Emmanuel Dalle Mulle,

New Trends in Justifications for National Self-Determination: Evidence from Scotland and Flanders

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Abstract

This paper argues that the Scottish National Party and the Nieuw-Vlaamse Alliantie have recently made an instrumental case for independence that runs counter to traditional principled notions of external self-determination as an end in itself, as well as to remedial arguments based on claims of victimisation, alien rule and lack of recognition. They thus represent an important novelty in the history of nationalist discourse. More in detail, the peculiarity of their rhetoric lies in the use of functional arguments concerning the economic and social consequences of external self-determination in terms of competitiveness, well-being, the delivery of social services, good governance and better democracy, as well as in the acceptance of a gradualist approach to independence. The paper then presents an explanation for the adoption of these rhetorical strategies based on three sets of factors: normative, institutional and electoral.

Keywords: nationalism, self-determination, independence, Scottish National Party, Nieuw-Vlaamse Alliantie.

Introduction

In *Nations and Nationalism*, Ernest Gellner's asserted that nations want a state just as 'every girl ought to have a husband' (1983, p. 51). His statement implies that, for nationalists, independence is an end in itself resulting from a natural right. Furthermore, in their extensive review of secession, Pavkovic and Radan (2007, pp. 47–50) conclude that three elements are always present in the propaganda of secessionist movements: grievances, harm and alien rule, with the last one being the most common and important.

This paper does not aim to take issue with these perspectives *per se*, but it contrasts them with two cases of nationalist rhetoric – the Scottish Nationalist Party (SNP) and the *Nieuw-Vlaamse Alliantie* (New Flemish Alliance, N-VA) – that base their claims of external self-determination on instrumental arguments, i.e., positing independence as a means towards better governance, economic development and welfare. On the one hand, these two parties have campaigned for independence not on account of the intrinsic value of self-determination or the necessity to obtain recognition for their national identity and culture, but they have rather resorted to explanations concerning the need to improve democracy and promote economic growth. On the other, they have refrained from making a 'remedial argument' for independence. While grievances are still present, one finds very little reference to claims of harm or alien rule. This also goes along with a relaxed attitude towards the titular nation, and/or other groups within the host state. Principled arguments, denunciations of British/Belgian illegitimate rule and injustice, as well as cultural considerations, sometimes appear, but they are never prevalent.

The article's main point therefore is that the nationalist propaganda of the SNP and the N-VA – two among the most successful nationalist parties in today's Europe –

marks an important novelty in the history of nationalist justifications for external self-determination and such a change concerns both discourse and strategy. Regarding the latter, the most interesting feature is a move to a 'gradual separatism', which is composed of two elements: the acceptance of a 'stepping-stone path' towards independence, which can thus be achieved in stages; and a willingness to take part in regional institutions in order to advance the nationalist agenda, while at the same time maintaining the extreme goal of independence in the long-term.

The paper is divided into four sections: the first provides an introduction on national self-determination; the second describes the sources used and the selection of cases; the third analyses the propaganda of the SNP and the N-VA; and the fourth suggests an explanation for the adoption of the rhetorical strategies examined based on normative, institutional and electoral factors.

1. National Self-Determination

The principle of national self-determination postulates the right of nations 'to participate in decisions made by the government that exercises authority over them' (Dahbour, 1996, p. 312). It is usually divided into two dimensions: internal self-determination, which is often also called self-government and linked to the general concept of democracy, consists in the right of a group to see its own will and characteristics reflected in autonomous institutions; external self-determination posits the right of a group to become a sovereign, often involving independence and secession from the host state (Moore, 1998, p. 1–14).

Originating in the Kantian philosophical concept of *selbstbestimmung*, intended as individual autonomy and free will, later translated by Fichte onto a collective level, the concept of national self-determination was first used in its modern sense in the 1860s with reference to the plight of the Polish nation (Kedourie, 1960, pp. 20–51; Liebich, 2003, p. 461). Woodrow Wilson laid it at the core of the post-war settlement negotiated at Versailles, thus contributing to introduce it into the normative body of international relations (Manela 2007, p. 5; Musgrave 1997, pp. 57–61).[1] Its application however was problematic. Not only was its definition ambiguous, it was also further complicated by the specific human geography of Central and Eastern Europe, which, along with power politics and feasibility considerations, made any clear divisions of human groups seem utopic. At the end of the Second World War, there was a clear perception that the principle had contributed to plunge Europe into war again. By justifying military expansion in the name of the self-determination of the German nation, Hitler dealt the final blow to the doctrine. Thus, after World War II, a territorial definition subordinated to the principle of territorial integrity was overwhelmingly applied (Summers, 2014, pp. 173–188; Jackson Preece, 1997, pp. 81–88). The philosophical marriage between nationalism and liberalism that had developed during the 19th century in Western Europe, and had reached its peak in the immediate post-Great War period, suddenly broke. Liberals went back to the universalistic ideal of a neutral state guarantor of individual liberties and human rights without, actively, seeking any coincidence of nation and state (Tamir, 1993, pp. 140–145). The onset of the Cold War contributed to close the door to any modifications of state borders. Exceptions were only foreseen for territories under foreign or colonial domination.

It is in this post-Second World War period that self-determination obtained its full legal formulation. Mentioned already in the Charter of the United Nations, it was later developed in the context of decolonisation. General Assembly Resolutions 1514 and 1541 provided a first clarification of the concept. The 1966 Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights gave it universal recognition, further confirmed by the 1970 Declaration on Principles of International Law, Friendly Relations and Cooperation among States and the 1975 Helsinki Final Act (Summers, 2014, pp. 189–364). The legal interpretation given in the jurisprudence confined its application to former colonies and/or people subjected to foreign occupation. Outside these specific cases, no right to external self-determination of peoples has been established in current international law (Cassese, 1995, pp. 317–323; Buchheit, 1978, pp. 73–74; Christakis, 1999, pp. 152–153; Higgins, 1994, pp. 111–128; Kohen, pp. 1–12). What has however generally been recognised is a right to internal self-determination, often also referred to as a 'right to democracy'. With reference to new states arising from the process of decolonisation, Rosalyn Higgins (1994, p. 123) asserted that 'the right of self-determination continues beyond the moment of decolonization, and allows choices as to political and economic systems within the existing boundaries of the state'. The people, here, is to be understood as the entire people of a given territory, therefore 'minorities *as such* do not have a right of self-determination [...] that means, in effect, that they have no right to secession, to independence, or to join with comparable groups in other states' (Higgins, 1994, p. 124). They do have, however, a right to enjoy their own culture, to profess and practise their own religion, and to use their own language, which they can claim individually and not collectively. Hence, while self-determination and minority rights are different things, in

the context of minority groups claiming the status of a 'people', they partly overlap in guaranteeing an individual right to a democratic process of participation in the political system, which may end up establishing forms of autonomy for specific groups.

The focus on 'foreign domination' as the only justification for an application of the principle of self-determination that might override territorial integrity has led to an emphasis on arguments of victimisation based on alien rule in the propaganda of nationalist parties – as we saw in the introduction with reference to the work of Pavkovic and Radan (2007, pp. 47–50). Such emphasis on victimisation has been furthered by the only recognised case of secession – outside the context of decolonisation – of the entire Cold War period, that of Bangladesh, which was justified on account of the serious violations of human rights committed by the Pakistani government and which became a pillar of the legal theory of 'remedial secession' (Tomuschat, 1993, pp. 8–11). The aim of the third section is to show that the propaganda of the SNP and the N-VA has taken a very different form.

2. Sources and Case Selection

The analysis of the parties' discourse presented here is part of a wider research project analysing their propaganda, and that of other Western European separatist parties. It is based on a wide range of both internal and external material. As the SNP has not continuously published a party paper but only special editions, often linked to single campaigns and local branches, manifestos, publications on specific subject matters and collections of speeches are prevalent. The time frame is from the late 1960s – when most authors locate the beginning of modern Scottish politics (Hassan, 2009, p.

1) – until 2013. With regard to the N-VA, we have focused on the manifestos published since its foundation, in 2001, as well as on its monthly paper *Nieuw-Vlaams Magazine* (titled *Volle Manen* before 2006) until 2013. The case selection is *ad hoc* and warranted of the basis of the goal of the article, which aims at describing a new phenomenon and suggesting an explanation for its formation.[2]

3. Scotland and Flanders: the Instrumental Case for Independence

The Scottish National Party

There is a general agreement in the literature on the Scottish National Party that, since the late 1980s, this openly acknowledged its social-democratic profile (Hassan, 2009, p. 4; Lynch, 2002, p. 14; Marr, 2013, pp. 185–195; Mitchell, 1988, p. 5, 1996, pp. 232–233). The SNP referred to its policies as social-democratic already in the 1974 manifesto (Hassan, 2009, p. 4), but a constant unease with this label persisted. This was due to the overlap of two deep historical conflicts: the 'gradualist' vs. 'fundamentalist' one; and that between supporters of a catch-all organisation, simply concerned with independence, and those who pushed for a clearer ideological position. The first traced back to the very foundation of the party, in the interwar years, and referred to the division between devolution within the British framework and full sovereignty (Finlay, 1994, pp. 1–29, 1992, pp. 184–188). As, by the early 1960s, the party had moved to an unambiguous commitment to independence, the fracture evolved into one between the gradualists accepting devolution as a steppingstone towards statehood and the fundamentalists deeming it a dangerous diversion (Finlay, 2009, p. 28). This division

influenced the movement's ability to focus is propaganda on an instrumental case for independence.

Up to 1973, the principled argument for self-determination remained quite prevalent. This is clear when looking at the two most important pieces produced in those years, the 1968 *SNP&You* and the 1973 *The Scotland We Seek* booklets. In the opening paragraphs of the former, the party justified its slogan – 'Put Scotland First' – asserting that 'we want prosperity for our nation. We want bread for our people. But we want dignity too. For we know that bread is not enough to sustain the lives of men' (SNP, 1968, p. 3). There, full self-determination was justified on the need to defend Scotland's dignity and end London's economic – almost colonial – exploitation.[3] The latter text presented a more culturalist and identity-based motivation, as it claimed that 'our aims are based on nationhood and on the continuing existence of the Scottish community [...] The SNP believes that unless we, the people of Scotland, choose to have self-government, the identity of the nation will be eclipsed and lost' (SNP, 1973, p. 4).

Since 1974, such arguments were progressively abandoned in favour of a more pragmatic economic case heavily influenced, especially in the early years, by the discovery of North Sea oil. Yet, two elements of the previous rhetoric persisted: a focus on a negative message, mainly based on accusations of English exploitation; the poorness and lack of detail of the economic argument for external self-determination.[4] The 1974 manifesto *Scotland's Future* and the 1978 'ideological summary' *Return to Nationhood* illustrate this point. The former clearly did away with the identity-laden rhetoric of previous texts, yet, apart from a couple of lines in the opening paragraphs, the socio-economic improvement that would be afforded by independence remained

buried behind a lengthy 'Constitutional Proposal' in which the part concerning the economy and social policy (including oil) came at the very end of the text (SNP, 1974). Similarly, in *Return to Nationhood*, the party claimed to fight elections on its proposal for 'social and economic justice for the people of Scotland' (quoted in Maxwell 2009: 122), yet detailed thinking about how independence would bring this about – going beyond the simple assertion that oil revenues would pay for it and that centralisation had harmed Scotland – did not follow (SNP, 1978).[5] Some of this more precise elaboration did appear at the end of the decade and was, incidentally, provided by a young Alex Salmond (1977), but it remained marginal for about a decade. In this connection, it is quite telling that the party did not provide a detailed account of revenues and expenses in an independent Scotland – a fundamental piece of evidence for any instrumental case – until the mid-1990s (see below).

Between 1979 and 1982, the SNP plunged in a process of infightings between those members who wanted to bring the party further to the left –the '79 Group – and the 'old-guard', who preferred a catch-all strategy (Mitchell 1996, pp. 221–231). This decisively hampered the party's capacity to provide sound policy making and, even more so, to flesh out the economic case for independence. The 1983 manifesto, *Choose Scotland*, did not go farther than repeating a strategy involving the investment of a tenth of oil revenues in housing, development of other energy resources, new technology, transport networks and higher education (SNP, 1983). Yet, the '79 Group did contribute to the change experienced later, above all in terms of personalities as some of its members went on to play a major role in the next two decades (Torrance, 2009, pp. 172–175).

Although the basis of the transition to a more comfortably social-democratic and gradualist organisation were laid down by Gordon Wilson (Mitchell, 1988, 1996, pp. 232–235), Alex Salmond consolidated this trend (Mitchell, 2009, p. 38) and fundamentally contributed to making the instrumental case for independence more explicit and central to the party's propaganda. Already in 1987, Salmond helped found the Scottish Centre for Economic and Social Research, a think tank that produced papers on economic and social policy (Mitchell, 1988, p. 5, Lynch, 2002, pp. 206–208). Further analysis carried out within the SNP's research department under his leadership, led to the publication, in 1995, of a series of three papers entitled 'For the Good of Scotland' (SNP, 1995a,b,c), which openly aimed to 'explain the economic case for independence'. The third, and most interesting, outlined the 4-year economic strategy of an independent Scotland, illustrating the benefits that the country would enjoy from holding all the levers of power (SNP, 1995c). While the economic case that had been presented in the 1970s was mainly based on the idea that oil revenues would pay for social programmes and industrial reconstruction, the new doctrine called for fiscal competences that would allow to boost employment and growth. Here, oil revenues were only one among a number of Scottish assets that an independent government could use.

The 1999 brochure, *Taking Scotland into the 21st Century*, further elaborated on these ideas. There the party declared that:

> 'we are a rich economy but we are not yet a rich society. This is because the structure of policy-making within the UK has proved entirely inappropriate for Scotland. The economic policies of London governments have always been

> geared to the South East. UK macro-economic policy, and monetary policy in particular, are very often at best inappropriate for Scotland, and at worst positively damaging. This is because the economic conditions in the South East that drive and inform UK policy rarely coincide with those in Scotland' (SNP, 1999a, p. 5).[6]

In his 2003 *The Economics of Independence*, Salmond added an international dimension to this argument, suggesting that, in a globalised market, business activity would tend to concentrate in few areas to exploit economies of scale, the South East of England being one notable example. In order to attract companies and jobs, peripheral areas such as Scotland should offer something else, for instance, a low corporation tax, but this would be impossible without full fiscal powers.[7] He firmly challenged the idea that Scotland would not be able to stand alone, asserting instead that it would be one of the richest countries in the world and would join the arch of prosperity made up of other small countries such as Norway, Iceland and Ireland (Salmond, 2003, p. 58). In this connection, the size of the country was turned into an asset by pointing to the usually higher social cohesion and flexibility of small states in adapting to the shocks of the global economy (SNP, 1995c, p. x, 1997, p. 4, 1999a, p. 21, 2005, p. 6, 2007, p. 10, Salmond, 2003, pp. 57-59, Scottish Government, 2013, p. 27). This argument about prosperity and growth has gone along with the assertion that Scotland would be a more 'compassionate society', willing to purse an ambitious social-democratic agenda, but it is hampered by a more conservative England. Born during the 'Thatcher years', and especially at the end of the 1980s when Gordon Wilson (1988, p. 11) claimed that 'Scotland has consistently rejected the ethical, social and political values entailed in Thatcherism which Britain as a whole has endorsed', the claim was implicitly re-

asserted at the end of the 1990s in slogans such as ‘Enterprise, Compassion, Democracy’ (SNP, 1999b), used to convey the party’s image of a vibrant but caring community. It has recently featured high in the propaganda for the independence referendum, when the party argued that ‘democracy, prosperity and fairness are the principles at the heart of the case for independence’ (Scottish Government, 2013, p. 40).

Remarkably, as compared to the economic case of the 1970s, the recent instrumental argument has not been based on a denunciation of deliberate harm against London, but rather on the acknowledgment that the structure of Scotland and England are different. Being Scotland demographically smaller, it could not influence UK policy-making to the same extent as the South East did, This however would not be a reason for major grudge and the party has oftentimes argued that, in an independent Scotland, ‘our close family and trading ties with England will not be interrupted in any way by Scottish independence. Only political union will end – our social union will be as strong as ever, and indeed improved by our new equal status as good neighbours’ (SNP, 1997, p. 4).[8] This has coincided with an attempt to spread a ‘positive message’ about independence, aimed at boosting the self-confidence of the Scots and abandoning the previous negative, anti-English and victimising ethos, which has been openly claimed by the party during the campaign for the 2014 independence referendum, when the SNP pitted its arguments against what it defined as the ‘Project Fear’ of the British government.[9]

It is true that the memories of the Thatcher era have lived on in the party’s propaganda along with the theme of the so-called ‘democratic deficit’. A recent example is provided by the debate on the 2014 referendum. In outlining the party's arguments in favour of the yes vote, the Deputy First Minister and Leader of the SNP,

Nicola Sturgeon, argued that ‘for more than half of my life, Scotland has had a Tory government from Westminster that we didn't vote for’, and concluded that ‘the Conservative Party in Scotland has no mandate’ (Sturgeon, 2013). The argument is certainly one concerning democratic legitimacy, but, rather than pointing to the need to put an end to an unjust alien rule, it suggests divorcing two incompatible societies. Such a reading is supported by Sturgeon's claim that ‘the case for independence does not rest on identity or nationality, but rather on values of social justice, enterprise and democracy...my contention is that the UK has failed Scotland over the long term and under successive governments of all colours’ (Sturgeon, 2013). Here, Scotland's right to break away lies in unmet expectations and in results that have not been delivered, rather than in any fundamental breach of democracy and/or collective dignity.

The Scottish Parliament was meant to address the democratic deficit. Its establishment was both a cause and a consequence of fundamental changes within the SNP. On the one hand, it reflected the victory of the gradualist line over the fundamentalist. This is quite clear when comparing the party’s posture towards devolution in the late 1970s and 1980s. In 1976, the Nationalists decided to support the establishment of a parliament, but, in the following months, they could not agree on a manifesto for the referendum and ultimately conveyed a contradictory message (Levy, 1986). A decade later, although Gordon Wilson had partly reversed the fundamentalist backlash that had followed the 1979 debacle, the SNP did not join the Scottish Constitutional Convention, lest it would be dominated by Labour, and was then associated with sectarianism (Mitchell, 1996, pp. 241–242). By contrast, in the second half of the 1990s, it eagerly embraced devolution and collaboration with other parties and civil society organisations (Lynch, 2005, p. 524). On the other hand, the Parliament

presented the SNP with the problem of being a pro-independence party that had to be ready to take responsibility in devolved settings. As argued by Hepburn (2009, p. 197), 'to do so, the SNP has sought to downplay its main goal by delivering independence "by stealth". This means seeking to gradually build upon the 1998 divorce settlement to the point where independence seems the next natural step'. Accordingly, since 2008 the party has accepted devo-max as a third way between independence and the status quo.

The Nieuw-Vlaamse Alliantie

To some extent, the founding of the *Nieuw-Vlaamse Alliantie* (N-VA) in 2001 represented a hardening of the Flemish movement. Originating from the historical autonomist organisation – the *Volksunie* (People's Union) – which had never put into question the unity of Belgium, the party radicalised the demands of the moderate Flemish movement by setting independence as its main goal (N-VA, n.d.b). However, the Alliance has, at the same time, offered a moderate secessionist alternative to the right-wing extremist *Vlaams Belang* (the Flemish Interest – VB). As the leader of the party, Bart De Wever, said after the 2009 victory at the Flemish elections, 'the Flemish call for independence again becomes a negotiable and honourable endeavour' (as cited in Rochtus, 2012, p. 276). Apart from its xenophobic and racist overtones, the VB has consistently shown an extremely principled rhetoric and an uncompromising attitude accompanied by an overtly confrontational stand against Wallonia and the Belgian state, often emphasising the sufferings experienced by the Flemish people (Mudde, 2000, pp. 87–115).

The contrast is quite obvious when reading the N-VA's statement that ‘our Flemish nationalism is not a goal, but a means to get to more democracy and better governance’ (N-VA, 2001, p. 9).[10] Similarly to the SNP, the N-VA has based its argument about independence on the idea that the Flemish and Walloon economies have opposite economic structures. Hence, Flanders needs the power to design and implement its own policy otherwise the economy of the region will be stifled (N-VA, 2003, p. 16, 2007a, pp. 8–13, 2007b). As the party wrote in 2010: ‘if we want to ensure that also our children and grandchildren will still know prosperity and well being, we have to change the existing structures. The state reform is about that, and therefore is also so crucial. It has to do with tailored policies, with efficiency, with cost savings, with justice, with socio-economic revival […] in the north as well as in the south’ (N-VA, 2010a).

State reform has been deemed vital because, according to the party, the Belgian state is not able to take decisions tailored to the specific problems of the two regions, thus being ‘a brake on the development of the prosperity and welfare of both Flanders and Wallonia’ (N-VA, 2003, p. 10).[11] This would mainly be due to a blockade at the policy-making level: ‘in almost every issue that is regulated at the Belgian level, Flemings and Walloons are at loggerheads [...] due to these inoperative conditions a great many things get endlessly stuck or, too often, half-hearted steps are the result’ (N-VA, 2002, p. 3). Flanders and Wallonia have, thus, been portrayed as two increasingly diverging communities with ever fewer things in common. They are two different democracies that, when forced to work together at the Belgian level, cannot reach any agreement (N-VA, 2007a, pp. 5-6, 2007c). According to the party, the two crises on the formation of the federal government in 2007 and 2010 are the clearest sign that the two halves of the country have been growing ever far apart. After the first crisis, the party commented:

‘the past year has shown that this country no longer works. Belgium is not up to the task. And this at a time when the financial and economic crises strike unusually hard. It has become impossible, at the federal level, to still take vigorous decisions that ensure our prosperity and well-being’ (N-VA, 2009, p. 4). Hence – the N-VA has argued – it would be much better for everybody to acknowledge that a separation *de facto* happened long ago and divorce the two regions.

The party has also consistently described Flanders as a small community enjoying a comparative advantage in the globalised economy. Such an idea has been framed in the wider context of European integration, in which the Belgian state will disappear, dissolved by the opposing pulls of regionalism and international cooperation:

> ‘our party believes that the challenges of the 21st century can best be answered by the establishment of strong communities on the one hand and by means of a well developed international cooperation on the other hand. In between these two levels, the level of the Belgian government will evaporate, while already now good governance seems out of reach at the Belgian level’ (N-VA, n.d.a).[12]

As shown above, and in a fashion similar to the SNP’s although from a conservative perspective, the party has integrated considerations of social justice into its rationale for separation, including arguments on the role of national identity in ensuring solidarity. Accordingly, it has asserted that a strong community, where people can positively enjoy their individuality, naturally reinforces solidarity among its members (N-VA, 2001, p. 12). In this connection, the N-VA has rejected the idea that Flanders would be too small to stand alone in the world. By contrast, citing the works of the famous economists Spolaore and Alesina, the Alliance has argued that a Flemish state in the EU would

offer a perfect trade-off between economies of scale (realised at the European level) and heterogeneity costs (too big at the Belgian) (N-VA, 2009, p. 68).[13]

The evaporation of the Belgian state mentioned above suggests a gradualist strategy. The N-VA has aimed at a process of ever further devolution of powers ending up in a kind of 'dissolution by inertia' via the intermediate step of confederalism. The party has thus been open to collaborate in government at the regional level, and for a while also at the federal one, in order to bring about the expected transfers of competences. When, in 2004, it formed a coalition with the Christian-Democrats, the Alliance justified it claiming that, while waiting the moment in which the party would be able to declare the independence of Flanders within the EU, it would work to achieve substantial improvements for Flanders (N-VA, 2004a, p. 5). More recently, responding to a controversy about his supposed will to split Belgium after the May 2014 election, De Wever declared to 'believe in evolution, not in revolution' (De Standaard, 2013).

However, there are some aspects of the party's discourse that make its treatment more problematic and deserve further discussion. First, the N-VA does have grievances concerning the financial issue for which it has used confrontational tones. It has claimed that about 12 billion euros go from north to south every year; it has called this an 'injustice' and sometimes has defined Flanders as a 'milk cow' (N-VA, 2002a, p. 4, 2003, p. 16, 2011). It has described the Walloons as irresponsible spenders (De Wever, 2009) and De Wever addressed them in almost offensive terms in, at least, one occasion.[14] However, this must be understood in the context of the historical relationship between Flemish and Walloon parties – much more strained than the situation in the UK – whereby strong statements against the transfers from north to

south and declarations betraying negative stereotypical representations of the Walloons have been uttered also by Flemish politicians not seeking the break-up of the country.[15] Hence, at a closer look, the party has rather worked on a double register, alternating anti-transfer and collaborative statements. It has for instance consistently suggested that the problem does not lie in the transfers themselves – although it certainly wants to reduce them – but rather in the way they are managed and the results delivered. The 2007 manifesto read: 'let us be clear: given the current difference in wealth between Flanders and Wallonia, a solidarity transfer between the two parts of the state is responsible and necessary. The N-VA cherishes no historical rancour and is not a party that aims at organised Flemish group selfishness' (N-VA, 2007a, p. 11). What the Alliance has really taken issue with is the lack of transparency and objectivity in the use of funds, as well as their alleged total failure (N-VA, 2002a, p. 4, 2003, p. 16, 2007a, p. 11, 2008, 2010b, p. 15). In line with its liberal economic ethos, the N-VA has argued that Wallonia has been hostage to the transfers and dependency has prevented it from finding its own way to endogenous growth (N-VA 2002a, p. 4, 2007a, p. 10, 2010b, p. 66).

The same can be said for the issue of the linguistic facilities around Brussels and the split of the electoral arrondissement Brussels-Halle-Vilvoorde (BHV). After the 2012 deal that implemented the division, the Alliance, which objected the terms of the agreement, did not hesitate to conclude that this further strengthened the 'Francophone arrogance' (N-VA, 2012, p. 3). Yet, the statement came out of a very long and tense debate in which the Francophone and Flemish parties were extremely polarised, with most of the latter deeming the split a Flemish right recognised by the Constitutional Court in a ruling released in 2004.[16] Furthermore, and which is more important for the

purpose of this paper, arguments concerning the linguistic conflict around Brussels have never been used as justifications for the split of the country. In other words, the N-VA has not based its call for external self-determination on claims of cultural victimisation.

4. An Explanation

As Michael Keating pointed out 'nationalists tend to adopt the language and categories of their times and their claims reflect what is normatively legitimate and institutionally possible' (2009, p. 207). In this section we argue that three sets of factors have mainly accounted for the normative legitimacy, the institutional possibility and, we would add, the electoral suitability of the SNP's and N-VA's discursive strategies.

At the normative level, since 1990, interest in nationalism and self-determination has revived in the realms of philosophy and political theory. Margalit and Raz (1990), Walzer (1992), Tamir (1993), Miller (1995) and Moore (1998, pp. 134–157), among others, have not only stressed the links between nationalism and liberal-democracy, but also 'defended' nationalism, intended as an attempt to assure the coincidence, short of the unattainable utopia of 'each nation a state', of national communities and political institutions. As noticed by Kymlicka and Straehle (1999, p. 66), 'according to liberal-nationalists, it is not just a happy accident that nation-states happen to exist: rather, it is legitimate to use certain measures to try to bring about a greater coincidence of nation and state'. Practically speaking, however, and in a fashion similar to what had happened in the interwar years, this 'rehabilitation of nationalism' from the role of dark force to which it had been confined since the Second World War was confronted with the contrast between the nation-building projects of dominant and minority nations

(Kymlicka & Straehle, 1999, pp. 76–78). Some (Buchanan, 1997, p. 285) have theorised a remedial right to self-determination reflecting existing theories in international law explored in section one. Others, instead, have argued in favour of a non-remedial right. Two theories are particularly interesting for the purpose of our paper. Acknowledging that the achievement of goals and the pursuit of social relations are culturally determined, Margalit and Raz have argued that the preservation of groups is at the core of individual well-being and this consideration would warrant bestowing collective rights. Yet, their argument in favour of the validity of the principle of self-determination is an instrumental one, i.e., self-determination should be applied whenever it is the best means to assure the 'prosperity' of an encompassing community.[17] It is not a remedial right because: 'a history of persecution is neither a necessary nor a sufficient condition for the instrumental case for self-government. It is not a necessary condition, because persecution is not the only reason why the groups may suffer without independence' (Margalit & Raz, 1990, p. 450).[18]

While above the term 'prosperity' is not necessarily to be understood in economic terms, David Miller has based his arguments in favour of national self-determination not only on cultural considerations, but also on social justice. He suggests that this can only be realised in a context of mutual trust, which is most likely to be in place when people recognise themselves in common values and a common culture. As nations are ethical communities – i.e. a body of people towards which one has more duties than towards the rest of humanity – they are very powerful in commanding individual allegiances and furthering trust, thus ensuring that relations among its members are not based on strict reciprocity. For this reason, the coincidence of state and nation is fruitful because redistribution and social services are mainly discharged through state institutions. Hence,

‘social justice will always be easier to achieve in states with strong national identities and without internal communal divisions’ (Miller, 1995, p. 94). Although, after having argued that ‘the problem of secession arises only in cases where an established state houses two or more groups with distinct and irreconcilable national identities’ (Miller, 1995, p. 113), he expressed doubts that the Scots could be considered such a case, one cannot fail to notice that his considerations on ‘nationality’, ‘cohesion’ and ‘social justice’ do resonate in the rhetoric of the SNP and the N-VA.

The purpose of this short discussion of theories of self-determination arisen in the first half of the 1990s is not to suggest that they have directly ‘caused’ the rhetorical strategies of the SNP and the N-VA – in the case of the former bits of it were there long before – but rather that they have made them more legitimate and thus favoured their further development.

The second set of factors pertains to the relationship between the nation that the SNP and the N-VA claim to represent and the parent state. Scotland has a long tradition of autonomy, although of a particular kind. Since the beginning of the Union, London governments have not meddled with the affairs of the Scottish Church, Scottish education and the Scottish legal system. Furthermore, policy at Westminster was inspired by liberal principles of minimum government, therefore, until the Great War Scottish life was mainly regulated by a powerful system of local boards (Harvie, 1998, pp. 39–43). As argued by Thomas Devine (2008, p. 13), throughout this period the Scottish middle classes had ‘no reason to seek parliamentary independence or to adopt a nationalism which was hostile to the British state’. The interwar years and especially the welfare system put in place after the Second World War made the Scottish Office, along

with other government agencies, acquire considerable power (Finlay, 1997, pp. 134–144) and a genuinely Scottish character. Through this 'Scottish technocracy', the region enjoyed autonomy in several sectors by means of the interpretation and enforcement of laws. The lack of political power was not regarded as a problem so long as the administration delivered the goods (Paterson, 1994, pp. 130–131). Scottish society eagerly embraced the welfare state and this arguably replaced empire as the main institution underpinning the Union (McCrone, 2001, pp. 14–21). As, from the mid-1960s, the bureaucrats had troubles living up to their promises, the legitimacy of the system started being questioned and the demand for an assembly arose. Yet, Scotland was fairly soon given the chance to opt for self-rule. Although the Cunningham amendment set stronger constraints for obtaining it, even some Scottish nationalists did not blame the result on London (Marr, 2013, pp. 157–163).[19] The Thatcher years did put an end to further talks about devolution and fed discontent about Conservatives' indifference towards demands for Scottish autonomy, especially from the late 1980s. It would be a mistake though to extend the Tories' opposition to devolution to a fundamental British opposition to Scottish autonomy. The second referendum on devolution was held less than a generation after the first, while the Tory government of David Cameron recently allowed the Scottish Government to organise a vote on independence.

In 1830, Belgium was founded by a Francophone elite – partly living in Flanders – which, despite inscribing linguistic freedom in the country's constitution, assumed that French was the official language of the state and would unify the entire country (Witte, 1993, p. 205). The history of the Flemish movement, originated in the opposition to this wrong assumption, is mainly that of a 'language which has become a state'

(Deschouwer, 1999). The cultural fracture between Flemings and Francophones did not wane and progressively became the major cleavage in the country, potently feeding Flemish frustration as the demographic majority was not only a 'sociological minority' also in socio-economic terms, since Flanders remained poorer than Wallonia for more than a century. Institutional reform began in the mid-1960s. By 1993, Belgium officially became a federation of three regions (Flanders, Wallonia, Brussels) and communities (French, Flemish, German), [20] which progressively expanded their competences in further reforms between 2000 and 2014. (Sinardet, 2010, pp. 348–352, Witte, 2009, pp. 361–391, Deschouwer & Reuchamps, 2013). Although problems lingered on in border areas and around Brussels, by the mid-1980s the protection of the Dutch language was no longer the major demand of the Flemish movement, giving way to the fiscal transfers from north to south and economic policy more in general (Govaert, 1983, p. 2). As a consequence of the institutional evolution of the country and the diverging economic trajectories of Flanders and Wallonia, the Flemish majority is no longer a sociological minority and has become ever more assertive and self-confident. This has caused some *fatigue* among Flemish parties with the constitutional safeguard that provides the Francophones with veto power over special laws and led them to toy with the idea of replacing the current consociational logic of the Belgian democracy with a majoritarian one (Deschouwer, 1999, Sinardet,s 2010). Hence, there is little sense that the Francophones, or the Belgian institutions more in general, could oppose a substantial Flemish majority willing to opt for an independent Flanders.

Therefore, in Scotland and Flanders the constraints on the exercise of the right of self-determination that the parent state has imposed, or is likely to impose, on the respective national communities is much lower that the absolute denial that one would

expect from general state practice. The impact on the discourse of the SNP and N-VA is clear when comparing it with that of another major European separatist party, *Esquerra Republicana de Catalunya* (Republican Left of Catalonia - ERC). From the late 1980s, ERC's discourse moved in the same direction of the instrumental argument described above. Especially under the leadership of Josep-Lluis Carod-Rovira, the party came to embrace what he called *el catalanisme del benestar* (welfare catalanism), i.e., the idea that Catalan independence is not an end in itself, but it must rather serve to improve the welfare of the Catalan population (Alimbau, 1995, p. 72). As in the other cases, this has gone along with a celebration of small and cohesive democracies such as the Scandinavian states; a gradualist strategy, embodied by the party's participation in two successive government coalitions at the regional level and by the proposal to negotiate with Madrid a transition to a multi-national federal system; and a call for a quiet and constructive nationalism (Culla, 2013, pp. 488–545). Yet, this last item did not completely replace principled arguments about the lack of recognition of Catalonia as a nation and of its right of self-determination. During the 2005-06 process of revision of the Catalan statute of autonomy and, especially, since the crisis caused by the 2010 ruling of the Constitutional Tribunal, accusations of lack of recognition and undemocratic oppression have become the core of ERC's discourse – as well as of the other organisations supporting the campaign for the 'right to decide' (Marti, 2013).

But there is another institutional aspect that we need to take into account and that explains, in part, the gradualist approach pursued by the SNP and the N-VA. Although the right to internal self-determination recognised in international law still applies to the entire people of the territory of a state, in the case of national minorities it results, in practice, in a right to a process that might lead to the establishment of institutions for the

protection of culture, language and religion. This has happened in Belgium and it was already 'informally' in place in Scotland since the Acts of Union. While lending legitimacy to this democratic process and forbidding independence, international law is silent about the limits of internal autonomy. It is little wonder than that the SNP and the N-VA have seen in it an alternative way to progressively achieve 'degrees of independence' (Hepburn, 2009). Separatist parties are thus offered two complementary 'roads' to sovereignty: the 'high road' of a referendum, or a post-election declaration of independence; and the 'low road' of ever further devolution of powers. The two are complementary, to some extent, because 'increasing the powers of the parliament will improve its institutional capacity and autonomy but also reduce the costs of the transition to independence' (Lynch, 2005, p. 519). Also, regional institutions offer a useful platform that can be exploited to take part in policy-making without compromising with, or being numerically overwhelmed at, the central level, thus allowing separatist parties to maintain their extreme goal without suffering from marginalisation or accusations of political impotency.

This consideration brings us to electoral behaviour. Successive polls in Scotland and Flanders have shown that the population's preferred constitutional option has been autonomy within the parent state (McCrone & Paterson, 2002, p. 57, Curtice, 2013, p. 2, Swyngedouw & Rink, 2008, p. 10). In this context, a gradualist strategy targeting a wide pool of moderate voters seems quite reasonable. Studies on support for independence in Quebec are quite useful in this context because the province shares some important features with Scotland and Flanders – it is an advanced, relatively prosperous region in a multinational, democratic state – and has already been confronted with two referenda on sovereignty association. Although we cannot do full

justice to the relevant literature, the most important finding that should be highlighted is that subjective national identity and individual perceptions concerning the economic consequences of sovereignty were the variables that best explained support for it (Pinard & Hamilton, 1984, Blaise & Nadeau, 1992). Also, Howe (1998) showed that substantial considerations concerning the economy did not impact equally on different people, but were much more influential on individuals with dual identities. Dividing the population between 'hard-core' and 'weak' sovereignty supporters, he argued that, contrary to what is usually believed, it was possible to move support for sovereignty in the short term through instrumental arguments by targeting the latter. Does this apply to Scotland and Flanders? In the case of former, research conducted by John Curtice (2013, 2014) has confirmed the above findings and displayed a picture of the Scottish population as 'conditionally' supporting either the Union or independence to an even greater extent. National identity in Scotland has been much less polarising than in Quebec, hence perceptions about the economic prospects of independence have driven support for it to a greater extent. Although we do not have such refined data for the pre-2014 referendum period, some studies would suggest that this trend was in place already a decade ago. As concluded by McCrone and Paterson in 2002 (pp. 73-74):

> 'there is no dramatic divide between the two constitutional options, devolution and independence, in the minds of the Scottish electorate [...] the fact that there is no stable core of supporters for independence implies not that this is a fragile option, but that many more people are prepared to countenance independence if they were persuaded that it would generate more responsive government, and would be likely to produce the kind of society they aspire to'.

Unfortunately, support for independence has not been as thoroughly studied in Flanders. However, analysing the success of the N-VA in the 2010 federal election, Swyngedouw and Abts (2011, pp. 18–20) pointed out that this was due to the capacity of the party to find a niche in the right-wing of Flemish political spectrum and to rally behind him voters not only on account of its nationalist position, but also for its policy on immigration and its socio-economic proposals, thus draining support from the extreme-right and the liberals. Yet, with regard to the latter they made clear that what attracted the Flemish elector to the N-VA was not its general liberal ethos, but rather the prospect of increased prosperity in an autonomous Flanders.

Conclusion

This paper has analysed the arguments of the SNP and the N-VA concerning external self-determination and put it in a wider historical and disciplinary perspective. The peculiarity of their rhetoric lies in their reluctance to use principled arguments based on the intrinsic value of self-determination or to resort to claims of alien rule, persecution and victimisation. What these parties have rather focused on are instrumental arguments concerning the economic and social consequences of external self-determination in terms of competitiveness, well-being, the delivery of social services, good governance and democracy. The paper has then presented an explanation based on three sets of factors: normative, institutional and electoral. The first consists in the revived interest in self-determination in philosophy and political theory since the beginning of the 1990s. Some of the theories arisen in this period have not only cast a new light on the phenomenon of nationalism and its links to liberal democracy, but also formulated

arguments in favour of a non-remedial right of self-determination that has lent legitimacy to the claims of the SNP and the N-VA. The second group of factors pertain to the peculiar relationship between the parent state and the region in which these parties operate. As in both cases the opposition of state institutions to recognise the right of self-determination of the relevant nation has been, or is likely to be, quite low by international standards, arguments concerning recognition or oppression are not very fruitful. At the same time, the establishment of forms of political autonomy through devolved institutions has favoured the development of gradualist strategies. This is further explained by a general prevalence of support for autonomy over independence among the local population. Moreover, at least in the case of Scotland, data confirm that perceptions of the economic consequences of independence constitute the variable driving support for it. By basing their rhetoric on an instrumental argument for external self-determination, the SNP and the N-VA have understood that if they are to convince their co-nationals to break away, they have to show that it will make them better off and it will come in stages.

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1. This however had unintended consequences, as Wilson mainly deemed self determination as limited to its internal dimension of a 'right to democracy' (Liebich, 2003, p. 461).

2. For a discussion of the validity of the analysis of a limited number of particular cases for hypotheses generation see Gerring, 2007.
3. One could read indeed that: ‘as things are, Scotland is a more complete serf or satellite of England than Poland, Hungary, Bulgaria and Roumania (sic) are of the USSR. She is almost the last satellite left under English control and England is making the most out of it’ (SNP, 1968, p. 4).
4. Analysing the evolution of Scottish nationalist ideology between 1948 and the mid-1970s, Farbey, Mitchell and Webb (1980, p. 420) argued that: ‘the advent of North Sea oil revenues in the early 1970s meant the end of serious discussion about economic, trade, or financial matters. On the face of it, North Sea oil was the panacea for Scottish ills; there was nothing that could not be done with the enormous revenues’.
5. This is confirmed by Stephen Maxwell (2009, pp. 122–123) who also agrees with Farbey et al. that oil was seen as the trump card that would solve all problems.
6. See also Salmond 1998, 2003, SNP, 2003.
7. Here, but also in previous texts published since the late 1990s (Salmond 1998, p. 3, 2003, pp. 40-41, SNP, 1999a, p. 9, 2002), Salmond made reference to the economic model of the ‘Laffer curve’. This has been noticed also by Lynch (2002, p. 211) and Hassan (2009, p. 5), who pointed out how it signalled a move to a more neo-liberal approach to economic policy.
8. See also SNP (2011, p. 28).
9. Hassan (2011) has suggested that the positive message on independence – based on the works of Martin Seligman – was embraced after Salmond’s return to the leadership in 2004. While this might be true for the party’s canvassing techniques, the idea of the positive message was already present in its discourse since the mid-1990s. For instance, in a speech delivered in 1993, Salmond openly suggested shifting the focus of the campaign from blaming the others to showing to the citizens ‘the positive benefits of independence and to foster and develop confidence that we can all meet and match the challenges and opportunities that independence will bring’ (Salmond, 1993, p. 39).
10. See also N-VA, 2002b, 2004b,
11. See also N-VA, 2007a, p. 6, 2009, p. 4, 2010b, p. 6.
12. See also N-VA, 2010b, p. 8.

13. Here, a difference can be noticed with regard to the SNP in that both subscribe to the idea that small nations perform better in the global economy, but, while the SNP has attributed this to their higher 'social cohesion', the N-VA has referred to the concept of 'heterogeneity costs'. Yet, in the Alliance's propaganda, there is no mention of 'ethnic homogeneity'. Furthermore, the party argued that heterogeneity derived from the fact that Belgium would be the 'sum of two different democracies' (Flemish and Walloon). The N-VA has also, at least formally, shown an open stand towards (legal) immigration, supported policies of integration (mainly through compulsory subsidised language courses) and taken distance from the xenophobic positions of the *Vlaams Belang*.
14. In an interview given to the German newspaper *Der Spiegel* in 2010, De Wever said that Wallonia had a right to receive some transfers from Flanders, but this money should not turn into a drip and added 'like drugs for a junkie'. Although he did not clearly say that the Walloons were subsidy junkies, the association could be easily made.
15. On this see Delcorps, 2012.
16. For more details on the BHV issue see: Sinardet, 2010. It should be noted that the Court did not impose the split, but only demanded the correction of the situation, which could have been achieved in other ways.
17. While the authors use the expression encompassing community, the criteria that they list in order for a group to qualify as such clearly point to nations as the best fit.
18. Importantly, the instrumental character of the right also implies a subjective dimension, whereby 'the members of a group are best placed to judge whether their group's prosperity will be jeopardized if it does not enjoy political independence' (Margalit & Raz, 1990, p. 457).
19. Salmond (1993, p. 40) himself did not blame the decision on the British Parliament but rather argued that 'when offered the opportunity to claim more self government [Scotland A/N] responded with a decisive "don't know"'.
20. The federation in fact is dual and asymmetric, as the Flemish community and region were merged in 1980, and the German community account for only 0.7% of the total population.