Calvin, the early Kirk (church) was austere in character. With time this austerity increased still further. Christmas and Easter were no longer observed and Knox's liturgy was abandoned in favor of spontaneous prayer. Singing was unaccompanied. The churches were unadorned. Holy Communion, which Knox had intended should be central to the life of the Church, was celebrated less and less frequently. Throughout Scotland the influence of parish ministers became paramount in lay as well as Church matters and Kirk Sessions exercised widespread influence. Though there were notable exceptions, austerity became the keynote of Scottish life, both social and religious”²

Once again, as we have seen repeatedly, the times saw Scotland with political instability on the throne. In 1583 at the age of seventeen, James VI took the throne of Scotland. He desired to be king of all his

² Maclean, Scotland, A Concise History, 94 – 95.

people, Protestant and Catholic, and resisted pressure on both sides to declare himself for one religion or the other. He was nominally a Protestant, but was often criticized for his quite lenient treatment of Catholics in Scotland. In 1585 he entered into an alliance with England. He also remained Protestant in the hope that, when his cousin Elizabeth I died, he would not only be King of Scotland but of England as well. In 1603 this happened, and King James VI of Scotland went to London to become King James I of England; only once would he return to his native country.

James was very much interested in seeing both nations as a union, and often flew the newly designed joint flag which was known as the Union Jack. He himself referred to his Kingdom as Great Britain, and the parliaments of both houses passed legislation to unite the two kingdoms. But these treaties were never signed, mostly because of resistance of the English people to be joined in any way with the Scots, a race of people whom they still saw as little more than barbarians. This is not to say that James ignored the political or religious life of his native land. Like his predecessors, he continued the attempt to tame the Scots Clans and Families living north of the Highlands. He also gave more powers to the Catholic Church in Scotland in order to neutralize Protestant influence over the population. These actions ignited religious conflict in the country

that would long outlive James, who died in 1625. The reign of his son Charles would begin a long and difficult period between Scotland and England which would, incredibly, end in union between the two incompatible countries.

II. Union With England

a. From James to James

With the exception of the years of the English Civil War (1649 – 1660) both Scotland and England were ruled by members of the House of Stuart. James VI was the first to head both countries. But this was a union that owed more to the King's preference than to any political reality. Each country still maintained its own government, legal system, and educational system. During the reign of his son, Charles I, the two nations went to war and these initial aggressions evolved into the English Civil War. Charles was eventually captured by the English, tried and executed. General Oliver Cromwell instated republican government in England, which lasted for 11 years. Scotland and England were formally united and the Scottish parliament was dissolved, although they had some representation in the English parliament. Many considered this to be the most civilized era in Scottish history.

When this period ended with Cromwell's death, Charles II, whose family had been living in exile in France, was installed on the dual thrones.

Charles II's reign proved most unpopular due to the fact that he relied heavily on French assistance and because of his tolerance toward Catholics and their church. His mother was French, and this among all else, did not endear him to Protestants in either England or Scotland. Charles' successor, James II of England and VII of Scotland and Wales, continued these policies, until he was overthrown in the Glorious Revolution. He was replaced by his son-in-law, William and his daughter Mary; this succession was the beginning of the Hanoverian line, which in time would include King George III. William and Mary sat on both thrones, but in Scotland there were many who considered William a usurper and continued to pay homage and allegiance to James II. Many leaders of the Highlands clans and families were active in resistance to William, and James worked assiduously to keep up his instigation against his successor.

England at this time was at war with Louis XIV of France, and so James and elements loyal to him saw the time as ripe to attack William in the Highlands. At this time, there became a noticeable imbalance in the power and influence of the English over the Scots. England was beginning to build its empire and Scotland was being left behind economically. The English became international traders in all manner of commodities, the city of London grew exponentially, and their Parliament,

flush with cash from their far-flung endeavors, passed many laws designed to strengthen the English economy. Scotland, on the other hand, remained primarily a nation of farmers and herders, essentially unchanged from the feudal arrangements under which the people had always lived. This, too, became a bone of contention within the Union. As we will soon see, Scotland desired to segue into a more mercantile economy but was thwarted by the English denial to them of access to port facilities and funding from English banking and business concerns.

In the end, William sent troops into Scotland to put down the rebellion, and after a number of years, James II sent word to those who had backed him that they should swear allegiance to William.

b. Bonnie Prince Charlie

Charles Stuart, the grandson of James II, was born in 1720, thirteen years after the formal Treaty of Union was signed. He grew up not in Scotland, but with his exiled family in Italy. Although James bade his supporters to stand down, what was known as the Jacobite Resistance against the crown continued. As Charles grew older and educated in both practical and military pursuits, the Jacobites looked to him to lead a Stuart Restoration. In 1743, his father enlisted the help of the French government to provide Charles with a fleet which would enable him to invade England. This fleet was destroyed in a storm, but nonetheless

Charles managed to cobble together a small fleet of old ships and returned to Scotland in 1745. He was joined by the Highland clans who had always been loyal to his family, and these forces marched on and seized Edinburgh. Charles' army eventually advanced into the north of England. It returned to Scotland upon a rumor that a government army was amassing to his rear. This proved untrue, but bought the English time to trap and defeat his army at the Battle of Culloden. Charles escaped and returned to exile on the continent; the Jacobite rebellion and the Stuart monarchy had finally come to an end.

c. Union

As was discussed previously, during the reign of William and Mary, a large economic imbalance arose between Scotland and England. The Scottish government desired to enter into international trading for its own enrichment, but was blocked due to laws that permitted shipping in the British Isles to occur only in English ports. The Scottish parliament, in 1695 established a company to conduct trading and authorized seed money to launch the endeavor. Investors had to be found outside of Britain, as the King disapproved of English investment in this company. In the end, most of the money for the company came from Scottish investors, which made up most of the wealth in the country. An expedition to Darien, which turned out to be a Spanish island located in the Caribbean near

what is now known as Jamaica, ended in disaster, with most of the colonists being killed by disease and all the investment money being lost. No trade was ever established, and the Scots were nearly destitute. Many in Scotland came to the conclusion that the only way that the country could ever become economically viable would be to enter into a union with her far more successful neighbors to the south. Though they blamed William of Orange for their plight, the Scots saw no other alternative to their survival.

For their part, the English were reluctant to enter into such a union. They remembered well the rule of the Stuarts, and were in no hurry to repeat it. But England was nearly constantly at war with France. As Scotland and France had an alliance of long standing, it was important for England's security that they join in a Union with Scotland. Continual two-front wars would be disastrous in terms of blood and treasure for the English, who could not expect to maintain its growing hegemony in this manner.

In the summer of 1706, representatives from both countries met to create the outlines of a proposed union. The Scots wanted to maintain their parliament, but the English would have none of it, insisting instead that the Scots could have a number of representatives as part of the English parliament. Scotland also had to accept Hanoverian succession

and renounce any Scottish monarchs. The English agreed to pay Scottish debts incurred during the fateful Darien expedition, and allowed the Scots freedom to use and trade in any British port that they wished. All church matters on either side of the border would remain the way they were. The Scots were allowed to retain their own legal and educational system, and the emblems of both flags were joined. Despite fierce opposition on both sides of the border, the treaty was ratified and signed. And thus, Great Britain was created in the form we recognize today.

PART TWO - SCOTTISH POLITICS IN THE EIGHTEENTH AND NINETEENTH CENTURIES

I. Thinkers and Scholars

Scotland was believed by many to be a land of constantly fighting, constantly drinking, unwashed and unread barbarians. However, some of the most enduring political ideas and philosophies had their beginnings in the Scottish Enlightenment.

a. Adam Smith, John Millar and David Hume

Scotland has had its share through the years of famous and influential scholars, inventors, financiers, and others. During the period known as the Enlightenment, the city of Edinburgh was home to many such influential Scotsmen (and the occasional foreigner such as Benjamin

Franklin). Here we will briefly examine the lives of three Scotsmen and their mark on their country and the world.

The Scottish Enlightenment was centered in Edinburgh, and consisted of a great many clubs where intellectuals of every stripe could gather to drink and discuss the issues of the day. The most important of these clubs was known as the Select Society, where sponsored talks and presentations could be made. Men of all professions were members; the only qualification was to be bright and able to talk about the issues and ideas of the day. The members influenced much of what went on in the city.

Adam Smith was a social philosopher, professor and administrator at the University of Glasgow, who was chartered to take a sabbatical and write a book based on many of the talks he had given at the Select Society. The book became one of the most influential treatises of modern times - *Inquiry into the Nature and Causes of the Wealth of Nations*. Most interesting here is how much Smith used his observations of the Scots people and how the ideas of his friends like Hume and his conversations and travels with them make up the bulk of the book. His careful observations created Capitalism in its purest form and is considered the first modern book on economics. Much of his book has over the years been misinterpreted and misused and misquoted to justify other types of

capitalistic practices. Be that as it may, his studies and his book has become the bedrock on which the capitalist system has rested since.

David Hume was a good friend and philosophical colleague of Adam Smith. Like Smith, Hume was one of the most influential figures in the Scottish Enlightenment. He wrote a book called *A Treatise of Human Nature* which took a psychological look at human life. From his research, he came to believe that humans were governed more by their emotions than by rationality. He believed that humans could not really know abstract ideas, that they could only have knowledge of what they had already experienced. He was a religious skeptic and influenced thinkers such as Emmanuel Kant. His knowledge and scholarship in economics played a large part in the forming of Adam Smith's ideas.

John Millar was a later philosopher who, like Adam Smith, was a professor at the University of Glasgow. He was a philosopher, a writer and historian who dealt with subjects as controversial as sex, women's rights and, predating Marx, some of the first treatises on class conflict. Most controversially, he considered such conflict as inevitable and that when it spilled over into revolution, as it must, then said revolution would be the fault of the ruling class. English politicians, wanting desperately to avoid the kinds of revolution that they had so recently seen in France, sought to make the Whig party the party of the masses and against

entrenched wealth. These men had been swayed by Millar's argument, some forty years before Marx.

These men and many like them formed the intellectual engine of the Scottish Enlightenment. They influenced politics and society not only in Scotland but all over the world and not only in their own time, but to the present day.

II. What is Scotland?

a. Is Scotland Different?

As part of the Union, Scotland's interests have most certainly coincided with England's. But Scotland maintained a different relationship within Great Britain than does Wales or Ireland. Scotland was able to maintain some of its most important institutions and, with the beginning of the Industrial Revolution, could match the English in production capacity of durable goods. So while Scotland was indeed a part of Great Britain, it was the part that, outside of England, was most able to manage its own internal and external affairs.

b. Scottish Culture

There is a dichotomy in how Scots feel about themselves as Scots and as part of Great Britain. They are very proud of their Celtic and their warrior heritage. They are not ashamed in the least of their long history of battles versus the English. They know that their educational

establishment is one of the world's most admired and that their local governments are more than adept at providing for Scotland's inhabitants. From political philosophy, to industry, to invention, Scotland is well aware of its substantial contributions. But it is believed by many that because of its position vis-à-vis the English in the Union, Scotland is somewhat diminished and that whatever accomplishments they have achieved are not nearly as relevant as they would be if they stood alone and not as part of a larger political unit. The average Scottish citizen will never play second fiddle to the English, but his representative in the government might.

III. Politics

a. Integration and Autonomy

Union certainly brought a measure of stability to the English, who no longer needed to secure their northern border, and added to the pool of men they could draw from for service in the Army or Navy. What of Scotland? What did she gain from Union?

Certainly Scotland gained a respite from their constant fighting with the English. They lost their parliament at Edinburgh, replaced by representation in the English parliament and later with a Scottish Office minister in the government that dealt solely with governmental affairs north of the English border. Scotland even got a bit of cache as part of an

Empire, of Great Britain and Ireland (later Northern Ireland). Far from being swallowed whole by the English, the Scots retained their educational system, which by many measures was one of the best in the world. They retained their legal system, which was believed to be superior to the English system, on which so many of her colonies, including their American colonies, had based their own legal systems. They also kept the Presbyterian Church, which came to play such a vital role in helping the Scots maintain a sense of their own identity. This was the political tradeoff Scotland made in return for dissolving their own parliament (in actuality, both countries dissolved their own parliaments in order to form the new parliament of Great Britain). Scots certainly did not consider themselves as subservient to or a subsidiary of the English. Here we turn from the history of Scotland, to an examination of the politics of a land not fully a nation, but more than a colony.

Scotland came into the Union in a weakened position politically and militarily. Even after the treaty was signed, there were rebellions, as the one that occurred with the return of Bonnie Prince Charlie, which the English ruthlessly suppressed. For the English, Scotland was a local backwater and sometimes tourist attraction. To one degree or another, most Scots were inwardly furious at their impotence: their language maligned, their representation limited to 72 members in a parliament of

650 members, their many social, business and philosophical achievements either hijacked or ignored by the English. It would be reasonable to expect that no real practical politics existed in the country at all. Yet, Scotland has always been as political as any other nation. Their politics has centered upon how they could remain in an uneasy, and it has always been uneasy, Union with the English, while maintaining their own identity. This politics became entwined with nationalist politics that ranged from satisfaction with the Union to demands for full independence, with many versions of devolved government in between.

The nations that make up Great Britain each have different types of relationships with England. Wales joined the English in the 1500s and had more or less adopted English systems and customs. Ireland was, until the 20th Century, treated more as a colony of the crown than an autonomous region. Only the Scots were assiduous enough to maintain their character, and the integrity of their own institutions. The understanding in all of this was that no matter what systems these nations chose to manage their daily affairs, all members of the Union were subservient to the Sovereign and his or her parliament in London. And for the majority of the time after 1707 and through the late 1800s, the English did not feel the need to alter their position vis-à-vis the others.

b. The Politics of Scotland Within The Union

True to its individualistic spirit, Scotland governed itself domestically as it always had; little of the ways of English governance made its way north over the border. In thought and in action, Scots in their daily lives maintained as much of their heritage as possible.

As befitted their independent nature, Scotland ran their local affairs through local Councils which governed public safety and health, and enacted laws that governed the poor and dealt with the registration of official documents. These local Councils were overseen by regional Councils. Scotland in some form or another had always been run in this fashion and continued to do so, with the reality of English indifference to most matters north of her border. The government tended not to interfere in Scottish affairs unless formally asked to do so, and did not include Scotland in many British policies, unless Scotland formally requested that it be included.

This system worked well because on a local level, no faction stayed out of power for very long; each took its turn at running government. Save for major cross-border and issues of international import, Westminster was content to leave the Scots be. In this situation, nationalism was slow to take hold, because so long as the people got what they wanted from local

authorities, there was really no need to take on the added burdens of providing for their own defense and maintaining foreign relations, as had been the case prior to the Treaty of Union. In *Politics and Society in Scotland*, the authors illustrate Scotland's position with similarly situated countries:

“The most appropriate comparison is with countries that resemble Scotland in size and geo-political situation. . .examples include Bohemia and Ireland. Bosnia was a part of Austria-Hungary, but had a history of semi-independent statehood dating back to the Middle Ages. . .attempts at pragmatic reform were crushed in recurrent bouts of repression. In contrast to Scotland, elected local government lost powers as the 19th century progressed. It also came to be supervised tightly by officials appointed from Vienna, who had powers even (local Scottish officials) did not”³

Ireland, part of the same union as Scotland, fared even worse, as there was far more animosity between the English and the Irish, the English had much tighter control over Irish affairs, and most importantly, the Irish never saw themselves as part of Great Britain as much as they saw themselves as a poorly treated colony of the English. Other nations fared as well as or better than the Scots:

“Finland found itself in a very similar position. It had been ruled by Sweden from the late Middle Ages, retaining autonomy in domestic matters. It kept that freedom when Russia annexed Sweden in 1809. The Tsar's concern was to ensure that Finland could not be used as a base from

³ Alice Brown, David McCrone, Lindsay Paterson, *Politics and Society in Scotland* New York: St. Martin's Press, 1996, 51.

which Sweden or some other power could invade Russia. Provided that Finland did not interfere with this military aim, it was therefore left free to get on with its own domestic policy. This relatively stable situation in Finland changed only as the Tsarist Government grew more oppressive about 1890. Finland eventually became an independent state in the chaos of the Russian revolution in 1917, but the new state retained the administrative structure that had grown up under Russian rule: that governing system was felt to be indigenously Finnish”⁴

So in comparison to other countries at the time, Scotland had a relatively peaceful and prosperous existence within the British Empire. It could boast that unlike its Irish and Welsh brethren, Scotland had maintained a good measure of both autonomy in political matters and still maintained its feelings of pride in their history and heritage. Nonetheless, the last twenty years of the 19th century began to see many changes in how political business in the United Kingdom would be conducted and would precipitate the flowering of a Scottish nationalism that had never been far from the conscience of the Scots or under the surface of the Union.

c. The Challenge of Scottish Nationalism

In the nineteenth century, political parties in the United Kingdom had the same names on both sides of the border. The Conservative party represented business interests in both countries. Both countries also had

⁴ Brown, McCrone, Paterson, *Politics and Society in Scotland*, 53.

a Liberal party, which in Scotland was a party that catered to many different political factions from moderate to radical nationalist. The Liberal party in Scotland was criticized by both the conservatives for being too liberal and by various liberal factions for being not nearly liberal enough. Despite having some nationalist factions, the Liberal party was for the union with England. From the mid-nineteenth century to the beginning decades of the twentieth century, the Liberal party gained most of the Scottish seats in the Parliamentary elections. The party was aided in gaining strength by Reform Acts passed in 1868 and 1884, which extended the vote to all male voters in Scotland. A smaller Labor party did exist in Scotland, but, unlike the Labor party in England, which had entered into an informal political alliance with the Liberals, Labor in Scotland was very nearly shunned by the Liberal party. The Liberals had so much electoral strength that they did not feel the need to align themselves with Labor. This caused many in the Scottish Labor party to venture south to better electoral pickings in England.

The nineteenth-century Conservative party held its own in Scotland, much unlike its twenty-first century iteration. The party tended to make a respectful showing in most elections of the period. The party's problem was that it had a rather small and static base, and so found making inroads in Liberal party strongholds, especially in urban areas, very

difficult. The conservatives and liberals both believed in the Union and the Conservative party changed its name many times in the nineteenth-century in order to exploit this similarity among the voters, (it actually worked once during a Liberal Party split over the Irish Question). Both parties stressed that they understood the “common sense” of Scotland, and campaigned for continuation of Union and for Scotland’s place in it.

As has been described, the Liberal party was one with many factions. Over time, many of the factions on the left side bolted from the party and formed various socialist parties and a Communist Party. The Communists were very strong in the working class cities, such as Glasgow, and they also drew strength from the mining areas of the country. And despite overwhelming Liberal power, the Labor party began to make steady progress in Scotland.

Over time the Labor party became the most powerful in Scotland. It was a party that claimed to be closer to the people, which played well at election time. Labor at the end of the nineteenth century and beginning of the twentieth was not considered a Unionist party, at least not to the extent that the Liberals and Conservatives were. A fair amount of Labor politicians and supporters were at least for home rule devolving to Scotland, while remaining in a union with England. Some were nationalists and, therefore, nothing short of independence would be

satisfactory to that faction. The Labor party establishment often espoused the goals of those who wanted independence from England. But what the party mostly became is “the indispensable party,” providing all manner of services and agencies to the Scottish people in such a way that the idea of direct independence became almost moot. People felt that if the government, under the auspices of the Labor party, was providing for the Scots while they were within the UK government, what need would there be for the country to become independent. Armed with the satisfaction of the Scottish people and the relative weakness of the Conservatives and Liberals, the Labor party became the most powerful north of the border. While they never got at least 50 percent of the vote, when combined with other leftist parties, Labor managed to retain the most seats of the Scottish representatives to Parliament. Over time, Labor did not feel the need to push for either an independent Scotland or a devolved one. The nationalist mantle would have to be taken up by other groups interested in home rule for Scotland.

PART THREE – THE SCOTTISH NATION FROM THE TWENTIETH CENTURY TO THE PRESENT

In the latter part of the 19th century, it became increasingly clear to Scotland that despite its industrial output and its demonstrated competence in governing itself, that as a part of Great Britain it would

always remain behind England. If this was not the reality, it was certainly the perception of the arrangement both internally and among the other nations of the world. Fledgling nationalist movements began in Scotland late in the 1880s and despite attempts by other political entities to either crush or co-opt such movements, nationalism inexorably made its way into the forefront of the Scottish conscience. In time, especially with the discovery of new means of possible economic independence for Scotland, calls for devolution and or complete independence grew stronger.

I. Who Runs Scotland?

Previously it has been shown that Scotland has all the makings of an independent nation, but eventually chose to formally align itself with England for economic and physical security, as well as the prestige of a formal union with the most prosperous and influential nation on earth. Further, we have noted that while the Scots, save for a few outbursts, never seemed to burn for independence from England as the Irish had. Still, there were always nationalist thinkers and politicians who kept the idea of an Independent Scotland alive. In the twentieth century, Scotland was not immune to the dynamic domestic and international changes that roiled the entire century.

a. Nationalism and the SNP

In the nineteenth century, the major political parties in Scotland were mostly competitive. In the twentieth century, this gradually began to change and the Conservative party after the 1950s became nearly non-existent as a political force in the country. The reason appears to be that, while Scotland and England are not very different in their voting patterns, especially after World War II and the rise of the welfare state, the English have more faith in the Conservative party as an agent to keep and strengthen those types of domestic policies than do the Scots. The following chart shows voting patterns in the two countries from 1945 through 1987:⁵

Table 6.3 Conservative and Labour voting in England and Scotland, 1945–87

Year	Conservative*, as %		Labour, as %	
	England	Scotland	England	Scotland
1945	40.2	41.1	48.5	47.6
1950	43.8	44.8	46.2	46.2
1951	48.8	48.6	48.8	47.9
1955	50.4	50.1	46.8	46.7
1959	49.9	47.2	43.6	46.7
1964	44.1	40.6	43.5	48.7
1966	42.7	37.7	48.0	49.9
1970	48.3	38.0	43.4	44.5
Feb. 74	40.2	32.9	37.6	36.6
Oct. 74	38.9	24.7	40.1	36.3
1979	47.2	31.4	36.7	41.6
1983	46.0	28.4	26.9	35.1
1987	46.2	24.0	29.5	42.4

Source: Craig 1989
Note: *'Conservative' includes 'National' and 'National Liberal' between 1945 and 1966.

⁵ David McCrone, *Understanding Scotland, The Sociology of a Stateless Nation* New York: Routledge, Chapman and Hall, 1992, 152

While the issues of home rule and independence for Scotland were discussed as early as the late nineteenth century, a true movement toward this end did not gain strength until after the First World War. The major parties either ignored the issue (Conservatives) or tried in a small way to hijack and control the issue to their political benefit by paying lip service to home rule and independence (Labor).

The two political organizations that were created after the war to espouse these two ideas of Scottish autonomy were the Scottish Home Rule Association and the Scottish National League. The SHRA wanted self-government in a home rule setting for Scotland, but wanted to remain within the British Empire to take advantage of the political prestige that such association brought, for economic benefit, and for defense. Prior to World War One, this was certainly an understandable position. But Great Britain, like most combatant nations, came out of that war in a much weakened state.

Some in Scotland began to feel that her position was no better than a colony, and that England was exploiting the natural resources of Scotland merely to keep herself alive. This was the position of the Scottish National League, which took a more radical approach to Scottish self-government. The SNL claimed solidarity with all nations that Great Britain had exploited, including and especially Ireland.

The SNL believed that there was no prestige or benefit whatsoever in being joined with England. Strident rhetoric such as this marginalized the SNL at first. Many people wanted home rule in some form, but were scared away by the language that the SNL tended to employ. But after the war, Great Britain returned to imperial business as usual, and the major parties tended to ignore ideas of devolution, home rule and independence. The SNL began to gain support as people wanted action on the question of self-rule for Scotland and looked to the only party that was determined to give it to them in full.

Even here, there was dissention in the ranks. The more radical members of the SNL broke away and formed the National Party of Scotland, which took the position that an independent Scotland with dominion status inside of a British Commonwealth, as was the preference of the now rump SNL, was a non-starter. Complete and total independence was the aim of the NPS. But once again the stridency of those who demanded absolute independence served mainly to scare away many who actually supported some type of home rule policy for Scotland, but were not entirely sure what form it might take. The hostility of many members toward the very existence of Great Britain kept numbers small.

Moderates of the party opposed these extremists, who were known as “fundamentalists” and the infighting ruined the electoral chances of the NPS in the early thirties. The moderates were able to enlist the support of influential citizens who were interested in their cause and who, in joining the party, were was able to attract moderate support. This swelled the numbers of the party and neutralized the fundamentalist faction.

The stance of the party changed to one of full independence from and partnership with the English, in a power-sharing arrangement. The moderates felt that it was not feasible to completely reject British imperialism; they believed that Scotland was a partner in such policies as part of the Union and that it would be hypocritical for Scotland to totally reject that which it had benefitted from. Electorally, however, it was difficult for the party to rid itself of the stigma of being a party that was for complete separation from England. After electoral defeat in 1933, the party expelled the fundamentalists, but not in time to finally have to disband, because most Scots would not support them at the polls. What was becoming clear was that the hodgepodge of parties seeking some sort of revamped union would have to consolidate, and that the people of Scotland were for home rule, but were sure only that the changes should not be brought about in a radical fashion.

Consolidation of the various factions birthed a new nationalist entity, the Scottish National Party in 1934. But the SNP soon found itself fighting the same battles that the other parties had. With the outlines of World War II coming into view, the radicals insisted that Scotland not go to any war with England. They even took the view that British colonial policy was one of the main reasons that war was coming again. Scottish historian Richard Finlay adds:

“Others claimed that the empire would collapse if there was another war because of Britain’s relative weakness in the world and they were keen to ensure that Scotland was not dragged along into the ensuing chaos. It was further argued that it was hypocritical to condemn Nazism while supporting the British Empire.”⁶

War came, of course, and, in due time, the SNP split; the moderates felt that they could achieve better results in politics through working with the Labor party. The SNP was, therefore, left in the hands of the radicals, and the party’s influence was nearly non-existent. During this time, the members who remained in the SNP were able to refine their message and use their time in the political wilderness to develop a coherent plan to get their views on the Scottish agenda.

b. Scottish Politics in Post-Imperial Britain

After World War Two, the Labor party dominated party politics in Scotland and Wales. In fact the bulk of their support came from those two

⁶ Richard J. Finlay “ For or Against? Scottish Nationalists and the British Empire, 1919-39,” *The Scottish Historical Review* 71, no 191/192 [April – October 1992]: 204

areas and victory there was crucial in the contest for the office of Prime Minister. But during this time, the SNP made slow and steady political inroads. The disadvantage for the SNP was that it still had a core constituency that was for complete independence, a proposition that many in Scotland remained unsure about in the immediate post-war period. For some, this was also seen as an advantage. Every election season, Laborites would proclaim their desire to fight for devolution for the Scottish people, and, as soon as they were elected, they promptly shelved the issue. But the SNP was consistent and never wavered on the goal of devolution on the road to complete independence. In time, enough Scottish voters managed to overcome their fear of that message.

In 1967, the SNP finally won a seat in Parliament. This both frightened and enraged the Labor party, which expended much energy, money and time in an effort to destroy the SNP as a political force in Scotland. In so doing, Labor managed to weaken itself elsewhere in the country and allowed many years of Conservative rule in Whitehall. Over time the Labor party, for no less than purposes of self-preservation among other things, began to champion devolution in earnest. Labor also believed that, if they could gain devolution for Scotland, then the SNP would be made redundant and fade away. But because Labor wished to use devolution as a cudgel and not because it believed in the policy, the

plan to derail the SNP backfired on Labor. Despite their cynicism, the Labor government of Tony Blair granted devolution to Scotland in 1999, with a Scottish Parliament installed at Holyrood Palace in Edinburgh. In the 1990s, the SNP was stronger in Scotland than ever and, as the century changed, established its left-wing bona fides by opposing the British government actions in siding with the U. S. in Iraq and Afghanistan. In 2007 Alex Salmond, the leader of the SNP, became First Minister of Scotland, the post created after devolution.

SNP rule in Scotland has been successful but not perfect. Critics claim that its *raison d'être* is keeping the population hating the English. Salmond is seen as erratic and ethically challenged. The SNP remains successful, however, because it has been able to corral and channel nationalist sentiment into political power in the country. The citizens have had a taste of what life could be like under devolution and have found that, while not yet a panacea, it is not quite the frightening proposition that it had been to many voters in previous years.

c. The Politics and Economics of North Sea Oil

The discovery of oil off of the northern coast of Scotland in the early 1970s has been profitable and controversial for Great Britain. The controversy arises in the assertion by the SNP and others that oil that is found in Scottish territory belongs to Scotland. This has been a

centerpiece of the SNP electoral pitch for many years. The government in Whitehall has discounted these claims and has submitted that Scotland takes in more money from Whitehall than would have been derived from royalties from oil sales. Of course, as with everything to do with these two countries, the numbers are in dispute.

The SNP has always maintained, as part of their endeavors towards Scottish independence, that North Sea oil would allow Scotland to fund itself, indeed to become a major oil producing nation. In such a position, there would be no reason to remain united with England. With the diminished position of Great Britain post-cold war, the prestige of being part of an empire that was no more was cold comfort for Scotland. The nationalists had no interest in joining in to foreign wars as an ally of the United States.

Publicly, both the Conservative and the Labor parties considered the claims of the SNP to be nonsense. But in 2005, a government White Paper was discovered that stated that not only were the assertions of the SNP correct, but that the government had to suppress such information to keep the population from the realization that, if Scotland controlled its own oil it would not only have a stronger currency than England, but one of the strongest currencies in Europe. Such an event would completely flip the relationship between the two countries. The papers and the information

they contained were kept secret in order to try to dampen the support of the Scottish people for the SNP and devolution. The secret was kept by both Conservative and Labor governments. From the report:

“An independent Scotland’s budget surpluses as a result of the oil boom would be so large as to be embarrassing. Scotland’s currency would become the hardest in Europe, with the exception perhaps of the Norwegian Kroner. From being poorer than their southern neighbors, Scots would quite possibly become richer. Scotland would be in a position to lend heavily to England and this situation could last for a very long time into the future”⁷

Not only was Whitehall fearing Scottish control of the oil fields, American business interests were also concerned:

“American companies based in Aberdeen became nervous that a Scottish breakaway, socialist in outlook, was threatening their interests. Pressure was exerted on the government to control the situation.”⁸

To date, there has been no change as to who controls the oil, despite the revelations. Whitehall has even gone as far as redrawing the map of the North Sea to include the areas of the Scottish oil fields as English territory.

Despite the actions of Whitehall, the Scottish economy has been in surplus for many years, while the economy of Great Britain as a whole has been in deficit. The latest available government reports show that the country had a surplus of two-hundred and nineteen million pounds, after

⁷ Paul Kelbie and Ben Russell. “ How black gold was hijacked: North Sea oil and the betrayal of Scotland,” *The Independent*. December 9, 2005.

⁸ Kelbie and Russell. *Ibid*.

revenue from North Sea oil is added to the figures. Reports from the City of London show that among all the nations belonging to the United Kingdom, Scotland boasts record exports. Scotland's totals for 2009 rose 13.4% against a UK average of 0.05 percent.

The UK government charts on the following pages illustrate the revenues from North Sea oil and how the Union benefits from this very Scottish commodity to the detriment of the local Scottish economy. Chart A is a graph of revenues from North Sea oil production from 1968 – 2010; Chart B presents a smaller snapshot of revenues from 1984 – 2010; and Chart C compares oil production, graphs the sterling oil price, and then matches it against government expenditures from London to Scotland

11.11 Government revenues from UK oil and gas production

Amounts: £ million

Year	Total revenues (excluding gas levy)	Petroleum revenue tax	Supplementary petroleum duty	Corporation Tax				Royalty	Gas levy	
				Total	ACT	Ring Fence CT	Supplementary charge		Gross	Net of CT clawback
1968-69	1	-	-	-	-	-	-	1	-	-
1969-70	2	-	-	-	-	-	-	2	-	-
1970-71	5	-	-	2	-	2	-	3	-	-
1971-72	10	-	-	4	-	4	-	6	-	-
1972-73	15	-	-	4	-	4	-	11	-	-
1973-74	15	-	-	3	-	3	-	12	-	-
1974-75	20	-	-	5	-	5	-	15	-	-
1975-76	25	-	-	5	-	5	-	20	-	-
1976-77	81	-	-	10	-	10	-	71	-	-
1977-78	238	-	-	10	-	10	-	228	-	-
1978-79	565	183	-	93	40	53	-	289	-	-
1979-80	2,313	1,435	-	250	78	172	-	628	-	-
1980-81	3,743	2,410	-	341	97	244	-	992	-	-
1981-82	6,492	2,390	2,025	681	270	411	-	1,396	383	383
1982-83	7,822	3,274	2,395	521	202	319	-	1,692	471	272
1983-84	8,798	6,017	-	877	430	447	-	1,904	522	277
1984-85	12,035	7,177	-	2,432	1,244	1,188	-	2,428	500	239
1985-86	11,348	6,375	-	2,916	1,065	1,831	-	2,057	525	300
1986-87	4,783	1,188	-	2,676	1,130	1,546	-	919	515	305
1987-88	4,618	2,296	-	1,298	681	617	-	1,024	502	322
1988-89	3,168	1,371	-	1,195	685	510	-	602	407	231
1989-90	2,368	1,050	-	743	495	248	-	575	335	193
1990-91	2,312	860	-	847	363	484	-	605	291	174
1991-92	979	(218)	-	638	370	268	-	557	282	182
1992-93	1,305	69	-	682	480	202	-	554	287	193
1993-94	1,223	359	-	258	219	39	-	608	240	145
1994-95	1,642	712	-	380	299	81	-	550	175	98
1995-96	2,289	968	-	766	674	92	-	555	161	107
1996-97	3,303	1,729	-	890	460	430	-	684	198	132
1997-98	3,277	983	-	1,776	821	658	-	535	200	133
1998-99	2,452	504	-	1,605	655	950	-	343	-	-
1999-2000	2,510	853	-	1,288	120	1,148	-	389	-	-
2000-01	4,402	1,521	-	2,329	-	2,329	-	552	-	-
2001-02	5,370	1,307	-	3,515	-	3,515	-	548	-	-
2002-03	5,054	958	-	3,682	-	3,392	270	434	-	-
2003-04	4,223	1,179	-	3,057	-	2,317	740	(13)	-	-
2004-05	5,115	1,284	-	3,831	-	2,841	990	-	-	-
2005-06	9,323	2,018	-	7,307	-	5,427	1,880	-	-	-
2006-07	8,864	2,155	-	6,709	-	3,959	2,750	-	-	-
2007-08	7,408	1,680	-	5,728	-	3,378	2,350	-	-	-
2008-09 (1)	12,925	2,567	-	10,358	-	6,108	4,250	-	-	-
2009-10 (1)	6,491	923	-	5,568	-	3,288	2,280	-	-	-

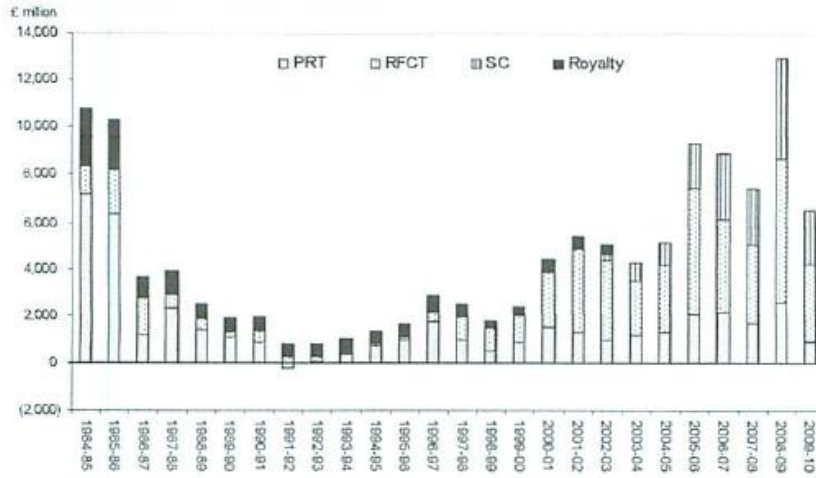
Footnotes

¹ Figures for Corporation tax are provisional. Figures are subject to change in the future when payments originally made in respect of a group of companies are subsequently re-allocated to individual companies within the group.

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Chart A

CHART C1
Government revenues from UK oil and gas production

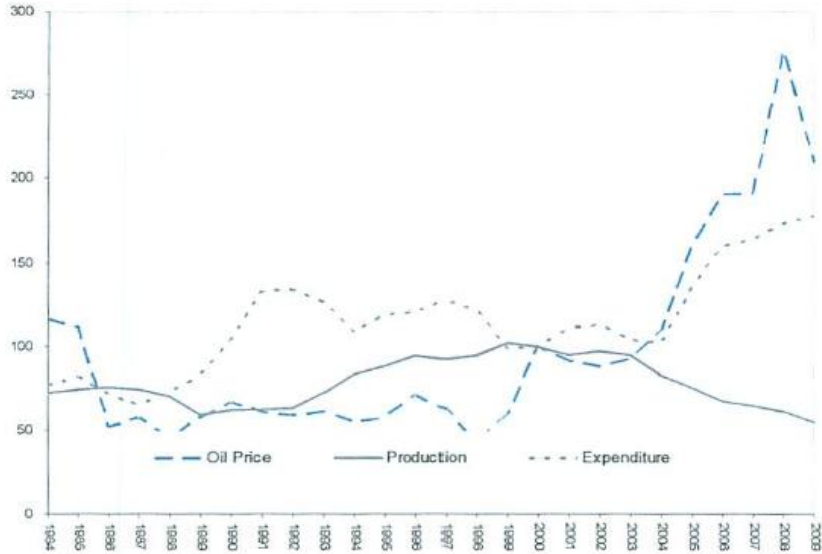


In 1991-92, total receipts are indicated by the height of the bar above the axis. Net PRT receipts were negative and are shown below the axis.



Chart B

CHART C2
UK oil and gas production, the sterling oil price and total expenditure
 Index series based on 2000 = 100



Notes on the Table and Charts

Government revenues from oil and gas production

- The above table summarises the tax revenues from oil and gas production in the UK and its continental shelf since 1968-69. The yield from the gas levy is shown in the table, but it is excluded in estimates of the total tax on income from oil and gas production because it is categorised as a tax on expenditure. APRT is included with petroleum revenue tax.
- The corporation tax estimates include the mainstream tax and the ACT set-off against the tax charged. Dividends attributable to UK oil and gas production cannot be separately identified from other dividends and therefore the amount of ACT set-off is estimated.
- Chart C1 shows the annual tax yield, and its separate components, since 1984-85. Chart C2 shows three of the main determinants of tax liability, annual production, the sterling oil price, and total expenditure. Each is shown as an index based on 2000 = 100 and the absolute values in 2000 were as follows:
 Production: 215 million tonnes of oil and the energy equivalent of gas (121 million tonnes of oil and natural gas liquids and 94 million tonnes oil equivalent of gas).
 Oil price: £142 per tonne (£18.90 per barrel) averaging over 2000.
 Total expenditure: £7.7 billion of capital, operating and exploration and appraisal expenditure.
 The tax yield halved in 1986-87 because of the comparable fall in the oil price in 1986. Subsequently, it continued to fall as expenditure rose, but from 1992-93 to 1996-97, the yield rose steadily in line with rising production and some recovery in oil prices. From 1997-98 to 1999-2000 the yield dropped in line with falling oil prices then rose again as oil prices increased. The yield reached a high point in 2005-06 and 2006-07, boosted by a change in the instalment regime for North Sea companies and an increase in the CT supplementary charge to 25%, but declined in 2007-08 as a result of lower production and higher costs. There was a considerable increase in receipts in 2008-09 due to record oil and gas prices, but yield has decreased by half in 2009-10 as prices dropped significantly, production declined and expenditure increased.

4. Further information about North Sea oil & gas is available from the Department of Energy and Climate Change at <http://www.eg.dcc.gov.uk/> <https://www.eg.dcc.gov.uk/>

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Chart C

There are some, such as Professor Thomas W. Walde of the University of Dundee, who argue that the reason that Scotland does not benefit from North Sea oil lies in regional divisions in the country itself. The oil city of Aberdeen in the north is both geographically and politically distant from the political center of the country in Edinburgh and the cultural center of Glasgow. Walde also points to the feelings of some nationalist politicians that the oil may simply run out and that such event would make Scotland economically useless to England and may be an occasion for independence on that score. But he eschews this notion and points to a much more optimistic possible outcome:

“Petroleum production responds largely to economic logic and the dynamics of technology: The greater the general depletion, the higher the price and thus the incentives for developing and applying innovative technology to develop ever smaller fields, extracting ever more of the oil in the existing reservoirs and bringing costs continuously down. Scottish (or UK) oil and gas are therefore not likely to disappear within the next 20 years. The only risk would be a much prolonged slump of oil prices at or below the levels seen last in 1985 and 1998. The continuous increase of demand from China and the relatively successful policy of price stabilization conducted by OPEC are therefore the best friends of the Scottish oil economy”⁹

⁹ Thomas W. Walde “Scotland’s Oil: Does Oil in Scotland have a future?” as indicated on his website www.cepmlp.org

The challenge is for the Scottish Government to assert itself against the machinations of Westminster and lay claim to what rightly belongs to it.

II. Now and Tomorrow

a. Can England and Scotland survive separately?

It is asserted here that, outside of economics, the question of whether England and Scotland can survive separately is moot. In a very real sense, these nations have always lived and survived separately. There have always been different ways of administering each country, differences in their ethnic makeup, difference in language and difference in how each has historically seen the other. Scotland entered into the Union for economic reasons and for the ability to engage in Europe with the imprimatur of Great Britain on its masthead. But this has always been done with a wary eye to its neighbors on the other side of Hadrian's Wall, with a determination that Scotland was no mere appendage of England, as many considered it, but a vital nation in its own right. Scotland's gaining economic strength begins to render that particular issue of union moot as well.

b. Is Scottish Independence legal?

Questions have arisen as to whether it is possible under the Acts of Union to grant Scotland its independence. There have been changes to the Act, including and most illustratively the creation of the Irish Free State in the 1920s. But this was seen as the creation of a new country and not one nation separating from another, as the SNP would wish with Scotland. There are issues concerning treaty obligations, whether Scotland would be an automatic member of the United Nations, if with its oil would it be a member of OPEC. How would financial entities such as the IMF and the World Bank deal with an independent Scotland? How would the European Union treat this new country?

The general view of the SNP on these issues is that an independent Scotland would take on any and all treaty obligations that pertain to Scotland, even though they were entered into by the political unit Great Britain. As Scotland is currently a part of organizations like the UN and the EU as members of Great Britain, so should she remain as an independent Scotland. Others believe that Scotland would have to reapply for nation status with all these organizations as if she were a brand new state. Matthew Haggard concludes:

“ . . .the tentative conclusion that can be drawn from an analysis of the applicable law and practices is that an independent Scotland’s position in Europe cannot be taken for granted. Were Scotland to gain independence, it would be the rump UK, not Scotland, that would inherit membership of the EU. . .The real situation is that Scotland might end up with all the insecurities of independence and none of the benefits of EU membership.”¹⁰

III. Conclusion

Scotland has a long and rich history of independence. Its people have never sought to imitate their English neighbors. Union was entered into with the English at a time of need for both countries, England needed to prevent Scottish incursions into England that were a part of the Scottish alliance with the French, and Scotland needed the economic protection and expanded opportunity that a union with England could provide to it. In spite of union, Scotland took great pains to retain its schools, legal system, and most importantly, church. For Scotland, the union would be one of two nations with equal status, not with one as vassal state to the other. Nationalist spirit has waxed and waned but has never disappeared from the life of Scotland.

The discovery of North Sea oil has provided much of the impetus for devolution and the creation of a new Scottish Parliament at Edinburgh. But years of union have left the SNP with a problem of making a definitive

¹⁰ Matthew Happold. “ Independence: In or out of Europe? An Independent Scotland and the European Union,” *The International and Comparative Law Quarterly* 49, no. 1 [Jan 2000]: 34.

case for independence. Whitehall has granted limited home rule to Scotland and a devolved legislature. Through the Scottish Office, revenue flows to Scotland from England as before, albeit not nearly as much as Scotland would keep if she had control of her own natural resources. Many citizens wonder whether a completely independent Scotland might wind up cash rich, but influence poor.

What is clear is that Scotland has every natural and political resource that it needs to become a small and prosperous nation in the European Union, on the scale of Norway, whose situation closely resembled that of Scotland. Oil and new green technologies being developed in Scottish universities would keep the country profitable. Trade and tourism continue to flourish. With a Great Britain much diminished in influence and prestige, this reason for remaining in the union has lost much of its luster for Scotland. Scotland has every right, every resource, and every opportunity to claim the independence it voluntarily gave up over three hundred years ago. The SNP needs to make a better effort of making clear to the citizens of Scotland that the needs and issues that created the Act of Union are no longer.

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