

Opinion - Scottish Foreign Policy in the Brexit Era

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ANTHONY SALAMONE, JAN 15 2020

The Scottish Parliament recently marked the 20th anniversary of its re-establishment. In more tranquil times, such an occasion would give rise to measured reflection on the evolution of Scotland's political system and its constitutional position within the UK. However, imminent departure from the EU heralds multifaceted disruption to Scottish public life. Scotland rejected Brexit in the UK's 2016 EU referendum and every subsequent democratic event. The discord between Scotland and the rest of the UK – principally between Scotland and England – on the question of Europe is profound. A principal manifestation of that difference has been the distinct evolution of Scotland's European and international relations. Under its political settlement, Scotland does not have direct competence on foreign policy, international trade or relations with the EU. These matters are specifically reserved by the UK Parliament in the current system of devolution. Nevertheless, modern Scottish politics has always been grounded in a common understanding that Scotland should engage in Europe and internationally in its own right.

Matters have been complicated by the growing strength of the Scottish independence movement over the past decade and entry into power of the pro-independence Scottish National Party (SNP) in 2007. The Scottish Government's external engagement has become more politicised at home, with legitimate measures filtered through the frame of independence arguments. The foundational independence mission of the present Scottish Government also raises challenges for external partners who desire to cooperate with Scotland on practical initiatives, but equally respect the constitutional integrity of the United Kingdom. For its part, the SNP has in government never entertained pretensions of Scotland acting like a state, and indeed it has been rather cautious on European and international affairs.

Regardless of its constitutional position vis-à-vis the UK and the EU, Scotland has its own external interests. While sometimes divergent, these interests have normally coincided with those of the UK overall. Brexit has substantially altered the relationship between the respective interests of Scotland and the UK, given that withdrawal from the EU was never in Scotland's interests nor its democratic will. Brexit was not in the UK's interests either – rather the product of populist politics colliding with geopolitical myopia – but it does have democratic legitimacy in England and Wales. After its formal departure, the UK will look to define new relationships with the EU and the rest of the world, founded on a more national and less European perspective. Scotland will resist those efforts to eschew EU policies and values, resulting in its cumulative divergence with the rest of the UK on global affairs.

Scottish Government's Policies and Representations

In analysing Scotland's approach to European and international relations, the inevitable question arises: Does Scotland actually have a foreign policy? The reality is that the Scottish Government operates with a patchwork of policy frameworks which provide some direction, but do not constitute a cogent foreign policy. While this situation is understandable, since Scotland is not a state, significant unrealised potential exists in its European and global connections.

The ostensible centrepiece underpinning the Scottish Government's external action is *Scotland's International Framework* (2017) – which in truth consists of a short sketch of headline priorities. It commits the government to supporting multilateralism, good global citizenship and positive engagement in the EU. The framework is complemented by country engagement strategies for major non-European partners. Notably, despite the importance of the EU to Scotland's domestic policies and external relations, the Scottish Government does not currently have an overarching European strategy.

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Scotland has a small international development policy, focused on a select number of partner countries and framed by *Global Citizenship: Scotland's International Development Strategy* (2016). Its existence is often a surprise to European and international actors, so the Scottish Government could undoubtedly publicise this ongoing work more robustly.

More recently, the government published an export strategy, *A Trading Nation: A Plan for Growing Scotland's Exports* (2019), and an Arctic strategy, *Arctic Connections: Scotland's Arctic Policy Framework* (2019). By far the most substantial of these documents is the export plan (running 230 pages), perhaps indicative of the predominant economic lens through which the Scottish Government has viewed external action in recent years.

Scotland's external relations are now supported by seven government offices – four in the EU called Innovation and Investment Hubs (Brussels, Berlin, Paris and Dublin) and three internationally (Washington DC, Beijing and Ottawa). Most of these representations have opened since 2016, alongside a further office in London, so this network is relatively nascent. Despite the stylistic name, the European offices do not concentrate solely on trade and investment, but instead equally incorporate political, social and cultural affairs depending on the local context.

In that regard, Scotland joins the panoply of sub-state polities engaged in paradiplomacy. An extensive government presence in Europe and internationally is relatively new terrain for Edinburgh. While Scottish Development International has operated a global network of small trade offices for some time, and Scotland House Brussels was opened only five months after the Scottish Parliament was reconvened, the creation of a Scottish paradiplomatic network of government representations is a significant development.

Scotland's proto-foreign policy consists therefore of a collection of policy documents across disparate domains, now supported by this new network of representations. The future evolution of the government offices will be shaped by local conditions and opportunities, government direction and strategy, and the individual efforts of each office. From London, the UK Government is not normally interested in Scotland's substance on foreign affairs. Its chosen priority is instead to monitor the political depth of Scotland's external engagement and the response of current and potential partners.

Scotland's Relationship with the European Union

The European Union constitutes an integral part of Scotland's politics, economics and society. Sustained by over 45 years of membership through the UK, the EU represents far more than simply 'foreign policy' and instead forms an intrinsic part of national life. Brexit will fundamentally reshape Scotland's relationship with the EU, despite its opposition. To that challenge, the Scottish Government has largely remained in a responsive mode since the EU referendum.

Brexit has overtaken most of Scotland's European relations. Although that eventuality is unsurprising, it remains regrettable that substantive engagement on European matters has often been superseded by Brexit damage limitation. The Scottish Government's principal policy document in response to Brexit is *Scotland's Place in Europe* (2016), subsequently supplemented by multiple sectoral reports. The primary report argues for the UK to remain in the EU's internal market and customs union, or if not for Scotland to remain in the internal market – in keeping with the government's strong economic focus.

The Scottish Government has developed a policy of differentiation on Brexit, demonstrating to European actors its continued support for European integration compared with the pro-Brexit approach of the UK Government. The creation of the new government representations in Europe and internationally has been the most visible and cited foreign policy response from the Scottish Government in the Brexit era.

With the post-Brexit reality rendering it an external partner, Scotland will have to adapt to engaging with the EU from the outside. As the experiences of other countries and regions demonstrate, building influence within the Union from that position requires substantial investment, often for minimal results. Scotland can look to sustain its EU relationships through continued practical cooperation in areas of mutual interest (such as renewable energy)

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and enhanced participation in debates on the future of Europe.

Despite Brexit, Scotland will remain a constituent part of Europe and will continue to be a country of 5.5 million Europeans. Those facts alone provide sufficient legitimacy to contribute actively on the major questions facing Europe. Scotland's pro-European sentiment provides an essential common denominator with EU actors, which should not be underestimated. With greater Europeanisation and adroit strategy, the Scottish Government could foster a unique yet informal, substantive position vis-à-vis the EU.

Foreign Policy of an Independent Scotland

With an independence referendum on the horizon, it will be important to conceptualise Scotland's prospective place in Europe and the world. At present, the independence debate is often governed by inaccurate extremes on the ease or difficulty of Scotland establishing its own international affairs as a state and acceding to the European Union. Particularly in the post-Brexit context, pragmatic strategy will be essential. Should Scotland vote for independence, a degree of maturity would be required to convincingly engage with the EU and the international community.

Becoming an EU Member State would be a fundamental priority, and the process would take around four to five years. Scotland would benefit from a stable and broad consensus on the normality and value of the EU and multilateral cooperation, enabling it to avoid the self-hindering approach of the UK and maximise its influence in the EU. However, a clear realisation would equally be needed of Scotland's position as a European small state and the relative limitations of its international reach.

Were Scotland to become independent, what would its foreign policy look like? In truth, it is challenging to say, as that degree of detail has never featured in the debate. Even the Scottish Government's 670-page independence white paper for the 2014 referendum, *Scotland's Future* (2013), offers only headline concepts and self-evident realities intended to persuade voters to support independence, rather than a clear prospectus for Scotland's approach to EU and international relations. Much greater depth must be a feature of the next independence referendum.

Based on Scotland's current politics and society, one can envisage core principles that could underpin an independent Scottish foreign policy. As a small state, Scotland could be an ardent proponent of multilateralism and the rules-based international order. The European Union could form a fundamental part of Scotland's internal and external affairs, and Scotland could strategically build an influential position for its size by breaking the limiting moulds of North-South and East-West divides. Scotland could have a strong commitment to democracy, human rights and progressive politics, and count countries like Canada, Norway, Ireland and Sweden as similar, like-minded partners in those efforts.

The Government of Scotland would need to integrate Scottish soft power and relations with the global diaspora into its foreign policy – both areas where promising opportunities could be converted into valuable successes. Scotland would have to expeditiously resolve its debate on NATO and defence, where opinions are divided. It would also be vital to recognise the foreign policy challenges which Scotland would face on independence, and to develop resourceful strategy to address them.

Scotland in the Brexit Era

Scotland will become progressively differentiated from the UK on European and international affairs once Brexit takes place. The consensus within Scottish politics on these issues has not shifted – the divergence results from the marked change in England and the wider UK. While Scotland will face substantial hurdles to maintain its existing relationships, the normality of its offer to external partners could nevertheless prove compelling. As the independence debate develops over the coming months, Scotland's potential foreign policy and relations with the EU require honest and detailed discussion. Brexit has created a significantly changed context from 2014, and a new independence referendum would benefit from a less hyperbolic approach to the EU and international

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relations. Regardless of its constitutional future, Scotland will have to navigate a variable and unstable world in advocating its interests and values.

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