

IndyRef2? The thorny question of Scottish independence hasn't gone away

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As announced by Nicola Sturgeon, Scotland's First Minister, at the SNP conference last week, a second Independence Referendum Bill has been published in draft form by the Scottish government. A big announcement of this ilk was to be expected at the annual conference, but what precisely does this mean for Scotland, the UK and Brexit? **Jennifer Thomson** takes a closer look at the draft bill itself and weighs up the chances of another Scottish Independence Referendum.



Set against the context of continuing uncertainty over Brexit, First Minister of Scotland, Nicola Sturgeon has declared that if Scotland's "interests cannot be properly or fully protected within a UK context" then independence must remain a viable option. The newly published draft Bill by the Scottish government on a second independence referendum for Scotland promises a vote along similar wording to 2014. It also sets out plans to allow 16 and 17 years olds to vote (as they did in the previous IndyRef), as well as European citizens resident in Scotland.

So, is IndyRef2 inevitable?

Sturgeon and the Scottish Parliament don't have the authority to call a legally-binding second referendum

Despite this announcement, Sturgeon and the Scottish Parliament don't have the authority to call a legally-binding second referendum. Whilst they could hold an unofficial one, much like Catalonia did in 2014, any future definitive independence referendum would still need the go-ahead from Westminster. Number 10 have already signalled that, as far as they are concerned, the issue of Scottish independence has been addressed. Allowing for a second independence referendum does not appear something Theresa May will be overly keen to consider, especially against the backdrop of tricky and drawn out Brexit proceedings.

Indeed, Sturgeon herself acknowledged in her speech to the SNP conference that IndyRef2 will only happen "if there is strong and consistent evidence that people have changed their minds and that independence has become the choice of a clear majority." At present, polls don't suggest there is enough of an appetite in Scotland for an independence referendum to win.

If Edinburgh doesn't have the power to call IndyRef2, why did the SNP draft this Bill?

By calling for a second referendum, Sturgeon placates the thousands of SNP members and the large minority in Scotland who voted for independence in 2014. Some senior SNP figures have been calling for a second referendum for quite some time, and this helps to assure the broad pro-indy base that the raison-d'être of the party has not been forgotten.

This announcement also increases the pressure on Westminster to give greater consideration to Scotland in Brexit negotiations. Scotland voted by 62% to remain in the European Union, so the Scottish Government are eager to get the best possible deal for Scotland that they can. Sturgeon has intimated that a removal of the UK from the single market might be enough to trigger a second referendum, and Scotland is likely to want to gain powers over fisheries, agriculture and potentially even migration.

Sturgeon declared in her conference speech that she is “[determined that Scotland will have the ability to reconsider the question of independence – and to do so before the UK leaves the EU](#)”, suggesting a desire for a second referendum at some point between Article 50 being triggered and the close of the two-year period that will follow. Pushing the (as far as Westminster is concerned) difficult and thorny issue of a second referendum, means that national government might be more willing to placate Edinburgh by devolving further powers from the EU level to Scotland – if this meant that IndyRef2 was taken off the table. Drafting this Bill might help to increase Scotland’s bargaining power during Brexit negotiations, and give the nation greater autonomy over key domestic policies around agriculture and fisheries.



What impact will this have on British politics?

Sturgeon also signalled in her conference speech that SNP MPs, whose 56 elected representatives make up the third largest party at Westminster, will vote against the so-called ‘Great Repeal Bill’, which Parliament will need to pass next year to repeal the European Communities Act of 1972. She said that the SNP “[will also work to persuade others – Labour, Liberals and moderate Tories – to join us in a coalition against a hard Brexit: not just for Scotland, but for the whole UK](#)”. In doing so, and in the face of an official opposition which remains fractured and reeling from a lengthy leadership contest this summer, the SNP may become the face of ‘soft’ Brexit politics. This could encourage Scottish voters, and the British population more generally, to see the SNP as the new natural home of centre-left politics, and an antidote to the harsher, right-wing tone set at the recent Tory party conference. Indeed, Sturgeon used her speech at the SNP conference to decry May’s policies since taking office and to declare that governing party are now adopting UKIP policy with “[the right wing of the Tory party... in the ascendancy and... seeking to hijack the referendum result.](#)”

So...what now?!

Sturgeon’s speech last week and the draft referendum Bill in the current form do not signal an inevitable second referendum, and many of the key issues which encouraged voters towards a ‘No’ vote in 2014 still remain – the issue of which currency an independent Scotland would use, questions around security, borders, the economy and, of course, EU membership.

Yet, uncertainty around an independent Scotland’s EU membership helped to fuel the winning ‘No’ vote in 2014.

With the nation now being taken out of the EU contrary to the result it delivered at the polls on June 23rd, this argument for Scotland's continued place in the Union is severely diminished. Whilst we might still be some way from IndyRef2, recent developments are a reminder that the thorny question of Scottish independence hasn't gone away.

This post represents the views of the author and not those of the Brexit blog, nor the LSE. (Featured image [credit: CC BY 2.0](#))

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