

The Dilemma of Devolution and Federalism

*Secessionary Nationalism and
the Case of Scotland*

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In 1707, England and Scotland completed their union. Yet more than a quarter of a millennium later Scottish nationalism made a reappearance. The English-Scottish union is thus an exemplar of the success of a long-standing union and simultaneously epitomizes the continuing problem of secessionary nationalism in the modern world.¹ In terms of overarching globalization both England and Scotland are supporters of the modern world economy. After the "enclosures" were completed in the 18th century, Scotland and Glasgow were as much at the heart of the Industrial Revolution as Leeds and Manchester. Today they are equal partisans of globalization, making it easier for London to assuage Scottish concerns.

This chapter assesses the case of Scottish nationalism and argues that it exemplifies the dilemma of devolution and federalism. We argue that federations are constructed, and secessions are avoided, by providing autonomy, and yet the provision of autonomy makes possible a continuation of the very separateness that can again become the basis for later nationalist agitation. We also show that political integration is multifaceted and that this also leaves room for continued separateness and thus for national self-determination. Finally, we discuss the effect of supranational economic integration on demands for political separation.

THE UNION OF SCOTLAND AND ENGLAND

The peoples and kingdoms of England and Scotland share a long history of both conflict and peace, of both emergent sameness and continuing

distinctiveness. They came to share a language but retain linguistic differences. They share and disagree in matters of religion.

Early in the last millennium, Scotland was being anglicized as its elite adopted English speech and manners and even institutions. English laws, religious institutions, economic arrangements such as land-tenure, and political institutions such as the sheriff and burgh charters were all adopted from England.

The process of assimilation was not always accompanied by peaceful interaction between the kingdoms, however. There were border disputes and territorial conflicts.

There were extensive periods of peace but the only attempt to unify the crowns failed. The intensively negotiated attempt to unify the crowns through marriage, the Treaty of Birgham-on-Tweed of 1290, ended prematurely with the death of the bride-to-be. The terms of this agreement stipulated that the two kingdoms would remain organizationally separate even after the succession to both crowns of the son who would be born of this royal marriage. The death of the maid, however, prevented the union of crowns.

England and Scotland were at war with each other in 1079–1080, 1214–1216, 1295–1296 (a war that led to England's annexation of Scotland), 1314–1328 (reestablishing Scottish independence), 1482, 1513, 1542–1549, and 1559–1560.² Their respective kings were periodically enticed to intervene in the other country, and their wars often involved France. By the 16th century, Scotland had a long-established tradition of allying itself with France as a counterweight to the English threat.

Unification of the kingdoms of England and Scotland proceeded in stages. It began with the unification of the Crown in 1603, when Scotland's King James VI, who had assiduously pursued good relations with England, inherited the English crown upon the death of Elizabeth I and became James I, King of England. From that point on, England and Scotland had the same monarch but separate parliaments.

The unified monarchy was beset by strains at every step. During their rule, monarchs found Scotland opposed to royal imposition from the south. During successions, Scots were often angered by the process and the outcome. During the English Civil War, the two fought a war as they parted ways about the nature of governance.

The kings who ruled England and Scotland resided in England. Their efforts to impose common structures met opposition in Scotland. Both James I (1603–1625) and his son Charles I (1625–1649) encountered substantial opposition to their efforts to make the Church of Scotland similar to the Church of England. Charles I went so far as to wage war on Scotland (the Bishops' War, 1639–1640), but eventually retreated when the English parliament refused to pay for the military campaign.³ Despite Scottish support for

monarchy and the restored rule of Charles II (1660–1685, see below), the Scots rebelled in both 1666 and 1679 to English religious pronouncements during his reign.

The Scots had problems not only with the unified monarchy but also with the alternative during the 17th century. Portions of the English Civil War were really a war between England and Scotland. Indeed, in Scotland it is known as the “War of the Three Kingdoms.”⁴ In response to England’s execution of Charles I and its ending monarchical rule in favor of Cromwell’s republic, Scotland crowned Charles II king. The war that ensued resulted in Scotland’s military defeat and its incorporation into a commonwealth with what was perceived to be inadequate representation. The English restoration of monarchy and the crowning of Charles II in 1660 (nine years after the Scots had done so) returned the status quo ante.

The unified monarchy was tested with virtually every succession during the century in which Scotland retained a separate parliament. Repeatedly, the English parliament made key decisions about the crown without consulting the Scottish parliament, and the latter parted company from the former. In addition to steps such as the execution of Charles I, the English parliament made peremptory decisions about royal succession. When the English deposed James II (1685–1689) in the Glorious Revolution and replaced him with William and Mary, some Scots supported the decision but others rallied to James II militarily and were again defeated. The Scots negotiated over the religious and financial terms of their acceptance of William and Mary which came two years after their English coronation. Finally, in 1701, during the reign of Queen Anne (1702–1714) the English parliament selected the house of Hanover to succeed Anne at the end of her reign. They made this decision also without consulting the Scottish parliament, which refused to pass the English Act of Settlement, thus signaling that they were free to choose another successor. In short, the policy differences between the two parliaments extended to issues of succession. Nonetheless, English-Scottish union occurred during this period (1707).

The disagreements between the two parliaments led many in England to press for fuller integration. On a number of occasions, a complete union of England and Scotland was proposed by England. In 1700, and again in 1702, King William proposed a complete union to the Scottish parliament.

Union was not attractive to Scotland until economic disasters brought Scottish opinion around. First there were a series of poor harvests in the 1690s. Second there was a disastrous attempt to establish a colony in Panama. A Scotland that had thus lost a quarter of its liquid capital was then subjected to economic pressure by the English.

In 1705, the English demonstrated the benefits of economic union by closing off their market to Scotland. Although denied full access to England’s colonies, half of Scotland’s exports went to England. But the English market

was closed in 1705 to linen, coal, and cattle from Scotland. In addition, Scots would be treated by England as aliens.

The two parliaments then negotiated a union. The benefits to Scotland were entirely economic. They regained access to the English market and obtained full access to England's colonies.⁵ There would be common coinage and common weights and measures. In addition, the act of union included compensation of almost half a million pounds to those who had lost money in the failed colonization of Panama.

The Scots held out for as much autonomy as they could extract from the English. Giving up their parliament and accepting representation in the existing English parliament was a foregone cost for it was England's chief objective.⁶ The Scots pressed for a federation and the English refused. But the Scots were able to retain their legal system, their educational system, and their church.⁷

The agreement worked out by a commission was received differently in England and Scotland. The treaty divided Scots and faced bitter opposition. It was debated at length in the Scottish parliament and in the streets. Stones were thrown at parliament, copies of the treaty were burned, and for a month, the city of Glasgow's streets were filled with demonstrators opposed to union. Finally the treaty passed the Scottish parliament 100-67 on January 16, 1707. By contrast, the treaty faced no opposition in the English parliament.

Union had been negotiated. Great Britain came into being. Scotland accepted the English royal house as its own, dissolved its parliament, and obtained the right to send its representatives to Westminster. There would be common tariffs and economic policies. But Scotland retained a degree of autonomy. It was allowed to keep its own Church, the Church of Scotland (known as the Kirk); it retained its own laws and its own education system.

Unification was mutually beneficial and accepted voluntarily and calculatingly. The English were eager to incorporate a land that had repeatedly allied itself with France and posed a security problem as a result. A Scotland that was part of England could no longer serve as a base for European (mostly French) attacks on England. In return, Scotland obtained access to the English market, including Britain's overseas colonies.

But the union faced strong (and continuing) opposition in Scotland. Giving up Scottish autonomy was perceived quite differently in the two societies. Ironically, this combination of a unification that allowed for a great deal of cultural autonomy and was a calculated exchange led one scholar to write more than two and a half centuries later that "The Britain of 1707 created no new nationality; it was the fruit of an English desire for stability and a Scottish pursuit of economic modernization"⁸

The union with England divided Scots. The divisions between Protestant Lowlanders and Catholic Highlanders continued as did their sympathies for different kings and lines of succession. In both 1715 and 1745 there were

rebellions in the Highlands by supporters of Stuart descendants (the rebels were called Jacobites after their support of King James II and his descendants). The first rebellion occurred when George I succeeded Queen Anne; the Jacobites then proclaimed James III (son of James II) as their king. This rebellion was defeated. In 1745, the arrival in Scotland of Prince Charles Edward Stewart, son of James III, resulted in a new uprising. When the English crushed the rebellion of 1745, they banned the symbols of the rebel, the tartan and bagpipes, and for thirty-six years Highland dress was prohibited.

SCOTTISH DEVELOPMENT WITHIN THE UNION

Although there were no more military rebellions after the two failed attempts of the first half of the 18th century, there remained substantial resentment against the English. In the last quarter millennium, Scottish demands for autonomy and independence have been pursued peacefully, exercising the perquisites of voice and representation provided to Scots by the United Kingdom.

Scotland benefited enormously from the union with England. First, it underwent the economic modernization that Scottish elites hoped for. Scotland experienced the full force of English industrialization, becoming a leading center for textile manufacturing. Indeed, Glasgow is synonymous with English textiles in the 19th century. It was also a major center of coal mining and a center for heavy industry in the late 19th and early 20th centuries.

Simultaneously, there was a rebirth of Scottish culture, literature, and language. Scotland during the second half of the 18th century (and the beginning of the 19th) produced David Hume, Robert Burns, Adam Smith, James Boswell, Walter Scott, and James McPherson, among others. David Hume noted the irony of the emergence of a Scottish literary tradition absent an independent Scotland:

Is it not strange that, at a time when we have lost our Princes, our Parliaments, our independent Government, even the Presence of our chief Nobility, are unhappy, in our Accent & Pronunciation, speak a very corrupt Dialect of the Tongue which we make use of; is it not strange, I say, that, in these Circumstances, we shou'd really be the People most distinguished for Literature in Europe?⁹

Many of the symbols of Scottish distinctiveness are creations of the age of union and not remnants of an earlier independent history. In the words of one scholar, "Early nineteenth-century Scotland was remarkably fruitful in the manufacturing of myths, and a great deal of what today is considered the Scottish identity was created at this time."¹⁰

Scotland experienced the benefits and social disruptions of industrialization and developed a sense of its distinctiveness, but a substantial majority of

its people remained firmly unionist. Indeed, Scottish autonomy and independence were often brought up by others as an adjunct to British policy about home rule for Ireland. At the beginning of the 20th century, the Liberal Party was in power with substantial support from Scotland. The Labour party was pushing home rule, including Scotland, but Scots overwhelmingly voted unionist.

But Scotland was especially hard-hit economically in the period following the First World War. Scottish industries were especially affected after the war, during the depression, and their decline simply continued. The sense that Scotland was not benefiting economically from the union led to renewed demands for independence. But those demands had little traction until the last third of the 20th century.

The key to the growth of Scottish nationalist demands came when the discovery of oil off the coast of Scotland combined with Scottish disaffection.¹¹

The Scottish Nationalist Party (SNP) campaigned for independence, arguing "It's Scotland's oil." In the election of October 1974, the SNP received 30 percent of the Scottish vote. The growing pressures for independence led to a 1979 referendum on devolution. Although devolution received 52 percent of the vote, only 32.9 percent of the electorate took part. Both the small margin of victory and the failure of the required 40 percent turnout to materialize signaled the failure of Scottish nationalism.

Scottish nationalism underwent resurgence in the 1990s. The key was a campaign focused on the new possibilities for Scottish independence.

SCOTLAND AND DEVOLUTION

The UK was not one of the founding six members of the EEC customs union in the late 1950s. Instead, with six others, Britain created the European Free Trade Area (EFTA).¹² As its name suggests, EFTA was intended merely to create a free trade area, reducing the tariff barriers of members towards one another to zero. The EEC was intended to be a customs union and required that its members not only reduce their internal barriers to one another but agree on a common tariff against nonmembers. The customs union is a deeper form of economic association and portends higher levels of integration and harmonization. But within a decade and a half, the UK joined the EEC and began the process of economic integration with the major European economies.¹³

The clarion call of Scottish nationalists then became "Independence within Europe," or as one might say, "Scotland in the EU." The phrase captured the essence of a political objective of achieving Scottish independence while maintaining the economic status of membership in the EU. In effect, its proponents claimed that the commercial benefits of integration with England

could be retained alongside the benefits of EU membership even while the political costs of subjugation to England would be terminated. The Scots could retain the benefits of union and still obtain the benefits of sovereignty and independence.

The EU option declined, however, as the British Labour Party pressed for devolution of powers to Scotland, without independence. The most important transformation in English-Scottish relations came with the return of Labour to power and the accession of Tony Blair and an associated Scottish ruling clique. Almost two decades of Conservative party rule and attempted centralization caused a resurgence of Scottish nationalism. British Labour, concerned with regaining solid Scottish support for the Labour Party and undercutting the flight of voters to the Scottish Nationalist Party, devised a system of "devolution" as a way of meeting Scottish demands while retaining support for the union. The election of 1997 that brought British Labour to power also saw the SNP obtain a mere 22 percent of the Scottish vote.¹⁴

A referendum for devolution received 71 percent of the vote and was followed by its implementation. Thus, after three hundred years, Scotland had once again achieved its own parliament. The Scottish parliament, however, has scarcely been a foil of Scottish nationalism, for Labour coalitions continue to govern there. In 2003, the SNP received only 23 percent of Scottish votes.

Demands for statehood were thus dealt with through increased autonomy within the union rather than independence from it. The autonomy provided for in the original union was no longer sufficient to head off nationalist aspirations. The devolution of central power to local authority has for the present dealt with the problem. While the Scottish National Party received considerable support when the Tories were in power in London (in the 1980s and early 90s), it declined precipitately when Labour returned to power in Westminster. Tony Blair's Labour also is populated by Scots at the helm in Britain. Expenditure on Scotland by the British central government exceeds per capita expenditure in England or Wales. The subvention to Scotland under the terms of the "Barnett formula" is so favorable that there is some question whether it can be indefinitely continued, or whether the formula must be changed.

CONCLUSIONS

The record of Scottish nationalism provides many insights into the dynamics of integration. It demonstrates the varied aspects of integration and the continuing challenge of nationalist aspirations.

For Scotland, English culture was both a source of attraction and repulsion. The desire to be English competed with the desire to remain different. Much as American culture today is both imitated and reviled, English culture generated a similar set of polar responses among Scots.

The Scots' ability to absorb large aspects of English culture while retaining their distinctiveness is an indication of the resilience of identity.¹⁵ Nairn finds Scotland's historical path unique in Europe and labels it "cultural sub-nationalism."¹⁶

The rise and fall of Scottish nationalism even in the context of union with England provides important insights into the seeming vagaries of integration and secession.

First, historical efforts at integration failed. Efforts to unify the English and Scottish crowns flagged as did efforts to unify the parliaments. Integration was not smooth and linear. Failures did not immediately lead to renewed attempts. Monarchical (executive) integration did not directly lead to integrated policy.

Second, integration need not happen in one step. The union of England and Scotland proceeded in stages. Integration of executive authority (monarchy) was accomplished before legislative integration.

The history of other unions parallels this record. In the United States, an original confederation (1783) was seen as a failure and replaced by the federal arrangement (1787). In the European Union, integration has also proceeded in stages. It began as a customs union and only later developed into a more integrated arrangement. Indeed, the name changes of the institution reflect this, from the European Economic Community (EEC), to the European Community (EC) to the European Union (EU).

Third, the process of integration itself creates friction. During the 17th-century era of monarchical integration, the English legislature dominated the process and did not consult their Scottish counterparts, and this was a source of conflict. The very workings of a partially integrated system thus became a source of friction.

Fourth, dissatisfaction with monarchical (executive) integration stimulated both separatists and integrationists. The latter lay the source of problems at the doorstep of incomplete integration and pressed for more integration. Some pushed for the replacement of Scotland's parliament with Scottish representation in an enlarged parliament in London. On the other hand, others blamed the problems of existing arrangements on premature integration and pressed for dissolution. This was the case during the most recent outburst of nationalist demands in the 1990s.

Fifth, even voluntary unions contained some element of coercion. The union of England and Scotland in 1707 was a voluntary act. The parliaments of the two countries ratified the act of union. Yet there was a backdrop of coercion and pressure. The English pressured the Scottish into union as well as bribed them to accept it. Voluntary choice often had a component of coercion underlying it.¹⁷

Sixth, even voluntarily negotiated unions must be sustained by force against military uprisings. Twice during the first half century of complete union, there

were rebellions in support of monarchical alternatives for the Scottish crown. The union was retained by military suppression.

The use of force to maintain a union adopted voluntarily was a theme evident in U.S. history as well. The United States was a negotiated federation in which individual states agreed to membership. Yet subsequently, when one group wanted to secede, the union was maintained by force. The North went to war to retain the union with the South.

Seventh, a voluntary union required ceding important elements of autonomy. Even against the backdrop of coercion, a voluntarily negotiated union depended on bargaining and compromise. The basis of the compromise was the retention of some aspects of autonomy. This was the case for Scotland in 1707 and it was also true for the Americans in 1776.

Eighth, the continuing dilemma of autonomy is that even though the concession of autonomy is the prerequisite for union, it underscores distinctiveness and thus provides the basis for subsequent efforts at secession. The original union in 1707 allowed Scotland to retain sufficient autonomy that it was able to retain its identity and press for later secession. Indeed, the Scots retained so much autonomy that they were able to create a greater sense of distinctiveness under the union. Here, too, the U.S. case was similar. The original federal arrangement allowed Southern slave states to retain sufficient autonomy that they developed along separate lines and sought secession less than a century later.

Ninth, nationalist sentiment can arise in dependent regions not animated by nationalism at the moment of union. Historically, nationalism was a post-1789 phenomenon.¹⁸ Developmentally, nationalism is for many scholars a product of industrialization.¹⁹ Ironically, therefore, Scotland's union with England predates the emergence of modern nationalism. Scottish nationalism was re-created during the era of union. Despite Scotland's adoption of much of English culture, despite England's being one of the great long-standing historic nations in Europe, and despite Scotland's benefiting from industrialization, Scottish nationalism later emerged.

This suggests that other countries could experience pressures for nationalist splintering in the future. The construction of a united country, even prior to the emergence of nationalism, provides no guarantee against its subsequent development.

Tenth, entry of the union into a larger more encompassing regional union provides secessionists with the argument that the commercial benefits of union could be retained even with a political separation. The "Scotland in the EU" argument has its counterparts in the arguments of Quebec nationalists about joining NAFTA once independence has been conceded by Ottawa (see Alexandroff in chapter 13).

Finally, negotiated increased autonomy can relieve the pressure for outright independence. Although force can suppress secessionary demands (true for

both Scotland in the first half of the 18th century and for the United States in the mid-19th century), providing more autonomy can head off pressure for independence without the use of force. This is the story of devolution in Scotland, and also that of Quebec in Canada.

The case of Scotland is thus both sobering and affirming. It is sobering because it suggests that even very long periods of life in an integrated union are no guarantee that secessionist pressures will not arise later. Yet, it also suggests that the autonomy that nurtured a secessionary nationalism can also be the basis for resolving nationalist demands short of independence.

NOTES

1. See Michael Keating, *Nations against the State* (London: Palgrave-Macmillan, 2001). He refers to this as "minority" and "separatist nationalism."
2. George Kohn, *Dictionary of Wars* (FACTS ON FILE), 1986.
3. Ironically, when the English civil war then erupted, Charles negotiated with the Scots and by granting their demands obtained their military support for his restoration to the crown. Cromwell's victory resulted in Charles's execution.
4. Norman Davies, *The Isles: A History* (New York: Oxford University Press, 1999).
5. The English had not been willing to grant the latter in earlier negotiations over union.
6. Scotland would be represented by 45 members of parliament and 16 elected peers.
7. The Scots also retained some other minor privileges.
8. J. G. A. Pocock, "The Limits and Divisions of British History: In Search of the Unknown Subject," *American Historical Review*, no. 2 (1982), 328.
9. Quoted in Tom Nairn, *The Breakup of Britain* (London: New Left Books, 1981), 139.
10. See Keith Brown, "Imagining Scotland," *Journal of British Studies*, Fall 1992, p. 415. Despite their existence as a distinct people with different institutions and customs, the Scots are also a constructed and an imagined community. See Benedict Anderson, *Imagined Communities* (London: Verso, 1983). and Hugh Trevor-Roper, "The Invention of Tradition: The Highland Tradition of Scotland," in Eric Hobsbawm and Terence Ranger, eds., *The Invention of Tradition* (Cambridge: Cambridge University Press, 1986).
11. Scotland's nationalist reassertion combines both grievance and greed. See Paul Collier and Anke Hoeffler, "Greed and Grievance in Civil War," unpublished paper, Oxford University, 2002. They argue that empirically greed has been more of a factor in secession and civil war than grievance, and that grievance has often been manufactured to justify greed. The Scottish case certainly has a long history of grievance, and the discovery of a valuable commodity created a set of possibilities. But as pointed out below, so did the solidification of the EU.
12. Creating a Europe of sixes and sevens; see Emile Benoit, *Europe at Sixes and Sevens* (New York: Columbia University Press, 1961), and Miriam Camps, *Britain and the European Community* (Princeton, NJ: Princeton University Press, 1964).

13. Within the EEC and, subsequently, the EU, multiple paths and speeds toward economic integration were allowed as states were allowed to opt out of some integrative measures even as subsets of states committed themselves to tighter integration. An example of the latter are the subset of countries who adopted the Euro and gave up national monetary autonomy.

14. In that election, all Conservative party MPs from Scotland and Wales lost.

15. Much the same can be said about the resurgence of ethnic and racial identity in the U.S. belying the characterization of the U.S. as a melting pot.

16. See Carsten Hammer Andersen et al. "The Development of Scottish Nationalism" (Aalborg University, 1997). The authors refer to this as pseudo-nationalism.

17. This is a general point to address to economic analyses of politics. Indeed, it can be made about economic exchange itself. See the work of Jack Hirshleifer, *The Dark Side of the Force* (Cambridge: Cambridge University Press, 2001).

18. See Miroslav Hroch, *Social Preconditions of National Revival in Europe* (Cambridge: Cambridge University Press, 1985). The author identifies three phases of nationalism, the first of which began in 1789.

19. This position is associated with Ernst Gellner, *Nations and Nationalism* (Ithaca, NY: Cornell University Press, 1983).