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European Perceptions of Scottish Independence Before and After Brexit

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ABSTRACT

This article examines European perceptions of Scottish independence before and after Brexit, focusing on the responses of EU institutions and member states. While the 2014 Scottish independence referendum and the Brexit vote of 2016 are well studied from a UK-centric perspective, the EU's stance on Scotland's potential secession has received less attention. This study explores how the EU's position evolved across three key periods: the pre-Brexit years (2012–2015), the Brexit negotiation era (2016–2020) and the post-Brexit recalibration (2020–2024). The analysis reveals a nuanced European response, marked by cautious neutrality that occasionally gave way to more supportive

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Irish Studies in International Affairs, Vol. 36, No. 2 (2025), 100–122, *Analysing and Researching Ireland, North and South*. DOI: 10.1353/isia.00005. © 2025 The Author(s). This is an open access article licensed under a Creative Commons Attribution-NonCommercial 4.0 International License.



rhetoric in the wake of Brexit. However, the EU's institutional stance remains largely unchanged, with Scottish independence and potential EU membership still seen as internal matters for the UK. The article concludes by considering the implications of these findings for Scotland's ongoing independence movement and its future relationship with the EU.

INTRODUCTION

During the Euro 2024 football tournament, amid a UK general election campaign, newly selected Scottish first minister John Swinney joined the 'Tartan Army', the legion of Scottish football fans who went to Germany to support Scotland in the tournament. The first minister was photographed in a kilt, holding a pint in front of a billboard that read 'Scotland back in Europe. As we should be. Good luck to the boys.' Scotland's fans were warmly received, with fans piped out following the final defeat to Hungary. German football pundit Philipp Lahm wrote in the *Guardian* 'They want to be part of Europe ... I've been asked what bothers me most about this Euros. I said that the Scots have already gone home.' He added an exhortation: 'Let's be who we are, let's all be Scots!'¹ These warm words suggest that Scotland, notwithstanding the UK's exit from the EU, remains welcome in Europe, but does it receive the same welcome within Europe's political institutions?

While Brexit was the primary focus of debate in the 2019 UK general election, there was very little mention of the EU in the election campaign before voters went to the polls in July 2024. The principal exception was the Scottish National Party (SNP), whose manifesto lambasted the effects of Brexit, championed the case of an independent Scotland in the EU, and ultimately advocated rejoining the EU as an independent member state.² The 2024 election followed a decade in which the UK's territorial constitution had been in a state of seemingly perpetual flux.³ The SNP, whose *raison d'être* is Scottish independence, has been in power in Scotland since 2007. In 2011 the party achieved a remarkable electoral feat, securing a majority of seats in the Scottish parliament (69 of 129) and winning a political mandate to hold an

¹ Philipp Lahm, 'Let's all be Scots: fans infected everyone at Euro 2020 with their good humour', *The Guardian*, 28 June 2024.

² SNP, *A future made in Scotland* (Edinburgh, 2024).

³ Paul Anderson, *Territorial politics in Catalonia and Scotland: nations in flux* (Manchester, 2024).

independence referendum. Following negotiations with the UK government, voters in Scotland went to the polls in September 2014. Fifty-five per cent of the electorate voted against independence, but the result did not settle the matter.

Membership of the SNP swelled, and the party won 56 of Scotland's 59 seats at the 2015 general election. Notwithstanding this growth in popularity, it was the result of the 2016 referendum on the UK's membership of the EU that reignited the Scottish independence debate. By a margin of 52 to 48 per cent, the UK electorate voted to leave the EU, but this slim majority masked the territorial incongruity of the results across the UK's four constituent territories: while England and Wales voted to leave, Scotland and Northern Ireland voted to remain. From 2016 on, relations between the Scottish and UK governments were coloured by diametrically opposing and competing visions vis-à-vis Scotland's membership of the EU and its constitutional future, culminating in official requests by the Scottish government for a second independence referendum.⁴ These requests were denied by Theresa May and Boris Johnson during their successive premierships, with both prime ministers taking a more intransigent and even combative approach to UK–Scotland relations.⁵ Eleven years after the independence referendum, nine years since the Brexit vote and five years since the UK officially left the EU, Brexit no longer dominates the political debate in London, but Scotland's relationship with the EU remains a salient theme in Scottish politics.⁶

In this article, we explore perceptions of Scottish independence within European institutions and member states. In doing so, we compare three successive periods. The first, the period prior to the UK's departure from the EU (2012–2015), encompasses the Scottish independence campaign and referendum. The second contains the Brexit referendum and a protracted period of negotiations, during which Scottish independence remained a highly salient issue (2016–2020). We conclude by analysing the period of recalibration

⁴ Nicola McEwen, 'Irreconcilable sovereignties? Brexit and Scottish self-government', *Territory, Politics, Governance* 10 (2) (2022), 733–49; Nicola McEwen and Mary C. Murphy, 'Brexit and the union: territorial voice, exit and re-entry strategies in Scotland and Northern Ireland after EU exit', *International Political Science Review* 43 (3) (2021), 374–89.

⁵ Paul Anderson and Coree Brown Swan, 'An unstable Union? The Conservative Party, the British political tradition and devolution in Scotland and Wales, 2010–23', *Parliamentary Affairs* 77 (4) (2024), 790–815; Coree Brown Swan and Paul Anderson, 'Representing Scotland: conservative narratives of nation, union and Scottish independence', *Frontiers in Political Science* 6 (2024), <https://doi.org/10.3389/fpos.2024.1392346>.

⁶ Scottish Government, *An independent Scotland in the EU* (Edinburgh, 2023).

following the UK's exit from the EU (2020–2024). While analyses of Scotland's position are numerous,⁷ analyses of the EU's position on Scotland are more limited,⁸ in part due to the circumspection of EU representatives on the thorny issue of 'internal secession'. Here, we examine the position of EU institutions and member states during the referendum period (2012–2016) and ask whether this position changed with the UK's vote to leave and subsequent departure from the EU. To answer these questions, we draw on a number of sources that make reference to Scottish independence—parliamentary debates, speeches and newspaper articles—to examine the ways in which positions on Scottish independence as expressed by EU representatives within EU institutions and member states have evolved pre- and post-Brexit.

While the salience of Scottish independence has never been high in Brussels and EU member states, by examining statements made by individuals and institutions, we are able to capture some of the nuance that surrounds the question of secession from the UK, and Scotland as a prospective member of the EU. This allows us to move beyond the domestic debate, wherein the EU was instrumentalised to advance territorial arguments. Throughout this article, we reflect on the role of an institutionalised preference for the status quo, the changing position of the UK (from member state to third country), and the intensive paradiplomatic efforts embarked upon by the Scottish government in support of its independence ambitions. Further, as part of this broader special section, we consider the EU's approach to constitutional change more generally, and how the prospect of Irish unification might be managed by the EU.

THE EUROPEAN UNION AND SECESSIONISM

Within the realms of international law, secession is a somewhat thorny issue, neither legal nor illegal. International organisations, however, tend to favour

⁷ Daniel Cetrà and Robert Liñera, 'Breaking-up within Europe: sub-state nationalist strategies in multilevel politics', *Journal of Common Market Studies* 56 (3) (2018), 717–29; Sionaidh Douglas-Scott, 'Scotland, secession, and the European Union', in Aileen McHarg et al. (eds), *The Scottish independence referendum: constitutional and political implications* (Oxford, 2016), 175–97; Kirsty Hughes, *Scotland's European relations: where next?* (Edinburgh, 2021).

⁸ Carlos Closa, 'Secession from a member state and EU membership: the view from the Union', *European Constitutional Law Review* 12 (2) (2016), 240–64; Emanuele Massetti, 'The European Union and the challenge of "independence in Europe": straddling between (formal) neutrality and (actual) support for member-states' territorial integrity', *Regional and Federal Studies* 32 (3) (2022), 307–30.

the status quo, supporting secession only when certain conditions are met. Indeed, the UN requires a new application for membership from the seceding state.⁹ For the EU, ‘there is no clear and explicit EU law provision regarding secession within EU member states’.¹⁰ Despite the growing salience of pro-European, independentist movements across Europe, notably in Scotland and Catalonia,¹¹ the question of whether a seceding entity would remain a member of the EU remains subject to academic, legal and political debate.

The literature largely focuses on the legal technicalities of whether newly independent states would be extended EU membership automatically or whether they would have to reapply as a new potential member state.¹² The EU’s response is largely governed by the Prodi Doctrine, named after then EC President Romano Prodi, who responded to a written question by an MEP in 2004 on whether a newly independent region would have to leave the EU. Prodi replied:

When a part of the territory of a Member State ceases to be a part of that state, e.g., because that territory becomes an independent state, the treaties will no longer apply to that territory. In other words, a newly independent region would, by the fact of its independence, become a third country with respect to the Union and the treaties would, from the day of its independence, not apply anymore on its territory. Under Article 49 of the Treaty on European Union, any European State which respects the principles set out in Article 6(1) of the Treaty on European Union may apply to become a member of the Union.¹³

This doctrine has been reaffirmed in the context of growing secessionist demands in some EU member states, most notably Spain and the UK.¹⁴ Queries

⁹ Allen Buchanan, ‘Theories of secession’, *Philosophy & Public Affairs* 26 (1) (1997), 31–61; Konrad G. Buhler, *State secession and membership in international organizations* (Leiden, 2021).

¹⁰ Núria González Campaña, *Secession and European Union law: the deferential attitude* (Oxford, 2024).

¹¹ See Paul Anderson and Soeren Keil, ‘Minority nationalism and the European Union: the cases of Scotland and Catalonia’, *L’Europe en Formation* 379 (2016), 40–57; Angela K. Bourne, ‘Europeanization and secession: the cases of Catalonia and Scotland’, *Journal on Ethnopolitics and Minority Issues in Europe* 13 (3) (2014), 94–120; Niklas Bremberg and Richard Gillespie, *Catalonia, Scotland and the EU: visions of independence and integration* (Abingdon, 2022).

¹² Stephen Tierney, ‘Accession of an independent Scotland to the European Union: a view of the legal issues’, Centre on Constitutional Change, Edinburgh, 2013; Justin Borg-Barthet, ‘Scottish statehood and continued membership of the European Union: do we still have no answers?’, *Edinburgh Law Review* 19 (3) (2015), 414–19.

¹³ European Parliament. *Parliamentary question – answer given by Mr Prodi on behalf of the Commission*, 1 March 2004.

¹⁴ Niklas Bremberg and Jouni Reinikainen, ‘Voluntary association, not state consent: why the EU’s stance on secession rests on the wrong concept of legitimacy’, *Regional and Federal Studies* 34 (5) (2023), 713–32.

by Scottish nationalists made in 2012 were met with a reaffirmation of the doctrine as well as a refusal to be drawn on hypotheticals vis-à-vis potential secessions or membership applications. In short, the position adopted by EU institutions is largely understood to be ‘neutral’, whereby issues of secession are considered to be the internal matters of specific member states.¹⁵ As Graham Avery, a former EU official, notes, ‘on the question of independentism in member states, the policy of the European institutions is not to have a policy but rather to respect the constitutional arrangements of member states concerned’.¹⁶ That said, recent analyses offer a more nuanced interpretation of the EU’s position and suggest that while the EU tends to rely on legal interpretations, their use is in fact reflective of very political considerations/calculations.

In his analysis of EU institutions and reactions to secessionism in Catalonia and Scotland, Massetti argues that while EU institutions and officials maintain positions of neutrality, which in turn bolsters the anti-secessionist stances of member state (central) governments, this sometimes amounts to mere ‘lip-service’ whereby notions of ‘independence in Europe’ by secessionist elites are presented ‘as virtually impossible’.¹⁷ Bremberg and Reinikainen offer a more vehement critique of EU institutions, particularly the EU’s reliance on the Prodi Doctrine, which the authors attest is not a neutral construct but rather an ‘ultimatum’ in which ‘people in the secessionist unit would need to choose between either becoming independent or retaining the rights that they currently possess as EU citizens’.¹⁸ Developing a similar argument to Massetti, the authors conclude that ‘it is the existing member states who benefit from the doctrine, since upholding it makes it very costly to challenge the territorial *status quo* within EU member states’.¹⁹

As we discuss below, EU actors affirmed the Prodi Doctrine on the question of Scottish independence in the period leading up to the Scottish referendum. In the case of Catalonia, which held a referendum in 2017 in violation of Spanish constitutional law, the EU’s position, as documented by Holesch and Jordana, triggered more opposition to secession within the European Parliament, member states and key institutions. The authors identify a preference for the territorial status quo among European figures, and

¹⁵ Massetti, ‘The European Union and the challenge of “independence in Europe”’, 322.

¹⁶ Graham Avery, ‘Independentism and the European Union’, European Policy Centre, Brussels, 7 May 2014.

¹⁷ Massetti, ‘The European Union and the challenge of “independence in Europe”’, 322.

¹⁸ Bremberg and Reinikainen, Voluntary association, not state consent, 12.

¹⁹ Bremberg and Reinikainen, Voluntary association, not state consent, 15.

show that prior to the 2017 vote, comments on Catalan secessionism ‘showed some benevolent neutrality towards the Spanish state, but were careful not to explicitly condemn the Catalan secessionist side either’.²⁰ In the aftermath of the 2017 vote, official responses from EU institutions replaced neutrality with support for the Spanish government and specifically prime minister Mariano Rajoy to resolve the issue. As the authors note, the EU ultimately became ‘a benevolent supporter of the member state’, a position they attribute to, *inter alia*, the intensive engagement by the Spanish government within EU institutions and the ‘secessionist-straining’ nature of the EU itself.²¹ The response of EU institutions to secessionist demands therefore suggests both legal and political calculations.

SCOTLAND, EUROPE AND INDEPENDENCE

The early decades of the SNP were characterised by opposition to British membership of the then European Economic Community (EEC), an opposition largely based on a fear of trading one centralised, distant authority for another. In the 1975 referendum on EEC membership, the SNP campaigned against continued membership, under the slogan ‘No Voice, No Entry’.²² This slogan, however, suggested a contingency to the SNP’s opposition: that an independent Scotland would be open to membership on condition that it had its own direct say as a member state.²³

Following the affirmative referendum on EEC membership, and a failed referendum on devolution, the party shifted ideologically, a move that included its position on the European project. This was motivated by a new generation of leadership who saw positive potential in European membership, both on its own virtues and as a means of freeing Scotland from a Thatcher-dominated government in the UK.²⁴ In 1988, the party abandoned its opposition to EEC membership in favour of support for ‘independence in Europe’, a position it

²⁰ Adam Holesch and Jacinta Jordana, ‘The politics of unilateral secession in the European Union: the case of Catalonia’, *Territory, Politics, Governance* 11 (6) (2023), 1185–204: 1194.

²¹ Holesch and Jordana, ‘The politics of unilateral secession in the European Union’, 1197, 1186.

²² Andrew D. Devenney, ‘Regional resistance to European integration: the case of the Scottish National Party, 1961–1972’, *Historical Social Research* 33 (3) (2008), 319–45.

²³ Allan Macartney, ‘Independence in Europe’, in Alice Brown and Richard Parry (eds), *The Scottish government yearbook 1990* (Edinburgh, 1990), 35–48.

²⁴ Coree Brown Swan and Nicola McEwen, ‘From “Macaroni for your Sunday joint” to the Eu love-in: Scottish nationalism’s generational shift in framing Europe’, in Alain-G. Gagnon and Luc Turgeon (eds), *Generations and nationalism: comparing Catalonia, Quebec and Scotland* (forthcoming).

believed would facilitate economic and political integration and ultimately lessen the risks of independence.²⁵

Independence in Europe remains the crux of the party's position to the present day, a nuanced understanding of shared sovereignty—a model of self-government that features close cooperation with both the EU and the rest of the UK. For Brown Swan and McEwen, this understanding of shared sovereignty has had a long-lasting effect on the SNP's vision for independence, framed not as 'independence as separation' but as 'embedded independence, that is a form of self-government which aspires to statehood, but sees that state embedded in transnational economic, political and institutional networks'.²⁶ In recent decades, this position has become entrenched within the party, embodied in what SNP figures see as a vision of independence in Europe that is 'internationalist rather than isolationist'.²⁷ This stance has been heightened in the aftermath of the UK's (and by extension, Scotland's) departure from the EU, offering 'the SNP Government considerable scope to outline a different approach to the EU than that taken by the UK Government in Westminster'.²⁸

Indeed, since 2016 there has been an identifiable upward trend in the Scottish government's engagement with EU institutions and member states. Such paradiplomatic engagement is not new; in the 1990s the Scottish Office in Whitehall undertook such activities, while the first Labour-led administrations in Scotland cultivated close relations with EU institutions and other sub-state actors.²⁹ Since the SNP took office in 2007, however, there has been an intensification of EU engagement, shifting from paradiplomacy—the involvement of non-central governments in international relations—to protodiplomacy, i.e. 'international engagement shaped primarily by a sub-state's secessionist aspirations'.³⁰ In this sense, the SNP government sought to increase the visibility of Scotland across Europe, with a primary objective of

²⁵ Eve Hepburn, 'Degrees of independence: SNP thinking in an international context', in Gerry Hassan (ed.), *The modern SNP: from protest to power* (Edinburgh, 2009), 190–203.

²⁶ Coree Brown Swan and Nicola McEwen, 'Embedded independence: self-government and interdependence in the Scottish national movement', in Andre Lecours, Nikola Brassard-Dion and Guy Laforest (eds), *Constitutional politics in multinational democracies* (Montreal, 2021), 75–100: 81.

²⁷ Anderson, *Territorial politics in Catalonia and Scotland*, 129.

²⁸ Carolyn Rowe, 'Scotland: inside Nicola Sturgeon's operation to win European support for independence from the UK', *The Conversation*, 1 December 2022, available at: <https://theconversation.com/scotland-inside-nicola-sturgeons-operation-to-win-european-support-for-independence-from-the-uk-195485> (18 February 2025).

²⁹ Rachel Minto, Carolyn Rowe and Elin Royle, 'Sub-states in transition: changing patterns of EU paradiplomacy in Scotland and Wales, 1992–2021', *Territory, Politics, Governance* 12 (10) (2024), 1542–62.

³⁰ Minto et al., 'Sub-states in transition', 1542–3.

positioning Scotland as a future member state, one that would make a positive contribution to the European project.

NEGATIVE NEUTRALITY: 2012–2015

The 2014 Scottish referendum was underpinned by an agreement between the UK and Scottish governments, lending ‘legal authority and political credibility’ to the vote.³¹ As a result, the referendum had greater international legitimacy. While, as detailed below, EU institutions professed neutrality towards the issue of independence, it was not treated with the same sense of risk or condemnation as in the case of Catalonia. In our analysis, we identify the EU’s position as largely one of negative neutrality, combining an often implicit concern about a secessionist project within European borders with a statement that this was a democratic exercise, falling within the boundaries of the British constitutional system. It was only when the independence prospectus was defeated that European politicians expressed their relief, suggesting a latent concern that went largely unexpressed during the campaign.

Within Scotland, the 2014 referendum debate was characterised by competing knowledge claims over the outcomes of Scottish independence—whether Scotland would be richer or poorer, what currency an independent Scotland would use, and whether an independent Scotland would remain a member of the EU.³² The Scottish government and wider Yes campaign argued that Scotland would be welcomed by the EU and accede as a successor state. The government’s 650-page White Paper published during the campaign lauded the benefits of EU membership. The Yes campaign drew explicit contrasts between an independent Scotland, as a pro-European, outward-looking and constructive EU partner, and the UK government, portrayed as at odds with the European project and inimical to Scottish interests within the EU.³³ During the campaign, the UK government and Better Together (the pro-Union campaign) suggested a long, difficult process to rejoin the EU, with frequent references to the possibility that Spain, with its own secessionist challenges,

³¹ Stephen Tierney, ‘The Scottish independence referendum: a model of good practice in direct democracy?’, in McHarg et al., *The Scottish independence referendum*, 53–74: 55.

³² See Michael Keating (ed.), *Debating Scotland: issues of independence and union in the 2014 referendum* (Oxford, 2017).

³³ Scottish Government, *Scotland’s future: your guide to an independent Scotland* (Edinburgh, 2013).

would veto Scotland's request to join the EU.³⁴ The Scottish government rejected these claims, instead arguing that its approach to EU membership would be premised on 'the principle of continuity of effect', i.e. necessitating a Treaty amendment (still to be agreed by all member states) rather than a prolonged process of accession.³⁵

While the question of membership was fiercely debated within Scotland, discussion among EU officials and member state governments was largely muted. As discussed above, in line with the general position of neutrality, EU officials and member state governments were reluctant to comment on the issue, considering it a domestic matter for the UK government. José Manuel Barroso, then president of the European Commission, made one of the first important statements on the issue in 2012, when, in reply to the House of Lords European Affairs Committee, he wrote that 'it is not the role of the European Commission to express a position on questions of internal organisation related to the constitutional arrangements of a particular Member State'.³⁶ Fourteen months later, Barroso intervened on the issue again during an interview on the BBC, but this time the tone of the EC president was markedly different. Stating that it would be 'difficult, if not impossible' for an independent Scotland to join the EU, Barroso continued 'It will be extremely difficult to get the approval of all the other member states to have a new member coming from one member state', offering the example of Spain's opposition to recognising Kosovo as evidence of this complex and difficult process.³⁷ This intervention not only stretched the notion of EU neutrality but bolstered the position of the UK government, lending credence to the argument by Holesch and Jordana that 'In questions of secession, the EU acts as a "Union of member states"'.³⁸ President of the European Council Herman Van Rompuy also adopted this more explicitly negative position, saying 'Nobody has anything to gain from separatism in the world of today ... How can separatism help? The word of the future is "union"' and concluding that Scotland would have to reapply.³⁹

Member state governments themselves were relatively quiet, hesitant, as noted above, to intervene in the domestic affairs of a fellow European state.

³⁴ HM Government, *United Kingdom, united future: conclusions of the Scotland analysis programme* (London, 2014), 42.

³⁵ Scottish Government, *Scotland's future*, 13.

³⁶ José Manuel Barroso, 'Letter to Lord Tugendhat', 10 December 2012.

³⁷ BBC News, 'José Manuel Barroso on the Andrew Marr Show', 16 February 2014.

³⁸ Holesch and Jordana, 'The politics of unilateral secession in the European Union', 1196.

³⁹ Angus Macleod, 'The word of the future is union, warns Van Rompuy', *The Times*, 5 November 2012.

In a written answer in response to a question asking if the Irish government would support an independent Scotland's membership of the EU, the then minister of state at the Department of Foreign Affairs and Trade, Paschal Donohoe, responded that while the Irish government was

monitoring the debate very closely ... I do not believe it would be appropriate for the Government to comment ... on issues which at this stage are hypothetical, especially where comment might be perceived as an intervention in the debate.⁴⁰

In a contemporaneous account of the campaign, Walker describes the 'instinctive reaction' of foreign governments as negative, noting:

Besides the usual preference for the status quo, states easily unite around a distaste for secession. Many states inside and outside Europe have their own troubles with secessionist movements and dislike external happenings that give them encouragement.⁴¹

Instead, they were 'content to observe goings-on at a distance'.⁴² As a result, public interventions from the international community were rare. The highest profile intervention came from outside the EU when then US president Barack Obama expressed his preference for the UK remaining a 'strong, robust, united and effective partner'.⁴³ There were, nonetheless, several noteworthy declarations from the Spanish government, notably viewed in light of increasing agitation for Catalan independence during this period. In late 2013, in response to a question on the Scottish government's proposed path to independence, the then Spanish prime minister, Mariano Rajoy, in contrast with the Scottish government's position, noted: 'I respect all the decisions taken by the British, but I know for sure that a region that would separate from a member state of the European Union would remain outside the European Union'.⁴⁴ This declaration did not amount to a suggestion that Spain would veto an independent Scotland's potential membership of the EU, though it

⁴⁰ *Dáil debates, Questions* (30), 3 April 2014.

⁴¹ William Walker, 'International reactions to the Scottish referendum', *International Affairs* 90 (4) (2014), 743–59: 747.

⁴² Walker, 'International reactions to the Scottish referendum', 744.

⁴³ *BBC News*, 'Scottish independence: Barack Obama backs "strong and united" UK', 5 June 2014.

⁴⁴ Carlos E. Cué, 'Rajoy usa Escocia para lanzar un aviso a Cataluña', *El País*, 27 November 2023.

was not explicitly ruled out by Spanish ministers. Indeed, in February 2014, the then Spanish foreign minister, José-Manuel García-Margallo, while refusing to comment on the use of a veto and insisting that Scottish independence was a matter for ‘Britain’s constitutional order’, noted ‘if Scotland becomes independent in accordance with the legal and institutional procedures, it will ask for admission [to the EU]. If that process has indeed been legal, that request can be considered. If not, then not.’⁴⁵

Despite their intention not to intervene in the domestic affairs of a member state, the defeat of independence in the referendum was met with approval by representatives of EU institutions.⁴⁶ However, the referendum did little to settle the question of Scottish independence, and the SNP saw a rapid increase in membership and electoral support in the period following. The 2015 UK general election illustrated the differences between Scotland and the rest of the UK: the Conservatives secured an unexpected majority at Westminster, but in Scotland the SNP won all but three seats. The result provided the Conservatives with the necessary mandate for an in–out referendum on the UK’s membership of the EU. The Scottish government continued to warn that Scotland could be taken out of the EU against its will.⁴⁷ In the run-up to the devolved elections of 2016, the SNP’s manifesto included a ‘mandate’ for a second referendum, in the event of ‘a significant and material change in circumstances ... such as Scotland being taken out of the EU against our will’.⁴⁸ This set the stage for an as yet unmet demand for a second referendum.

INDEPENDENCE, BREXIT AND EUROPE (2016–2024): WORDS, NOT DEEDS

The vote by the UK to leave the EU reignited the Scottish independence debate, with 62 per cent of Scottish voters opting to remain, the highest proportion in the four nations of the UK. In immediate reaction to the vote, first minister Sturgeon claimed that it represented ‘a significant and material change of

⁴⁵ Tobias Buck and Mure Dickie, ‘Spain promises non-interference on Scotland’, *Financial Times*, 2 February 2014.

⁴⁶ ‘Scottish referendum result good for united Europe: Barroso’, *EU in Serbia*, 19 September 2014, available at: <https://europa.rs/scottish-referendum-result-good-for-united-europe-barroso> (18 February 2025); ‘Schulz on the result of the referendum on independence for Scotland’, *EU Monitor*, 19 September 2014, available at: <https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/vjnbc8gg1iym> (18 February 2025).

⁴⁷ Magnus Gardham, ‘Sturgeon: partnership with EU “essential” for Scotland’, *The Herald*, 2 June 2015.

⁴⁸ SNP, *Re-elect: 2016 manifesto* (Edinburgh, 2016).

the circumstances in which Scotland voted against independence in 2014', providing a mandate for a second referendum. Sturgeon wrote to prime minister Theresa May requesting a vote, a request rebuffed by the UK government.⁴⁹ The protracted Brexit negotiation process saw a further deterioration in relationships between the SNP government in Edinburgh and the Conservative government in London.⁵⁰ During this period, the SNP's support for EU membership remained unchanged, with the Brexit result viewed as 'a game changer' in boosting the effort of the Scottish government 'to retain the closest possible links with the rest of the EU' as well as shifting attitudes within Brussels and member states vis-à-vis Scotland and its pursuit of independence and EU membership.⁵¹ Advocates of independence have also become more supportive of Scotland's membership of the EU, with the 2023 Scottish Social Attitudes Survey finding that of those who would vote 'yes' in a second independence referendum, 59 per cent supported EU membership versus 20 per cent who did not. This was in contrast to 2016 data, which suggested a more even distribution (48 per cent supportive, 44 per cent against).⁵²

In our analysis below, we identify expressions of goodwill and a softening of tone by key figures in Brussels and member states towards Scotland and its EU membership ambitions, but find little evidence of any substantive change in the approach to Scottish independence. For analytical clarity, we make a distinction between the negotiation period, which concluded with the passage of the Brexit Withdrawal Agreement in January 2020, and the post-exit period, which was characterised by both ongoing negotiations over the status of Northern Ireland and a series of exogenous crises (the Covid-19 pandemic, the Russian invasion of Ukraine and the subsequent energy/inflation crisis) that tested the EU's internal cohesion.⁵³

2016–2020

The months following the EU referendum saw intensive paradiplomatic efforts by the Scottish government to remind EU institutions and member states that

⁴⁹ Nicola Sturgeon, 'First Minister: EU referendum result', 24 June 2016, available at: <https://www.gov.scot/publications/first-minister-eu-referendum-result/> (18 February 2025).

⁵⁰ Anderson and Brown Swan, 'An unstable Union?'; McEwen, 'Irreconcilable sovereignties?'; Michael Keating, 'Between two unions: UK devolution, European integration and Brexit', *Territory, Politics, Governance* 10 (2) (2022), 629–45.

⁵¹ Stephen Gethins, *Nation to nation: Scotland's place in the world* (Edinburgh, 2021), 110, 114.

⁵² Sir John Curtice, *How Brexit has changed Scotland's constitutional debate* (Edinburgh, 2024).

⁵³ Mark Rhinard, Neill Nugent and William E. Paterson, *Crises and challenges for the European Union* (London, 2023).

the decision to leave the EU was not supported by the Scottish electorate.⁵⁴ Within days of the vote, first minister Sturgeon was in Brussels meeting leaders of the European Commission and European Parliament. Her objectives were 'to protect Scotland's relationship with the European Union and our place in the European Union and secondly, to begin the process of mapping out and exploring what the options for Scotland might be'.⁵⁵ The first minister held meetings with both Martin Schulz (president of the European Parliament) and Jean-Claude Juncker (president of the European Commission) as well as with parliamentary group leaders. In press remarks after, EU leaders had little to say on the topic of Scottish independence or Scotland's place in the EU, reiterating the line rehearsed during the 2014 referendum that these were internal affairs to be negotiated between the Scottish and UK governments. Commenting on his meeting with Sturgeon, Juncker stated 'Scotland won the right to be heard in Brussels. So I will listen carefully to what the first minister will tell me but we don't have the intention, neither Donald Tusk [president of the European Council,] nor myself, to interfere in the British process. That is not our job'.⁵⁶

A search of European Parliament debates finds little mention of Scotland and the question of Scottish independence, suggesting that the debate remained outside the remit of the EU institutions, even as sub-state nationalist parties within the European Parliament expressed their support for Scotland. However, following the Brexit vote, a series of written questions were lodged that noted the votes to remain in Scotland and Northern Ireland and queried the process by which Scotland could join the EU as a member state. These questions were rebuffed by respondents as 'hypothetical' or met with the response that 'The Council does not comment on matters relating to the internal organisation of one of the Union's member states', further signalling the EU institutions' reluctance to engage while the UK remained a member state of the European Union.⁵⁷

While EU leaders sought to maintain neutrality on the issue, this was not the case for some European parliamentarians and member state politicians. Prior to meeting with Sturgeon in Brussels, Guy Verhofstadt, then parliamentary lead for the Alliance of Liberals and Democrats for Europe (ALDE) group in the European Parliament and later the European Parliament

⁵⁴ Minto et al., *Sub-states in transition*.

⁵⁵ Press Association, 'Nicola Sturgeon in Brussels to press case for keeping Scotland in EU', *The Guardian*, 29 June 2016.

⁵⁶ *BBC News*, 'Brexit: Spain and France oppose Scotland EU talks', 29 June 2016.

⁵⁷ European Parliament Question E-005275/2016.

Brexit coordinator, was particularly forthcoming in his support for Scottish membership of the EU. Akin to other European politicians, he believed any decision on independence was ‘a decision to be made by the Scottish people’ but continued that ‘if Scotland decides to leave the UK, to be an independent state, and they decide to be part of the European Union, I think there is no big obstacle to do that’.⁵⁸ In a debate on the referendum result in the Irish parliament one day earlier, Micheál Martin, then leader of the opposition and later taoiseach, was equally forthcoming in registering his support for a special arrangement to facilitate Scotland’s future membership of the EU:

The future of Scotland within the United Kingdom is a matter for the people of Scotland. However, the future of Scotland within the European Union, should it leave the United Kingdom, is a matter which concerns all European Union states. I and my party believe that it would be unacceptable for Scotland to be treated as a normal candidate country should it seek to remain as a member of the European Union.⁵⁹

On 29 June 2016, the incumbent Irish taoiseach, Enda Kenny, at a meeting with all member state leaders (including David Cameron), raised the issue of the majority vote in Scotland for ‘remain’ and noted that, as was the position of the Scottish government, Scotland should not be ‘dragged out’ of the EU. While framed in the media as an ‘unprecedented intervention’ and widely criticised by pro-Brexit politicians in the UK, the remarks illuminate an evolution in the position of the Irish government from withholding comment before the two referendums to—at least on this occasion—pressing the Scottish case in European institutions.⁶⁰

In other member states, we note a similar softening of tone on the topic of independence and specifically EU membership. This was particularly the case among some German politicians, a key target group for the Scottish government’s paradiplomatic efforts, culminating in the opening of a Scottish Government International Office in Berlin in April 2018.⁶¹ In 2016 and 2017, various German politicians from across the political spectrum made positive

⁵⁸ STV News, ‘No big obstacle to independent Scotland joining EU’, 28 June 2016.

⁵⁹ *Dáil debates*, vol. 915, col. 1 (27 June 2016).

⁶⁰ Cormac McQuinn, Colm Kelpie and Kevin Doyle, ‘Kenny stirs Tory fury after plea for EU Scotland deal’, *Irish Independent*, 20 June 2016.

⁶¹ Gethins, *Nation to nation*, 114.

remarks about the prospect of an independent Scotland rejoining the EU. Gunther Krichbaum, head of the EU Affairs Committee in the German parliament, welcomed the prospect of an affirmative second referendum on independence, arguing that ‘the EU will continue to have 28 member states, as I expect another independence referendum in Scotland’.⁶² This optimism that Scotland could rejoin the EU as an independent state was shared by other politicians: Sigmar Gabriel, then minister of economic affairs and energy in the German government and later minister of foreign affairs, endorsed Scotland’s ability to join the EU as an independent state,⁶³ while Elmar Brok, a member of the Christian Democratic Union of Germany and former chairman of the European Parliament’s Foreign Affairs Committee, sympathised with Scotland’s ambition and believed the process of EU membership could be ‘relatively speedy’.⁶⁴

In a 2017 interview, French president Emmanuel Macron maintained neutrality on the topic of Scottish independence, but acknowledged his ‘understanding that they love Europe’, going on to proclaim ‘Vive l’Écosse européenne’.⁶⁵ Like preceding comments by German politicians, this was seized upon by nationalists as evidence of openness in Europe, but is again an instance of warm words rather than a substantive expression of support for the SNP’s independence cause.

While there was a somewhat sympathetic and softening tone in some member states, this was not the case, at least initially, in Spain. As already noted, faced with its own secessionist pressures in Catalonia, the Spanish government closely observed developments in Scotland during the 2014 referendum as well as the reignited debate on independence post-Brexit referendum. Reacting to Nicola Sturgeon’s initial visit to Brussels in 2016, the Spanish prime minister, Mariano Rajoy, opposed any conversations with Scottish officials as related to Brexit negotiations: ‘I want to be very clear: Scotland does not have the competence to negotiate with the European Union. Spain opposes any negotiation by anyone other than the government of the

⁶² Janosch Delcker, ‘When Scotland met Germany’, *Politico*, 24 March 2017.

⁶³ Hamish Macdonell, ‘Senior German minister gives Sturgeon boost in her EU fight’, *The Times*, 4 July 2016.

⁶⁴ *BBC News*, ‘German MEP Elmar Brok says Scotland rejoining EU could be speedy’, 6 April 2017.

⁶⁵ Laura Webster, ‘Scottish independence: what Emmanuel Macron has said on Scotland’s future’, *The National*, 25 April 2022.

United Kingdom.’⁶⁶ A similar sentiment was expressed by French President Francois Hollande.⁶⁷

However, in the aftermath of the UK’s formal notice to leave the EU (i.e. invoking of Article 50 of the Treaty on European Union) in 2017 we see more explicit statements from Spanish ministers addressing concerns vis-à-vis the potential use of veto to prohibit an independent Scotland joining the EU. While, as noted above, ministers were reluctant to rule this out as an option during the independence referendum campaign, this was not the case from 2017 on. On 2 April 2017, Spanish foreign minister Alfonso Dastis remarked that while he opposed secessionism, if this happened in the case of Scotland, ‘legally and constitutionally, we would not block it ... they would have to join the line of candidates at some point and would have to start negotiations’.⁶⁸ While the reference to joining the queue of potential candidates strikes a somewhat negative tone, the ruling out of the veto represented a significant softening of the Spanish position. Interestingly, despite a change of government in Madrid in 2018, there was no change in position by the Ministry of Foreign Affairs. The then foreign minister, Josep Borell, reiterated that as long as the conditions for a legal and constitutional referendum were met and agreed to by the UK government, Spain would not consider vetoing Scottish membership of the EU.⁶⁹

Between 2016 and 2020 we witness enhanced para/protodiplomatic engagement on the part of the Scottish government with EU institutions and member state governments. As Minto et al. argue, this forms part of a clear strategy ‘to distance the Scottish government from the UK Government over Brexit’ as well as to ensure an enhanced visibility and ‘presence in the networks around the EU institutions’.⁷⁰ Indeed, between 2016 and 2020, as well as maintaining its presence in Brussels through Scotland House, the Scottish government opened international offices in Dublin (2016), London (2017), Berlin (2018) and Paris (2018). Beyond such para/protodiplomatic activities, we also note more emotive entreaties made by SNP representatives throughout the Brexit process. Addressing the French National Assembly in 2019, Nicola Sturgeon emphasised the ‘historic links’ between Scotland and France and, as well as rejecting the UK government’s approach to Brexit and detailing her vision of

⁶⁶ BBC News, ‘Brexit: Spain and France oppose Scotland EU talks’.

⁶⁷ BBC News, ‘Brexit: Spain and France oppose Scotland EU talks’.

⁶⁸ *La Vanguardia*, ‘España no vetará el ingreso de una Escocia independiente en la UE’, 3 April 2017.

⁶⁹ Rafa de Miguel, ‘Borrell irrita a los euroescépticos y da ánimos al nacionalismo escocés’, *El País*, 21 November 2018.

⁷⁰ Minto et al., *Sub-states in transition*, 12, 13.

independence as interdependence within Europe, highlighted that her speech had a ‘basic’ and ‘simple’ message:

Scotland cherishes our friendship with France. We believe that it brings significant benefits to both of our countries. We want it to flourish further in the years ahead. And we are determined that that will happen regardless of Brexit.⁷¹

Similarly, in a speech in the European Parliament, SNP MEP Alyn Smith made an emotional plea to his parliamentary colleagues ‘to leave a light on so we can find our way home’.⁷² As the preceding analysis shows, throughout this period EU leaders were willing to meet with Scottish government representatives, but remained tight-lipped about their opinions or indeed preferences regarding Scotland’s place within the Union post-withdrawal. This was not the case for (some) European parliamentarians and member state politicians: we see an increase in goodwill towards Scotland and a softening of tone in remarks on Scotland’s future membership, albeit no guarantees or shifts in policy or process to ensure an easy transition to EU membership in the event of independence.

2020–2024

As the UK left the EU on 31 January 2020, an image of SCOTLAND and EUROPE joined by a heart was projected on the façade of the European Commission. This stunt, shared by first minister Sturgeon on Twitter, was designed to serve as a reminder of Scotland’s opposition to Brexit, ongoing links with Europe and of course, the Scottish government’s ambition to rejoin the EU as an independent member state. Much like the 2016–2020 period, the Scottish government remained active in the paradiplomatic space since the UK’s exit, through Scotland House Brussels, Scotland Europa and regular visits by senior leaders within the SNP.⁷³ A campaign disseminated via social media made a direct appeal to Europe that stressed Scotland’s European identity: ‘Europe. We’re leaving you, they say. But we won’t be leaving what we have together. We’ve come too far and we’re far too fond of you.’⁷⁴ Moreover, the paradiplomatic visibility of the Scottish government had not gone

⁷¹ Nicola Sturgeon, *First minister’s speech at French National Assembly*, 19 February 2019.

⁷² European Parliament, *Conclusions of the European Council meeting of 21 and 22 March 2019*, 27 March 2019.

⁷³ Gethins, *Nation to nation*.

⁷⁴ ‘Scotland is here’, 2021, available at: <https://www.scotland.org/video-transcript/scotland-is-here> (18 February 2025)

unnoticed in Europe's institutions,⁷⁵ bolstering—as the Scottish government hoped—Scotland's reputation as a European nation as well as providing 'European partners with, at an ideational level, a preliminary understanding of the key features of a future independent Scottish EU policy'.⁷⁶ These efforts were supplemented by civil society activities, reflective of the mobilisation that took place following the Brexit vote, and included an 'EU + ME' campaign, led by former SNP politician Stephen Gethins, to strengthen links between Scotland and the EU.⁷⁷

In 2021, the Scottish parliament passed the UK Withdrawal from the European Union (Continuity) (Scotland) Act, designed to ensure that devolved laws keep pace with developments in EU law. The Act's preceding Bill had been introduced in 2018 but was subject to legal challenge by the UK government. Jenny Gilruth, then Minister for Europe and International Development, considered the Act to be

a hugely important piece of legislation because what it does is it aligns us with key, high European standards, for example, with regards to the environment. We want to keep aligned with those standards, because fundamentally, we want to come back in the EU.⁷⁸

Importantly for the Scottish government, this was not missed by European politicians. In the final debate on the Withdrawal Agreement in the European Parliament, French MEP Gwendoline Delbos-Corfield singled out the efforts of the Scottish, Welsh and Northern Irish legislatures 'to express their attachment to the European Union'.⁷⁹

The goodwill and sympathy towards the position of Scotland we noted previously likewise continued in the period post-withdrawal. In an extraordinary intervention in February 2020, former European Council President Donald Tusk told the BBC that he felt 'very Scottish, especially after Brexit'. When pressed about Scottish independence, he said that while he had to 'respect the internal debate in the United Kingdom ... Emotionally I have no

⁷⁵ Gethins, *Nation to nation*, 119.

⁷⁶ Minto et al., *Sub-state transitions*, 16.

⁷⁷ STV News, 'New campaign to forge close ties between Scotland and EU', 22 July 2020.

⁷⁸ RFI, 'Despite Brexit, Scotland insists on the right to remain part of the EU', 2 March 2021.

⁷⁹ EU Parliament, *Withdrawal Agreement of the United Kingdom of Great Britain and Northern Ireland from the European Union*, 29 January 2020.

doubt that everyone will be enthusiastic here in Brussels, and more generally in Europe. If you ask me about our emotions you will witness, I think, always empathy.’⁸⁰ Tusk’s declaration was far from the ‘neutrality’ observed in our earlier period of analysis, representing a greater degree of candour than allowed while in post. Other European figures and alliances were likewise positive about Scotland’s future membership.

In interviews with the *Independent* newspaper, MEPs Erik Bergkvist and Terry Reintke were positive about Scotland joining the EU. For Swedish MEP Bergkvist, the process to facilitate EU membership should be straightforward: ‘We know a lot about Scotland. It has a good track record ... I would say it would be quite a simple process, because Scotland was until recently a member of the EU.’⁸¹ German MEP Reintke agreed, and argued that in the event of Scottish independence a dominant view within the European Parliament would be to ‘have an open door and if you want to re-join we would be ready to support that’.⁸²

In 2021, 170 cultural figures from across all EU member states signed a letter sent to the heads of EU institutions and all EU member state governments calling for the EU to make special arrangements to facilitate Scotland’s membership of the EU. While noting that independence was an issue for Scots, the letter called on the EU to ‘not stand idle’, and to ‘make a unilateral and open offer of membership’ to Scotland.⁸³ The letter, however, appeared to have fallen on deaf ears. While some MEPs within the European Parliament continued to press Scotland’s case, there has been no change in rhetoric or policy from key EU leaders; in any future membership bid, Scotland will have to follow the normal process. The most recent intervention came in mid-2020, when in response to a written question, president of the Commission Ursula von der Leyen outlined the EU’s position:

It is not the role of the Commission to express a view on possible constitutional developments in a third state. In accordance with Article 49 of the Treaty on European Union, any European State, which respects the values on which the Union is founded and is committed to promoting them, may apply to become a member of

⁸⁰ *BBC News*, ‘“Empathy” for independent Scotland joining the EU says Tusk’, 2 February 2020.

⁸¹ Adam Forrest, ‘Could an independent Scotland re-join the EU by 2031?’, *The Independent*, 4 May 2021.

⁸² Forrest, ‘Could an independent Scotland re-join the EU by 2031?’.

⁸³ *The Guardian*, ‘The EU must welcome an independent Scotland’ (letter), 29 April 2021.

the Union. The conditions and procedures for accession also apply to a State which was part of a former Member State.⁸⁴

In our analysis of European institutions and member state leaders during this period, we found no evidence of significant shifts beyond existing rhetoric. Considering the opposition of the UK government to holding a second independence referendum, the prospect of Scottish independence remained highly hypothetical. As such, there were few political downsides for European politicians in expressing warm words in support of Scotland's continued and/or future EU membership. Tellingly, as we noted previously, such positive rhetoric was not accompanied by any meaningful political commitment or shift in EU policy towards facilitating accession. While Scotland is welcomed informally in Brussels, there appears to be little movement towards engaging directly with the contentious debate over a second referendum.

LOOKING FORWARD: SCOTLAND, EUROPE AND 'BRITAIN RECONNECTED'

In this article we have identified three key phases that covered a period of protracted and contentious territorial debates within the UK and between the UK and the EU. Throughout this period, the SNP-led government called for independence in Europe or, failing that, a bespoke arrangement allowing Scotland to remain integrated within key institutions. They received little support from European politicians for these ambitions during the independence campaign, but we identified a softening in words, if not in deeds, as the UK voted to leave and later left the EU. The sympathy reflected by the heads (or former heads) of EU institutions and leaders of EU member states was welcomed in Scotland, and much was made of it by the SNP and the nationalist media. However, this sympathy failed to materialise into substantive action or policy change that would lend moral support to Scotland's case for independence, or EU membership should that independence be achieved. And the conditions for independence within the EU appear more challenging than ever given crises within the SNP, a new Labour UK government and the reset it seeks with the EU, and an EU more preoccupied with war on its Eastern border than with concern for an island on its Western periphery.

⁸⁴ European Parliament, Answer given by President von der Leyen on behalf of the European Commission, 18 May 2020.

At the time of writing, the SNP's independence ambitions appear to be in a degree of jeopardy, at least in the short term. A series of scandals and a succession of leaders have dented the party's electoral dominance, as evidenced by the loss of seats in the 2024 general election. The SNP has sought to maintain alignment with the EU, a policy designed to facilitate Scotland's eventual re-entry, but the contentious UK Internal Market Act may make this difficult, as seen with the debacle over a bottle deposit scheme.⁸⁵ However, support for independence remains high, suggesting a decoupling from support for the SNP.⁸⁶ The 45 per cent achieved in 2014 appears to be more of a floor than a ceiling, highlighting the ongoing relevance of the question of Scottish independence, irrespective of electoral politics or internal party woes.

The new Labour government at Westminster has pledged to see 'Britain reconnected' with Europe, while remaining outside the EU, suggesting an opportunity to improve relationships that had deteriorated, particularly over negotiations surrounding Northern Ireland, between the UK and the EU.⁸⁷ The government has sought closer cooperation on a range of technical trade issues. While it would be politically difficult to imagine Labour proposing re-entry to the EU, a more stable partnership is likely to emerge over time. This could be of benefit to the SNP's independence ambitions by aiding alignment in certain policy areas, or a hindrance as it becomes more difficult to draw a distinction, as had been drawn under the Conservatives from 2010, between a European Scotland and a Eurosceptic UK government.

While an immediate prospect of Scottish independence and subsequent efforts to rejoin the EU seems unlikely, it is worth reflecting, as have other contributors to this special section, on this case and Ireland. Although we were asked what lessons the Scottish case might present for Irish unification, we can perhaps reverse the question. We note that while the historical and political dynamics make conversations around Irish unification particularly difficult, the practicalities of EU accession are perhaps easier than in the Scottish case. This is twofold, reflecting the constitutional position of Northern Ireland contrasted with that of Scotland and the precedent for internal expansion. Firstly, the decision to grant a referendum in Scotland is a wholly political decision,

⁸⁵ Kenneth A. Armstrong, 'The governance of economic unionism after the United Kingdom Internal Market Act', *Modern Law Review* 85 (3) (2022), 635–60.

⁸⁶ Sir John Curtice, 'A broken link? Support for independence and the SNP', *What Scotland Thinks*, 11 April 2023, available at: <https://www.whatscotlandthinks.org/2023/04/a-broken-link-support-for-independence-and-the-snp/> (18 February 2025).

⁸⁷ Labour Party, 'Labour Party manifesto' (London, 2024).

within the remit of the UK government, which does not need to consider either requests made by the Scottish government or public opinion. In the case of a referendum on Irish unification, the terms under which this could be held are outlined in the Belfast/Good Friday Agreement.⁸⁸ It is the responsibility of the secretary of state for Northern Ireland to call a referendum in the event that it appears a majority in Northern Ireland would vote for unification. While there is some ambiguity as to what might trigger a vote (i.e. a sustained majority?), a referendum would result from an agreed process between the UK and Irish governments. Secondly, while the EU has not yet encountered secession from within an EU member state, it has experienced internal expansion in the form of German unification.⁸⁹ Within the island of Ireland, this would be complex—necessitating difficult decisions on currency and public services against a backdrop of potential community tensions—but at the EU level, Northern Ireland’s position in the EU, as part of an existing member state, should be somewhat straightforward. In contrast, a precedent does not exist for how a secessionist state may be accommodated in the EU, suggesting a more difficult and lengthy process.

The EU’s relationship with the UK is no longer at the top of the political agenda, and indeed references to Scotland and the rest of the UK are now almost entirely absent. As the UK left the EU, the first cases of COVID-19 emerged in Europe, and the management of the crisis took up significant political bandwidth. This was followed quickly by a war on the borders of the EU, an inflation and cost-of-living crisis, and internal disunity over both the response to Ukraine and broader European political ambitions.⁹⁰ The EU as an entity faces increasing Euroscepticism, and the prospect of far-right and Eurosceptic leaders in office in its core member states. The question of Scotland is likely to be an afterthought, despite intensive paradiplomatic efforts by the Scottish government. Much like the UK, often viewed to be on the periphery of Europe for most of its membership, the prospect of Scotland rejoining the EU as an independent member state seems, notwithstanding goodwill and positive rhetoric, ever more distant.

⁸⁸ Rory Montgomery, ‘The Good Friday Agreement and a united Ireland’, *Irish Studies in International Affairs* 32 (2) (2021), 83–110.

⁸⁹ Tobias Lock, ‘Irish unity: lessons from Germany?’, *Irish Studies in International Affairs* 33 (2) (2022), 201–27.

⁹⁰ Emanuele Massetti and Theofanis Exadaktylos, ‘From crisis to crisis: the EU between the Covid, energy and inflation crises (and war)’, *Journal of Common Market Studies* 60 (2022), 5–11.