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**Scottish Rights Vindicated:
Identity and Nationalism
in Mid-Nineteenth Century Scotland**

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“Two roads diverged in a wood, and I -
I took the one less travelled by,
And that has made all the difference.”

Robert Frost

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Introduction

In 1999, the Scottish Parliament was re-instated after almost 300 years of central government and direct rule from London. It was an event that triggered renewed interest in Scottish national identity: how was it possible, many asked, that for over two centuries the Union has not been significantly challenged? This is a well-known question often posed in relation to the nineteenth century, the springtime of independent nation-states, the time when national movements spread all over Europe.¹ The French Revolution, which rapidly transformed the French state and established the concepts of *nation* and *citizenship*, facilitated the development of these movements: it was in the mid-nineteenth century that demands were made across Europe for basic changes in the economic, social and political order. Leading figures such as Mazzini, the founder of the 'Young Italy' movement, who advocated the trinity of independence, unity and liberty, or Davis, the chief organiser of the 'Young Ireland' movement, who promoted the study of Irish history and wanted to re-establish the Gaelic language as a means of 'expressing the nation' are only some of the many examples. In mid-nineteenth century Scotland, however, no such nationalist agitation developed, there was no demand for an independent Scottish state or for a Scottish Parliament. This appears particularly strange because Scotland witnessed two Jacobite rebellions in the eighteenth century, was a major base of Chartist agitation and had to deal with the Disruption of 1843 which weakened one of the main pillars of Scottish society. These events have been described as low-key forms of nationalism,² but that was about as far as it went: voices in favour of an independent Scotland were seldom heard.

This apparent lack of nationalist activity is the reason why Scottish identity and nationalism in the mid-nineteenth century have been characterised as romantic and irrelevant, and why a lack of a distinct identity has been attested. Tom Nairn, for example, argues in his controversial work *The Break-Up of Britain*³ that Scotland in the nineteenth century, as a result of an inferior

¹For example in Hobsbawm, E.J. (2002), *Nations and Nationalism since 1780. Programme, Myth, Reality*, Cambridge: Canto (2nd edition).

²Pittock, M.G.H. (2001), *Scottish Nationality*, New York: Palgrave, p. 93.

³Nairn, T. (1977), *The Break-Up of Britain. Crisis and Neo-Nationalism*, London: NLB.

culture and identity, suffered from a cultural neurosis. It could not develop a political nationalism, but had to resort to a weak and romantic cultural sub-nationalism that was expressed through *tartanry* and *Kailyard*. For him, nationalism is a purely modern phenomenon and the demand for 'the political' is its core.⁴ Cultural elements and history are either not considered or treated as negligible in relation to political elements. Problematic (or unproblematic) as it may be, it is not only Nairn who follows this modernist and political argument. Scholars are clearly divided along the fundamental paradigm that distinguishes between theories that either see nationalism rooted in modernity or those that acknowledge the existence of ethnic ties of the nation.⁵ Although this paper is not primarily about theories of nationalism, we have to make sure that we do not accidentally fall into the modernist trap: for scholars from the modernist camp, Scottish nationalism in the mid-nineteenth century did not succeed because it failed to demand an independent Scottish state, a Scottish Parliament. This is how Scotland became, in the words of Smout, "a famous enigma to students of nationalism."⁶

The assumption here is that a characterisation of Scottish identity, nationality and nationalism in the mid-nineteenth century as proposed by scholars from the modernist school is inappropriate. Not only does it fail to recognise the relevance of both cultural elements and the history of the Scottish nation, it also fails to acknowledge the complexity of nationality and identity because it operates very restrictively on a one-sided definatory level. It only refers to nationalism in political terms and bases this definition on an intrinsically modern outlook. But nationalism does not necessarily have to demand a parliament in order to be considered relevant or substantial. And although I agree that modernisation processes were significant for the development of nations and nationalism, we will see that it is difficult to understand or define these concepts solely on the basis of modernity and politics. We must also treat them as cultural phenomena and interpretations that are connected to the past: the past is an important source of legitimacy and it was used to

⁴One of the most prominent examples that we will also examine in greater detail is Gellner's study (Gellner, E. (2002), *Nations and Nationalism*, Oxford: Blackwell.).

⁵For a more detailed analysis of the 'paradigm debate' see Smith, A.D. (2000), *The Nation in History. Historiographical Debates about Ethnicity and Nationalism*, Oxford: Polity Press, pp. 2ff.

⁶Smout, T.C. (1994), 'Perspectives on the Scottish Identity', in *Scottish Affairs* 6 (winter), p. 101.

construct mid-nineteenth century Scottish identity.⁷ Accordingly, we will also look into how national cultures and identities are formed. We will see that Scottish identity was subject to processes of construction, translation and change.⁸ It is through the narrative of the nation, the way in which it is told and retold through its national history, literature and, as in our particular case study, through the interpretations of groups of people such as the *National Association for the Vindication of Scottish Rights* that we will learn how a distinct Scottishness developed that allowed the successful assertion of Scottish nationalism in the mid-nineteenth century.

But what actually is a nation? What is identity and what about Scottishness - or is it Britishness after all? These are questions that we have to answer before going on with the actual analysis of the situation in mid-nineteenth century Scotland. One of the earliest, and still frequently quoted, definitions of a nation comes from Renan who himself pointedly asked "Qu'est-ce qu'une nation?"⁹ While Renan stresses the notion of morality as a binding element, he does not say anything about ethnic bonds. But was there not, as Ferguson points out, some element of Gaelic tribal roots,¹⁰ i.e. a distinct Scottish past? Or was Scotland simply an internal colony of England, as part of the so-called Celtic fringe, as Michael Hechter suggests?¹¹ These few examples already illustrate how complex the concepts of nation, nationalism and identity are. It is, therefore, essential that we look very closely at the different theories and compare them in order to establish what 'was' mid-nineteenth century Scottish nationhood and to conceptualise and question it. Such a comparative approach brings us back to the division that we have already seen between the modernist school and those who stress other elements of nations and nationalism and will be discussed in the first part of this study.

After having looked at the more general concepts that encapsulate our

⁷The general concept that underlies this assumption comes from Smith, A.D. (1991), *National Identity*, London: Penguin, p. 52.

⁸McCrone, D. (1998), *The Sociology of Nationalism. Tomorrow's Ancestors*, London: Routledge, p. 30.

⁹In Hutchinson, J., Smith, A.D. (eds.) (1994), *Nationalism* (Oxford Readers), Oxford: Oxford University Press, p. 17.

¹⁰Ferguson, W. (1999) *The Identity of the Scottish Nation: An Historic Quest*, Edinburgh: Edinburgh University Press, p. 306.

¹¹Hechter, M. (1975), *Internal Colonialism: The Celtic Fringe in British National Development, 1536-1966*, London: Routledge.

analysis, we also have to make sure that we understand the effects the Union of 1707 had on Scottish identity in a historical and contextual frame. In what way, if any, can we relate concepts of (state and national) identity to the Union? For example, did the Union actually create a unitary nation state, i.e. a state in which nation and state are congruent?¹² Did it help to establish, and maybe even maintain, a new overall British identity? Or did it only facilitate the development of anti-English feelings? If we ask why the Union, which initially was hugely unpopular, was not challenged successfully, we will be able to see that it gradually established a composite British (state) identity in dissociation from 'the Other' which did not demand primacy over Scottish (national) identity.

If we want to analyse Scottish identity in the mid-nineteenth century, we have to know which factors influenced it directly before the time in question: after all, these factors were the immediate prerequisites for the interpretation of Scotland's past (and present) that the *National Association for the Vindication of Scottish Rights*, on which our case study is based, made. We have to acknowledge that from the late eighteenth century onwards, protest movements for social reforms were common also in Scotland. Thus it is relevant to ask in what way these movements challenged the Union (or not) and how they might have influenced Scottish identity. We will see that their impact was relatively small because the 'pillars' of the Scottish nation helped to maintain a marked level of autonomy. These pillars primarily were the Scottish civil society and the Scottish religious tradition manifested in the Kirk of Scotland, i.e. the elements of Scottish local life that had become even more important after the Union of 1707. An analysis of these pillars will allow us to evaluate why no political nationalism in the 'modernist sense' developed. Apart from this, Scottish participation in the Empire was central for the conceptualisation and construction of Scottish identity in the mid-nineteenth century. We will examine the way in which the Empire facilitated the creation of a form of popular local imperialism that shaped Scottish identity within an essentially British frame because the Scots were able to share the 'imperial experience'. The Empire helped to preserve Scottish national identity by, at the same time, maintaining a loyalty to the British state.

¹²Morton, G.(1999), *Unionist Nationalism: Governing Urban Scotland 1830-1860*, Scottish Historical Review Monograph Series No.6, East Linton: Tuckwell, p. 2.

In chapter four, we will come to our case study of the activities of the *National Association for the Vindication of Scottish Rights*¹³, the first coherent Scottish national movement. During a research visit to Edinburgh, I was able to use the Special Collection of the *National Library of Scotland*, which holds a large number of original documents from the *NAVSR*. The material consists of letters from members of the *NAVSR*, pamphlets and tracts, but also press cuttings and petitions that were addressed to the Members of the Houses of Parliament. Studying these documents will allow us to understand how nationalist arguments were developed within a unionist frame, i.e. a pronounced loyalty to the Union of 1707, the British state and the Empire. We will see how the Association interpreted the history of Scotland, the *Treaty of Union* and the resulting developments, in a specific mid-nineteenth century context to construct a pro-British Scottishness. As a nationalist organisation, the *NAVSR*'s main objective was to address Scottish national grievances; we will examine these grievances and the related rhetoric, tactics and proposed solutions. To complement this analysis of the Association and its activities, finally, we will look at how it was perceived by its contemporaries through, for example, press reports from newspapers.

The study will show how a Scottish identity in the mid-nineteenth century, which neither needed nor wanted an independent Scotland, which was neither purely romantic nor irrelevant, and which was constructed through Scottish civil society, popular imperialism and a specific (re-)interpretation of the *Treaty of Union*, could develop. This distinctive Scottish identity could not only be sustained within a united Great Britain, but could in fact be strengthened as a dual identity to both the Scottish nation and the British state. Such a dual identity could then be used by the *NAVSR* to assert a successful Scottish mid-nineteenth century nationalism in the form of the apparent oxymoron of unionist nationalism.

¹³For simplicity, the abbreviation *NAVSR* will be used throughout the paper.

1 Defining the Indefinable?

Nations, Nationalism and Identity

1.1 Nations and Nationalism: Modern, Political and Imagined?

The introduction already indicated some of the problems a study of nationalism and identity may encounter. Perhaps the central difficulty lies in filtering the various theories of nationalism and the related concepts of nation and identity. Add to this the fact that our present-day understanding of nationalism is often based solely on negative connotations and the concepts become quite a blur. The relevance here is obvious: we need a theoretical foundation on which to base our analysis, but, as Smith noted, it is one of the most profound problems of any study of nationalism to find an adequate definition. A useful way to establish a basis is the examination of some of the most dominant theories on the ideal types of nation and nationalism that have been introduced in scholarly discourse. We will then be able to see in what way they are helpful for our analysis of the situation in mid-nineteenth century Scotland.

Nationalism itself is, in fact, often not the first question scholars have turned on. The main initial problem is usually related to the definition of *nation*, or, as Hobsbawm put it, the question how one can distinguish between the nation and other entities.¹⁴ One main point of disagreement is whether a nation can be defined in objective terms or only in subjective terms.¹⁵ The definition most frequently quoted as objective (and one of the classic statements) is by Josef Stalin who said that

“a nation is a ... stable community of people, formed on the basis of a common language, territory, economic life, and psychological make-up manifested in a common culture.”¹⁶

Language and territory are the components often singled out as objective criteria, but population size and economic resources could also be included here. For Stalin, nations only exist once these different constituents have

¹⁴Hobsbawm (2002), p. 5

¹⁵Davidson, N. (2000), *The Origins of Scottish Nationhood*, London: Pluto, pp. 8-9.

¹⁶Hutchinson and Smith (1994), p. 20.

come together. In that sense, his definition is useful because it does not restrict the nation to a single definatory level.¹⁷ The problem with such seemingly objective criteria is that they are still subject to different and individual interpretations. As struggles for national independence in nineteenth century Europe have shown, the main problem is that not all of the criteria apply to all members of the supposed nation.¹⁸ This becomes even more relevant for subjective criteria. Nevertheless, the “day-to-day fabric of ethnic consciousness”¹⁹ is determined through the subjective interpretations by the individual or groups of people and it is these interpretations, the cultural and historical attributes, that we have to examine. Even Renan, in his treatise on the nation, defines it as an “everyday plebiscite”²⁰ which singles out the individual “members’ consciousness of belonging”²¹ to the nation as central to the construction of identity. The relevant point for our analysis is that potentially objective criteria are not very useful when it comes to the identity or character of a nation and its people; no criteria objectively define a nation, but a selection of different elements can make valid cases for it.

There is, however, good ground for establishing a definition of nation by contrasting the concepts of nation and state. A state is the political entity, it is sovereign and has a government. It is also limited in that it is separated from other states by a border. Some will argue that this definition also applies to nations, but such a simplified equation of nation and state is insufficient. A most useful distinction has been made by Smith. Whereas the state, as we have already argued, is the political entity, the nation incorporates cultural elements such as common myths of ancestry, historic territory and a mass

¹⁷Max Weber argues along the same lines when he says that nations cannot be defined by using just one simple criterion.

¹⁸Probably the most hotly debated criterion in this respect was language. Was, as some people argued in the nineteenth century, language the binding force of a nation? From the 1840s onwards, language took the centre stage in territorial conflicts (for example in that between the Danes and Schleswig-Holstein), it had become an indicator of nationality. But such an equation of language, territory and nation is highly problematic. As for Scotland, the element of language was less significant because Scotland shares the language with the other parts of the United Kingdom. Gaelic, although there were and are attempts to revive it, was important, but did not have enough force to become the main element in defining the Scottish nation.

¹⁹Smith, A.D.(1986), *The Ethnic Origins of Nations*, Oxford: Blackwell, p. 3.

²⁰Hutchinson and Smith (1994), p. 17.

²¹Hobsbawm (2002) p. 8.

public culture.²² The nation also relates to other components such as ethnicity, a point that is relevant with respect to the construction of identity that we will discuss at a later stage. The claim this twofold conceptualisation of nation and state makes is that the nation is not restricted to a single dimension (i.e. the political level), but has multiple layers for which cultural components and interpretations of the past are vital constituents.

If we now turn to *nationalism*, a definition is not made more easily. When we look at the origins of the concept of nationalism, we can see that this term was first employed “as an ideology and discourse”²³ at the end of the eighteenth century, the time of the French Revolution and only a few years before Fichte’s famous ‘Addresses to the German Nation’²⁴. Many historians would agree that nationalism is firmly rooted in modern times because it was then that the initial ‘carriers’ of nationalism, the intelligentsia,²⁵ used its status to spread nationalist ideals. The increasing wealth of the new urban bourgeoisie, which came along as an effect of the industrial revolution, promoted education and although this applied to only a select few, a new culture of debate and political activity developed that “gave these new ideas about the nation and autonomy a social base.”²⁶ This, however, fails to clarify the central issues of controversy: to what extent, if any, does nationalism rely on cultural components and history, or is it simply a political ideology? The second controversy that goes hand in hand with this question is how modern nations are. To determine a definition for our purposes, let us first go back to the approaches of the modernist school by Gellner and Anderson.²⁷

Ernest Gellner, in *Nations and Nationalism*, defines nationalism as a purely political principle in which “the political and the national unit have to be con-

²²Smith (1991), p. 14.

²³Hutchinson and Smith (1994), p.5.

²⁴Fichte delivered the addresses in Berlin in 1807 and 1808. They provided a practical view on what would be needed for the recovery of the German nation.

²⁵Intellectuals were the first to benefit from the resources of education and could use their knowledge to generate public debates about the nation and the then status quo. Once a discourse had been established, the further expansion of education initiated a trickle-down effect so that mass nationalist movements could develop.

²⁶Hutchinson and Smith (1994), p. 6.

²⁷They were not chosen randomly; their work is especially relevant since it dominates scholarly discourse on theories of nations and nationalism so that it makes sense to begin with an analysis of their concepts.

gruent"²⁸. This principle of homogeneity in his argument means that nationalism must have a political form, i.e. a nation has to have a state. Gellner draws a restrictive correlation between nationalism and the state: the state is the institutionalised and operationalised power. Gellner continues to explain that the development of nations was a necessary component of modernisation²⁹ on a functional level, and establishes a teleological connection between the emergence of nationalism and the processes of modernisation.³⁰ While states were an optional component of social organisation in agrarian societies, they became a necessity in industrial societies. For Gellner, nationalism has its sociological roots firmly, and only, in modernity and is basically a result of the transformation from agricultural societies to the more regulated and advanced industrial societies. When people began to move into the cities in the process of urbanisation, they needed some form of common identity to relate to. The new industrial society posed many new challenges that could be tackled with the help of common values and points of reference that everyone could share such as language or culture, i.e. the same system of ideas and signs. Nationalism, argues Gellner, is therefore a uniting element at the time of modernisation. Although we can agree with some of Gellner's conclusions, his general concept is less satisfactory because the cultural components are not related to the nation's history. By making the nation intrinsically modern, by arguing that "nations can be defined only in terms of the age of nationalism"³¹, the distinction that we have previously made with respect to the nation's multiple layers no longer applies: nationalism is again reduced to one single (political) layer. Gellner's theory only works where culture is not made a relevant element in its own right because it is "far too rich a catch"³², where culture is only a source and guardian for the political and where it can be used to fabricate the past.³³

To some extent, Benedict Anderson, the second representative of the modernist camp, argues along the same lines. He defines the nation as an imagined *political* community, "imagined as both inherently limited and sov-

²⁸Gellner (2002), p. 1.

²⁹Ibid., p. 40.

³⁰McCrone (1998), p. 82.

³¹Gellner, p.55.

³²Ibid., p.54.

³³Compare *ibid.*, p. 56.

ereign.”³⁴ The nation has a clearly defined limit, a border, and it has a sovereign status. But the nation is also a community that is characterised by a significant degree of comradeship.³⁵ Anderson argues that it is imagined because it is impossible for all members of one nation to know each other, but they can imagine to belong to the same nation. One of the most important points that Anderson makes is that although the nation is imagined, it is not fabricated because imagination has nothing to do with fabrication.³⁶ This fundamentally distinguishes his approach from that of Gellner.³⁷ The concept of ‘imagination’ for Anderson refers to the new modes of perception that developed in the course of modernisation. Like Gellner, Anderson also sees the development of nations in relation to the development of an increasingly industrial and modern society. But unlike Gellner, Anderson looks into the cultural factors of this development (but not into the cultural roots of nations itself). He argues that the success of nationalism lies in the gradual dissolution of the old roots of society, i.e. religious and dynastic ties, in the sixteenth and seventeenth century. While religion and dynastic ties used to be the two most central components in the construction of identity, modernisation facilitated the establishment of new loyalties. The other central determinant was the development of what Anderson calls print-capitalism.³⁸ It describes

³⁴Anderson, B. (1991), *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, London:Verso (revised edition), p.6.

³⁵*Ibid.*, p. 7.

³⁶I agree with this and suggest that we incorporate this basic principle into our model of identity: although I talk about the construction of identity in later parts of this paper, this construction has nothing to do with fabrication either. It encapsulates the idea that identities are not fixed and subject to (re-)interpretations and constructions in different situations under different prerequisites.

³⁷Another well-known example is Eric Hobsbawm’s theory on the invention of tradition; Hobsbawm is also a follower of the modernist school. His main argument is that a lot of traditions, or to be more exact, a lot of things that seem to be traditions are, in fact, inventions. Old material is used to fabricate traditions for an ever-changing modern world that needs traditions to rely on. If traditions do not exist, they are invented by modifying and ritualising existing habits for a new ‘national’ purpose. The theory has been widely criticised for failing to acknowledge that people would only be able to comprehend invented traditions if they are familiar with the roots - at least to some degree. I follow this criticism which shows that invented traditions are not invented at all but cultural products of a certain time in the nation’s history that are re-interpreted. For more details: Hobsbawm, E.J.(1983), ‘Inventing Traditions’, in -, Ranger, T. (eds.), *The Invention of Tradition*, Cambridge: Cambridge University Press, pp. 1-14.

³⁸Anderson (1991), p. 70.

the process of the gradual decline of the 'old' languages (e.g. Latin) and facilitated the use of local vernaculars and, eventually, the development of national languages. Both tendencies illustrate the move away from individual identities to an 'imagined community'. This concept Anderson establishes is interesting and in many ways clearly acceptable: he follows a constructivist approach and bases his analysis on the assumption that points of reference for identity have changed over time. The problem is that the imagined community has to be a *political* community so that nationalism could, then, fill the gaps.

While Gellner establishes a political and congruent unit between nation and state, Anderson talks about an imagined *political* community. Despite this terminological difference, both theories rely on the connection between the territory of the nation and the state's power to govern it³⁹ and neither make any reference to historical or cultural roots as such. These two understandings of both the role and development of nations and nationalism are a relevant antithesis to the nationalism of mid-nineteenth century Scotland. What all this amounts to is that according to these two modernist theories, Scotland in the mid-nineteenth century was not a nation and its nationalism failed because it was not political. We depart from such an assumption and will focus on an approach of multi-layered dimensions to develop a new conceptualisation of mid-nineteenth century nationalism and identity.

1.2 The Role of Ethnicity, History and Myths

Robert Louis Stevenson, one of Scotland's greatest writers, in one of his novels wrote:

"For that is the mark of the Scot of all classes: that he stands in an attitude towards the past unthinkable to Englishmen, and remembers and cherishes the memory of his forebears, good and bad; and there burns alive in him a sense of identity with the dead even to the twentieth generation."⁴⁰

It is impossible to draw a simple conclusion about Scottish identity from a work of fiction, but the relevance of history that Stevenson stresses for the

³⁹Compare Morton (1999), p. 50.

⁴⁰Stevenson, R.L. (1995), *Weir of Hermiston*, Gutenberg etext Library: etext no. 380, <http://www.gutenberg.org/etext/380> (last visited: 10 March 2005).

making of identity is, indeed, central to the concept we want to establish. The argument is that a national culture can only be sustained if its history lives, is perceived “as integral to the lives of those who share it”⁴¹ and helps to shape a sense of identity. For that reason, we have to integrate a further component into our analysis of the theories of nations and nationalism. We can accept that as an ideological movement nationalism is a modern phenomenon, but we have to extend this definition by looking into the ethnic and cultural roots of the nation. Smith, in his work on the ethnic origins of nations,⁴² has adapted the modernist view by including the concept of *ethnie*. For him the central point is that

“there can be no identity without memory (albeit selective), no collective purpose without myth, and identity and purpose or destiny are necessary elements of the very concept of a nation.”⁴³

By establishing this connection between identity, the nation and its history, Smith questions the modernist approach that does not account for folk traditions or the past.⁴⁴ Smith distinguishes between six different dimensions of *ethnie*: it is a group of people with a collective name, a common myth of descent, a shared history, a distinctive shared culture, an association with a specific territory and a sense of solidarity. The common myth of descent is the “sine qua non of ethnicity”⁴⁵ and is essential to locate the community in the wider context of other communities. The same applies to a shared history which functions as a means of uniting generations “each with its set of experiences which are added to the common stock.”⁴⁶ Smith’s concept, therefore, also accounts for the constant interpretation and re-interpretation of the past, the function of which we have already addressed briefly in the introduction. A shared culture works like glue that binds people together.

This, too, shows the link between history and myths. Myths, although often labelled romantic, unreal and sentimental, are nothing negative. Quite the contrary, they are at the very heart of ethnicity. Myths do not only embody

⁴¹Beveridge, C., Turnbull., R. (eds.) (1989), *The Eclipse of Scottish Culture. Inferiorism and the Intellectuals*, Edinburgh: Polygon, p. 16.

⁴²Smith (1986).

⁴³Ibid., p. 2.

⁴⁴Compare Morton (1999), p. 58.

⁴⁵Smith (1986), p. 24.

⁴⁶Ibid., p. 25.

the whole range of beliefs and sentiments of a nation, they are also a means to transmit them to future generations.⁴⁷ As such, myths are not false but a means to interpret social reality⁴⁸ in the present by selectively using the past. Myths have a long durability because they are transmitted through national histories or easily recognisable symbols that have a form that does not change quickly (e.g. flags). There can be various types of myths, but most commonly, myths of origin, liberation or a golden age of the nation are regenerated. This helps to explain the role the Wars of Independence and William Wallace played - and still play - in Scottish society. A hero such as Wallace allows people to think of Scotland as a community, a hero is the exemplification of community spirit.⁴⁹ Such mythologies are not invented or fabricated, but are used to “furnish the maps and moralities of modern nations”⁵⁰ if they are re-interpreted and rendered to meet modern demands. To successfully construct (national) identities, such myths and symbols are indispensable points of reference because they help to keep the nation’s common past alive.

With the help of both Smith’s definition of *ethnie* and the myth-symbol complex, we are able to broaden the concept of multiple layers that make a nation. This will allow us to examine the ethnic elements of Scotland to determine whether Scotland was a nation, had a distinct identity and whether nationalism in mid-nineteenth century Scotland really failed. In doing so, we depart from the modernist approach, which we have characterised as far too restrictive.

1.3 The Scottish Tartan Monster? Culture and Nationalism

As we have seen, the discussions on theories of nations and nationalism are not only complex, but also manifold. The outlined definition places nations in terminological opposition to states and attributes multidimensional components that include both ethnic ties, the history and myths of the nation. We have, thus, loosened the “strict political strait-jacket”⁵¹. The question of the validity of culture as a component of this concept has generated a signifi-

⁴⁷Smith (1986), p. 15.

⁴⁸McCrone, D. (2001), *Understanding Scotland. The Sociology of a Nation*, London: Routledge (2nd edition), p. 90.

⁴⁹Compare Smith (1986), p. 194.

⁵⁰Ibid., p. 202.

⁵¹Morton (1999), p. 53.

cant discourse among scholars. One of the first to address this question was Frederick Meinecke, who argued that one has to distinguish

“the largely passive cultural community from the ‘Staatsnation’, the active, self-determining political nation.”⁵²

We reject, of course, the notion that only the ‘Staatsnation’ can be active, but with this definition the stage was set for ‘culture’. As for Scotland, Tom Nairn’s *The Break-Up of Britain* can easily be singled out as the most controversial analysis of Scottish culture and nationalism and although it was written almost 30 years ago, is still widely held to be the most influential study.

It is interesting to note that the basis of Nairn’s study is the problem of Scottish nationalism, not Scottish nationalism as such. For our period in question, Nairn’s conclusion is even more ultimate: “there simply was no Scottish nationalist movement of the usual sort.”⁵³ Of course the bone of contention is in ‘the usual sort’. Like Gellner and Anderson, Nairn argues that nationalism is a modern phenomenon, and again, a political one: this is Nairn’s ‘usual sort’. Let us look at how Nairn comes to this conclusion and at the role culture plays in his line of argumentation.

A vital point in Nairn’s argument is that Scotland did not lack the necessary prerequisites to develop a fully-fledged form of nationalism - but it did not use them. Scotland had a dynamic middle class and, as was seen throughout the Enlightenment, a distinguished class of literati and intellectuals. Although the Union of 1707 ‘imposed’ a British state on Scotland, it left enough space, says Nairn, for a strong Scottish civil society to develop because Scots “preserved most of their own religious, cultural and legal institutions intact.”⁵⁴ The intelligentsia in Scotland, Nairn goes on, profited greatly from this, but, as a result, “was deprived of the normal function of an intellectual class in the new European world”⁵⁵ because it was not needed to fight for political independence. The point is that the Union of 1707 came rather late, absorbed the Scottish state and its intelligentsia into an overall British state, but preserved “institutional and psychological baggage normally associated with independence.”⁵⁶

⁵²Smith (1991), p. 8.

⁵³Nairn (1977), p. 105.

⁵⁴Ibid., p. 106.

⁵⁵Ibid., p. 117.

⁵⁶Ibid., p. 129.

As a result, Scottish nationalism had to be cultural because it could not be political.⁵⁷ So developed a characteristic form of cultural sub-nationalism that replaced political nationalism because despite the importance and acknowledgement of a strong civil society, Scotland was not “married to its state”⁵⁸ since the state was British and not Scottish. Out of this incongruence a gap could develop that could in turn be filled with nothing but a form of cultural sub-nationalism. For Nairn, Scotland faced a peculiar, even abnormal, historical situation where a ‘normal’ culture could not develop, it had to turn into the Scottish cabbage-patch in the form of the literary Kailyard and tartans.⁵⁹ The simplicity of the parochial Kailyard, Nairn claims, had a ready market in Scotland and a hitherto national culture became subverted into a sub-national variety of kitsch and stereotype.⁶⁰

Since the publication of *The Break-Up of Britain*, this analysis of Scottish culture has dominated scholarly discourse and has paved the way for primarily negative representations of nineteenth-century Scottish culture and history to persist. It seems, if one looks at some other studies such as that by the late Marinell Ash, that Scottish culture could really be nothing but deformed since “perceptions of Scotland’s past are like foggy landscape; ... islands of memory rising out of an occluded background.”⁶¹ Yet it is this narrow discourse that has created ‘foggy landscapes’: Scottish culture in the mid-nineteenth century was not all Kailyard and tartans.

The dominance of this interpretation of Scottish culture has been aided by historians and sociologists like Hugh Trevor-Roper. In his work on Highland society he claims that

“the kilt is a purely modern phenomenon, first designed ... by an English Quaker ... and it was bestowed by him onto the Highlanders.”⁶²

⁵⁷Nairn (1977), p. 157.

⁵⁸Ibid., p. 135.

⁵⁹Even if Barrie or Crockett, the traditional Kailyarders, only began to write in the late-nineteenth century, Nairn’s analysis overshadows the whole century.

⁶⁰See McCrone (1989), ‘Representing Scotland: Culture and Nationalism’, in *ibid.*, Kendrick, S., Straw, P. (eds.), *The Making of Scotland. Nation, Culture and Social Change*, Edinburgh: Edinburgh University Press, p. 162.

⁶¹Ash, M. (1980), *The Strange Death of Scottish History*, Edinburgh: The Ramsey Head Press, p. 1.

⁶²Trevor-Roper, H. (1983), ‘The Invention of Tradition: The Highland Tradition of Scotland’, in Hobsbawm, E.J., Ranger, T. (eds.), *The Invention of Tradition*, Cambridge: Cambridge University Press, p. 22.

Although there is some truth in the point that the kilt is not as ancient as Hollywood's *Braveheart* makes us believe,⁶³ and although Sir Walter Scott 'helped' Lowlanders to appropriate the kilt as a national symbol not only with his novels,⁶⁴ Roper's view is highly contentious. Why, if the kilt was invented by an Englishman, did it seem necessary to ban it as a true element of Highland life after the Jacobite rebellion of 1745? It is more than doubtful that such an effort would have been made with an Act of Parliament⁶⁵ had the kilt not been of great relevance as a symbol for Scottish national identity long before the rebellion of 1745. Another notable point is the role of the kilt in the British Army's Highland regiments.⁶⁶

Similar doubts apply to the Kailyard argument put forward by Nairn. Yes, the Kailyard school did create a parochial Scotland that was as far away from reality as it could possibly be and even its mid-nineteenth century predecessors celebrated rural Scotland,⁶⁷ but as new research has shown, the Kailyard cannot be explained entirely within a Scottish historical context.⁶⁸ The Kailyard was, in fact, not very representative of Scotland; the novels were often written by people who had either emigrated or lived in England, and they were primarily written for an overseas market. The view of parochial Scotland was propagated by those who had left Scotland and saw no other way to feed their own stereotypes.⁶⁹ Nairn also fails to acknowledge, as Beveridge and Turnbull rightly point out, that cultural elements have meanings and that these meanings are not simply consumed on a passive level, but subject to processes of selection and adaptation. Responses to both tartanry and Kailyard are "not uncritical assimilation, but a complex negotiation dependent on

⁶³The traditional Highland dress at the time of the Wars of Independence was the plaid rather than the kilt.

⁶⁴For example, Scott organised George IV's visit to Edinburgh in 1822 where most of the people and George IV himself wore kilts and traditional aspects of Highland life were displayed. Scott thus re-interpreted the nation as 'Highland' to provide a common and easily understandable identity (See Morrison, J. (2003), *Painting the Nation: Identity and Nationalism in Scottish Painting, 1800-1920*, Edinburgh: Edinburgh University Press, p. 225.).

⁶⁵The *Proscription Act* of 1747. Compare McCrone (2001), p. 133.

⁶⁶Compare Colley, L. (2003), *Britons: Forging the Nation, 1707-1837*, London: Pimlico, p. 53. or Paterson (1994), p. 104.

⁶⁷Harvie, C. (2000), *Scotland and Nationalism: Scottish Society and Politics 1707 to the Present*, London: Routledge (3rd edition), pp. 98-99.

⁶⁸*Ibid.*, p. 137.

⁶⁹*Ibid.*, p. 138.

the beliefs and values which are bound up with those of other concerns.”⁷⁰

Nairn does not look into any of these questions in more detail because he is far too pre-occupied with creating arguments that help sustain his ultimate judgement. So his conclusion comes as no great surprise considering that he emphasises the political role of nationalism. Regardless of our criticism of Nairn’s conclusion, his work is vital in that it was the first to single out the importance of Scottish civil society. Nairn’s analysis, then, helped to debunk Hechter’s claim that Scotland, as part of the Celtic fringe, was simply England’s internal colony after the Union of 1707. Instead, Nairn points at the gap that existed between Scottish civil society and the British state.⁷¹ What he interprets into that gap, however, is a misconception of Scottish culture that is unacceptable.

1.4 Constructing Identity, Constructing Nationality

One reason for Nairn’s failure to look at the gap between Scottish civil society and the British state from a level other than that of a cultural neurosis can be seen in the fact that he does not examine the way identities and nationality were actually constructed⁷² in mid-nineteenth century Scotland. Had he done so, he would probably have realised that tartanry can be a component in constructing identity just as well as a political demand for independence. Therefore, our objective here is to expand the concept of the multidimensional nation by incorporating a definition of (national) identity.

Like nation and nationalism, identity is also a complex issue, but complexity should not be used as a good enough reason to simply dismiss the relevance of identity.⁷³ One problem that often comes up in discussions on identity is how one concept can possibly encapsulate something that is so diverse. Such an assumption, however, is based on the misperception that people can only have one fixed identity.⁷⁴ As with our definition of nation and nationalism, multiple layers are also applicable for the concept of identity. But what are

⁷⁰Beveridge and Turnbull (1989), p. 14.

⁷¹See Bruce, S. (1993), ‘A Failure of the Imagination: Ethnicity and Nationalism in Scotland’s History’, in *Scotia* 17, p. 9.

⁷²Allow me to point out again that ‘construction’ here does not mean invention.

⁷³Compare Handler, R. (1995), ‘Is Identity a useful Concept?’, in Gillis, J.R. (ed.), *Commemorations: The Politics of National Identity*, Princeton: Princeton University Press, p. 92.

⁷⁴Smout (1994), p. 102.

these layers? In what follows, we will concentrate on defining the elements that constitute these multidimensional layers of identity.⁷⁵

In general, national identities are used to define and locate the individual within the framework of a shared culture and the even larger framework of the nation. Identities correspond to the past and the nation's history. As such, they use the resources of history and culture in the "process of becoming"⁷⁶ rather than being. This stresses the fact that identities, and thus, loyalties can change. Smout, in his model of concentric loyalties, has worked out an interesting visualisation of possible components that make up identity⁷⁷

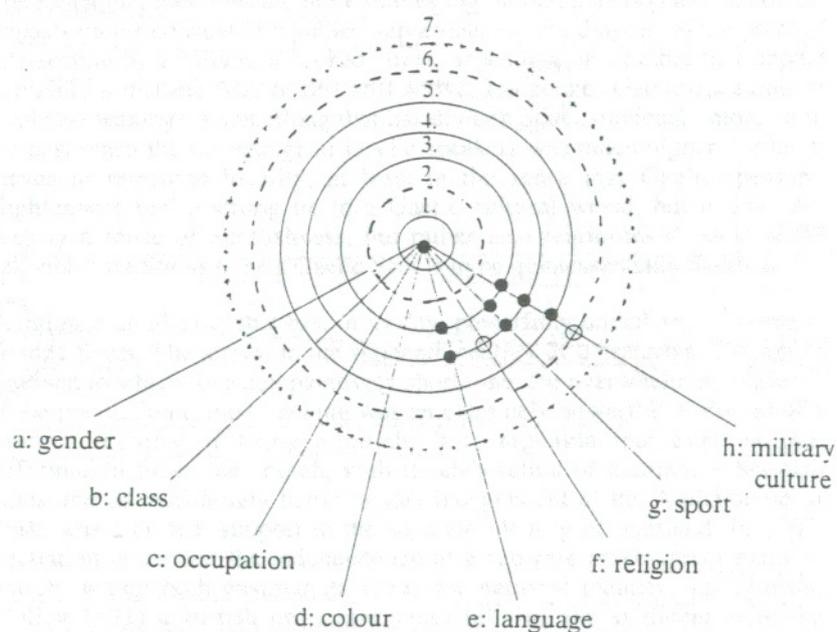


Figure 1: Smout's model of concentric loyalties

Identities develop out of certain loyalties, of which there can be many, that Smout arranges in concentric circles which follow a certain pattern. The first loyalty derives from family ties and the second from the related idea of kinship (loyalty to kinship has become obsolete in modern times, but used to be a core component of Scottish identity⁷⁸). The third loyalty is locality, which

⁷⁵Compare also Colley, L. (1992), 'Britishness and Otherness: An Argument', in *Journal of British Studies* 31, p. 315.

⁷⁶McCrone (2001), p. 151.

⁷⁷Smout (1994), p. 103.

⁷⁸In particular, no doubt, this applies to Highland society in which kinship and clan-ship were not just modes of loyalty, but constituents of social organisation.

might be illustrated in the dichotomy of Highland and Lowland society: being a Highlander deviated considerably from being a Lowlander.⁷⁹ Nationality is the fourth loyalty, which brings up the question whether one is Scottish. Interestingly enough, Smout clearly distinguishes this from the fifth loyalty, i.e. that of statehood, which refers to the question whether one is British. Smout includes the same basic distinction that we have already drawn between state and nation: they are not congruent and should not be used as mutual substitutes for each another. While the state is the overall political entity (Great Britain), the nation is Scotland. The sixth and seventh ring then complete the layers by adding the dimension of *Empire* and the *supranational* respectively.

This model is particularly interesting because it arranges the loyalties that can form identity in circles and does not simply rank them, so that the different circles always surround the respective previous circles. Not only does this illustrate that the individual components of loyalties are subject to other loyalties, it also illustrates that non-territorial identities such as gender or class can intersect with the circles.⁸⁰ Some of the components Smout lists may not be relevant for our purpose (e.g. military culture), but the general conceptualisation remains useful: identity is not a one-dimensional concept. Smith makes a similar claim when he defines five fundamental features of national identity. His argument, with which we can fully agree, is that the nation has to be able to draw on a variety of other identities to blend the *ethnie* element with the political element.⁸¹

Thus a specific and distinct national Scottish identity is embedded in other identities; they do not conflict but intersect and co-exist.⁸² Identities are multiple, situational and processual.⁸³ But if we assume that national identity is

⁷⁹The difference between Highlanders and Lowlanders even found its manifestation in language. While the term 'Sassenach' is now used as a derogative term to talk about the English, it was used by the Highlanders to refer to both the English and the Lowland Scots. The change of meaning (i.e. the narrowing of meaning) only emerged in the late eighteenth century (See Robinson, M. (ed.) (1985), *The Concise Scots Dictionary*, Aberdeen: Aberdeen University Press, p. 581.).

⁸⁰Compare Smout (1994), p. 104.

The other possible factors that intersect are language and religion, the latter of which will be addressed in the analysis in chapter three.

⁸¹Compare Smith (1991), p. 15.

⁸²Smout (1994), p. 107.

⁸³Hearn, J. (2000), *Claiming Scotland: National Identity and Liberal Culture*, Edinburgh: Polygon, p. 11.

different from state identity, we find a gap similar to that which we have seen between Scottish civil society and the British state, and the question is again how this gap was filled. If we take our argument for an inclusion of culture, history and myths, the point arises that the gap might be filled through the construction and re-interpretation of a nation's culture and the past.⁸⁴ Identity is not fixed, but, on a personal level, rediscovered, translated and constructed every day - a characteristic of identity that goes as far back as Renan's daily plebiscite. On such a subjective level, an element of banal nationalism⁸⁵ is vital for sustaining identity. Banality does not refer to something less important, but conceptualises the idea that nationalism is not only important in the initial phase of forming a nation, but also in established nations and states. Banal nationalism stresses the relevance of everyday encounters for 'making the nation' and for preventing that 'we' forget that we are members of a certain nation.⁸⁶ Scottish national identity in the mid-nineteenth century was constructed, maintained and transmitted through the pillars of Scottish society and the daily encounters with them to "preserve a sense of Scottish identity and prevent it from coinciding with identification with the [British] state."⁸⁷ This re-emphasises that the political, important as it may be, cannot be the sole component on which to rest the question of what a nation and national identity are.

In what follows, we will test the concepts of (British state and Scottish national) identity against the background of the Union of 1707: what were the effects the Union had on Scottish identity?

⁸⁴See Smout (1994), p. 108.

⁸⁵The most interesting study on this topic comes from Billig (Billig, M. (1995), *Banal Nationalism*, London: Sage.).

⁸⁶*Ibid.*, p. 61.

More will be said about elements of banal nationalism in the case of Scotland when we look at the tactics of the *NAVSR* in chapter four.

⁸⁷Smout (1994), p. 111.

2 Scotland in the Union

2.1 Scottish Identity and the Union of 1707

“That thereby one of the most ancient nations so long and so glorious defended by our worthie patriots will be supprest. Our parliaments, the very hedge of all that is dear to us, Extinguished and we and our posterity brought under ane Lasting yoke which we will never be able to bear, The fatal consequences of which we tremble to fear.”⁸⁸

Such arguments were used all over Scotland by opponents of the Union and continued to be used after 1707. For them, the Union was a threat to Scottish distinctiveness and independence. But was it? I have no intention of dismissing anti-Union protests as negligible, but our objective has to be restricted to tracing and systematising the main developments in order to deduce in what way the Union, as a milestone in Scottish history, was relevant for the construction of Scottish national identity.⁸⁹

In very general terms, one can distinguish between scholars who see the Union as something that was imposed on Scotland by the English and those who argue that the Union was practically inevitable and not absorbent, but a partnership of equals. I would argue along the lines of the latter tradition, assuming that the Union was, by and large, an early example of ‘realpolitik’. Questions on the extent of bribery and the ‘view from below’, i.e. how the Union was seen by the masses, remain at the forefront of both historiographical traditions. Needless to say, viewpoints varied considerably between England and Scotland, but can be broadly arranged in three groups.

Firstly, economic issues were a vital argument. Scotland was ‘the poor relation’ or, as Sir Edward Seymour, the Tory Leader in the Commons, noted, the beggar and “whoever married a beggar could only expect a louse for her portion.”⁹⁰ Many factors contributed to Scotland’s weak economic status, but the failure of the Darien expedition at the end of the seventeenth century was

⁸⁸ *Petition: Stirling Town Council Against the Proposed Incorporating Union*, 18 November 1706, in Cooke, A., et al. (eds.) (1998), *Modern Scottish History. 1707 to the Present* (Volume 5: Major Documents), East Linton: Tuckwell Press, p. 19.

⁸⁹ For a detailed analysis of the different protests see Pittock (2001), pp. 57ff.

⁹⁰ In Devine, T.M. (2000), *The Scottish Nation, 1700-2000*, London: Penguin, p. 4.

the final blow.⁹¹ What the Union offered was the largest free-trade area in Europe at the time. This included not only new trading opportunities with England, but also with the ever-expanding Empire, so that the possibilities for economic gain were a strong pro-Union inducement.⁹² Without Union, there were trade barriers, different taxes, different weights and measures and competition between Scotland and England. This put great pressure on both countries. Many in England and Scotland saw the Union as an opportunity for improving trade and for integrating into a new mercantile system of commerce. A union provided the chance to reduce elements of both protectionism on the part of the Scottish Parliament and hostile regulations on the part of the English Parliament. The Scottish ruling classes were interested in using Scotland's abundant natural resources (e.g. coal) and to establish new markets. The Union was vital for reaching these goals because it helped to strengthen an indigenous class of capitalists in Scotland.⁹³

Secondly, the Union was an important means of making peace between England and Scotland. The main point of concern for the English was the real threat of a Stuart restoration. The Scottish Parliament refused to automatically follow the English line of succession, but the Union provided the possibility to insert a paragraph on the succession into the Treaty.⁹⁴ Despite the fact that the Union was not inevitable,⁹⁵ it became increasingly obvious for the Scottish that any attempt to prevent an incorporating union would most likely create new frictions and internal crisis.⁹⁶ Although many Scots would probably have favoured a federal agreement rather than a full union, it was clear that in the end the choice was between union and separation. As Smout says, "it was wiser for the country to unite with England than to cast off on

⁹¹The main reason for the serious economic impact the failure of the Darien venture had was the extensive Scottish national investment that had gone into it. Almost every Scot had paid some money because the prospect of establishing a Scottish Empire was so appealing (See also Devine (2000), p. 6.).

⁹²Whatley, C.A. (2000), *Scottish Society 1707-1830. Beyond Jacobitism, Towards Industrialisation*, Manchester: Manchester University Press, p. 49.

⁹³Compare McCrone (2001), p. 59.

⁹⁴The second article of the *Treaty of Union* regulates succession and says that the king or queen has to be a Protestant and that "all Papists, and Persons marrying Papists, shall be excluded" from the throne (In Cooke et al. (1998), p. 3.).

⁹⁵Devine (2000), p. 4.

⁹⁶Smout, T.C. (1985), *A History of the Scottish People, 1560-1830*, London: Fontana, p. 199.

her own”⁹⁷ because independence would have entailed a whole range of disadvantages.

Finally, but probably most importantly, the Union allowed Scotland to keep its distinct Protestantism. But this had not been obvious from the start. Initially, the Kirk was one of the main conveyors of anti-Union rhetoric and through its role in society exercised great influence on the opinion of the majority of people, so that “rampant anglophobia”⁹⁸ was common. Throughout the debates and negotiations for the *Treaty of Union*, the chief English negotiators managed to eliminate the concerns of the Church. The *Act of Security* of 1706 and of course the actual *Treaty of Union* safeguarded the historic rights of the Kirk and the Presbyterian system of government. Some Scottish Presbyterians had, in fact, already thought about a union between England and Scotland as early as 1560 (at the height of the Reformation) because they saw a union as a means to secure Protestantism and protect it from the Catholic threat. As Colley argues, we find here a strong connection between Britishness and Protestantism which was elementary in underpinning the Union.⁹⁹ For many, the protection of religion was far more important than that of a secular parliament which, one has to admit, had always been considerably weaker and considerably less important for Scottish daily life than, for example, the English Parliament had been for the English. One reason for this was the relevance of the Church in civil society, in practice, the Church was the most important authority. Therefore, surrendering the parliament, says Paterson, to safeguard the Church was a national bargain.¹⁰⁰

An initial conclusion we can draw is that the level of Scottish autonomy before the Union was significant but restricted to Scotland’s “own confines”¹⁰¹ and these were not touched upon to a great extent even after the Union. In fact, there is good reason to argue that the regal Union of 1603 created various unresolved constitutional problems that the Union of 1707 could solve because it officially made Scotland a partner of England.¹⁰²

⁹⁷Smout (1985), p. 200.

⁹⁸Devine (2000), p. 9.

⁹⁹See also Colley (2003), p. 30.

¹⁰⁰Paterson, L. (1994), *The Autonomy of Modern Scotland*, Edinburgh: Edinburgh University Press, p. 31.

¹⁰¹Whatley (2000), p. 50.

¹⁰²Pittock (2001), p. 59.

If the question of the reasons for the Union is contentious, so is that of the consequences. The general agreement among scholars is that the short-term effects of the Union were neutral,¹⁰³ but there were effects and new problems that the Scots were not too pleased about.

One significant source of discontent was the re-introduction of the system of lay patronage¹⁰⁴ in which many saw a direct breach of the *Treaty of Union*. Paterson, however, argues that the re-introduction of patronage was not so much an English attempt to subjugate Scotland, but came from within Scotland. It was the rich Scottish landowners who approved of patronage.¹⁰⁵ This is an interesting argument which stresses the relevance of local management in Scotland even after the Union when we find political managers from Scotland who lobbied Scottish interests in London. Two of the most prominent managers were the Duke of Argyll and Henry Dundas. Dundas was a true defender of the notion that Scotland was not a colony, but an equal partner in the Union.¹⁰⁶ It was these managers who made Edinburgh “patently a centre of government”¹⁰⁷. They could do so because they practically governed Scotland through institutions in Edinburgh despite the loss of the Parliament.¹⁰⁸ This is another point showing that Scotland could, indeed, retain a significant amount of autonomy even after the Union. As Whetstone explains, autonomy flourished through “benign neglect”¹⁰⁹ because the central British government did not usually interfere in issues other than foreign policy and overall financial policy.

If we apply what we have said in chapter one, the Union did not create a unitary nation-state, but it did not take over Scottish daily government busi-

¹⁰³Whatley (2000), p. 52.

¹⁰⁴*Patronage Act 1712*.

Lay patronage was a system that allowed hereditary owners to select the ministers for a parish without reference to the wishes of the congregation. Accordingly, “patronage became a symbol of the subordination of the Church to the upper social orders, especially the landed interest” (Devine (2000), p. 375.).

¹⁰⁵Paterson (1994), p. 32.

¹⁰⁶For example, his speech on the Union from 1799 (In Cooke et al. (1998), pp. 46-48.).

¹⁰⁷Murdoch, A. (1980), *The People Above. Politics and Administration in Mid-Eighteenth Century Scotland*, Edinburgh: John Donald, p. 11.

¹⁰⁸For a list of institutions, see Devine (2000), p. 24.

¹⁰⁹Whetstone, A.E. (1981), *Scottish County Government in the Eighteenth and Nineteenth Centuries*, Edinburgh: John Donald, p. x.

ness either. Initially, the Union was deeply unpopular, but because it allowed Scottish civil society to take care of Scottish daily politics, such resentments decreased rather than increased in the course of the eighteenth century.

2.2 Threats from Within

The Union, as we have seen, was not as divisive as popular perception often has it, but there were, of course, reasons for friction and reactions against it. Most notably, the two Jacobite rebellions of 1715 and 1745 stand out. Again, there is not enough space here to analyse the impact of the Jacobite rebellions in great detail, but we have to balance popular modern romantic perceptions of the rebellions. The Jacobite rebellions were, after all, the main threat for the Union ‘from within’ and their relevance as such has to be pointed out.

The Jacobites were, and this is probably the easiest part of the definition, followers of James Stuart. Jacobitism developed as a result of the Glorious Revolution when Mary and William of Orange succeeded James VII/II who had been deposed. The Jacobites’ main objective was the restoration of the Stuart family to the throne. Religion was at the centre stage of this struggle and remained an important component: the Stuarts were Catholic while the new monarchs were Protestants. But to argue that Jacobitism was a purely Catholic phenomenon is incorrect. When the Scottish Parliament, after the deposition of James, made attempts to systematically destroy Scottish Episcopalianism, Jacobitism began to appeal also to Protestant Episcopalians.¹¹⁰ This, in turn, made Scottish Presbyterianism a stronghold of anti-Jacobite feelings. What is relevant here is that the Jacobites were opposed to the Union. For them, it sealed the fate of the Stuarts, making a restoration more unlikely and difficult. With their anti-Union rhetoric the Jacobites also intended to broaden their appeal “to political constituencies and commercial interests that otherwise would have opposed them outright.”¹¹¹ Simply put, joining the Jacobites was the only way to express nationalist sentiments for many¹¹² because the Jacobites were the only possible nationalist base for opposition to the Union. The rebellion of 1715 posed the most potent threat

¹¹⁰Mackillop, A. (2001), ‘Jacobitism’, in Lynch, M. (ed.), *The Oxford Companion to Scottish History*, Oxford: Oxford University Press, p. 350.

¹¹¹Ibid., p. 350.

¹¹²Pittock (2001), p. 64.

to the Union because it happened at a time when the positive effects of the Union had not yet become visible.

Perhaps the central difficulty for us lies in the question why the Jacobites did not manage to succeed and did not manage to significantly weaken the Union. As we have already learned in the previous section, the majority of Scots were strongly opposed to Catholicism and although the Jacobites initially managed to gain support from the Episcopalians, anti-Catholic feelings prevented a broader base of support. The fact that the Stuarts had found refuge in France showed that a French invasion was possible and a fear of invasion clearly helped to strengthen anti-Stuart and anti-Jacobite opinion.¹¹³ Apart from this, poor leadership on the part of the Jacobites was a central component, especially in 1715.¹¹⁴ But these traditional arguments cannot fully explain why Jacobitism did not have a more profound impact on the Union. Instead, we have to ask what the restoration of the Stuart family would have meant for the ordinary Scot. A vital component that was particularly important for the 1745 rebellion is that the advantages of the Union became increasingly obvious and began to take effect. Any attempt to repeal the Union would have destroyed newly-found wealth and prosperity in Scotland. The links between Jacobitism and what Colley calls the “economics of loyalty”¹¹⁵ are strong and elementary. Merchants and traders, who had benefited greatly from the Union, feared that the restoration of the Stuarts would corrupt internal trade in Great Britain and possibly even access to the Empire. After all, France, a staunch supporter of the Stuarts, was Britain’s prime competitor in overseas trade. It was, therefore, very likely that a restored Stuart king would have to support French interests because the French had been the Stuarts’ ally. So although this commercial argument did not destroy Jacobitism, it helped to maintain a strong anti-restoration feeling among the influential merchant class in Scotland and the opportunities offered through the Union “helped to ensure that the local working man was less inclined to treason.”¹¹⁶

We can conclude that while those in favour of Stuart restoration looked to the

¹¹³Compare Colley (2003), p. 76.

¹¹⁴This notion of weak leadership has become epitomised in the Earl of Mar who failed to see strategic and numerical advantages (Mackillop (2001), p. 351.).

¹¹⁵Colley (2003), p. 71.

¹¹⁶Ibid., p. 82.

past, the majority of Scots were more interested in the future in which the Union was far more appealing since it offered many new opportunities than dynastic struggles that were likely to cause friction and maybe even civil war. The Jacobites were, therefore, no significant challenge for an increasingly pro-Union Scottishness.

2.3 The Relevance of 'the Other'

Another central element in shaping Scottish identity throughout the eighteenth and early nineteenth century was anti-Scots feelings of the English, which partly developed as a result of the Jacobite rebellions. These feelings were based primarily on stereotypes similar to those we have heard about before: Scotland remained the 'poor relation' in contemporary caricatures. One good example is a propaganda painting by John Wilkes, one of the most famous anti-Scottish Englishmen from 1763¹¹⁷ which shows a very thin looking Scot (the beggar) dressed in tartan rags:



Figure 2: Scotland as poverty

It was Wilkes' intention to present Scotland as both backward and alien; his basic assumption was that it was impossible to tame the barbarian Scots. Wilkes used these arguments to establish a distinct Englishness into which

¹¹⁷In Colley (2003), p. 114.

the Scots could never be integrated to comfort those Englishmen who feared that the Union could lead to England being absorbed into an “non-Anglocentric Great Britain.”¹¹⁸ These stereotypes are both an expression of English ignorance of Scotland, but also a strong means for maintaining Scottish distinctiveness. Similar notions of anti-Scots feelings are addressed in the novels by the Scottish novelist Tobias Smollett. In *The Expedition of Humphry Clinker*, Smollett specifically writes about English ignorance of Scotland:

“... after we had passed through the town of Berwick, when he told her that we were upon Scottish ground, she could hardly believe the assertion - If the truth must be told, the South Britons in general are woefully ignorant in this particular. ... The people at the other end of the island know as little of Scotland as of Japan.”¹¹⁹

One reason for the development and more frequent use of stereotypes was that many English did not like the way in which the Scottish were able to benefit from the Union.¹²⁰

Stereotypes here are used to distinguish between England and Scotland, they are contrastive means to distinguish ‘them’ from ‘us’ to express distinct national identities.¹²¹ Such distinctions, however, were not only common within Britain, but also within the supranational wider European context. Our analysis has already indicated that Jacobitism was not only a political, religious and economic issue, but also formed a “subtext within the diplomatic balance of power in Europe.”¹²² France was the safe-haven for the Stuarts because it was a Catholic country (while Britain was, by and large, Protestant). Add to this the fact that France was also the main commercial rival of the British and France becomes the prime ‘Other’ in opposition to which Great Britain stood. The idea of ‘the Other’ incorporates a core component of identity: national identities, too, exist in dissociation from other national identities, from their “implicit negation, the Other.”¹²³ The strong opposition

¹¹⁸Colley (2003), p. 117.

¹¹⁹Smollett, T. (1771), *The Expedition of Humphry Clinker*, in Cooke et al. (1998), p. 144.

¹²⁰Glasgow had become the second city of the Empire and contrary to, for example, Liverpool was better suited for trade with the Americas because it allows easy access to the Atlantic.

¹²¹See Billig (1995), p. 81.

¹²²Mackillop (2001), p. 351.

¹²³Sahlins, in Colley (2003), p. 6.

that emerged between Great Britain as a whole and France in the eighteenth century helped to facilitate the development of a British identity because the majority of the people in Britain could relate to the idea that their identity was different from that of the French. Particularly important was the notion that the French Revolutionary and Napoleonic Wars challenged both the political and religious foundations of Britain and posed a threat to Britain's internal security.¹²⁴ Britain, at the end of the eighteenth century was, Colley explains, a product of war because it allowed all people, Scots, Welsh and English, to collectively define themselves against the 'Other'. This conception also rests to a large extent on the connection between Britishness and Protestantism that we have already traced in the previous section. For such a construction of national identity, homogeneity in Britain itself was not necessary since it was the opposition to 'the Other' that strengthened the concept of Britishness which could be superimposed in response to 'the Other'.¹²⁵

Colley's thesis is very interesting and up to here, we can fully agree. The problem is that, in the end, Colley too readily assumes that Britishness was the only identity that people could have and that it was the same all over Britain. She dismisses the notion that the assertion of Scottish identity still existed and focuses only on Britishness.¹²⁶ But Scots still remained Scottish: as our model of loyalties argues, Britishness was only the one side of the coin and co-existed with Scottish national identity, which was maintained even after the Union. Britishness in post-Union Scotland was a composite and complementary identity to Scottish national identity, but not more.

The degree of Scottish virtual autonomy, combined with disintegration of the Jacobite threat after the rebellion of 1745 and the material benefits the Union brought, helped to silence anti-Union protest and facilitated the acceptance of the new 'Great Britain'. This was underpinned in the dissociation from 'the Other'. The Union had, despite all problems that did exist, recognised Scotland as a partner of England and not a mere province.¹²⁷

¹²⁴Colley (2003), p. 4.

¹²⁵See also McCrone (2001), p. 182.

¹²⁶For a more detailed analysis of Colley's work from this perspective, see Robbins, K. (1998), 'An Imperial and Multinational Polity: The scene from the centre, 1832-1922', in Grant, A., Stringer, K.J., *Uniting the Kingdom: The making of British History*, London: Routledge, p. 251.

¹²⁷Paterson (1994), p. 33.

3 Identity in Mid-Nineteenth Century Scotland

3.1 'Low-Key Nationalism' and Scottish Identity

The base for transition to the nineteenth century was the French Revolution: it challenged existing regimes all over Europe, and as such, also facilitated discourses on reforms in Scotland. At the centre of these reform debates were proposals for burghal election reforms. The role Scotland's political managers played in maintaining an essentially autonomous Scotland has already been shown, but there were also flaws in the system. Henry Dundas in particular almost 'ruled' over Scotland and gave important positions to his relatives. Scotland was, in many ways, an oligarchy, some contemporary sources go as far as to talk about Dundas' despotism "when Scotland was bound hand and foot, and governed like a village at the gate of a great man's mansion."¹²⁸ Regardless of these problems, however, the Union remained stable. Devine traces three elements that help to explain why no serious attempt was made to repeal the Union in early nineteenth century. First of all, a shift in power away from the monarchy had already taken place in Scotland as a result of both the Glorious Revolution and the Union of 1707 itself. The monarchy had already lost its divine rights more than one hundred years before. Of course, there still was a monarch, but the power of Scottish civil society and local authority was profound. The Union had helped to safeguard the historic rights of the landowners and most of them saw no reason to put these rights at stake.¹²⁹ Secondly, the material benefits the Union had finally brought were far too valuable to be risked lightly. The living standards in Scotland had improved at a level unparalleled in Europe and most of the Scots were not interested in attacking these benefits. Finally, argues Devine, the potential threat of unrest was also defused by the significant opportunities for both emigration and migration that offered an alternative to civil protest.¹³⁰

Despite the fact that the French Revolution had little direct impact on Scotland, it had set the stage for reformist ideas and the government had to react to people's discontent. The established ruling order was challenged in Scot-

¹²⁸Masson, D. (1854), 'The Union with England and Scottish Nationality', in *North British Review* 21, p. 88.

¹²⁹Compare Devine (2000), p. 212.

¹³⁰*Ibid.*, p. 217.

land by those people from the middle class who had had commercial success: they were insisting that such success would also have to be translated into more political power. The Reform Act of 1832 was central because it extended the vote and helped to emancipate the middle class. This extension of the franchise democratised Scottish local government, but “the road to freedom [for the Scottish middle class] lay through assimilation to the English franchise.”¹³¹ Only with the help of these reforms could the Scottish middle class strengthen its role in civil society which in turn was vital for maintaining a distinctly Scottish identity.

For some, of course, this was not enough. The Chartist movement of the 1830s and 1840s found ready ground in Scotland and was soon able to attract many supporters, and like elsewhere in Britain, numerous local and regional Chartist organisations developed. Although we should not dismiss the relevance of Chartism as a protest movement, it was not quite as divisive as some suggest.¹³² The Scottish branch of Chartism was underpinned by a strong religious ethos that could not be found elsewhere. Scottish Chartism was based on the concepts of temperance, economic co-operation and Christianity that even found its expression in the establishment of more than 20 Chartist Churches. The common dichotomy of Chartism between moral force and physical force was not strongly pronounced in Scotland because the religious ethos did allow physical force as a feasible solution, it was always considered to be the very last means. This was a distinctive point of Scottish Chartism that marks it off from the more militant English Chartists and reflects the strong Presbyterian tradition that penetrated Scottish society. In Scotland, Chartism was “reformist rather than revolutionary”¹³³ and as long as Chartist leaders continued to make use of political means rather than openly violent means of protest, Britishness as an overall composite identity was not significantly challenged and Scottish identity could be maintained within this frame.¹³⁴ This helps to explain why Chartism as a protest move-

¹³¹Harvie (2000), p. 14.

¹³²For example Finlay, R.J. (1997), ‘The Rise and Fall of Popular Imperialism in Scotland, 1850-1950’, in *Scottish Geographical Magazine* 113 (1), p. 14.

¹³³Devine (2000), p. 277.

¹³⁴Compare Eastwood, D., Brockliss, L. and John, M. (1997), ‘From Dynastic Union to Unitary State: The European Experience’, in Brockliss, L., Eastwood (eds.), *A Union of Multiple Identities: The British Isles, c.1750-c.1850*, Manchester: Manchester University Press, p. 196.

ment did not destabilise the Union: protests were mainly parliamentary.

People in Scotland were, in general, less affected by the central state and did not use radical protest to the same extent as the English or Irish. Scottish Chartism and reform initiatives, however, were significant in that they were asserted under a Scottish national banner. As such, they operated as the first low-key forms of nationalism.¹³⁵ The central point is that the distinctions Smout establishes in his model of concentric loyalties that we have adopted gradually came to surface from the late-eighteenth century onwards: a political loyalty developed to Britain, but the *nation* was and remained Scotland so that even protest movements had a distinctly Scottish colouring and did not attack Scottish identity within the Union.

3.2 The Pillars of the Nation

3.2.1 Civil Society and the Governing of Scotland

We have already hinted at the role civil society in Scotland played after the Union and we have seen that a gap existed between Scottish civil society and the British state. But what actually is civil society? Ernest Gellner provides a most useful definition:

“Civil society is that set of diverse non-governmental institutions, which is strong enough to counterbalance the state, and, whilst not preventing the state from fulfilling its role as keeper of the peace and arbiter between major interests, can nevertheless prevent the state from dominating and atomising the rest of society.”¹³⁶

It is clear that, in the end, the central British state had the final say, but Scottish civil society practically was a form of local self-government used for the day-to-day governing of Scotland and as such, helped to maintain a marked Scottish identity because in Scottish local life, local issues were dealt with on a local level and were given local solutions.¹³⁷ But the Scottish managers had also gradually lost influence from the early nineteenth century onwards, so can we assume that civil society was still as relevant a pillar of Scottish

¹³⁵Pittock (2001), p. 93.

¹³⁶In Morton (1999), p. 8.

¹³⁷Compare Morton, G. (1996), ‘Scottish Rights and Centralisation in the Mid-Nineteenth Century’, in *Nations and Nationalism* 2 (2), pp. 260-261.

identity in the mid-nineteenth century as it had been in the previous century?

Central to local self-government were the burghs. In practice, they existed side-by-side to the many supervisory and intermediary boards that were institutionalised after the Union. The *Convention of Royal Burghs* was a national body that could lobby for legislation in Parliament and act as a local agent.¹³⁸ Hand in hand with the burghs operated the Scottish legal system, the sheriffs in particular who were also local agents of the state and allowed the Scottish to maintain an indigenous and autonomous legal system in the framework of the tasks that were designated to them.¹³⁹ The role of the sheriff was, in fact, even extended and professionalised in the nineteenth century because the central government in London transferred the power of initial jurisdiction to the sheriff courts which “cemented the sheriffs even more firmly into the culture of the Scottish legal system.”¹⁴⁰

In like manner, voluntary societies were central to Scottish civil society: they reached their peak in the 1840s and complemented local administration. It was the idea of piety that had led to the establishment of voluntary self-help and charitable organisations which aimed at tackling the social effects of industrialisation and urban expansion:

“In the key period of minimalist and regulatory action by the local state in the 1830s and 1840s, these voluntary societies commanded substantial local resources.”¹⁴¹

These resources were utilized to build schools or to provide medical treatment for the poor and were directly used to meet people’s needs. The societies operated both on a local and on a transcending national level, but they developed most prominently in the bigger Scottish cities. As Morton shows in his study on voluntary societies in Edinburgh,¹⁴² one can generally distinguish between philanthropic voluntary organisations and cultural voluntary organisations. While the former can best be characterised in terms of religion and included temperance societies and, most importantly, charitable institutions, the latter relate back to the Enlightenment and the tradition

¹³⁸Paterson (1994), p. 55.

¹³⁹Compare *ibid.*, pp. 35-36.

¹⁴⁰*Ibid.*, p. 54.

¹⁴¹In Morton (1999), p. 47.

¹⁴²*Ibid.*, pp. 68ff.

of scientific and literary societies. Voluntary organisations were, as most of the local government, generally composed of members from the middle class who were, thus, able to attempt to address and tackle the social problems of the respective town or city.¹⁴³ This was only possible through the potentials that a strong and near-independent civil society and local self-government offered. Middle class hegemonic social power was maintained through voluntary societies and municipal government and could safeguard municipal democracy.¹⁴⁴ Civil society strengthened Scottish virtual autonomy because the middle class could mediate between the central state and the Scottish nation.¹⁴⁵

In the mid-nineteenth century, Scotland still rested on its strong and distinct civil society which facilitated the development of a relatively independent local government in a fairly decentralised British state: civil society functioned like a buffer. Through the Union of 1707, the British state enshrined Scottish civil society and created the frame for a distinctly Scottish local government. The middle class “were incorporated into the expanding infrastructure”¹⁴⁶ of local administration. Under such conditions, the legitimacy of the central British state was not notably challenged, but in fact maintained through the empowerment of local government¹⁴⁷ and the middle class. This empowerment follows the tradition of ‘benign neglect’ in post-Union Scotland that we have traced in chapter two and reflects the laissez-faire attitude of the central government towards Scotland.

The enshrinement of civil society is a good illustration of how effectively Scotland was governed from within. Through the institutions of civil society, the Scots could perceive and ‘make’ mid-nineteenth century Scotland.¹⁴⁸ For Scottish identity, the governance from within was central in that it underpinned national loyalties rather than only state loyalties.

¹⁴³Morton (1999), p. 95.

¹⁴⁴Compare Morton, G. (1998), ‘Civil Society, Municipal Government and State: Enshrinement, Empowerment and Legitimacy. Scotland, 1800-1929’, *Urban History* 25 (3), p. 365.

¹⁴⁵Morton (1996), p. 262.

¹⁴⁶Hossay, P. (2002), *Contentions of Nationhood. Nationalist Movements, Political Conflict, and Social Change in Flanders, Scotland, and French Canada*, Oxford: Lexington Books, pp. 102-103.

¹⁴⁷Ibid., p. 366.

¹⁴⁸Morris, R.J., Morton, G. (1994), ‘Where was Nineteenth-Century Scotland?’, in *Scottish Historical Review* 73, p. 96.

3.2.2 Religion, the Kirk and Society

The relevance of religion has already been pointed out in chapter two with respect to the relation between Protestantism and the construction of Britishness, but it was also a central element in Scottish civil society and local self-government. If we look again at our model of concentric loyalties, the question arises whether religious identity was relevant for Scottish national identity in the mid-nineteenth century.

Most historians would agree that Scotland has a distinct religious heritage that survived the Union. The Scottish Calvinist tradition stands out as the core element. According to Hobsbawm, it greatly influenced the very democratic Scottish educational system, the system of poor relief and the ideal of perfection through labour.¹⁴⁹ There are also many historians who argue that the age of industrialisation significantly weakened the role of the Church and alienated the working class from the traditional religious ethos. Such assumptions were greatly influenced by contemporary discourse. Reverend Thomas Chalmers for example wrote that

“in our great towns, the population have so outgrown the old ecclesiastical system, as to have accumulated there into so many masses of practical heathenism.”¹⁵⁰

Out of this fear developed the idea that the alienation of the working class could disrupt the stability of society on the whole, which is why debates on social policy were common. This view has been challenged in the last few years. New evidence suggests that Church membership did not collapse abruptly, but that religious values were still extremely influential and helped “to shape powerful national identities.”¹⁵¹ Secular tendencies only began to have increasing effects in the latter half of the nineteenth century. As we have seen with the Chartist movement of the 1830s and 1840s, a powerful religious ethos underpinned Scottish life. This is also illustrated in the fact that the Sabbath was maintained. Brown provides ample evidence that shows how the Sabbath became an integral part of proletarian culture in Scotland.¹⁵²

¹⁴⁹Hobsbawm, E.J. (1999), *Industry and Empire*, London: Penguin (new ed.), p. 289.

¹⁵⁰Brown, C. (1997), *Religion and Society in Scotland since 1707*, Edinburgh: Edinburgh University Press, p. 95.

¹⁵¹Devine (2000), p. 363.

¹⁵²Brown (1997), p. 80.

But religion also maintained its influence on the organisation of social policy, which was a particularly important element of Scottish civil society. A good illustration of this are the different types of poor relief which also underpin the role the Scottish Presbyterian tradition played in moulding a distinctive Scottishness. In England, the Poor Law Reform of 1834 led to violent protests. This was not the case in Scotland where this reform was not applicable because poor relief was the task of the Kirk until the Amendment Act of 1845. As Hobsbawm explains, the absence of an English-type Poor Law in Scotland left poor relief in the hand of the local community, and therefore, helped to safeguard rural and small-town Scotland.¹⁵³ But even the act of 1845 did not completely disrupt this system of local government because the Scottish Poor Law remained in the parish.¹⁵⁴ From 1845 onwards, Parochial Boards were responsible for both poor relief and health regulations. The boards were semi-independent and worked as intermediaries between the Scottish people and the central British state. The point is that these parochial and domestic intermediary boards were still mainly comprised of Scots so that Scottish social administration was relatively more localised than the English¹⁵⁵ and more responsive to Scottish needs than a central government could be. As regards social policy, the Scottish middle class was able to engage in boards and local government, and thus, to feel that it could create its own state.¹⁵⁶ This was vital since the Reform Act of 1832, as we have seen, had emancipated the middle class. Although we can attest a greater involvement of the central state from the 1840s onwards, Scotland in the end was still largely administered on a local level and the Church remained at the core of this form of administration.¹⁵⁷

This parochial system administered by the Church was central, too, to the Scottish educational system. Although various scholars have attempted to debunk the apparent myth of 'lad o' pairs',¹⁵⁸ which reflects the meritocratic and democratic tradition of Scottish education, Anderson manages to show that there was at least some truth in the myth and that it remained a strong

¹⁵³Hobsbawm (1999), p. 289.

¹⁵⁴Morton (1999), p. 30.

¹⁵⁵See also Paterson (1994), p. 52.

¹⁵⁶*Ibid.*, p. 53.

¹⁵⁷Levitt, I. (ed.) (1988), *Government and Social Conditions in Scotland, 1845-1919*, Edinburgh: Scottish History Society, p. xi.

¹⁵⁸Compare Devine (2000), p. 390.

pillar of Scottish identity in the Victorian period.¹⁵⁹ One of the most significant problems that was also reflected in the parochial education system clearly was the Disruption of 1843 which virtually broke the national Church in half.¹⁶⁰ The Kirk in Scotland had always been able to claim that it was a national Church, it was responsible for poor relief and education, but after the Disruption we find two competing Churches and the cohesive power of the Church was lost to a notable degree. But we should be cautious because this analysis is not altogether convincing. Brown shows in his study that contemporary commentators in mid-nineteenth century Scotland dismissed the notion that the formation of the Free Church destroyed the national Church. For them, the founding of the Free Church enhanced “the sense of institutional democracy in Scotland.”¹⁶¹ It was Robert Louis Stevenson who pointedly observed that “the Parliaments of the Established and Free Churches ... could hear each other singing psalms across the street”¹⁶² when they met simultaneously in Edinburgh every May. The Disruption, by and large, was a political and constitutional issue that left the role religion, the Presbyterian tradition in particular, played for society intact, but it did challenge the Kirk as an institution. With respect to education, for example, the Disruption directly threatened the system of parish schools¹⁶³ because the Free Church became a competitor for education. So, no doubt, these difficulties did increase the pressure on Scottish identity and brought up the question in what other ways identity could be distinctively asserted.

3.3 A Scottish Empire: Imperialism and Scottish Identity

3.3.1 An Imperial Mission

Although initial low-key forms of nationalism did exist that used constitutional and political rather than radical means to make themselves heard and although the Disruption did not completely destroy the role of the Church, the influence of the traditional pillars of the Scottish nation was decreasing. But the gaps that developed were quickly filled by new but common points of ref-

¹⁵⁹See McCrone (2001), p. 93. (We can agree with this since, as we have seen, myths are not fabricated, but relate to a selective re-interpretation of the past.)

¹⁶⁰Devine (2000), p. 283.

¹⁶¹Brown (1997), p. 186.

¹⁶²*Ibid.*

¹⁶³Paterson (1994), p. 66.

erence. We will now examine the most important new point of reference, i.e. the Scottish participation in the Empire: suddenly, we have “an old people finding a new role on the world stage.”¹⁶⁴

The foundations for Scots on the world stage were clearly laid in the course of the eighteenth century when the first Scots were able to seize imperial opportunities and when Glasgow became the ‘Second City of the Empire’ as a result of its participation in the tobacco trade. It was from the end of the eighteenth century onwards, mainly aided by Henry Dundas’ activities in the central government,¹⁶⁵ that the notion of Scotland as a “race of Empire Builders”¹⁶⁶ was frequently heard. Through the Union of 1707, Scotland had entered into an imperial partnership with England and was more than happy to be actively engaged in it. It had finally lost its stereotypical status as the beggar, “the historic curse of poverty”¹⁶⁷, and turned into a much more prosperous nation. In the late eighteenth century, however, it was mainly the elite of Scotland and some of the aspiring middle class who participated in imperial activities.

Other reasons for emigration, as we know, were less positive. Even at the end of the eighteenth century, small-scale clearances in the Highlands led to whole communities embark on single ships to the new world. Emigration was partly seen as a means to relieve congested areas especially on the west coast of the Highlands.¹⁶⁸ Such notions of involuntary relocation, however, are only one side of the coin. As Donaldson rightly points out, many people from the Highlands were willing to emigrate because, for example, their relatives from America “daily sent intelligence calculated to encourage them to follow.”¹⁶⁹ From the early nineteenth century onwards, more opportunities developed for all Scots,¹⁷⁰ but it was Lowland Scots in particular who were able to seize the opportunities of the day: urban Lowlanders went for

¹⁶⁴MacKenzie, J.M. (1998), ‘Empire and National Identities: The Case of Scotland’, in *Transactions of the Royal Historical Society* 6th series 8, p. 220.

¹⁶⁵Henry Dundas, for example, was Treasurer of the Navy and also presided over the *Board of Control for India*.

¹⁶⁶Finlay, R.J. (2001a), ‘British Empire’, in Lynch, M. (ed.), *The Oxford Companion to Scottish History*, Oxford: Oxford University Press, p. 44.

¹⁶⁷Finlay (1997), p. 17.

¹⁶⁸For a more detailed analysis, see Harper, M. (2003), *Adventurers and Exiles: The Great Scottish Exodus*, London: Portfolio Books, pp. 44ff.

¹⁶⁹Donaldson, G. (1976), *The Scots Overseas*, Westport: Greenwood Press, p. 64.

¹⁷⁰Finlay (2001a), p. 44.

business and rural Lowlanders for acquiring their own farm land - the lure of the land was, after all, one of the main pro-emigration inducements.¹⁷¹ So it was a combination of both elective emigration and involuntary emigration that characterises Scottish involvement in the Empire.

From the early-nineteenth century onwards, the idea of creating a 'better Scotland' abroad, however, became increasingly important: it was Scottish settlers who actively and voluntarily founded many colonies.¹⁷² After the Disruption, for example, members of the Free Church set out to establish a permanent Presbyterian settlement on New Zealand's South Island, a 'New Edinburgh'.¹⁷³ The number of Scottish settlers was significant: while Scots stood to English in a ratio of 1:7 in Britain, ratios in the colonies were different, for New Zealand we have a ratio of 1:2 and for South Africa of 1:3.¹⁷⁴ These high numbers relate to the fact that by the mid-nineteenth century, Scots were assisted by societies, for example the *Highland and Island Emigration Society* if they wanted to (or had to) emigrate.¹⁷⁵ Apart from these general reasons for emigration, we can basically single out four different ways in which the Scots were engaged in the Empire in the mid-nineteenth century:

Firstly, many Scottish aristocrats and their sons actively participated in colonial governments and became imperial administrators. If we look at the exact numbers, we can see that between 1850 and 1939, about a third of the imperial governor-generals were Scottish.¹⁷⁶ A good example can also be found in Canadian politics which, from the mid-nineteenth century onwards, were dominated by the Glasgow-born Sir John A. Macdonald for more than 20 years.¹⁷⁷

The military service was the second way in which more and more Scots could be employed in the Empire. Even at the end of the eighteenth century,

¹⁷¹Harper (2003), p. 84.

¹⁷²See MacKenzie, J.M. (2003), 'A Scottish Empire? The Scottish Diaspora and Interactive Identities', in Brooking, T., Coleman, J., *The Heather and the Fern. Scottish Migration and New Zealand Settlement*, Dunedin: University of Otago Press, p. 25.

¹⁷³It was finally founded as 'Dunedin' (Dunedin is the Gaelic name for Edinburgh).

¹⁷⁴MacKenzie, J.M. (1993), 'On Scotland and the Empire', in *International History Review* 15, pp. 714-739.

¹⁷⁵For a list of emigrants sent out by the Society, see Donaldson (1976) p. 64.

¹⁷⁶Finlay (2001a), p. 44.

¹⁷⁷Devine (2000), p. 290.

a significant number of the royal regiments in India were Scottish.¹⁷⁸ The Scottish regiments were easily recognisable because the traditional Scottish dress was used for its soldiers, they wore kilts and tartan. Queen Victoria frequently decorated Scottish soldiers for their gallantry¹⁷⁹ and for their role as fighters in the expansion of the Empire.

We also find, thirdly, a great number of Scottish doctors and lawyers who worked in the Empire. For example, Scottish doctors dominated the Indian Medical Service and were actively engaged in the development of the new discipline of tropical medicine.¹⁸⁰ As Finlay explains, the Scottish education tradition had led to a significant increase in well-trained professionals which the Empire readily absorbed¹⁸¹ - a fact that reflects the role and distinct tradition of the democratic Scottish education system. Contributions by learned Scots could be seen in sometimes rather radical approaches to education, land tenure or agriculture. John Malcom and Thomas Munro, for instance, established a land revenue system in India that very much followed the traditions of the Scottish Enlightenment and is, thus, one example of how the Empire began to get a very Scottish 'flavour'.¹⁸²

Fourthly, but probably most importantly, Scots worked as missionaries in most of the colonies of the Empire. The competition that existed between the Church of Scotland and the Free Church after the Disruption of 1843 partly explains why we can find so many Scottish missionaries and, accordingly, why so many Scots were needed as missionaries: if the Free Church set up a mission, the Church of Scotland followed suit and vice versa.¹⁸³ Perhaps the central point is that the Scottish missions facilitated the expansion of the Scottish Presbyterian tradition all over the globe. It was this missionary work that allowed the Scots at home to think less about the divisions within the Church that they faced: the underlying religious ethos had not been challenged and was now transmitted across the Empire. There appeared to be greater evils in the uncivilised countries of the Empire so that "Christian val-

¹⁷⁸MacKenzie (2003), p. 21.

¹⁷⁹Finlay (1997), p. 16.

¹⁸⁰MacKenzie (2003), p. 23.

¹⁸¹See Finlay (2001a), p. 44.

¹⁸²See MacKenzie (2003), p. 23.

¹⁸³For example in Nyasaland (Malawi). See Finlay, R.J. (2001b), 'Missions Overseas', in Lynch, M. (ed.), *The Oxford Companion to Scottish History*, Oxford: Oxford University Press, p. 424.

our helped to focus Presbyterian minds”¹⁸⁴ on these evils and not on the problems in Scotland. Central to the Scottish overseas mission was education. In a letter from the *Bombay Scottish Missionary Society*, the Scottish missionaries are specifically credited:

“You have been able to extend your system of education and especially that you have been able to establish schools for the female children.”¹⁸⁵

The missionaries followed a distinct Scottish education tradition and exported the ‘lad o’ pairts’ ideal into the Empire. Clearly the most famous missionary was David Livingstone, who personified Scottish virtues and became a cult figure. Livingstone also was the typical ‘lad o’ pairts’ who had managed to successfully climb the social ladder through education and his work as a missionary and explorer in Africa and in doing so, had set an example for many other Scots. The missionary movement powerfully underpinned and legitimised the role of the Scots in the Empire.¹⁸⁶

This experience as Empire builders was new for the Scots, but it was vital in that it allowed them to look at their own identity from a positive position (‘We are the ones who helped build up the Empire.’) rather than a negative position (‘We are the Scottish beggar.’). If we look again at the model of concentric loyalties, we can see that the Empire was an important component. We can assume that it is the notion of loyalty to the Empire, an Empire which gave many opportunities to the Scottish people, that strengthened Scottish identity at home. This can be addressed in terms of popular imperialism and we will look at the central determinants in what follows.

3.3.2 Bringing the Empire Home: Popular Imperialism

We have seen that the Scots actively participated in the Empire in at least four ways. But why, one may ask, was that relevant for Scottish national identity? Graham Walker points out that

“far from being eclipsed by her larger neighbour Scotland used the opportunity structure offered by the Empire to demonstrate what Scots

¹⁸⁴Finlay (1997), p. 16.

¹⁸⁵In Forsyth, D. (1997), ‘Empire and Union: Imperial and National Identity in Nineteenth-Century Scotland’, in *Scottish Geographical Magazine* 113 (1), p.7.

¹⁸⁶Devine (2000), p. 366.

quite immodestly considered the superiority of their nation's culture and moral distinctiveness."¹⁸⁷

This is true, but does not address the main reason. The central point is that the Scots' activities in the Empire were transmitted back to the homeland and significantly influenced the perceptions of Scottishness and what it meant to be Scottish. The central determinants for this process were the extensive improvement of new means of communication and the improvement of travel. The popular press and an increasing number of newspapers with reports on those who had sought their fortunes around the globe greatly facilitated the image of the successful Scot¹⁸⁸ and helped to transport imperial values and ideas. While the view on emigration had been largely negative in previous years since it was usually seen in relation to poor economic and social conditions in Scotland (the Highlands in particular), this view was abandoned in the mid-nineteenth century. Emigration now stood for success and opportunities and it was "celebrated as evidence of the virility and expansiveness of the Scottish race."¹⁸⁹ One main reason for such a change of perspective were the many personal success stories that emigrants sent home to their relatives in their correspondence. John Cameron of Glasgow who had settled in New Zealand's Bay of Plenty, for example, wrote:

"The climate of New Zealand is something superb. I would not go home supposing anyone was to offer me 500 Pounds a year. The air is so nice and you appear to be so free, not caring for anyone ... I think you should come out as soon as possible."¹⁹⁰

As we have seen, missionaries were a central domain for the Scots in the Empire, but their work was also received enthusiastically in Scotland. The simple reason for this is that in the mid-nineteenth century, many local churches had their own missionary abroad.¹⁹¹ This facilitated a very direct contact with emigre Scots who worked as missionaries in the Empire and directly linked the local parish with the Empire. The members of the local church raised funds and were, therefore, personally involved in the imperial mission: people in

¹⁸⁷In Davidson (2000), p. 113.

¹⁸⁸See also Finlay (2001a), p. 44.

¹⁸⁹Ibid., p. 45.

¹⁹⁰In Harper (2003), pp. 84-85.

¹⁹¹Compare Finlay (2001a), p. 45.

Scotland were able to imagine that they were part of the Empire. One particular way of 'bringing the Empire home' in this context was the so-called *Magic Lantern Show* that was performed in churches all over Scotland. During the show, the audience could see images from far away places and the missionary work and stories were told about the barbarian and savage natives - a method that clearly aimed at showing how noble the Scots were in carrying out missionary work.¹⁹² The missionary societies, therefore, continually stressed the role of the Scots in the Empire as a "means to the expression of a distinctly Scots Presbyterian duty"¹⁹³, a duty that only the Scots were able to fulfil. Foreign missions, argues Brown, "re-cemented a sense of Britishness in the face of other cultures"¹⁹⁴ which legitimised the role the Scots played in the Empire and helped to strengthen a pro-Union identity in Scotland. If we think again of the concentric loyalties that developed, loyalty to the Empire surrounds the loyalty to the British state. The Empire was associated with Protestantism and could penetrate everyday life in Scotland.¹⁹⁵ Another interesting example in this context are little booklets that were published for children.¹⁹⁶ The booklets were full of stories specifically written for children about the missionary work to encourage them to join missionaries.¹⁹⁷ Notions of the noble Scot who civilised the natives with the help of a distinctly Protestant culture also survive in the many letters and journals from David Livingstone and are reflected in the Scottish historiographical tradition of the mid-nineteenth century where we can, for example, find John Hill Burton's *The Scot Abroad*.

The military glamour of the Scottish soldiers of the imperial armies was also recreated in the homeland.¹⁹⁸ Scottish soldiers continued to appear in paintings and engravings ever since Sir David Wilkie's famous painting of General Sir David Baird.¹⁹⁹ Despite the fact that the actual number of

¹⁹²Finlay (2001b), pp. 424-425.

¹⁹³MacKenzie (1998), p. 224.

¹⁹⁴Brown (1997), p. 190.

¹⁹⁵Paterson (1994), p. 51.

¹⁹⁶Compare Finlay (2001b), p. 424.

¹⁹⁷For an example of a *Children's Missionary Record*, a booklet published between 1839-1848 by the Free Church, see *Scottish Missionaries in Africa in the 19th century*, <http://www.rls.org.uk> for the search term 'Scottish missionaries in Africa' (last visited 14 April 2005).

¹⁹⁸Devine (2000) p. 290.

¹⁹⁹Sir David Wilkie, *General Baird Discovering the Body of Sultan Tipu* (1799).

Scottish soldiers in the British army was relatively low compared to Scotland's population, says MacKenzie, "they were everywhere in the visual record."²⁰⁰ The following picture of a soldier from the Cameronian regiment in India is a good example.²⁰¹



Figure 3: A soldier from the Cameronians

In these paintings were reflected the ways in which Scots could play out their national identity on an imperial stage.²⁰² It was partly through the 'export' of the imperial Scot back to Scotland that a form of popular imperialism on a local level developed that strengthened Scottish identity at home. Central to this was also that Scots continued to celebrate their Scottishness abroad: this strongly underpinned the image the Scots had of themselves.

²⁰⁰ MacKenzie (1993), p. 727.

²⁰¹ See <http://www.britishempire.co.uk/forces/armyuniforms/britishinfantry/26thfootuniform.htm> (last visited 03 May 2005). Unfortunately, no exact date is provided, but the picture is listed in the "pre-1881" section and surely serves as a good illustration.

²⁰² See Forsyth (1997), p. 6.

Caledonian societies were established all over the Empire, there were newspapers such as *The New Zealand Scotsman* and Highland Games on the beaches of South Africa. Some historians have criticised that these were again simply romantic signs of an invented Highland culture,²⁰³ but this is a far too simple conclusion. Not only Highland emigrants participated and recreated Scottish culture abroad in this way, it was a general phenomenon in almost all Scottish colonies and it was transported back home to Scotland in letters, paintings and newspapers. Queen Victoria can also be credited with stressing such notions because she identified with Scotland, 'balmoralised' Great Britain, and so ensured, as Paterson shows, that she herself turned into "a sign of the distinctive Scottish contribution"²⁰⁴ to the Empire.

In chapter two, we have seen that 'the Other' was a vital component for the making of Scottish identity; this concept, however, rests on a negative referent. Scottish participation in the Empire now facilitated the development of a new focal point, a positive referent, "the geographically distant positive Other."²⁰⁵ Through this positive understanding, Scottish self-confidence increased notably and allowed a positive assertion of Scottish identity within the Union that had secured Scotland's role as Empire-builders. Scots' participation in the Empire was a direct result of the Union of 1707. Scottish virtues and talents were displayed on a world stage so that the British Empire did not "dilute the sense of Scottish identity"²⁰⁶ but underpinned it through popular imperialism. It was through the diasporas that Scottish *ethnie* and identity were strengthened.²⁰⁷ In what follows, we will see that the pride in the imperial partnership was elementary for Scottish national identity in that it allowed a successful unionist nationalism to develop that vindicated Scottish Rights in relation to the Union and the Empire and not through the (political) demand for an independent Scotland.

²⁰³For example Murray Pittock. Compare MacKenzie (1998), p. 221.

²⁰⁴Paterson (1994), p. 51.

²⁰⁵MacKenzie (1998), p. 218.

²⁰⁶Devine (2000), p. 289.

²⁰⁷MacKenzie (1998), p. 231.

4 Justice to Scotland:

The National Association for the Vindication of Scottish Rights

4.1 The Beginnings of Scottish Nationalism and the NAVSR

In the previous chapters, we have done two things: firstly, we have developed a theoretical basis for our analysis and we have, secondly, traced the historical and conceptual frame of Scottish identity up to the mid-nineteenth century. We could see that despite all problems, protest and threats from within, the Union of 1707 remained stable. A distinct Scottish national identity was sustained within the framework of the Union and underpinned by a virtually autonomous Scottish civil society, Scotland's role in the Empire and the related notion of popular imperialism in Scotland itself. From the mid-nineteenth century, however, Scotland's self-government was increasingly under threat because the central government began to legislate on matters that had previously been addressed on a local level. Our objective, thus, is to look at how the *National Association for the Vindication of Scottish Rights*, the first organised and substantial Scottish nationalist movement,²⁰⁸ argued under these particular prerequisites and new conditions. How did its members interpret the Scottish past (and present) in the mid-nineteenth century and how could they, contrary to the modernist argument, assert a successful nationalism rather than some weak sub-form?

The first nationalist rhetoric, however, came from a very different source. After the Disruption of 1843 and the establishment of the Free Church, quite a few people from the Free Church wanted more responsibilities to be given to Scotland. It was the Free Church Reverend James Begg who said

“We are sinking in our national position every year, and simply living on the credit of the past ... A people that might match the world for energy, and who have heretofore stood in the first rank of nations, sinking under a combination of increasing evils - the efforts of ministers paralysed -

²⁰⁸Webb, K. (1977), *The Growth of Nationalism in Scotland*, Glasgow: The Molendinar Press, p. 37.

our universities locked up - dwarfed, and comparatively inefficient ...”²⁰⁹

The Disruption clearly had some “nationalistic undertones”²¹⁰ that Begg, too, expressed. He made clear that one way of achieving a better ‘national position’ would be the regeneration of Scottish life by initiating a national revival; it was also indispensable, said Begg, to act quickly in order to preserve ‘Scotland the nation’. What Begg suggested was a stronger Scottish representation in Westminster, a demand that was to become central to the case made by the NAVSR.

Begg was supported by the Grant brothers. James Grant was a second cousin of Sir Walter Scott and had also written historical adventure novels, but it was his series of letters entitled *Justice to Scotland* in which he outlined Scottish grievances that were relevant for the national cause.²¹¹ These letters, however, were less central at the beginning, it was another issue that caused public concern. James and his brother John can be credited with giving birth to the Scottish national movement in 1852 with an appeal addressed to the Lord Lyon King of Arms in which they attacked the inconsistent use of flags and royal arms (for example, the royal standard on Edinburgh Castle had the Scottish lion in the wrong place). Hanham writes that it was this issue that “caught public fancy”²¹² but at the same time dismisses it as bizarre.²¹³ The important point for us is that the appeal of the Grant brothers showed that there was fertile ground for nationalist arguments in Scotland. As an article by John Grant in the *London Morning Post* explained:

“Insignificant as at first sight this question ... may appear, the principle which the present movement [the movement to have consistent arms] is intended to show forth is pregnant with most important consequences to Scotland, and we are led to understand it is the precursor of a general movement for obtaining a greater share of the attention of Government to the interests of Scotland than has hitherto been accorded...”²¹⁴

²⁰⁹In Hanham, H.J. (1969), *Scottish Nationalism*, London: Faber and Faber, p. 75.

²¹⁰Webb (1977), p. 35.

²¹¹See Hanham (1969), p. 76.

²¹²*Ibid.*, p. 77.

²¹³We will see later on that the function of such ‘heraldic rhetoric’ was not bizarre, but essential for underwriting Scottish identity and nationalism.

²¹⁴In Hanham, H.J. (1967), ‘Mid-Century Scottish Nationalism: Romantic and Radical’, in Robson, R. (ed.), *Ideas and Institutions of Victorian Britain. Essays in Honour of G.K. Clark*, London: Bell and Sons, pp. 160-161.

The Movement for the recognition of Scottish heraldic emblems was intended to both attract the government's attention and to facilitate a discourse among those Scots with similar 'national ideas'. If we go back to chapter one and look again at what Nairn says about the role of intellectuals in Scotland at this time, it becomes clear that they were not deprived of their role as 'thinkers of nationalism'. The Grant brothers established a nationalist line of argumentation that attracted like-minded people. The fact that these like-minded people did not argue in terms of political nationalism is no reason to simply dismiss their arguments.

One of the Grants' followers was William Burns, a solicitor and a well-known Glaswegian businessman who saw himself as an advocate of Scottish rights,²¹⁵ something that is reflected in the tracts he later wrote for the *NAVSR*. But an association, a nationalist movement, needed a well-known figurehead. The Earl of Eglinton, who had also presented the Grant brothers' heraldic appeal, was to become this figurehead when he took up the seat as chairman of the *NAVSR*. He was characterised as "second in influence only to Lord Derby within the Conservative Party."²¹⁶ Although this is probably an exaggeration, the Earl of Eglinton was a prominent Tory in the mid-nineteenth century; he had actually been a minister for Ireland, but, in the spirit of national self-sacrifice,²¹⁷ had committed himself to the national cause. Once the Association had been officially founded in May 1853, the Grant brothers together became joint secretaries of the *NAVSR* and they were responsible for many of the *NAVSR*'s petitions and other publications.

The *NAVSR* attracted people with the most diverse backgrounds. Several members came from the Free Church, there were Episcopalians and many people from the world of education (for example, William E. Aytoun, professor of rhetoric at *Edinburgh University* and editor of Blackwood's *Edinburgh Magazine*).²¹⁸ We also find Charles Inglis, Laird of Crammond, and David Buchanan, editor of the *Caledonian Mercury* among the associates. Many members of the *NAVSR* sat in Town Councils or were actively engaged in Scotland's burghs. As James Grant pointed out

"Whigs, Conservatives, Radicals, Free Traders and Protectionists, the

²¹⁵Compare Hanham (1967), p. 162.

²¹⁶Morton (1996), p. 264.

²¹⁷See Morton (1999), p. 136.

²¹⁸Hanham (1967), p. 163.

adherents of every political section and religious sect, have ignored their petty squabbles to demand justice for their country.”²¹⁹

The nationalist discourse had managed to attract a wide range of people with the most diverse political backgrounds and, in fact, also some with no political background at all. The ‘general movement’ that was founded as a result of this discourse, the *NAVSR*, was a heterogeneous group, but the basic underlying positions were firmly agreed upon when the Association was launched. Diversity in the composition of the Association’s members was no problem because the *NAVSR* did not see itself as a political group, but as group of vindicators for Scottish rights on behalf of the Scottish nation.

All members, all associates, of the *NAVSR* had to pay an annual contribution to the Association. In order to also attract as many people from the working class as possible, the contribution that working class people had to pay was lower than that for others since the aim was “to secure the co-operation of the whole Scottish people.”²²⁰ As we can see from the petitions and tracts, however, the majority of members came from the middle class or upper class; we can learn about businessmen, chief magistrates of burghs, landed gentlemen or other people who held a public office.

But associates did not only have to contribute financially, everyone who wanted to join the Association had to agree with the constitution of the *NAVSR* which declares the objectives to be

“to secure, by all legitimate and constitutional means, complete redress of the manifold grievances to which Scotland is subjected - to prevent the recurrence of similar evils for the future - to obtain for Scotland the benefit of local administration in all matters which are exclusively Scottish, - and, in general, to place the Scottish nation on a footing of full and permanent equality with the English nation.”²²¹

In what follows, we will examine the way in which the *NAVSR* tried to achieve the goals that it had laid down in its constitution.

²¹⁹In Morton (1999), p. 136.

²²⁰Burns, W. (1854b), Tract No. I, p. 4.

²²¹In *ibid.*, p. 3.

4.2 An Address to the People of Scotland

Now that we have traced how the *NAVSR* came to life and who its most prominent members were, let us examine more closely the *Address to the People of Scotland*, which launched the Association in May 1853.

The main purpose of the address, which was written by Patrick Dove, was to examine the character of the *Treaty of Union* and to relate it to the situation in mid-nineteenth century Scotland. The principle question was how the individual articles of the Treaty were fulfilled - or not. The overall conclusion Dove drew was made explicit at the beginning of the address where it says that in most cases the articles have "been infringed to the disadvantage of the Scottish nation."²²² Dove talked about the positive characteristics of Scotland before the Union: Scotland repelled foreign powers and was able to govern herself. He then went on to outline some of Scotland's great achievements, for example, the contribution of Scottish soldiers who were "seen foremost in every hard-won field"²²³ around the world. This relates to the notion of popular imperialism that we have singled out as a fundamental element in the construction of a pro-British (and pro-Union) Scottish identity in chapter three: the Scottish soldier was the dominant symbol of Scotland's heroic contribution to the British Empire.

But Dove did not only refer to Scotland's recent positive present (i.e. Scotland as a nation of Empire builders), but also to the distinct history of both Scotland and England to examine the character of the Scottish nation, after all, argued Dove,

"England, that had seen the fields of Agincourt and of Crecy in France
... had found in Scotland, - Bannockburn."²²⁴

The Association celebrated Scottish historic distinctiveness and its historic achievements and in doing so, created a common ground that all present Scottish grievances could be addressed from. From such an analysis, the only possible conclusion appeared to be that

²²²Dove, P.E. (1853), *The National Association for the Vindication of Scottish Rights: Address to the People of Scotland and Statement of Grievances*, Edinburgh, p.

1.

²²³*Ibid.*

²²⁴*Ibid.*

“Scotland, so long as she trusted herself, governed herself, acted for herself, and developed her own resources, was a nation of full life, and energy, and enterprise - rough and unmanageable, it is true, but endowed with a vigorous manhood that forced its way through a world of difficulties, and achieved great ends, because it chose its own path and pursued its own career.”²²⁵

But, said Dove, such a simplified conclusion did not reflect reality. The conclusion he thus drew differed considerably from other European nationalist rhetoric, the point for the *NAVSR* was that self-government and the Union of 1707 were not incompatible. This assumption was to become the pillar of the *NAVSR*'s argument. In fact, Dove even went one step further and said

“the more union, the better, provided ... the rights of all parties be respected. Union obviates war, encourages commerce, permits free transit, abolishes national apathy. Union - provided it be union and not domination - brings equals together for common benefit ... ”²²⁶

Dove very skilfully contrasted these two possibilities: a nation that is united with another is often subjugated, but if the Union is no domination, it can actually improve the status of the two nations, the two partners in the union. This assumption was developed further against the background of a general analysis of the different methods by which two countries can be united. Dove mentioned both the acquisition by discovery and the acquisition by conquest and concluded that “by none of these were England and Scotland united”²²⁷ and that Scotland was not incorporated into England. Dove re-asserted the free spirit under which the Union of 1707 was carried out, i.e. the very ‘character of the *Treaty of Union*’ that the *Address to the People of Scotland* set out to (re-)determine.

Such seemingly modest rhetoric was also used to distance the Scottish national movement from the more radical Irish movement. The *NAVSR*, in its general loyalty to the British state, had no intention of threatening the Union. What the Association wanted was the recognition of the spirit of the Treaty, i.e. that the Union was legislative but not administrative.²²⁸

²²⁵Dove (1853), p. 1.

²²⁶Ibid., p. 3.

²²⁷Ibid., p. 4.

²²⁸Ibid., p. 2.

This interpretation of the *Treaty of Union*, we can conclude, was positive in its outlook. Scotland was “united with England, but not merged into England.”²²⁹ The *NAVSR* saw this as the basis for a both impartial and fair interpretation of the *Treaty of Union*. The central difficulty was that this spirit of the Treaty had not been fully maintained because the notion of equality did not penetrate all policies that were carried out after the implementation of the Treaty.

At the end of the address, a direct appeal was made to every Scot because it would need a united effort to save Scotland “from sinking into the position of an English county.”²³⁰ The first task the *NAVSR* set for itself after this appeal was to list the principle Scottish grievances, those that were the most pressing ones, those that prevented the ‘true spirit of the Union’ from being released: “it is to remedy these inequalities, to put an end to this injustice, that this Association has been formed.”²³¹ The main part of the *Address to the People of Scotland* was devoted to the *Statement of Certain Scottish Grievances*, but the list published at the launch of the *NAVSR* was, of course, not the only statement where we learn about what the Association saw as the major problems. The following systematic arrangement of the most significant grievances that were put forward in the major publications of the *NAVSR* will show that the problems were far from insignificant and that the Association quite rightly assumed that the

“real complaints ... are not of a nature which will admit of so easy a remedy as the application of a painter’s brush, or a readjustment of quaterings; nor can they be laughed down by silly sneers at the attitude of the Scottish Lion. They are substantial and specific ...”²³²

4.3 The Grieving Lion?

4.3.1 Representation in Westminster

The main concern of the *NAVSR* was that Scotland was only insufficiently represented in the Parliament in Westminster:

“Whereas, since the period of the Union, the population of Scotland -

²²⁹Dove (1853), p. 7.

²³⁰Ibid., p. 8.

²³¹In Grant, J. (1853), *Justice to Scotland. Report of the First Public Meeting of The National Association for the Vindication of Scottish Rights*, Edinburgh, p. 6.

²³²William Edmonstoune Aytoun. In Morton (1996), p. 268.

her wealth - her manufacturing industry - her commercial importance, and the revenue which she pays into the Imperial Exchequer, have taken a relative expansion ... no proportionate increase has been made to the number of representatives.”²³³

The problem was that although Scotland no longer was the ‘poor relation’ because of her significant imperial revenue, she was still represented in Westminster like one. Regardless of which measurement one used to assess and determine the number of Scottish representatives (e.g. population or the amount of revenue), Scotland was underrepresented. The case for Scotland was made against the then status quo of Ireland. The Lord Provost of Edinburgh at a meeting of the NAVSR argued that

“... if they will give Scotland the same measure of justice which Ireland has, I will be quite content ... if the population alone were taken into account, Ireland ... ought to have 153 members. But take the element of finance into account, and inquire how much does Ireland, and how much does Scotland, each contribute to the National Exchequer? If, then you take the finance aspect into account, Ireland is entitled only to 51 members, although as regards population, she is entitled to 153. If you add these two together, and take the mean, Ireland is entitled to 102 members. Now, Ireland has 105 members. Ireland, therefore, has obtained justice ... Now, let us follow the same arithmetical process, and see what number of members Scotland ought to have take the population and taxation combined, Scotland is entitled to 75 members.”²³⁴

But Scotland did not have 75 members, Scotland was only represented in Westminster by 53 Members of Parliament. The NAVSR did not question the number of Irish representatives in Westminster, but it criticised the different and inconsistent application of the principles that were used by the central government to determine the number of representatives. In like manner, the Association criticised the fact that

“small boroughs in England send in two representatives to Parliament, while rich and populous counties in Scotland send only one.”²³⁵

²³³Dove, P.E. (1854a), *Petition of the National Association for the Vindication of Scottish Rights*, Presented to the House of Lords, p. 1.

²³⁴In Grant (1853), p. 3.

²³⁵*Ibid.*, p. 6.

The level of misrepresentation at Westminster becomes more pronounced if one looks at the difference between some Scottish and English regions. For example, Lanarkshire with all its burghs (that were substantially involved in the imperial trade, and therefore, generated a lot of 'imperial income') had a population of roughly 600,000 and had three MPs in the House of Commons. Wiltshire in England had a population of 250,000 and returned 19 MPs.²³⁶ Even if one related the number of MPs for England to its population and to the revenue, there was no justification, said the *NAVSR*, for this defect. The problem was, the Association argued, that England saw Scotland not as an integral part of the United Kingdom, but as a depopulated county of northern England.

The underlying question for the Association was: Why was the Scottish nation, which was so heavily involved in building the Empire, not represented adequately at home in the Imperial Parliament?

4.3.2 A Secretary of State for Scotland

Another problem that was related to the insufficient representation in Westminster was the absence of a proper office of Secretary of State for Scotland.²³⁷ As we have seen in chapters two and three, Scotland had her so-called 'Scottish managers', but despite their great influence, their role was not manifested in an official position. From 1828 onwards, the Home Secretary was responsible for all matters that related to public security in Scotland; all other matters lay in the hands of the Lord Advocate who had become the official spokesperson for Scotland. Initially, the Lord Advocate was only responsible for legal issues, but the responsibilities were gradually expanded. The problem with the Lord Advocate, as the Association quite rightly pointed out, was that he had

"treble duties of Adviser of the Crown, ... public Prosecutor and Superintendent of the whole criminal proceedings of Scotland."²³⁸

These were far too many responsibilities and divergent interests for one person to handle adequately so that the Association concluded that the Lord

²³⁶Compare Grant, J. (n.d.), *Meeting for the Vindication of Scottish Rights*, p. 7.

²³⁷It had been abolished after the second Jacobite rebellion in 1746.

²³⁸Dove (1853), p. 29.

Advocate could not properly represent Scottish interests. The *NAVSR* did not question the suitability of those holding the office of Lord Advocate, it simply asserted that

“it is absurd to conceive that the mere fraction of one man’s time, however able, is sufficient to govern the most industrious country in Europe.”²³⁹

The absence of a Secretary of State for Scotland manifested itself in the fact that hardly anyone in Westminster seemed to feel responsible for putting forward the Scottish agenda. The Lord Advocate did not have a seat in the cabinet, so that the Scottish MPs on their own had great difficulties in getting Scottish issues acknowledged in Parliament. The policy of ‘benign neglect’, which we have already traced in the previous chapters, partly had positive implications since it allowed Scottish civil society to expand in Scotland itself. But after the Disruption and with the transferral of more powers to the central state, the *NAVSR* argued, an official government office was indispensable to help Scottish MPs represent Scottish interests in the central government. The fact that the Lord Advocate was ill-paid and that his tenure was usually very brief, there had been seven Lord Advocates since the passing of the Reform Act, did not help to facilitate continuity or an adequate level of responsiveness. Such conclusions were drawn as a result of complaints by Scottish MPs, for example, Mr. Cowan (MP for Edinburgh) said at a meeting of the *NAVSR* that

“having been frequently the medium of communicating with the Government upon ... Scottish interests, I can bear my testimony to the apathy and indifference with which the representations from my correspondents have been met with. I refer more particularly to memorials which I have transmitted, setting forth the miserably inadequate endowments of several important chairs in the University of Edinburgh ... but I lament to say that, although I transmitted to the Treasury an able memorial, ... I have never been honoured even with any acknowledgement of its reception.”²⁴⁰

Some members of the Association were even more harsh in their criticism since a related problem was also the time at which Scottish issues were dis-

²³⁹Dove (1853), p. 29.

²⁴⁰In Cochrance, A.B. (1854), *Justice to Scotland*, Edinburgh, p. 12.

cussed:

“Scotch business is almost invariably brought on, either in a thin House, or at a late hour of the night, when Members on the Government benches outnumber all the Scotch, even if there is a full attendance of the latter: so that the whole business of Scotland is entirely left in the hands of one irresponsible member of the executive.”²⁴¹

Accordingly, it was practically impossible to debate Scottish issues with a full house in attendance, Scottish business was “huddled into a corner.”²⁴² Another interesting example of the consequences the absence of a Scottish Secretary had is the following: at the beginning of the 1850s, Lord Airlie, a peer in the House of Lords died, but an election for his succession was not held. When Scottish MPs raised this issue, the leader of the House of Lords replied that “because there is no constitutional officer - there is no person who can authorise us to say that Lord Airlie is really dead.”²⁴³

Such problems were symptomatic, the Association concluded, for how little interest the central government took in Scotland. Scotland was underrepresented in the legislature and had no central authority, no Secretary of State, to compensate for that. For the *NAVSR*, the restoration of the proper office of Secretary of State for Scotland was indispensable if the true spirit of the *Treaty of Union* was to be restored. The Association wanted an acknowledgement of ‘Scotland the nation’ in ‘Britain the state’. The most effective means to achieve this was a better representation in Westminster that included a Secretary of State whose task it would be to ‘force’ the government to take Scottish grievances seriously and to treat them with due respect.

4.3.3 Money Matters

The issue of revenue was clearly another central problem. The complaint was that the Scottish revenue was primarily spent not in Scotland, but either in England or Ireland. We find a comparison between the gross revenue transmitted by Ireland and Scotland to the Imperial Exchequer in one of the tracts of the *NAVSR*²⁴⁴

²⁴¹ Cochrance (1854), pp. 14-15.

²⁴² Masson (1854), p. 90.

²⁴³ In Grant (1853), p. 8.

²⁴⁴ Burns (1854b), p. 1.

gross revenue of Ireland (1852)
..... £ 4,000,681
of which
..... £ 3,847,134 was spent in Ireland and
of which
..... £ 153,547 was transmitted to the Exchequer
gross revenue of Scotland (1852)
..... £ 6,185,770
of which
..... £ 570,923 was spent in Scotland and
of which
..... £ 5,614,847 was transmitted to the Exchequer

Figure 4: Gross revenue of Ireland and Scotland

Again the point was not to criticise that Ireland only transmitted a minimal amount, but that different measurements were used to assess the amount of money that had to be transmitted to the Exchequer. Scotland had a higher gross revenue than Ireland due to its activities in the Empire, but it did not get much in return despite the fact that it transmitted more than 90 per cent of its gross revenue. A related but relatively novel problem was that annual returns were no longer published for some institutions (which had been the case from the Union until 1851). The *NAVSR* saw this as a significant setback since Scotland was now to be kept in the dark because

“the Revenue of the Customs and Post Office arising in Scotland, but are no longer to appear separately in the public accounts, but are to be stated in cumulo with those of England, rendering the returns, so far as they relate to Scotland, incomplete and useless.”²⁴⁵

There are several other cases in which the ‘rules’ as to how money was distributed differed considerably between England, Ireland and Scotland. One problem the *NAVSR* addressed was that Scottish landlords had to pay income tax on the gross rent of their properties, whereas the English landlords paid income tax only upon the net income, i.e. after the deduction of all public and parochial burdens. This much better provision for English landlords

²⁴⁵Dove (1853), p. 29.

also applied to landlords in Ireland, which was, naturally, not plausible for the *NAVSR* because it interpreted the Union as an equal partnership.

Farmers had to deal with a similar problem. Scottish farmers were disadvantaged because they had to pay 16s more duty than the English farmers on manufactured malt.²⁴⁶ The provision of funding for the police was another bone of contention. While Scotland did not receive any aid for its police establishments, Ireland and London did²⁴⁷

London receives
..... £ 131,000
Dublin receives
..... £ 36,000
Irish counties receive
..... £ 486,924

Figure 5: Assistance for the police

Another central concern for the *NAVSR* was that hardly any money was spent on Scottish harbours and that

“while the maritime commerce of Scotland has assumed an importance which entitles it to great consideration in the commercial estimate of the British Empire, - no harbours of refuge have been constructed on her coasts.”²⁴⁸

Scotland’s harbours and fishing ports were largely left unprotected. For the Scots, the Empire builders for whom the ports around Glasgow were very important, inadequate harbours that were prone to smugglers and thieves and not equipped to provide refuge for ships were not good enough if money was spent on harbours elsewhere in the United Kingdom. The Association did not

“grudge England her palaces and parks ... but we do point with, we think, feelings of just indignation, to the reverse of the picture here, - to the neglect of our royal palaces ... we have only poor old Holyrood. ... The Hyde Parks, the Green Parks ... are provided in rich abundance

²⁴⁶See Grant (n.d.), p. 12.

²⁴⁷Burns, W. (1854c), Tract No. II, p. 4.

²⁴⁸Dove (1854a), p. 1.

for the luxuries of our southern brethren ... while I really cannot tax my memory with anything being given to any public institution in Scotland, except I believe, L.15,000 to the building of the Mound.”²⁴⁹

For an organisation that demanded the true spirit of the *Treaty of Union* to be carried out, such an unequal distribution of money was hardly acceptable: these inadequacies deprived the Scottish nation of an equal partnership with England, although it had been postulated in the *Treaty of Union* and found its powerful expression in the Empire.

4.3.4 Centralisation

Although the *NAVSR* did not demand an independent Scottish Parliament and was in favour of the Union, it was strongly opposed to centralisation by which power was taken away from Scotland.²⁵⁰ Burns in one of the Association’s tracts quoted from the *Dublin University Magazine*, which also acknowledged the disadvantages of centralisation:

“Perhaps in the whole course of centralizing influence, there never occurred a more monstrous instance of presumption, than in the authorities of Somerset House claiming to transfer the management of the Clyde to London. Glasgow, it is true, measured by population, is but a sixth part of London, but, measured by the wealth they respectively produce, London is not a sixth part of Glasgow. ... If ever a community has given practical evidence of the capacity to manage their own affairs with advantage to themselves and the country, it has been this of Glasgow.”²⁵¹

Burns used this quotation as the pretext for his analysis of the consequences of centralisation. His main question was related to the degree of centralisation, i.e. the question as to how far the central government could take over responsibilities without adversely affecting the life of the people in Scotland and Scottish identity. Burns differentiated between two aspects: firstly, he saw centralisation as a direct negation of local self-government and secondly, feared that it would lead to “the concentration of every impulse of the

²⁴⁹In Grant (1853), p. 5.

²⁵⁰Similar concerns had been voiced by critics of the Union of 1707. Fletcher of Saltoun, for example, said that centralisation means “a concentration of all resources on London and its hinterland” (In Pittock (2001), p. 57.).

²⁵¹Burns, W. (1854f), Tract No. VII, p. 3.

body politic in the capital"²⁵², i.e. result in the expansion of the capital and the neglect of other parts of the UK. The *NAVSR* feared that the conception of the central state that had prevailed for many years, a conception that was balanced with the individual and local self-government,²⁵³ was gradually destroyed through centralisation:

“The question is one, then, between self-government, local administration and action, generally, on the one hand, and centralisation, with its necessary accompaniment of functionarism, on the other.”²⁵⁴

Functionarism posed a threat to Scotland’s autonomous self-government because it could inhibit action and responsiveness. The principle question was how long Scotland would be able to hold further centralisation, which was not following the spirit of the *Treaty of Union*, at bay.

To illustrate the adverse effects of centralisation, John Grant made a comparative analysis of the situation in Europe and concluded that centralisation would never be good for Scotland like it had not been good for France, Hungary or Poland, “centralisation is the curse of modern Europe; let us be aware that it does not become the curse of Britain.”²⁵⁵ Thus was centralisation “at the heart of the Scottish Rights Society’s critique of the governing of Scotland.”²⁵⁶ The Association wanted to maintain the power of the Scottish local state and civil society within the Union and the Imperial Parliament. The main concern was that an increase in centralisation would destroy Scottish distinctiveness and would further corrupt the true spirit of the Union.

4.3.5 Education

Scotland, as we have already briefly seen, was proud of its educational tradition. It was particularly renowned for its medical schools and medical education at some of its universities. In England and Ireland in the mid-nineteenth century, no tax had to be paid for obtaining a medical degree. In Scotland, however, a tax was still applied and indeed levied on every medical diploma issued.²⁵⁷ To make things worse, Scots who had received a medical degree

²⁵²Burns (1854f), p. 4.

²⁵³Morton (1996), p. 260.

²⁵⁴Burns (1854f), pp. 3-4.

²⁵⁵By John Grant. In Morton (1999), p. 148.

²⁵⁶Burns (1854f), p. 4.

²⁵⁷Dove (1853), p. 30.

from a Scottish university could not practise all over the United Kingdom, but only in Scotland. If they wanted to work in England, they had to take another examination. The *NAVSR* stated that

“although the University of Edinburgh was second to none in the world, yet the education of such eminent men as Dr. Allison and Dr. Simpson would, if they went to England, be looked upon as insufficient ... Such a state of things was a perfect insult to our Universities and the medical profession.”²⁵⁸

The biggest problem, argued the *NAVSR*, was that this different treatment of Scottish doctors was a consequence of acts made in the UK Parliament²⁵⁹ in which also English and Irish MPs sat, who clearly had no interest in Scottish doctors who could freely practise all over the United Kingdom.²⁶⁰

Scottish universities were also chronically underfunded. While English universities and some Irish universities received an allowance, Scottish universities did not even receive a grant from the imperial government, but only “a payment out of the Hereditary Revenues of the Scottish Crown.”²⁶¹ Money from the Hereditary Revenue of the Scottish Crown, however, already belonged to Scotland so that it was not really a grant from the central state, but from Scotland itself.

An issue connected to the representation in Westminster was university representation. In England, universities could send MPs to Parliament, both the universities of Oxford and Cambridge were represented by two MPs. This did, however, not apply to Scottish universities.²⁶² Considering the role the Scottish education tradition played in Scottish life, we can understand why the *NAVSR* specifically listed this problem. It seemed that the English were unwilling to accept the status of Scotland’s top universities. They were not equal to either Oxford or Cambridge, and therefore, deserved no individual MPs.

²⁵⁸Grant (n.d.), p. 4.

²⁵⁹Burns, W. (1854d), Tract No. III, p. 5.

²⁶⁰The question of who should vote on what matters in the Westminster Parliament is still a bone of contention today (“West-Lothian question”).

²⁶¹Ibid., p. 28.

²⁶²See Grant (1853), p. 28.

4.3.6 Trivialities?

The *NAVSR* itself acknowledged that some issues it addressed were, at first sight, rather trivial, but that really they were not. Two seemingly trivial issues were particularly important:

William Burns, writing as a 'North Briton', had made it one of his objectives to fight against the use of the terms 'England' or 'English' for the whole of the United Kingdom. One of his main targets was Viscount Palmerston who was Home Secretary in 1853 (and became Prime Minister in 1855). In a speech on the Empire in Perth, for example, Viscount Palmerston said

"Gentlemen, it is, and ought, to be a great satisfaction to every Englishman, to know that the conduct of our foreign relations is now in able hands. ... Depend upon it, however, that the example of England will sooner or later tell. People will find out we are thriving in consequence of that perfect freedom of commerce which we have established."²⁶³

Such an equation of England with Great Britain was not a simple matter of accident or language. Burns pointed out that Viscount Palmerston's speeches, since he was one of the chief ministers of the government, were read everywhere in the UK and also all over the world so that the

"false assumption that 'all the people of this country' ... are portions of 'the people of England', that England is the only proper political designation for these Islands"²⁶⁴

was highly problematic. The *Treaty of Union* specifically points out that the name of the newly united kingdom was Great Britain.²⁶⁵ The only change was made in 1801 when the Union with Ireland created the United Kingdom.

But why is this a relevant issue, or as Burns himself asked, "why attach so much importance to a name?"²⁶⁶ The point is that a country's name is not simply a label for a geographical territory, but includes elements of the country's history and traditions. Burns was sure that taking away a country's name would have grave effects when he wrote that

²⁶³Burns, W. (1854a), *Scottish Rights and Honour Vindicated: Letters Addressed to Viscount Palmerston, The Times and Caledonian Mercury*, Glasgow, p. 13.

²⁶⁴Ibid., p. 14.

²⁶⁵*Treaty of Union* in Cooke et al. (1998), p. 3.

²⁶⁶Burns (1854a), p. 14.

“by stripping the people of this country of their own name, and seeking to invest them with another, repugnant to all the facts and associations of their past history, ... you rob them of a birthright of inestimable value.”²⁶⁷

For such conclusions, the notion of popular imperialism was central: Scottish soldiers fought in the Empire, Scottish missionaries worked in the Empire and this was not even acknowledged at home since the Home Secretary talked about the English Empire. But Scotland’s role in the Empire “should be acknowledged according to her present merits, and her present importance.”²⁶⁸ The Association wanted an official recognition of Scottish involvement in building the Empire and this could only be achieved with the correct name, the name that had been determined in the *Treaty of Union*. It did not help when the Home Secretary talked about Queen Victoria as the “Queen of England and her dependencies”²⁶⁹ because this sounded as if Scotland was one of these dependencies. This, however, was not the case as the Association had made very clear in the *Address to the People of Scotland*: Scotland had not been conquered, but a treaty had been signed for both England’s and Scotland’s benefit. Burns supported this claim by writing the letters to Lord Palmerston as a ‘North Briton’, not a Scot. Presumably, his use of ‘North Briton’ relates to the concept that developed throughout the Enlightenment when some Scottish intellectuals wanted to stress that they were British and began to call themselves ‘North Britons’.

But Viscount Palmerston was not the only problem. The conservative press in England, *The Times* in particular, was often equating what should be the UK or Great Britain with England. Burns saw the root of this misuse of terms in that “the old idea of imagined supremacy, of superiority on the part of England and Englishman”²⁷⁰ was ever prevailing in the minds of many Englishmen.²⁷¹ For the *NAVSR*, such ideas continued to undermine the spirit of the *Treaty of Union*: it is the name of a nation that reflects the nation’s character. It was this character that the *NAVSR* did not want to abandon lightly because

²⁶⁷Burns (1854a), p. 15.

²⁶⁸Dove, P.E. (1854b), Tract No. IV, p. 6.

²⁶⁹Burns (1854a), p. 21.

²⁷⁰*Ibid.*, p. 4.

²⁷¹This relates back to the notion of poor Scotland that we have already examined in chapter two.

“so long as Scotland is a nation - by contract merely forming part of the united Empire - so long the Scottish people have a basis upon which, with consistency, they may rest such things as national demands. Whenever they adopt, or have imposed upon them, the English name, that basis is gone. In short, when, by tacit consent or otherwise, you come to be known and recognised as what Viscount Palmerston plainly says you are, that portion of the people of England north of the Tweed, your distinctive character ceases ...”²⁷²

If, however, ministers of the Westminster Parliament and one of the country’s most important newspapers were to continue to equate England and Great Britain, Burns argued, they would take away from Scotland its distinct identity that was embodied in the Scottish nation.

The second, but apparently most trivial question was related to the heraldic emblems of Scotland. When we examined the Grant brothers and their role in the establishment of a nationalist discourse, we have seen that the initial rhetoric rested largely on heraldic themes. It comes, therefore, as no surprise that these issues were part of the list of grievances, too. The problem was that

“the Heraldic emblems of Scotland, as quartered upon the Royal Standards and the Union Flags displayed upon Scottish soil, have been degraded from their first position to an inferior, and their place usurped by those of England, thus asserting a right of superiority over Scotland which she does not possess.”²⁷³

The Association was firm in its belief that “the Royal Arms of Scotland should take precedence of those of England in emblems and devices in Scotland”²⁷⁴ in order to facilitate the visual, and for everyone visible, existence of Scotland: heraldic symbols were essential to the NAVSR’s rhetoric because they could be used to underpin Scottish national identity.

²⁷²Burns (1854a), p. 8.

²⁷³Dove (1853), p. 10.

²⁷⁴In Grant (1853), p. 6.

4.4 Scottish Rights Vindicated

4.4.1 The Tactics

Now that we have outlined the main grievances that the *NAVSR* identified, our object is to relate the rhetoric to the tactics: in what ways was the rhetoric conveyed?

Probably the most ‘visible’ tactic was to have public meetings. The first public meeting was held in the Edinburgh Music Hall at the beginning of November in 1853. It was chaired by the Earl of Eglinton and attracted several hundred people. A second bigger meeting was held in Glasgow’s City Hall a month later and

“the audience was very large and influential ... and amongst the gentlemen upon the platform we noticed the Lord Provost, Provost Grant of Elgin.”²⁷⁵

The meetings were a display of power: high ranking officials, burgh magistrates and provosts, MPs and councillors were usually among the associates and guests. The purpose of such public meetings was primarily to discuss the specific Scottish grievances and the potential remedies to tackle them. These remedies were laid down in resolutions that the public meetings had to pass. The resolutions related to the list of grievances that we have examined and were usually passed by acclamation.²⁷⁶ Public meetings were used like party conventions are used today: the parties seek approval for their policies and proposals. This was to display unity and to show that the Association did, indeed, speak on behalf of the Scottish nation. The public meetings were held in different places across Scotland and there were also several smaller local branch meetings that were used to address specific local grievances.²⁷⁷ People who were unable to attend a public meeting themselves could read special reports that were published by the *NAVSR* after the meetings and sold for one penny. In these reports, the reactions of the guests were also noted down so that readers were able to learn which arguments and resolutions were met with approval. Newspapers also reported on the meetings.

²⁷⁵Grant (n.d.), p. 1.

²⁷⁶See Grant (1853), p. 8.

²⁷⁷There was, for example, a public meeting of the Inverness branch in February 1854. See *The National Association for the Vindication of Scottish Rights - Inverness Branch* (1854), Public Meeting, Inverness, p. 1.

Apart from the public meetings, the Association issued written publications, i.e. petitions and tracts. While the petitions were always directed to the Members of Parliament in Westminster, the tracts were addressed to the Scots. That these two types of texts, which were used for conveying nationalist arguments and rhetoric, had different readers is reflected in the language that was used. The petitions clearly mirror the political language and social hierarchy of the day. For example, in one of the petitions to the *House of Lords*, the final paragraph says

“Believing, as your petitioners do, that whatever inequalities may have hitherto existed in Imperial legislation, have been matter of oversight ... Your petitioners therefore pray your Right Honourable House to take into consideration the causes of complaint above detailed, and provide such remedies as may appear to you just and reasonable ...”²⁷⁸

Lord Eglinton, who as the chairman of the Association presented the petition, was very careful not to offend the Lords. The NAVSR wanted to lose the stigma that it aimed at repealing the Union, so moderate and humble petitions that operated within parliamentary means were common. Petitions were not radical means, but worked within the existing political status quo. For the Association the Westminster Parliament was “the place where all ... grievances must be redressed”²⁷⁹ which explains why the petitions always set great store by stressing loyalty to the Imperial Parliament and the Queen. This partly explains why Gellner’s and Anderson’s political nationalism that works outside of the political status quo (because it demands an independent state) is a relevant antithesis to Scottish nationalism in the mid-nineteenth century. The petitions often included lists of supporters so as to give them more weight and credibility: it was important for the Association to be able to show that it was supported by influential Scotsmen.²⁸⁰

Contrary to the petitions, the tracts were far more direct and often included very personal appeals. Henry Inglis in one of the tracts wrote

²⁷⁸Dove (1854a), p. 3.

²⁷⁹Grant (n.d.), p. 13.

²⁸⁰In one petition, the *Convention of Royal Burghs* and 36 magistrates and town councils are listed. See Grant, J. (1855), *The National Association for the Vindication of Scottish Rights: Address to the English and Irish Members of the Honourable the Commons House of Parliament of the United Kingdom of Great Britain and Ireland*, Edinburgh, pp. 2-3.

“The tail of the Scottish lion may be twisted into a joke; but the symbol of Scottish individuality is no joke at all. ... And so it may be truly affirmed of the demands of the Scottish Rights Association, that they do not resolve into a miserable scramble for halfpence, but into a demand for those outward signs and symbols which, till we shake off our mortal coil, are the appanages of national character and independence.”²⁸¹

For the *NAVSR*, Scottish rights were part of the Scottish character and so was, thus, the fight for them: ‘miserable scramble’ and ‘mortal coil’. We do not find such direct statements in the petitions. Very personal were also the letters that some members of the Association sent; most important were the *Letters from a North Briton* that we have already looked at.

Another notable tactic was that the *NAVSR* did not simply utter its criticism, but supported it with calculations and statistics in many of its publications. Facts, we can conclude, were a central “campaign weapon.”²⁸² It was Robert Christie who compiled whole lists of facts and numbers from Parliamentary Papers and town council proceedings.²⁸³ The use of facts helped to make the Association less prone to attacks because it was not easy to debunk well-researched statistics. Such an approach follows the tradition of the Enlightenment and that of the *Statistical Accounts of Scotland* in which all information was underpinned with statistics in order to make the claims more objective and convincing.

We can conclude that the *NAVSR* made use of a whole range of different tactics and did not rely on one or two means to transmit its ideas and the list of Scottish grievances and that the different means often had a particular addressee. Most successful were probably the petitions and tracts that operated on two very different levels: while petitions were used within the parliamentary framework, tracts were published for ‘the streets in Scotland’.

For the vindication of Scottish rights that was developed partly with the help of these different tactics, the Association used two particular forms of nationalism. Both were successful and rested on a distinct understanding of Scottish identity and its *ethnie* in the mid-nineteenth century. We will examine these two types of nationalism and their function in the next two sections.

²⁸¹Inglis, H. (1854), Tract No. VI, p. 6.

²⁸²Morton (1999), p. 144.

²⁸³Compare *ibid.*

4.4.2 Daily Encounters: Banal Nationalism

As we have seen, issues of heraldry were part of the list of grievances the *NAVSR* compiled. But they were more than that, they were recognisable symbols of the nation, of Scottish identity, that every Scot could encounter on a daily basis. Although we oppose Anderson's concept of an imagined *political* community, imagining the community was vital for the construction of identity, an identity that was constructed and re-constructed daily on a subjective level. It is on this level that banal points of reference such as flags can operate. The *NAVSR* could assert a successful nationalism, but in order to do so, it needed elements of banal nationalism: everyday encounters make the nation and help people to imagine that they are part of it. Scottish identity in the mid-nineteenth century was, thus, partly sustained through the pillars of the nation and the notion of popular imperialism, but it was also sustained and, in fact, transmitted through heraldic symbols.

Although Billig looks at present-day nationalism, we can transpose his concepts for our analysis: national flags are symbolic and they have a symbolic function because they stand for the "sacred character of the nation."²⁸⁴ Flags represent routines because we encounter them every day; we recognise them even if we are not consciously aware of them and together with other symbols of the nation (e.g. coins) they become a habitual part of social life that embodies the nation's history and culture. Billig defines this as a process of *enhabitation* by which the national flag is inhabited in daily life and constitutes a reminder of nationhood which is not a conscious but subconscious process.²⁸⁵ So if the *NAVSR* specifically addresses the relevance of heraldic emblems, it is far from sentimental or trivial. The Association was aware of this banal function of heraldic symbols. Grant, for example, explains that he would yet have to

"learn that there is anything absurd or ridiculous in a nation taking pride in the emblems of its nationality ... was there anything ridiculous in the eagles of ancient Rome or of imperial France? Were they inefficient in raising the spirit of nationality, or gaining triumphs?"²⁸⁶

For the *NAVSR*, they were far from inefficient: the comparison Grant drew

²⁸⁴Billig (1995), p. 39.

²⁸⁵Ibid., pp. 42-43.

²⁸⁶In Grant (1853), p. 6.

between Scotland and other nations, ancient Rome and France, is supposed to underwrite the claim that national symbols are vital for a nation's identity to be maintained and that such symbols and the related rhetoric was not particular to Scotland. This idea becomes even more pronounced in the direct comparison with England where Grant drew on English myths and history to illustrate the relevance of national symbols: "Did anyone laugh at the orders that glittered on the breast of Wellington?"²⁸⁷

Forms of banal nationalism can be used to revive the national spirit in times when, in general, people were content with their life. This was very much the case in mid-nineteenth century Scotland when the opportunities of the Empire and the virtual autonomous self-government had secured middle class power and were beneficial for the Scots. Heraldic emblems, flags in particular, and the related heraldic rhetoric were used by the Association to remind all Scots of their nationality and that they should fight for their rights as Scots within the Union. Accordingly, the Association was keen on using national symbols for that very purpose to visualise the distinctiveness of the Scottish nation and identity, of Scotland's *ethnie*. A good example is the following invitation for a banquet²⁸⁸ on which we can, for example, see the Scottish Unicorn:



Figure 6: An invitation rich in symbols

But even at the banquet itself national symbols were widely displayed:

²⁸⁷In Grant (1853), p. 6.

²⁸⁸From the Special Collection of the *National Library of Scotland*.

“The great national banquet in the honour of the Earl of Eglinton ... took place on Wednesday evening ... in the City Hall ... At the east end, and behind the chairman’s table, were suspended two royal standards of Scotland ... On the north side the St Andrews standard was suspended from a dark blue flag-staff ...”²⁸⁹

Of course Morton is not absolutely wrong when he concludes that the use of flags was a glorification of Scottish nationality, but as our analysis has made clear, seemingly trivial elements of identity have specific functions that should not be dismissed lightly, they are “the most potent and durable aspects of nationalism ...”²⁹⁰ and function on an emotive level. Banal nationalism, thus, was a very important element for the construction of Scottish identity and the Association knew how to utilize it well for its meetings and publications, i.e. for the purpose to vindicate Scottish Rights. But why and how, then, if we go back to our initial hypothesis that the *NAVSR* was able to successfully assert Scottish nationalism in the mid-nineteenth century, could it do so?

4.4.3 Interpreting Culture - Interpreting the Past: Unionist Nationalism

Central to the rhetoric of the Association and banal forms of nationalism was a distinct interpretation of Scottish culture and history, the purpose of which was to stress Scottish distinctiveness within the Union. As Morton explains, the *NAVSR* was the organisation that “most coherently expressed how the nation should understand its common past.”²⁹¹ It could do so because it related all grievances and problems to the Union of 1707 and Scotland’s role in the Union and Empire thereafter. Allusions to the heroic past or important milestones in Scottish culture and history can be found in many of the *NAVSR*’s publications. Grant, for instance, writes that

“true to whatever department of literature, science, or art we turn, we find a phalanx of proud names. She [Scotland] has her heroic succession from Wallace and Bruce, through Montrose and Dundee, to the long list of illustrious names ... She has her noble army of martyrs which have perished for faith.”²⁹²

²⁸⁹In Morton (1999), p. 151.

²⁹⁰Smith (1991), p. 77.

²⁹¹Morton (1999), p. 135.

²⁹²Grant (n.d.), p. 8.

Reference was made to Scottish history not for the sake of flattery: these were elements of Scotland's common past and, as we have examined in chapter one, essential components of Scotland's *ethnie*. Remembering the past is crucial for everyone's sense of identity²⁹³ because it re-affirms the present consciousness. It was the Association's attempt to sustain Scotland's national culture and history by using Wallace who remains an important figurehead (a notion transmitted through the myth that sees him as a 'noble martyr'). The purpose of such rhetoric is revealed in the report on the first public meeting of the Association when supporters were still small in number. For the revival of community spirit, it was indispensable to use myths to establish common points of reference for Scottish identity. As Grant said,

"we are not a province, as is proved by our having a separate Established Church, separate laws, and a Court of Session (cheers). But, it is asked, 'What is the Nationality of which they complain?' 'What is nationality?' It is patriotism! (cheers) And what is patriotism? The most noble sentiment by which the human heart is animated. (loud cheers) ... It may slumber, but it never dies, and why are we alone be decried for loving this old country of ours? (loud cheers) We love our English brethren, and we are proud to be associated with them on an empire on which the sun never sets - (cheers) - but we are Scotchmen still. (cheers) We glory in the triumphs of a Marlborough, a Nelson and a Wellington, but may we not look with pride to the achievements of Wallace and Bruce? (great applause)"²⁹⁴

The *NAVSR* was capable of using these different facets of Scottish culture and history to establish a community spirit, and it did so "in its pursuit of better administration of Scotland."²⁹⁵ The common past and Scottish distinctiveness embodied in the common past, allowed the positive interpretation of the Union. After all, it was the Union that had allowed Scotland to maintain her virtual autonomy and to join the British imperial venture.

This generally positive outlook also found its expression in the fact that the members of the *NAVSR* believed that no true Scot could "entertain the question of repeal"²⁹⁶ of the Union. It was at the first public meeting when the

²⁹³Compare Lowenthal, D. (1985), *The Past is a Foreign Country*, Cambridge: Cambridge University Press, p. 197.

²⁹⁴Grant (1853), p. 8.

²⁹⁵Morton (1999), p. 154.

²⁹⁶In Hanham (1967), p. 166.

Earl of Eglinton said

“I am not wrong-headed enough to wish that the Union, which has been established so happily for the peace and tranquillity of both, should be interfered with. ... I can only say that if I thought the result of this Association could lead to such a misfortune, I would not remain in it for a moment.”²⁹⁷

It was this underlying principle of the *NAVSR* and the generally pro-Union interpretation of Scotland’s past (and present) that allowed the Association to assert a successful nationalism. This nationalism was as far away from Gellner’s and Anderson’s political nationalism as it could possibly be because it never demanded an independent Scottish Parliament: it was not political in the modernist sense. Its basic principle was to secure better government for Scotland within the Union, but in clear opposition to further centralisation. After all, concluded the *NAVSR*

“the Treaty of Union between Scotland and England recognises the Supremacy, asserts the individuality, and provides for the preservation of the National Laws and Institutions of Scotland.”²⁹⁸

While the *NAVSR* was very clear on this assertion of national distinctiveness, it made sure that no xenophobic anti-English nationalism developed because that would be very much the opposite of the spirit of the Union, too:

“The Council of this Association, while strenuously asserting the rights and honour of their native country, most explicitly disclaim any but the most friendly feeling towards England. It is their sincere prayer that no such feelings may ever rise between the two countries ...”²⁹⁹

Such notions of a pro-Union nationalism have led Morton to establish the very useful concept of unionist nationalism . This seemingly contradictory form of nationalism could develop because the Union of 1707 had practically never been the bone of contention for the construction of a distinct Scottish identity. Neither was the Union a problem for Scottish nationalists. Judging from the developments that we have traced in the previous chapters of this paper, the Union was mainly beneficial for Scotland. Not only did it enshrine Scottish

²⁹⁷In Grant (1853), p. 4.

²⁹⁸Dove (1853), p. 33.

²⁹⁹Grant (1855), p. 3.

civil society, it also allowed Scots to participate in the Empire which significantly underpinned their own self-esteem, their distinct identity. It was under these prerequisites that the Association set out to achieve better government for Scotland. This explains why the NAVSR could assert a successful unionist nationalism: it was “a rational response in an effort to resist”³⁰⁰ further centralisation. Centralisation undermined the *Treaty of Union* and its spirit. With the Union, Scotland had agreed to merge its legislature into an imperial legislature, but it never surrendered the base of its national existence³⁰¹ because it, in fact, never had to.

With centralisation and the related problem of inadequate representation in the imperial legislature it seemed, however, that England saw Scots as “less useful citizens of the British Empire than Englishmen.”³⁰² The NAVSR of course dismissed such notions, for them Scots were manufacturers of the Empire who deserved recognition for their work, who wanted the same rights in the homeland and who had every right to assert and vindicate these rights. As a means for vindicating Scottish rights, unionist nationalism was a feasible solution because it could accommodate the duality of Scottish identity in the mid-nineteenth century.

4.5 Unionist Nationalism Perceived

Not surprisingly, unionist nationalism, the NAVSR’s rhetoric and list of grievances was not received well by all. Partly, the criticism developed in the light of far more radical forms of nationalism that developed all over Europe in the mid-nineteenth century: people were afraid that nationalist rhetoric might turn into nationalist action. Critics of the NAVSR assumed that the list of grievances could easily be transformed into a significant challenge to the Union. Not surprisingly either, the most staunch criticism came from England. For many, the grievances were simply not substantial and came from a rather weird group that claimed to speak on behalf of the Scottish people. Such notions are best represented in contemporary caricatures that were published in a series in the *Punch*, an English satire magazine. The presentation of the Scottish lion who, dressed in tartan and looking sad, presents a list of

³⁰⁰Morton (1999), p. 152.

³⁰¹Aytoun, W.E. (1854), *Address by the National Association for the Vindication of Scottish Rights*, Edinburgh, p. 3.

³⁰²See Grant (n.d.), p. 13.

Scottish grievances, is a good example.³⁰³



Figure 7: The sad Scottish lion lists its grievances

A second caricature of an ill Scottish lion³⁰⁴ was accompanied by a poem entitled *A Growl from the Scottish Lion* which ridicules the NAVSR's list of grievances:

"It was the auld Scottish Lion,
 I heard him growlin' sair
 Deil ha'et, gin I pit up wi'
 Siccan treatment ony mair.
 Oh, ance my mane was winsome:
 And oh! but my tail was lang;
 But on them baith is scorn and scaith,
 From Southron deeds of wrang!
 Now up and ride, Laird Eglinton ..."

According to the *Punch*, the NAVSR represented nothing but a sore growl from the old Scottish lion. The list of grievances was like a lion's lamentation: his mane used to be attractive (winsome) and his tail used to be long, but both were damaged and rejected by the wrong deeds of the English (the Southron). So the Earl of Eglinton, as the chairman of the Association, had to rise and ride to save the lion.

³⁰³ *Punch, or The London Charivari*, Volume XXV, p. 39, in: *Punch 1853-54*, New Library Series No. 24-27, London.

³⁰⁴ *Ibid.*, p. 69.

The English press, *The Times* in particular, did its best to debunk the arguments of the Association. It described the members of the Association as 'Scottish agitators' and explained that the NAVSR itself was to blame for most of the problems because of the "ridiculous character"³⁰⁵ of the grievances and proposed reforms. Such notions mainly developed because of the seemingly trivial issues that the NAVSR addressed, i.e. that of heraldic emblems, "all this precious prattle about the Lion and the Unicorn."³⁰⁶ The NAVSR clearly saw such comments as a deliberate policy by *The Times* to "dwindle the National Question into a mere question about the Scottish Arms."³⁰⁷ It was only because the Association downgraded heraldic emblems, the argument of *The Times* went on, that Scottish symbols were degraded. Similar negative statements were made in relation to other demands. For example, the idea to re-instate a Secretary of Scotland was dismissed as

"the most extraordinary example of misplaced agitation that we ever remember to have seen."³⁰⁸

In Scotland itself, the reception was not always positive either. *The Scotsman* largely followed the criticism of *The Times* and tried to tear apart the Association's analysis of grievances by examining, as the NAVSR had done, whether the spirit of the Union had been observed and concluded that the articles "remain intact in letter and spirit."³⁰⁹ Not only did *The Scotsman* article disagree with the Association's claim that money was distributed unjustly, it also pointed out that alterations after the Union of 1707 were made "to the undoubted advantage"³¹⁰ of Scotland. There was no intention to acknowledge the grievances; the case the Association made to show that the spirit of the Union had not been maintained, *The Scotsman* concluded, was "ludicrously lame."³¹¹

In general, however, the Scottish press was less divided in its support, Cowan's detailed study shows that a majority of papers were in favour of the

³⁰⁵ *The Scotsman*, 'The Glasgow Grievance Meeting', 21 December 1853 [from *The Times*].

³⁰⁶ *Ibid.*

³⁰⁷ Scott, H. (1854), *The Progress of the National Movement*, Edinburgh, p. 4.

³⁰⁸ *The Scotsman*, 'The Glasgow Grievance Meeting', 21 December 1853 [from *The Times*].

³⁰⁹ *The Scotsman*, 'Scotland and the Union', 20 July 1853.

³¹⁰ *Ibid.*

³¹¹ *Ibid.*

Association.³¹² Many papers agreed that the NAVSR had picked up some relevant issues and grievances that needed to be addressed.³¹³ Especially some local newspapers were less harsh in their criticism. *The Dundee Advertiser* published an interesting article which argued that the Association was only necessary because the Scots had failed in the previous years to assert their rights.

“If Scotchmen were to themselves true, no Association would be required to vindicate their rights, and such rights as are now in question would have been vindicated long ago.”³¹⁴

Despite this general support, even the papers in favour of the NAVSR did often not really believe that the Association did not want the repeal of the *Treaty of Union*. It probably seemed too bold to assert a nationalist rhetoric within a pro-Union context - yet it was specifically this what the Association had set out to do. For *The Scotsman*, the list of grievances remained a prelude to the demand for repeal of the Union.³¹⁵ One reason for *The Scotsman*'s harsh stance was probably its closeness to *The Times* - some critics of the NAVSR hoped that “the combination of *The Times* and *The Scotsman* would kill the movement stone dead.”³¹⁶

It was Blackwood's *Edinburgh Magazine* that largely influenced learned opinion in favour of the Association. William Aytoun's anonymous article on Scotland and the Union in which he outlined how reasonable and beneficial a Secretary of State would be for Scotland was so well-formulated that even more conservative people began to realise that there was some truth in the list of grievances. The points were very much the same as those raised by the Association, but the fact that they were published in Blackwood's *Edinburgh Magazine* gave them a very different standing. Aytoun in the article concluded that

³¹²Cowan examined 30 papers and out of these, 20 supported the NAVSR's in November 1853. Cowan, R.M.W. (1946), *The Newspaper in Scotland. A Study of its First Expansion 1815-1860*, Glasgow: George Outram, p. 326.

³¹³Compare *The Scotsman*, 'The Scotch Movement', 12 November 1853 [from the *Perthshire Advertiser*].

³¹⁴*The Scotsman*, 'The Scotch Movement', 12 November 1853 [from the *Dundee Advertiser*].

³¹⁵Compare Hanham (1967), p. 167.

³¹⁶*Ibid.*

“It is now full time ... that the affairs of Scotland should be administered by a responsible Secretary of State with a seat in the Cabinet. ... We have on every ground the full right to demand this. ... The wealth, importance and position of the country justify the demand.”³¹⁷

These arguments were plausible within the Union and the Empire for which Scots were important. But *The Scotsman* was not to be convinced and still hesitant to accept the credibility of such unionist nationalism: it launched an attack on Aytoun’s article and Blackwood’s *Edinburgh Magazine*.³¹⁸ But other journals like *The North British Review* also drew a more positive picture by stressing the heterogeneous composition of the Association:

“In short, this movement, which Scotsmen of all ranks and of all shades of sentiment, political and ecclesiastical, have already joined ... is, so far as it has yet gone, a truly national movement, - a movement of Scotchmen ...”³¹⁹

More support came from across the Irish Sea. The Irish nationalist newspaper *The Dublin Nation* offered fellowship to the Association and acknowledged the Celtic connection between them due to their forefathers.³²⁰ *The Dublin Nation* concluded that “whatever Scotland is asking, she is asking in virtue of her right as an independent nation.”³²¹ This was very much the point that the NAVSR had tried to make. Scotland had remained a nation with a distinct identity and had every right to be treated accordingly.

But unionist nationalism was not only perceived ‘in writing’. Morrison in his impressive study on identity and nationalism in the Scottish painting shows that the majority of Scottish painters had no problems to express Scottishness “in terms both of Scotland and Britain.”³²² Unionist nationalism, explains Morrison, penetrates the style of Wilkie, Drummond or Reid and the nationalism that was portrayed in the paintings of the mid-nineteenth century, like the nationalism of the NAVSR, was “never independence-oriented.”³²³

³¹⁷Blackwood’s *Edinburgh Magazine*, ‘Scotland since the Union’, September 1853, p. 283.

³¹⁸*The Scotsman*, ‘The NAVSR and Blackwood’s’, 3 September 1853.

³¹⁹Masson (1854), p. 93.

³²⁰*The Scotsman*, ‘The Scottish-Irish Movement. The Best Intellect of Scotland’, 19 November 1853 [from *The Dublin Nation*].

³²¹*Ibid.*

³²²Morrison (2003), p. 8.

³²³*Ibid.*, p. 224.

5 Conclusion:

A Vindication of Scottish Identity

Scottish nationalism in the mid-nineteenth century did indeed differ considerably from nationalism in other European countries: neither was it about oppression nor was it defensive. It was about inadequate treatment within an existing state, within the Union. These inadequacies could develop because the spirit of the Union of 1707 had been abandoned. The marked difference between Scottish nationalism and nationalism elsewhere can be contributed to the duality of Scottish identity. Not only were the Scots loyal to the Scottish nation, they were also loyal to the British state as our model of concentric loyalties has explained. The Union of 1707 had not deformed the Scots self-image and it provided Scotland with a shared history with England, but at the same time allowed the Scottish nation to survive through its distinct pillars, i.e. the Kirk and a strong civil society which both sustained a virtually autonomous Scotland. This was a level of governance “unheard of for a nation without its own parliament”³²⁴, which facilitated a continuous loyalty to Britain.

Connected to the loyalty to the British state was a loyalty to the Empire. While the Scots’ participation in the Empire had only been possible through the Union of 1707, Scots were able to export their culture (elements of Presbyterianism/Protestantism in particular) and heritage into the Empire and the related images of the ‘race of Empire-builders’ were transmitted back to the homeland. For the Scots, participation in the Empire was vital because it strengthened a distinct Scottish identity that did not have to challenge the Union with England. This assumption partly explains why, as Smout suggests,

“most Scots would, quite rightly, have laughed at the idea that the Scottish nation came to an end in 1707 ... it was the end of an auld sang, perhaps, but it was not yet the end of an auld people.”³²⁵

A distinct Scottish identity was sustained over a period of roughly 150 years, but it was sustained within a larger composite ‘British-state’ identity. The

³²⁴Morris, R.J., Morton, G. (2001), ‘Civil Society, Governance and Nation, 1832-1914’, in Houston, R.A., Knox, W.W. (eds.), *The New Penguin History of Scotland. From the Earliest Times to the Present Day*, London: Penguin, p. 356.

³²⁵In Nairn (1977), p. 135.

National Association for the Vindication of Scottish Rights operated under these very preconditions. For the Association, the Union had delivered many positive results and only within it could Scottish national interests best be pursued. Opting for unionist nationalism meant opting for the Empire which had provided a whole range of different opportunities for the Scots: it was the Empire which had shown how much Scotland was worth. Any form of political nationalism a la Gellner or Anderson that demanded the repeal of the Union and an independent unitary Scottish nation-state would have destroyed these opportunities. Any form of cultural sub-nationalism a la Nairn would have led to more centralisation.

For the *NAVSR*, it was possible, as our hypothesis in the introduction assumed, to assert Scottish nationality without demanding a Gellner-type 'political nationalism', an independent Scotland. Scottish civil society, as we have seen, was still a relevant and strong component of Scottish identity, of the Scottish nation, in the mid-nineteenth century. What is more important: it could be strong enough to cope with the *NAVSR's* nationalism, a nationalism that did not have to be restrictively connected to the state, as Gellner assumes.

Anyone who wanted to be a nationalist in mid-nineteenth century Scotland, according to the Association, had to be a unionist. Due to this, mid-nineteenth century Scotland in many ways remains Smout's famous enigma for students of nationalism not because it failed to develop a political nationalism, but because it was able to develop a successful unionist nationalism. The reason for this was, as we have seen in chapter two, that without the Union, Scotland would most likely not have become a partner of England, but England's dependency. Some historians go as far as to assume that the Union of 1707, which made Scotland a partner of England, was only possible because Wallace and Bruce had liberated Scotland: only from such a strong position as a free country could Scotland become a partner in the Union.³²⁶ Regardless of whether we agree with this view or not, myths such as the one on Wallace and Bruce were elementary to maintain a distinct Scottish identity because they are part of Scotland's own culture and because they transmit both a community spirit and the nation's *ethnie*. The *NAVSR* was the only organisation that addressed the issues of Scottish identity and the role of the

³²⁶Paterson (1994), p. 60; see also Hossay (2002) p. 109.

Scottish nation in a co-ordinated fashion. It used the Scottish past and ethnic identity “as a vehicle for protest”³²⁷, a protest that operated within the bounds of the British state.

The Association managed to establish a specific nation-state relationship, i.e. a specific relationship between Scotland and Britain that was based on a positive interpretation of the Union. It did not want to repeal the Union, it wanted more Union and, what was even more important, a Union whose spirit was maintained. It was only through an improved representation at Westminster and a Secretary of State for Scotland that a more effective action in the central government could be achieved and further centralisation be prevented. It was only in this framework of the Union that Scotland would be able to continue its role in the imperial mission.

It has to be said, however, that the *NAVSR* was comparatively short-lived. It began its work as an Association in early 1853 and practically stopped in 1856. What was the reason for this? It was the very notion of unionist nationalism. In 1855, Britain was under threat from the Crimean War so that, in accordance with Colley’s thesis that we have examined in chapter two, British identity was re-enforced. This did not destroy nationalist arguments, but they were, if you like, ‘postponed’

“until a more suitable period shall arrive for the discussion of domestic questions ... We do not forgo our claims as Scotsmen; but we forbear from urging them prominently in an exigency, common to the whole United Kingdom.”³²⁸

It was again ‘the Other’ that stimulated the notion of a common Britishness that everyone shared. This was possible because the Union and Scotland’s participation in the Empire had manifested a dual Scottish identity, a loyalty to both ‘Scotland the nation’ and ‘Britain the state’.

But the Association’s short life was also due to the fact that grass-roots support had always been comparatively low; it was necessary to find alternative ways to revive the national spirit. Several members of the Association were actively engaged in campaigns for national monuments that literally sprung up like mushrooms all over Scotland in the late 1850s and 1860s. These

³²⁷Morton (1999), p. 154.

³²⁸Burns, W. (1855), *Association for the Vindication of Scottish Rights*, Edinburgh, p. 2.

national monuments were again not romantic notions of a distant past, but continued the nationalism that the *NAVSR* had initiated: they were symbols of Scotland's culture and *ethnie* and celebrated them - but they celebrated them within the Union.

Another point that we should at least mention is that the dichotomy of Scottish society, the Lowland-Highland divide, resulted in the fact that the *NAVSR* was, by and large, a Lowland urban movement. The remoteness of the Highlands clearly was one reason for this. It was only towards the end of the nineteenth century, when new and improved means of communication allowed the much faster transportation of information to both Edinburgh and London, that specific Highland problems (especially problems connected to the new wave of Clearances) were addressed within a nationalist context. This also relates to the fact that from the 1870s, more pronounced demands for Scottish Home Rule were common among the ordinary Scottish people. An increased level of pessimism in the streets and the example that debates on Irish Home Rule had set became increasingly influential. As a broadside ballad entitled *Is Scotland to get Home Rule?* put it:

“Wake! Scotland, wake! from thy long sleep ...
Rise! Scotland, rise! in all thy might, ...”³²⁹

If we look more closely at developments in the late-nineteenth century, we can see that more national movements developed and that they were more radical in their approach: the pro-Union rhetoric was largely abandoned. Judging from our analysis, those developments come as no surprise. Scottish civil society had been systematically and increasingly eroded from the 1860s onwards. The middle class was no longer able to sustain its role and hegemonic position through local self-government. Although a Secretary of State had been re-instated in 1885, the increased level of centralisation meant that Scotland now wanted more than better representation in Westminster. The traditional pillars of the nation were dissolving, the Empire began to offer more troubles than opportunities and the radical developments in Ireland cast their shadow across the Irish Sea. The *Scottish Home Rule Association* was founded in 1886 and linked the *ethnie* to Scotland's terri-

³²⁹‘Is Scotland to get Home Rule?’, c. 1870. From the *Digital Library of the National Library of Scotland* [<http://www.nls.uk/broadsides/index.html>] (last visited 05 March 2005).

tory: it wanted to create a unitary nation-state, and therefore, literally killed off unionist nationalism which was no longer feasible in 'the age of Home Rule'.³³⁰ In the late-nineteenth century, Scottish nationalism did indeed become political in the sense of Gellner and Anderson. This shift became even more pronounced after World War I when the decline of the British Empire brought about a new era. The rise of the labour movement, the pressures of war and economic depression facilitated a different discourse on national identity in the 1920s and 1930s. This new discourse found its successful political manifestation in the *Scottish National Party* which today attracts a wide range of support.

Despite the limited initial success of the *NAVSR*, however, its role is not to be underestimated: not only did it help Scotland to understand its national identity in relation to its duality with a 'British-state' identity, it also used Scotland's *ethnie* to re-establish the spirit of the Union. A positive interpretation of Scottish history, the nation's myths and culture were at the core of the Association's line of argumentation. The decline of the *NAVSR* did in no way end the national debate.³³¹ The Association facilitated the development of a nationalist rhetoric that postulated Scotland's distinct history and culture not in a parochial Scottish cabbage-patch, but in the Empire, and therefore, the Union with England. It was this specific Scottish experience of the Union and its re-interpretation by the *NAVSR* in the 1850s that ensured that no political nationalism developed at that time. In the mid-nineteenth century, "Scotland, as a proud and independent nation, would be found ever ready to vindicate her honour"³³² and her identity in relation to the Imperial Union and not Scottish independence.

³³⁰For more details on Scotland's Home Rule Movement in the late nineteenth century, see Morton, G.(2000), 'The First Home Rule Movement in Scotland, 1886-1918', in Dickinson, H.T., Lynch, M., *The Challenge to Westminster: Sovereignty, Devolution and Independence*, East Linton: Tuckwell, pp. 113-122.

³³¹McCaffrey, J.F. (1998), *Scotland in the Nineteenth-Century*, London: Macmillan, p. 61.

³³²Cochrance (1854), p. 23.

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