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The “crisis of political parties” in the British & Irish Isles

# The SNP, Brexit and immigration: a crisis of political representation in Scotland?

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15 December 2023.

**Edwige Camp-Pietrain**

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PREO

# The SNP, Brexit and immigration: a crisis of political representation in Scotland?

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1. The SNP, a representative party?
    - 1.1. A dominant party
    - 1.2. Territorial representativeness
    - 1.3. Social representativeness
  2. A consensual representation of Scotland on immigration?
    - 2.1. Dominant public discourses about Scotland as a welcoming nation
    - 2.2. Representativeness of individual constituents
    - 2.3. A poor representation of public opinion
  3. Immigration, a minor topic likely to turn into an electoral issue?
    - 3.1. Immigration: a low saliency in the 2016 referendum?
    - 3.2. Immigration: a low saliency at election times
    - 3.3. Immigration, an issue for a second referendum on independence?

Conclusion

- 
- 1 Before its introduction, devolution had long been regarded as a means to improve Scotland’s representation in the UK, the government of which had become “unrepresentative” (Constitutional Steering Group’s Claim of Right 1988: 8.1). The Scottish Parliament and Government, elected in Scotland, would offer Scottish solutions to Scottish problems in devolved matters.

- 2 As devolution failed to be implemented in interwar years, the Scottish National Party (SNP) was set up in 1934 to advocate a more radical solution, full independence. Nevertheless, its leaders took an active part in the running of the devolved institutions that were eventually set up in 1999. The SNP gained a plurality of votes in the Scottish Parliament from 2007, succeeding Labour as the main party. It also became the main representative of Scotland in the House of Commons that is still in charge of “reserved matters” under the Scotland Act 1998.
- 3 The SNP has portrayed Scotland as a progressive country, an outward-looking, inclusive nation, open to immigrants (Leith 2011: 133). Such views are deeply-rooted. The Scottish elite had long promoted a civic nationalism, which is not uncommon amongst intelligentsias (Smith 1991: 116). Indeed, Britain’s economic decline in the 1960s and 1970s generated two diverging responses in public debates: demands for restrictive immigration policies in England, and demands for constitutional responses in Scotland (Miles/ Muirhead 1986: 128). The scapegoats that were blamed were thus on the one hand immigrants from the Commonwealth, and on the other hand English politicians. There was already a contrast between British and Scottish issues in the 1974 general election campaigns, as underlined by political scientist William Miller (Miller 1974: 153).
- 4 Likewise in the early 21<sup>st</sup> century, Scottish politics remained immune from the growth in identity politics in England that focused against increasing immigration from the EU, which would lead to the 2016 referendum on continuing EU membership (Sobolewska/ Ford 2022: 22). The Scots rejected Brexit on referendum day. Mainstream political protest was directed against British institutions, as almost half of voters had cast a vote in favour of Scotland’s independence in the referendum held in 2014.
- 5 Brexit triggered a new crisis of representation for Scotland, since Conservative-led UK governments imposed their policies over reserved matters—whereas they used to consult their Scottish counterparts— and over some devolved matters “repatriated” from Brussels—whereas they had refrained from interfering until then. In addition, Scottish ministers failed to influence UK immigration policies—the main concern for Leave campaigners in the 2016 referendum—which

were increasingly restrictive in the aftermath of Brexit, even though devolved authorities deal with the day-to-day lives of immigrants.

- 6 Dismay was widespread amongst Scottish politicians. SNP politicians argued that Scotland's voice had been repeatedly ignored by "London", i.e. UK institutions, which, according to them, ought to justify a second referendum on independence, but successive UK Governments responded that the matter had been settled in 2014.
- 7 However, even though the SNP represented Scottish opinion in the sense that it was the main Scottish party at every electoral level, one may wonder to what extent it was representative of local views on an issue that had been so divisive in the rest of Britain, and to what extent its discourses were performative (Austin 1962: ninth conference). In other words, was the party paying attention to voters' opinion (Dion 1996: 330; Touraine 1983: 132), or did it have an elitist view of power (Riley 1988: 8), trying to shape an image of Scotland in contrast to that of England, thus enabling its leaders to claim that their nation was being ignored, which might point to a deferred crisis of political representation?
- 8 This article will first show that the SNP was indeed representative of Scottish electors in numerical terms in 2023. It will then try and assess whether the dominant view of the political elite on immigration was representative of public opinion post-Brexit. Eventually it will argue that although the topic of immigration had little impact on electoral behaviour, it might become an issue in an independent state.

## 1. The SNP, a representative party?

- 9 At the time of writing, the SNP was unquestionably representative of Scottish electors. From 2007, when the party had first come to power in the Scottish Government, it had gained ground both in Scottish politics and in the wider UK politics. Its leader Alex Salmond managed to hold a lawful referendum on its historical goal, independence for Scotland. Even though 55.3% voted against this prospect in September 2014, the SNP became the largest party in Scotland. Its members surged from 16,000 to 120,000 in a few months (Burton/

Tunncliffe 2022: 15), while party membership was globally collapsing in the UK (Schnapper 2022: 61). It became the third-largest party in the House of Commons from 2015. In early 2023, it still had over 70,000 members and it was ahead of all other parties at every electoral level. Nicola Sturgeon, its leader as well as Scotland's First Minister from the 2014 referendum until 2023, was the most popular politician in Scottish politics. She did not seem to be held electorally accountable for any failure to meet the targets she had set—over child poverty, education inequalities, or climate change.

- 10 Indeed, the SNP had been dominant for over ten years, gradually extending its appeal across the whole territory and across social groups.

## 1.1. A dominant party

- 11 The SNP may be regarded as a dominant party in Scotland, a position long held by Labour. A dominant party has to gain shares of the vote that exceed 30–35 per cent and that are much higher than those of its rivals. Labour used to meet the conditions set by French political scientist Maurice Duverger (Schwartzberg 1988: 479), with more than 40 per cent of the votes and a number of seats that was at least twice as high as that of the second largest party, the Scottish Conservatives. When it first entered the House of Commons in the late 1960s and in the decades that followed, the SNP was a small party with shares of the vote below the 20 per cent mark, apart from a historic breakthrough in October 1974 (table 1).
- 12 In the Scottish Parliament, Scottish Labour was ahead of its nearest rival, though with lower shares of the vote as some MSPs were elected under proportional representation to compensate for the overrepresentation generated by the first-past-the-post system. In the 2007 election to the Scottish Parliament, both parties were very close but the SNP gained one more seat than its rival. Over the following years, SNP leaders proved that they were competent and they appealed to those who wanted to cast votes for a party that only had Scottish interests to defend (Johns/ Denver/ Mitchell/ Pattie 2010: 96). The party then went on to win 45% of the vote and an overall majority of seats at the following election to the Scottish Parliament held in 2011. This gave it full political legitimacy to request from the

UK Government a referendum on Scottish independence. Even though independence was rejected, the SNP remained the dominant party at every election to the Scottish Parliament. The party also became dominant as for the representation of Scotland in the House of Commons from 2015 (tables 1 and 2). It also had the highest number of councillors in local elections (453 out of 1223 in 2022).

- 13 The 2014 referendum was a turning point which led to a new polarisation of Scottish politics. The SNP succeeded in winning over more than 80 per cent of individuals in favour of independence, whereas in the past it was supported at best by 50 per cent of them (Johns/Mitchell 2016: 217). The other main pro-independence party, the Scottish Green Party, was a minor party. Meanwhile the unionist vote was split between the Conservatives, Labour and the Liberal Democrats, the first two competing to be Scotland's second-largest party. They were constrained by their UK leaderships. Turnout that was boosted in the referendum—to a historic 84.6 per cent—later remained rather high, around 65 per cent at Westminster and Holyrood elections, suggesting renewed interest in politics.
- 14 Yet the SNP was not hegemonic, as half of the population did not vote for it. It only controlled one local council. It had few outright majorities. In the Scottish Parliament, it had to form a partnership with the Greens in 2021 to secure its majority.

**Table 1: SNP votes and seats in some elections to the House of Commons**

	1970	October 1974	1992	2001	2015	2017	2019
<b>Votes %</b>	11.4	30.4	21.5	20.1	50.2	36.9	45
<b>Number of seats</b>	1	11	5	5	56	35	48

Source: House of Commons library.

**Table 2: SNP votes and seats in elections to the Scottish Parliament**

	1999	2003	2007	2011	2016	2021
<b>Votes %</b>	28.7	23.7	32.9	45.4	46.5	47.7
<b>MSPs (including constituency MSPs)</b>	35 (7)	27 (9)	47 (21)	69 (53)	63 (59)	64 (62)

Source: Scottish Parliament Information Centre.

- 15 Besides, the SNP became representative of different parts of Scottish society, across the country and across social groups as its leaders Alex Salmond (1990-2000) and John Swinney (2000-2004) seized all political opportunities while streamlining its structure in the 1990s and early 21<sup>st</sup> century.

## 1.2. Territorial representativeness

- 16 The SNP became increasingly representative of the population across the whole territory. The SNP gained its first parliamentary seats in Labour-held constituencies: Motherwell in 1945 (for a few weeks), Hamilton in the 1967 by-election and the Western Isles in the 1970 general election. Yet its 1974 breakthrough was achieved in 11 seats that were held by the Conservatives in rural areas. The new SNP MPs were thus nicknamed tartan Tories by Labour. The seats represented by the party afterwards—5 or 6 at most—did not have any specific profile: they were retained thanks to personal votes for the incumbents (Cain/ Ferejohn/ Fiorina 1987), including a few in the rural North-East. However, from 2011, the SNP was able to win most constituencies in Scotland, often at the expense of Labour in urban areas. At Holyrood, it gained most of its seats in constituencies, under the first-past-the-post electoral system (table 2), as opposed to list MSPs elected under PR in regions. In the House of Commons, it secured almost all seats in 2015 and then held on to a majority of them until the 2019 election although it briefly lost some in 2017 (table 1).
- 17 Moreover, the SNP also became more representative of different constituencies across Scotland. Indeed, one has to go beyond mere average shares of the votes to study their territorial distribution. When the SNP peaked at 30 per cent of the vote at the October 1974 election to the House of Commons, it gained less than its national average in more than half of constituencies. In elections to the Scottish Parliament, it also used to hold minority shares of the votes in most constituencies (table 3). In the late 2010s/early 2020s, not only were its average shares of the vote close to 50 per cent, but about half of its constituency shares of the vote were in the 40-49.9 per cent range, and 80 per cent were above 40 per cent.

**Table 3: Territorial distribution of SNP's shares of the votes (proportion of constituencies where vote was in a given range)**

Share of the vote	HC October 1974	HC 2005	HC 2015	HC 2017	HC 2019	SP 1999	SP 2016	SP 2021
<b>Below 10%</b>	0	13.6	0	0	0	0	0	0
<b>10-19.9%</b>	8.5	59.4	0	0	0	13.2	0	0
<b>20-29.9%</b>	46.4	16.9	0	6.7	1.7	44.1	4	1
<b>30-39.9%</b>	26.7	6.7	8.5	62.7	13.6	38.2	16	13.7
<b>40-49.9%</b>	15.5	1.7	32.2	30.5	67.8	3	44	45.2
<b>Over 50%</b>	2.8	1.7	59.3	0	16.9	1.5	36	39.7
<b>Average %</b>	30	18	50.2	36.9	45	28.7	46.5	47.7

Note: HC (House of Commons); SP (Scottish Parliament).

Source: author's calculations based on results published by the House of Commons and the Scottish Parliament.

- 18 Such an advance was due to its growing national appeal, fuelled by additional means. The party was able to raise more private donations –both from wealthy donors and ordinary members. The process was streamlined as it was supervised by headquarters at the expense of local branches (Camp 2014). The party also received higher public funds as it had a growing number of elected representatives. This money was allocated on a rational basis, which further proves the party's ability to conduct a rational strategy so as to become more representative. Such strategies may be assessed by analysing electoral spending that must be reported by parties after elections, on the assumption that “parties are rational allocators of their campaign funds”, according to geographer Ron Johnson (1977: 101). The SNP used to focus on a few seats during electoral campaigns, the targets that it was likely to win or trying to retain (table 4). After the 2014 referendum, it could afford to spend higher amounts of money in a greater proportion of seats. Fewer constituencies had low SNP spending (below 30 per cent of the maxima), suggesting that the party intended to be a serious competitor in most of them.

**Table 4: Election spending in selected elections: proportion of constituencies with SNP shares of spending (as a proportion of the maxima for every seat)**



**within a given range**

	<b>House of Commons 2010</b>	<b>House of Commons 2019</b>	<b>Scottish Parliament 2011</b>	<b>Scottish Parliament 2021</b>
<b>0-9.9%</b>	3.4	0	0	2.7
<b>10-19.9%</b>	15.3	1.7	4.2	2.7
<b>20-29.9%</b>	25.4	5	11.1	4.1
<b>30-39.9%</b>	11.9	45.7	13.9	4.1
<b>40-49.9%</b>	6.8	35.7	16.7	4.1
<b>50-59.9%</b>	6.8	6.8	13.9	13.7
<b>60-69.9%</b>	8.4	3.4	8.3	8.3
<b>70-79.9%</b>	8.4	1.7	11.1	19.3
<b>80-89.9%</b>	11.9	0	8.3	20.5
<b>90-99.9%</b>	1.7	0	12.5	20.5
<b>Average %</b>	43.6	40.2	55.9	69.5

Source: author's calculations based on data on party spending in constituencies collected by the Electoral Commission. Maxima are set ahead of every election depending on the type of seat (rural or urban).

- 19 Not only was the SNP representative of various territorial constituencies, it was also representative of social groups.

### **1.3. Social representativeness**

- 20 In the 1970s, there were few distinctive features of the SNP vote. While both main parties (Labour and the Conservatives) appealed to different social classes, the SNP was not a class-based party. It was supported by socially mobile individuals—the lower middle class or semi-skilled workers—without strong class identification. It was attractive to young people (table 5). As the years went by, it retained the support of this cohort and became popular with middle-aged people. It made substantial efforts to win over some workers, who

still mostly voted Labour, although it did not appeal to the professions.

**Table 5: SNP vote and social class 1974-2003 (percentages)**

		House of Commons 1974	House of Commons 1992	House of Commons 2001	Scottish Parliament 2003
<b>Occupational class</b>	Professional	16	9	5	10
	Intermediate	21	12	12	13
	Routine non-manual	16	20	19	15
	Skilled manual	18	23	16	24
	Semi-skilled manual	30	24	15	21
	Unskilled manual	18	24	16	20

Source: Paterson 2006: 49.

- 21 In the 21<sup>st</sup> century, not only did the SNP double its share of the vote but it retained a national appeal. Successive leaders—Swinney, Salmond (2004-2014) and Sturgeon (2014-2023)—were key figures, able to shape policies without much internal opposition in the first two decades, since securing independence was the priority.
- 22 First, at the 2007 election to the Scottish Parliament, the SNP came to power and upheld its national appeal beyond the class divide. The SNP advocated redistribution, that is, higher public spending in favour of public services. This included abolishing tuition fees which was attractive for the working class, although those it would benefit most were those who could afford to pay them, *i.e.* the middle class. Likewise, the SNP had dropped its commitment to raise (a little) the basic rate of income tax or to introduce a local income tax to pay for this redistribution. Its leaders even froze the council tax which benefited the middle class most. They mostly relied on the block grant from the UK budget. Yet from 2020, faced with Covid-19, Brexit and

the energy crisis, their income tax policies became more progressive with five tax brackets and rates compared to three in England.

- 23 Second, in the campaign leading up to the 2014 referendum, the SNP and its allies advocating independence—the Greens and many other small parties and movements—succeeded in attracting the support of individuals from deprived backgrounds, including some who were used to voting Labour or who abstained at election times, with plans for a genuine redistributive new state, that would entail, for some, major economic and political reforms (table 6). Independence voters would then vote for the SNP at election time, while more radical parties failed to get enough support to be represented. The SNP was more attractive for former Labour voters, *i.e.* working-class voters (DE), as well as Catholic voters and young people.
- 24 Consequently, between the 1990s and the late 2010s, the party’s support increased markedly in all social classes: at least twofold amongst skilled and unskilled workers—who had voted Labour or abstained—and threefold amongst the higher middle class, that had turned to Labour in Scotland (McCrone 2017: 241). Yet the working class remained more likely to vote for the SNP than the middle class.

**Table 6: SNP vote and social class 2011-2021 (percentages)**

		Scottish Parliament 2011	Referendum 2014/Yes	General Election 2015	Scottish Parliament 2016	Scottish Parliament 2021
<b>Occupational class</b>	AB	44	40	43	41	42
	DE	48	53	58	51	52

Source: Bennie/ MacAngus 2020: 291; Henderson *et al.* 2021: 21.

- 25 Besides, over 50 per cent of foreign nationals living in Scotland voted SNP (Henderson *et al.*: 22). Indeed, the SNP has long been promoting a civic nationalism—as opposed to an ethnic one, explicitly targeting religious communities (Catholics in the 1990s, Muslims in the early 21<sup>st</sup> century) and new immigrants.
- 26 The SNP has thus become closer to a catch-all political party as defined by Otto Kirchheimer in 1966 (Charlot J./ Charlot M. 1985:

458). Indeed, the party sought to appeal to voters from different social groups. Its leaders consulted interest groups representing civil society on a regular basis. They used centre-left rhetoric based on a few flagship policies, while their positions on taxation and on private enterprise aimed at appealing to businesses. Even though annual conferences discussed disputed motions, key decisions were made by a few individuals at headquarters and in the National Executive Committee (NEC)—and two thirds of party members belonged to the middle class (study carried out by Tim Bale *et al.*, quoted by Henderson *et al.* 2021: 22).

- 27 The SNP was thus proving its new, national status in Scotland, even though the definition of catch-all parties was not meant to include regional parties or single-issue parties (Seiler 1993: 98). It aimed at representing all the residents in Scotland.
- 28 SNP politicians—as well as most of their Scottish rivals—retained this inclusive view of the Scottish nation in the 2016 referendum on Brexit, while many English Leavers were openly hostile to immigrants. Even though the Scots voted against Brexit, such a view may not be fully consensual, as discussed below.

## 2. A consensual representation of Scotland on immigration?

- 29 Until the late 20<sup>th</sup> century, Scotland was an emigration country. There were few immigrants from the Commonwealth. Yet the country attracted nationals from the new EU member states after the 2004 enlargement—they could move freely within the single market. It also welcomed asylum seekers while their application was handled under dispersal policies dealt with by UK authorities. Net migration was positive. In late 2022, there were about 240,000 EU nationals (including 141,000 with settled status in 2021) and 165,000 people from elsewhere in the world. Amongst the latter, there were 4,700 asylum seekers, 3,800 resettled individuals—a proportion per inhabitant twice as high as the British average—(Sturge 2022).
- 30 As far as immigration was concerned, MSPs behaved as representatives of the nation and as representatives of their individual constituents, being both trustees and delegates as politician and philosopher

Edmund Burke put it in a 1774 speech delivered in his Bristol constituency (quoted by Catterall 2021: 83). They depicted Scotland as a welcoming nation, and they blamed immigrants' discontent on policies conducted by UK authorities. However, the people living in Scotland were more cautious than their politicians.

## 2.1. Dominant public discourses about Scotland as a welcoming nation

- 31 From the outset of devolution, MSPs from all parties, as well as Scottish MPs who increasingly defended territorial interests (Sheldon: 809), praised immigration. Such discourses were based on ethics—the promotion of human rights—but also on economics. Indeed, all reports—drafted by committees in the UK Parliament where the SNP was in a minority or in the Scottish Parliament—showed that Scotland's population was declining until the early 21<sup>st</sup> century (House of Commons, Scottish Affairs Committee 2018: 21; Scottish Parliament, Economy, Jobs and Fair Work Committee 2017: 131). This decline was only halted after 2004 thanks to EU immigration. Scotland had a “specific challenge” underlined by politicians and businesses alike (Scottish Government 2020: 53). In the future, only immigration would enable the Scottish population to increase and thus generate economic growth.
- 32 There was an additional dimension: politicians from all parties, beyond the ranks of the SNP, wanted to promote a distinctive Scottish image, distinctive values that justified devolution. The following quotation from Jack McConnell, Labour First Minister between 2001 and 2007, embodies both dimensions: “Across the world, Scots enjoy a reputation for being warm, welcoming, friendly people. It is now time to extend that traditional Scottish welcome to the new Scots who will help our country grow” (Scottish Executive 2004: foreword). This image was always associated with that of Scotland's patron saint: “That the Parliament [...] hopes that [Saint Andrew's] Day will also [...] express the desire for unity and celebration among the diversity of faiths, cultures and ethnic origins that it believes is the reality of the nation today.” (Scottish Parliament 2015: 65).
- 33 Scottish politicians were willing to integrate immigrants even though their powers were constrained. However, although there was a con-

sensus on integration, the Conservatives were keen on defending immigration policies conducted by UK governments led by their party, especially from 2016.

- 34 MSPs always defended asylum seekers living in Scotland while their application was being processed. Hence Adam Ingram, the SNP Minister for Children, declared in 2009: “The Scottish Government believes in the integration of asylum seekers from day one. We firmly believe that that policy is in the best interests of not only asylum seekers but the settled community.” (Scottish Parliament 2009: 21787).
- 35 Successive Scottish Governments actively promoted their integration in their local communities, focusing in particular on education, a devolved matter. They provided additional funding for the teaching of English as a foreign language and for cultural events. In 2001, Jackie Baillie, Labour minister for Social Justice, lodged a motion that received unanimous support, including that of the Conservatives who advocated “every possible step to welcome and integrate asylum seekers and refugees to Scotland and grant them the same rights of citizenship as enjoyed by the rest of the community (Scottish Parliament 2001: 3481, Lord James Douglas-Hamilton). Under the SNP, such children also benefited from the abolition of university tuition fees. As for adults, Scottish politicians wanted them to be allowed to work. They were assertive, both in the Scottish Parliament and in the House of Commons. Carol Monaghan SNP MP thus said in late 2022: “Working while waiting for a decision on an asylum claim allows for better integration, is economically sensible and allows us to learn from other cultures. It provides economic benefits to our communities and allows them to thrive.” (House of Commons, 2022: 328WH). But labour legislation was a reserved matter.
- 36 In 2022, this welcome encompassed asylum seekers fleeing Ukraine. Neil Gray, the Minister for Culture, Europe and International Development, had his portfolio extended to special responsibility for Refugees from Ukraine. MSPs unanimously passed the following motion in mid-2022: “The Parliament used the opportunity of World Refugee Day to welcome people who have sought refuge in Scotland from war and persecution, including refugees, people seeking asylum, people relocated from Afghanistan and displaced people from Ukraine; recognizes [their] contribution to Scotland over many years.”

(Scottish Parliament 2022b). The Scottish Government introduced its own sponsor scheme to welcome Ukrainians within the framework devised by British authorities.

- 37 MSPs were thus appalled by the new legislation providing for the deportation to Rwanda of asylum seekers arrived “illegally” on British soil, as evidenced by the motion put forward by Neil Gray that they supported in early 2022 (except for the Conservatives): “The UK Government’s Nationality and Borders Bill [...] will damage people living in communities [...]; [the Scottish Parliament] condemns proposals for differential treatment of refugees based on when they arrived rather than their protection needs, measures that criminalise vulnerable people seeking protection, ‘push-back’ provisions that [...] open the door for offshore asylum accommodation and powers to revoke citizenship without notice” (Scottish Parliament 2022b). The following bill, entitled *Illegal Migration*, was equally despised. Labour castigated it as “shameful, immoral, unworkable”, likely to do “real harm” and to “undermine the universality of human rights” (Paul O’Kane, MSP, Scottish Parliament 2023b).
- 38 The message, unchanged, can be epitomized by the motion endorsed by all MSPs in 2016: “That the [Scottish] Parliament remembers the refugees and migrants who have lost their lives while trying to reach safe harbour; welcomes the opportunity to celebrate the contribution of those who have chosen to make Scotland their home; embraces a culturally diverse community that enriches Scotland’s intellectual, social and cultural life; [...] calls on the [UK Government] to deliver a fair and sensible immigration system that meets Scotland’s needs” (Scottish Parliament 2016d: 27).
- 39 On the other hand, in 2016 MSPs from all parties were dismayed by English politicians willing to put an end to the free movement of workers within the EU’s single market. Soon after the referendum, they called for the “protection” of Scotland’s place in this single market. Although Conservative MSPs distanced themselves from their fellows’ full motion, their leader Ruth Davidson led them to endorse the part “affirming to citizens of other EU countries that they remain[ed] welcome and that their contribution [was] valued” (Scottish Parliament 2016b: 16).

- 40 Such a welcoming stance was repeated on several occasions by Scottish ministers, both in the rest of Britain and in EU member states by putting emphasis on immigrants' contributions. Shortly before the referendum, Fiona Hyslop, the Cabinet Secretary for Culture, Tourism and External Affairs, described EU nationals as "enriching our culture, strengthening our society and boosting our economy." (Scottish Government 2016: foreword).
- 41 Likewise, before the foreign committee of the French National Assembly in 2019, Nicola Sturgeon claimed: "EU citizens [in Scotland] include 13,000 French people, who are our colleagues, friends, neighbours and in many cases our family. The Scottish Government is proud that they have done us the honour of making Scotland their home. We will always stand up for their rights. [...] We will always make it clear that EU citizens are welcome." (Scottish Government 2019).
- 42 MSPs also monitored UK policies. They criticized the applications imposed on EU nationals living in the UK to gain settled status after Brexit, as they generated uncertainty. Hence the motion put forward by Ben Macpherson, the Minister for Europe, Migration and International Development and supported by all MSPs, except for Conservative ones in late 2019, when Scotland was about to leave the EU: "The Parliament welcomes citizens from elsewhere in the EU, [...], and recognizes [their] significant contribution [...]; [...] notes that the approach of the UK Government [...] has created long-running insecurity and anxiety for millions [...]; believes that EU citizens should not have to apply to retain rights they already have" (Scottish Parliament 2019).
- 43 One year later, as Scotland was forced to leave the single market, the message conveyed by Ben Macpherson, then Minister for Public Finance and Migration, remained similar, hoping to retain EU citizens and to attract new ones: "Let us send an unequivocal message to EU citizens across Scotland that they are valued, appreciated and an integral part of modern Scotland. Let us commit collectively to work across Parliament to support EU citizens and to help them to secure their right to stay in this country—their country." (Scottish Parliament 2020b). The Scottish Government would help them fill in their applic-



ations. When the UK Government intended to charge a fee, it offered to pay it for its public employees.

44 In such circumstances, MSPs made a symbolic move in 2020 as far as the franchise was concerned. EU nationals already had the vote in Scottish elections and in the 2014 referendum on independence. Then in 2020, a Franchise and Representation Act was passed to allow foreign nationals with leave to remain—including refugees but not asylum seekers, which would have been unlawful—to vote in elections to the Scottish Parliament and to local councils. Mike Russell, the Cabinet Secretary for the Constitution, Europe and External Affairs, stated: “We must recognise the enormous contribution that is made to our country by people from all over the world. [...] Voting must be based on active participation in society [...]. I hope that those reforms will continue to reflect a Scotland that is committed to the treaties that safeguard human rights [...], which welcomes those who seek to join our community” (Scottish Parliament 2020a: 122-123).

45 The decision was representative of the will of the Scottish Parliament for it required a “super”, two-third majority. Only the Conservatives still clung to the link between citizenship and franchise.

46 Moreover, MSPs often referred to individual constituents suffering from British policies.

## 2.2. Representativeness of individual constituents

47 MSPs—especially those elected in constituencies (Parker/ Ritcher: 688)—and MPs did represent their individual constituents. They often quoted them and told their life stories to prove their point with their fellow elected representatives, a rhetorical strategy of which there are countless examples.

48 As for asylum seekers, SNP politicians elected in Glasgow were keen on reporting their plight when their application was being processed or after it had been rejected, in spite of their contribution to society. Alison Thewliss, MP for Glasgow Central, mentioned Sandra, a trainee nurse, and a volunteer during the pandemic, who had “no assurance from Home Office” (House of Commons 2022: 337WH). Stephanie Callaghan, MSP for Uddingston and Bellshill, spoke about “Mo-

hammad, a refugee who arrived in the UK ten years ago after fleeing persecution. Now in his 30s, Mohammad has no status, social security or right to work”, adding that he had to “survive each day” along with his family (Scottish Parliament 2022b).

- 49 There were also many references to constituents willing to prevent the deportation of asylum seekers from their local areas by UK authorities. Alison Thewliss reminded her fellow MPs of “the Glasgow girls, including [her] friend Councillor Roza Salih, and the Glasgow grannies, Jean Donnachie and Noreen Real, who stood up against dawn raids in Glasgow in the mid-2000s.” (House of Commons 2022: 1137). Carol Monaghan, MP for Glasgow North West, paid tribute to her constituent, Jean, who “mobilised the local community [...]” (House of Commons 2022: 328WH). Indeed, six schoolgirls had succeeded in preventing the deportation of one of their friends, after leading a campaign against Home Office dawn raids that took whole families of failed asylum seekers to the Dungavel centre, awaiting deportation to their countries of origin. Their protest attracted attention from the media and then from the Scottish Parliament, as the coalition government formed by Labour and the Liberal Democrats successfully requested from the UK Labour Government the end of the detention of children in Scotland (Scottish Parliament 2005: 19 375).
- 50 Thewliss also praised her “constituents in Kenmure standing up for their neighbours and preventing their removal” in 2021. They were Sikhs from India resident in Pollokshields for many years who were retained by UK authorities as their visas had expired. The MP concluded: “This is not what Scotland wants to see. [...] We on these Benches understand the plight of our fellow human beings and we know that we should treat them with the dignity that we would expect if we happened to be in their place.” (*ibid.*).
- 51 Others mentioned individuals who had not been in the limelight. Bob Doris, SNP MSP for Glasgow Maryhill spoke of “Abdul Bostani, now councillor Bostani, [who] has done sterling work, including empowering women to stand forward in their communities”, adding that “Maryhill integration Network has empowered a vast range of new Scots, refugees and asylum seekers who have come to our shores over the past 21 years.” (Scottish Parliament 2022b).

- 52 As for EU citizens, Scottish politicians accounted for their anxiety to gain settled status for they had to prove the length of their residence. Willie Coffey, SNP MSP for Kilmarnock and Irvine, felt upset for “Laura Nani, [who] despite having lived in Scotland for 34 years—since she was four years old—has been told that she cannot demonstrate that she is habitually resident in the UK and has been denied access to the most basic assistance through the universal credit system.” (Scottish Parliament 2018).
- 53 EU citizens no longer felt fully integrated as reported by Fulton MacGregor, SNP MSP for Coatbridge and Chryston: “Last December, I held a packed surgery for EU citizens. [...] Many EU citizens were concerned about the home they had bought, the rights of their children who were born here, where they stood in respect of permanent jobs and pensions, access to healthcare. Those people are new Scots. [...] The current system and process make them feel like second-class citizens.” (Scottish Parliament 2019).
- 54 Liam MacArthur, LibDem MSP for Orkney, brought out some concerns voiced by islanders: “Antoine Pietri wrote to me: ‘I have felt deeply offended and discriminated against. I have entered the UK in 1994 and made my life here in Orkney. Doesn’t it look like I am settled enough? Why do I have to prove it to the UK Government?’” (Scottish Parliament 2019). He also voiced the difficulties of local professions: “A newly qualified GP looking to make her home in Orkney has found herself embroiled in the fallout from Brexit. She explained how obstructive the Government’s registration scheme is [...]. To apply for the scheme without an android phone, my constituents were initially forced to travel to Edinburgh.” (Scottish Parliament 2019).
- 55 MSPs denounced labour shortages created by Brexit. Hence Gillian Martin, SNP MSP for Aberdeenshire East, an affluent area: “Navin Aziz, who is a dentist in my constituency [...] told me that since the Brexit vote, the interest in vacancies from EU-trained candidates has completely fallen away [...].” (Scottish Parliament 2018).
- 56 In early 2023, Stuart C. McDonald, SNP MP for Cumbernauld, Kilsyth and Kirkintilloch, described the distress of EU citizens that had been granted pre-settled status in the UK—about 2 million individuals on top of the 4 million who had made an application—who often encountered difficulties with administrations or with their employers.

Many of them were already “vulnerable”, subjected to “chaotic lifestyles”, or from “marginalised communities” (House of Commons 2023a: 724). Such an uncertainty might be in breach of the Withdrawal Treaty signed between the UK Government and the EU in October 2019, for they were at risk of losing their rights and their entitlements.

- 57 SNP politicians always praised the contribution of these individuals to Scottish society, and they blamed UK authorities for the difficulties they experienced. They tended to downplay racism, contrasting Scotland and England, especially during the 2016 referendum campaign. Alasdair Allan, the Minister for International Development and Europe, thus contended: “In other parts of the UK there has been a sharp increase in reported incidents of hate crime against ethnic minority groups, including Polish people. [...] The toxic debate around immigration that so dominated the EU debate seems to have created an environment in which some feel that it is acceptable to show prejudice and to target others on the basis of their nationality. [...] The surge in hate crime was absent from Scotland. I think that that demonstrates that, despite political differences, the debate in Scotland was conducted in a different way (Scottish Parliament 2016c). Likewise, John Finnie, Green MSP for Highlands and Islands (the Greens do not have any constituency MSP), denounced English newspapers, and more specifically “lurid headlines from the *Daily Express* and the *Daily Mail*” (Scottish Parliament 2016c).
- 58 Even Roza Salih, one of the 2004 Glasgow girls who then became the first refugee councillor, for Glasgow Pollok, contended that “[t]he problem [was] not as serious as in some other parts of the UK” (Smith 2022). However, she also keenly remembered humiliations and racist incidents experienced by her family. To her, racism was “still a serious problem in Scotland.”
- 59 Immigrants faced hurdles when they tried to enter political life. Although the first MSP from an ethnic minority did belong to the SNP, he was only elected in 2007. In 2021, there were only 6 minority ethnic MSPs, including 2 for the SNP, Humza Yousaf and Kaukab Stewart. However, the campaign to encourage their promotion as candidates within the party had been criticized.

- 60 This chimed with surveys carried out by sociologists. They repeatedly reported the views of immigrants enduring exclusion or even xenophobic incidents in Scotland in their daily lives with local people. In the early 21<sup>st</sup> century, data was collected with asylum seekers and refugees who had been granted leave to remain (Sim 2012: 99). From the 2016 referendum, similar experiences were reported by EU migrants, including young people, who thus questioned their presence. They were being “othered” (Sime 2020: 350), and this could not be entirely put down to British policies.
- 61 In addition, the population as a whole did not share the SNP elite’s outrage against UK government policies.

### **2.3. A poor representation of public opinion**

- 62 Surveys and polls suggested that the Scottish population was less concerned than Scottish politicians with immigration policies conducted at UK level, and that it had little appetite for distinctive Scottish policies.
- 63 Scottish respondents were far less critical of British policies than Scottish politicians. Levels of immigration into Britain over the last few years were regarded as too high by 40–45 per cent of respondents in 2018–2019, about right by 38 per cent, while fewer than 10 per cent reckoned they were too low (YouGov 2018, 2019a, 2019c). Views were quite similar about levels of immigration to Scotland, the proportion of respondents claiming that immigration was too high being lower (32 per cent), while the proportion of those who didn’t have any opinion was higher (18 per cent) (YouGov 2019b). This contrast was striking as almost all Scottish politicians did want immigration to increase, including Conservative ones in the fields suffering from shortages.
- 64 Public opinion was not particularly enthusiastic about the effects of immigration for Britain. In 2021, they were considered as negative by 42 per cent of respondents, positive by 36 per cent while 21 per cent had no view (Stack Data 2021). Such mixed views were confirmed by other data (Savanta 2021). Likewise in 2014, shortly after the independence referendum, 44 per cent contended that immigration was

good for Scotland while 40 per cent reckoned it was bad (Survation 2014). Once again this was in marked contrast with Scottish politicians unanimously pointing to an enrichment of Scottish society.

- 65 Besides, even though the Scottish Government demanded the protection of the four freedoms of the single market, voters made differences between them. In 2016, after the Brexit referendum, 65 per cent agreed with the statement that companies in other EU countries should be allowed to sell goods in Scotland as easily as they could in their own country (11 per cent disagreed). Only 40 per cent agreed that people from other EU countries should have an automatic right to come to Scotland to live and work should they so wish. Those who disagreed accounted for 36 per cent of all respondents and 27 per cent of those who had voted Yes in the 2014 referendum (Panelbase 2016).
- 66 Besides, the Scots were not keen on separate immigration policies. Two thirds of respondents to two opinion polls in the spring of 2021 rightly believed that the UK Government was responsible for immigration policies in Scotland (Redfield Wilton 2021; Survation 2021). Public opinion was divided as to which government should be responsible, 50 per cent mentioning the Scottish Government and 41 per cent the UK Government. Likewise, in the months leading to the 2014 independence referendum, when the free movement of people was still in force within the EU (and unchallenged), respondents had opposite views about whether immigration should be run by the British or by the Scottish Government (45 per cent each) (YouGov 2013a).
- 67 The policies advocated by the SNP, *i.e.* either some form of devolution that would lead to the creation of a Scottish visa delivered by UK authorities and based on criteria set in Scotland (Scottish Government 2020: 3), or full independence, had limited support. Indeed, almost two thirds of respondents in 2017 believed that Scotland and England should retain similar immigration policies after Brexit, with only one quarter advocating easier immigration into Scotland (Scottish Social Attitudes 2017a, 2017b). When the word independence was added to the question, 50 per cent wanted common, UK policies, 31 per cent preferred immigration policies designed by an independent Scottish Government, and 19 per cent only referred to the UK Government (Hanbury 2021b).

68 Such a discrepancy between elites and citizens was not uncommon. In England, even though most voters identified with the Conservatives or Labour in the run-up to the 2016 referendum, their preferences were closer to immigration policies advocated by UKIP (Leruth, Taylor-Gooby 2019: 166). In Scotland, while the elite is more liberal, restrictive policies had some support. In turn, this raised questions about the importance of the topic in Scottish politics, which will be assessed below.

### **3. Immigration, a minor topic likely to turn into an electoral issue?**

69 In Scotland, immigration was a valence issue for most parties that broadly share the same goal—welcoming greater number of immigrants—as opposed to position issues which divided them, according to the distinction made by political scientists David Butler and Donald Stokes (Butler/ Stokes 1974: 292). Yet the issue was not regarded as an important one by voters: it had low saliency under the definition given by Bo Crewe and Ivor Särilvik (Särilvik/ Crewe 1983: 222). Voters did not seem to assess parties on the basis on their position on immigration—there were few differences between them—or on their ability to deliver on their pledges as they were not legally competent (Denver/ Mitchell/ Pattie 2010: chapter 4). It could also be argued that voters relied on party cues that were quite similar. Immigration was therefore unlikely to have an impact on voting in Scotland. Should the nation become an independent country, this might change as voters were less consensual than politicians. Immigration could become a position issue with higher saliency. Those aspects will now be dealt with.

#### **3.1. Immigration: a low saliency in the 2016 referendum?**

70 In 2015, Scottish voters were not more enthusiastic about the EU than voters in England and in Wales. About 8 out of 10 wanted to re-

main in the EU, and half of them wanted to try to reduce its powers (table 7).

**Table 7: Attitudes towards Britain’s relationship with the EU, 2015 (percentages)**

	Scotland	England and Wales
Leave the EU	17	23
Stay and try to reduce EU’s powers	43	43
Leave things as they are	20	18
Stay and try to increase EU’s powers	11	7
Work for a single European Government	6	3

Source: Curtice 2017: 46.

71 Scottish voters had the same anticipations as the English and the Welsh about the consequences of leaving. One out of two expected a reduction in immigration as Britain would leave the single market (table 8). This was one of the main issues put forward by the Leave campaigners.

**Table 8: Evaluations of the consequences of leaving the EU, 2015 (percentages)**

	Less influence in the world	Economy worse	Unemployment higher	NHS better	End threat to identity	Immigration lower
Scotland	40	41	34	22	39	50
England and Wales	34	34	27	33	47	55

Source: Curtice 2017: 47.

72 Yet, the referendum campaign was very different in Scotland. The vast majority of elected politicians were in favour of Remaining. UKIP, the party that had succeeded in linking immigration and Brexit, was almost irrelevant in the public debate and only had one MEP. The SNP had established the slogan “Independence in Europe” in 1988 after years of discord. In May 2016, 106 MSPs out of 129 endorsed a motion that supported Remaining in the EU after praising the single market and close co-operation across borders (Scottish Parliament 2016a: 14).



8 voted against (7 Conservatives, 1 Labour MSP), 3 abstained (two Conservative, one Labour politicians). There were very few Brexiteers in the Scottish Parliament and they were in a minority within their parties. This undoubtedly gave cues that influenced voters on referendum day, especially those who were undecided.

73 As for voters, most of those who voted Remain had a positive view of the consequences of migration on the British economy in the different parts of Great Britain (table 9). Similar sets of data were collected for British culture. Yet the proportions of those holding positive views were higher in England and Wales, which tended to indicate that those who thought that Britain benefited from immigration were more likely to vote against Brexit in these parts of the UK than in Scotland. Brexit was never a serious option in Scotland, all the more so as it was framed by local politicians as a policy devised in England.

**Table 9: Perceived impact of migration on the British economy by 2016 EU referendum vote (percentages)**

	Scotland		England and Wales	
	Remain	Leave	Remain	Leave
Bad	11	30	4	28
Neither	33	48	28	45
Good	56	22	70	26

Source: Curtice/Montagu 2018:17.

### 3.2. Immigration: a low saliency at election times

74 Scottish voters did not hold positive views about the impact of immigration on the British economy or on British culture—especially when compared to voters of the same British parties in England and Wales. In England and in Scotland alike, those who regarded immigration as “good” for the economy—or for British culture—were more likely to vote Labour or LibDem than Conservative (table 10), which suggested that they were aware of the differences between political parties. Scottish voters opting for the SNP—the majority of them—were even more likely to praise immigration. Such features were

linked to parties' overall images, even though they may not be taken into account when it came to casting a vote.

75 Indeed, the SNP, who had long referred to the Scottish people, now opted for “the people of Scotland”, which included “new” Scots from the 1990s. The willingness to integrate all those who had chosen to make Scotland their home was promoted as a Scottish value (Henderson 1999: 138). Meanwhile, the Scottish Conservatives were more cautious about immigration than their fellows, trying to reconcile Scottish needs and UK Government policies. Ruth Davidson, who led them from 2011 to 2019, attempted to put emphasis on the former. In 2017, her party gained ground at the expense of the SNP, as she was able to articulate a convincing unionist position. However, her successors were further away from the Scottish consensus. Overall, though, these differences did not have much impact on votes as the SNP remained dominant.

**Table 10: Perceived impact of migration on the British economy by vote in the 2017 General Election (percentages)**

	Conservative		Labour		LibDem		SNP
	Scotland	E/W	Scotland	E/W	Scotland	E/W	Scotland
Bad	22	15	14	10	6	4	12
Neither	47	45	35	31	34	26	29
Good	30	39	51	59	58	64	59

Note: E/W England/Wales

Source: Curtice/ Montagu 2018: 12.

76 Besides, the issue, which remained a priority after the 2016 referendum, lost saliency after Britain's withdrawal from the EU. Voters in England and in Scotland were mostly concerned with their public services and with living standards (table 11). However, reducing immigration was mentioned lower down the list in England and not in Scotland. In the latter, independence remained an issue, all the more so as it was framed by the SNP as an instrumental means to generate economic growth, improve public services, thus leading to a wealthier, fairer, and greener country.

**Table 11: What do you most hope will happen in Britain over the next decade?**

	<b>England</b>	<b>Scotland</b>
1	Better performance for the NHS	Better performance for the NHS
2	Lower levels of poverty and homelessness	Lower levels of poverty and homelessness
3	Higher wages	Higher wages
4	More affordable housing	Faster economic growth
5	Lower taxes	Lower taxes
6	Faster economic growth	Scottish independence
7	Lower rates of crime	Rejoining the EU
8	Lower immigration	More affordable housing
9	Rejoining the EU	Higher levels of investment and jobs in my local area
10	Lower carbon emissions	Lower carbon emissions

Source: Commission on the UK's Future 2022: 47.

77 However, in the future, immigration might become a significant issue in its own right.

### **3.3. Immigration, an issue for a second referendum on independence?**

78 Independence was associated with increased immigration given SNP commitments. Voters often cast votes based on their general perceptions of what parties stand for, and not on single issues (Heath/ Jowell/ Curtice 1985: 20). Yet the authorities of the new state would have to adapt their positions to remain representative of the nation as a whole.

79 The independence project put forward by the SNP was based on increased immigration to boost economic growth. In the 2013 White Paper on independence, the Scottish Government claimed “one of the major gains from independence will be responsibility for our own immigration policy” (Scottish Government 2013: 267-269). Westminster had adopted an “aggressive approach”, influenced by the conditions in the South East of England. Scotland had “different needs. We will welcome people who want to live and work in Scotland. We plan

to continue with the Common Travel Area [between the UK, the Republic of Ireland, the Channel islands], the EU's freedom of movement. For non-EU migrants, this Government will take forward a points-based approach targeted at Scottish requirements; asylum policies will be robust and humane focusing on integration from the day they arrive."

- 80 By 2022, immigration had even become an argument that may justify Scotland's independence, since UK government policies were increasingly restrictive. The SNP expected an independent Scotland to rejoin the single market. EU nationals (who, since Brexit, had been regarded as nationals from the rest of the world by British authorities) would once again be able to live and work in Scotland, which would help meet the labour shortage. Membership of the EU and CTA would open up opportunities to attract talent to Scotland, helping to reverse population decline and address labour supply challenges. Overall, the system would be "humane and responsive", encouraging "long-term settlement", in contrast to the Westminster Government's "hostility" (Scottish Government 2022: 91-92).
- 81 Moreover, an independent Scotland would also encourage immigration from the rest of the world, both on economic grounds and on ethical grounds. This would be a marked contrast with the rest of the UK's policies that were not suited to Scotland's labour market—the salary threshold for economic migrants was too high—nor to Scotland's friendly image—as asylum policies failed to comply with human rights *i.e.* both the 1951 UN Convention on Refugees and the 1951 Council of Europe's European Convention on Human Rights. SNP MP Tommy Sheppard therefore declared in December 2022 (after the Supreme Court ruled that the Scottish Parliament was not allowed to hold a consultative referendum on independence): "[Members on Conservative benches] make the case that migrants are not welcome in this country. Migrants are welcome in Scotland, because we need people to come and live in our country. We say that not just because we wish to discharge our international responsibility to provide security for those who flee persecution, but because we know that, if those people come to our country, they will invest in our economy and pay their taxes to sustain our public services. Every study that has ever been done shows the net effect of migration is positive, and

that is why we require the powers of a normal independent country” (House of Commons 2022: 1143).

- 82 Such commitments to increased immigration were identified by voters. In 2021, a majority (46 per cent) anticipated an increase, while 27% didn’t expect any change and 14 per cent foresaw a decrease (Lord Ashcroft 2021). Before the 2014 referendum, higher proportions expected no change (around 25 per cent) or a decrease (around 20 per cent) (YouGov 2013b, 2014). 48 per cent thought immigration policies would be better in an independent Scotland, 32 per cent that there would be much change while 31 per cent expected a deterioration (Hanbury 2021a).
  
- 83 Only half of voters prepared to vote for independence shared the SNP’s enthusiasm about immigration and its positive effects (table 12). The party’s image being built around access to independence, this should not deter them from voting for this outcome. As political scientist Jean Blondel put it in the 1960s, images are “persistent”, and may even seem “permanent”, but he added that they were influenced by issues, by “what is going on” (Blondel 1963: 83).

**Table 12: Perceived impact of migration on the British economy and on British culture by current Scottish referendum vote intention (percentages)**

	Economy		Culture	
	Yes	No	Yes	No
Bad/Undermined	16	21	19	21
Neither	27	44	27	42
Good/Enhanced	56	38	53	35

Source: Curtice/ Montagu 2018: 14.

- 84 Moreover, the SNP would then have to make detailed commitments in an independent Scotland, beyond the rhetoric about “asylum and immigration policies geared to meet Scotland’s needs and founded on fairness and human rights” used in the manifesto published before the 2021 Scottish Parliament election, (SNP 2021: 74). The SNP could no longer maintain the “evasiveness” fostered by the devolution settlement but also by the party’s “slipperiness” when faced with “complex trade-offs and choices” (Tickle 2017: 176-177). Indeed, so far, SNP

leaders had been able to focus on policies that boosted their image and that of Scotland as they did not have to deal with their full consequences. The gaps between “rhetoric” and “reality”, already underlined by Robert Jenrick, the UK minister for Immigration in mid-2023 (House of Commons 2023b: 145), might widen.

- 85 In particular, in an independent Scotland, controls on entry would also have to be enacted. Citizenship would have to be defined rather than merely praising “the people who live here”. The Government of an independent Scotland could no longer rely on “innate inclusiveness” supposed to characterise Scottishness. Although ethnic minorities were fully included in the independence project (Meer 2019: 156–157), the difficulties they experienced, even the racism they suffered from, would have to be acknowledged and tackled (Mc Bride/ Liinpää 2018: 214, 216). Likewise, the prejudices of Scottish voters—which are not that different from those of English voters—could not be ignored. Scotland’s supposed exceptionalism would then appear as mostly driven by politicians and by the wider elite. The independent nation’s cohesiveness would have to be built. Elected politicians would thus have to become more representative of the plurality of society.
- 86 Besides, the SNP would no longer be able to use the UK as a scapegoat. Its leaders would have to deal with the ethnocentrism of some of their voters without directing their “resentment” towards “London and the Tories” while trying to retain their appeal to “identity liberals” and “economic progressives” (Sobolewska/ Ford 2022: 281). The party is at ease with economic arguments and demography would prove an uncontroversial point, but it may be vulnerable as for culture and identity. Immigration could turn into a position issue for parties and voters alike.
- 87 However, the Scots remained divided over a second independence referendum both regarding whether it should be held in the forthcoming five years and regarding the way they would vote. Depending on political circumstances, the proportion prepared to vote for independence may fluctuate between 47 per cent and 53 per cent when undecided individuals were excluded. Lawful means to hold a second referendum did not seem to be available in early 2023. Indeed, the British Government would not grant a section 30 order like in the run-up to the 2014 referendum. The Supreme Court ruled in Decem-

ber 2022 that a merely consultative referendum on independence would not be allowed. Nicola Sturgeon's plan B—turning the next UK general election into a “referendum”—was not consensual within the party.

## Conclusion

88 Under devolution, Scotland could be portrayed as a welcoming nation in marked contrast with England, a gap that widened as a result of Brexit. This gap had not waned by 2023, even though at that time, both the UK and Scotland were led by Prime ministers from South-Asian descent. Indeed, while the Conservative Rishi Sunak led increasingly restrictive immigration policies, Humza Yousaf, who had succeeded Nicola Sturgeon, castigated them. Yet this did not seem to have an impact on elections. The SNP remained in power with a discourse that was not quite representative of voters' views.

89 But in mid-2023, the SNP was facing an unprecedented crisis. The party that had long appeared united to promote independence was already more prone to voicing internal disagreements—in particular through social media (Nathalie Duclos quoted by Alexandre-Collier/Avril 2013: 175). Divisions became more vocal following the successive resignations of Peter Murrell, the chief executive, and his wife, Nicola Sturgeon, respectively because of a police inquiry into the party's accounts, and the outcomes of the Scottish Government's policies. The three competitors to succeed the First Minister had opposite views on many issues—though not on EU membership and immigration. Meanwhile, according to opinion polls, the SNP was losing ground, both among the electorate as a whole and amongst pro-independence voters, as it had failed to respond to citizens' concerns (Geoghegan). Labour might deprive the SNP of its dominance over Scotland, even though the UK leadership's cautious stances about Brexit and about immigration were potential electoral liabilities.

90 Besides, there was still no sound majority in favour of independence. Several senior members called for a new conversation to win over some of the 30 per cent who were undecided and likely to waver, while making sure that others would not feel excluded and likely to challenge the result. According to Jim Sillars, a former MP and deputy leader of the party: “what you don't want is a minority dissatisfied

from day one and wants a reversal that's why 58 per cent to 60 per cent is so very important in the forward strategic thinking." (Nutt 2023: 6).

- 91 Immigration would undoubtedly be a suitable issue for such a conversation. Indeed, it was both intertwined with prosperity and growth by the SNP and potentially controversial. The "new Scots" would also need to be included, not least because many of them would have the right to vote. In his introductory speech, Humza Yousaf did not underestimate the challenges, as his own "identity or loyalty to Scotland" had been repeatedly "questioned"; yet he was quite confident when he quoted Bashir Maan, a former MSP, that "what matters is where we are going together as a nation" (Scottish Parliament, 2023a).
- 92 EU membership itself might turn into an issue. Although a majority of Scottish respondents wanted to rejoin the EU, about one third of them might be satisfied with mere membership of the EEA or the EFTA—with different consequences about the free movement of people—as advocated by Sillars (Survation 2023). Hardly anyone would be prepared for a hard border with England, even though Sturgeon contended that problems would be overcome through negotiations.
- 93 Although political discourses pointed to Scotland's exceptionalism, the nation's inclusiveness should not be taken for granted and would have to be reinforced to avoid a crisis of political representation.

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## English

Scotland is usually regarded as an exception in the UK as Brexit was rejected and immigration, a key argument for English Brexiteers, is welcomed. These positions are consensual amongst elected politicians, especially from the SNP. However even though the ruling party can be said to represent Scotland in the sense that it is the main Scottish party at every electoral level, this article argues that it is not fully representative of public opinion in these fields, and that it owes its victories to their low saliency under devolution. Should independence be contemplated, the consensus would have to be reinforced in order to avoid a looming political crisis.

## Français

L'Écosse est généralement considérée comme une exception au Royaume-Uni, tant pour son attachement à l'UE que pour l'accueil réservé aux immigrants, cibles principales des partisans anglais du Brexit. Ces positions font l'objet d'un consensus au sein de l'élite politique, en particulier le SNP. Cependant, si le parti au pouvoir, dominant à chaque élection, représente effectivement l'Écosse au sens électoral, cet article défend l'argument selon lequel il n'est pas pleinement représentatif de l'opinion publique dans ces domaines, et que ses victoires sont dues à la faible importance de ces ques-

tions dans le cadre de la dévolution du pouvoir. Dans l'hypothèse d'une accession à l'indépendance, le consensus resterait à construire afin d'éviter une crise politique en germe.

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**Mots-clés**

Écosse, Brexit, immigration, indépendance, SNP

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**Edwige Camp-Pietrain**

Professeur des Universités, laboratoire LaRSH, département CRISS, UPHF, ISH, bâtiment Matisse, Le Mont Houy, Valenciennes Cedex 9