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Back to the Future: Remembering the 1707 Act of Union in the 2014 Referendum Campaign

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Events tend to be forgotten unless they live on in collective memory. The reason for this ‘living on’ lies in the continuous relevance of these events. This relevance comes not from their historical past, but from an every-changing present in which these events are remembered as facts of importance.

Jan Assmann

In her letter to the Parliament of Scotland dated July 31, 1706, Queen Anne indicated her hopes that the Treaty for Union that would soon be under debate would find acceptance:

An intire and perfect Union will be the solid Foundation of lasting Peace; It will secure Your Religion, Liberty and Property, remove the Animosities amongst Your Selves, and the Jealousies and Differences betwixt Our Two Kingdoms: It must increase Your Strength, Riches and Trade, and by this Union the whole Island being joyned in Affection and free from all Apprehension of different Interests, will be enabled to Resist all its Enemies, support the Protestant Interest every where, and maintain the Liberties of Europe.

Anne predicted that the Union would be “the greatest Glory of our Reign” and would prove “the greatest Happiness of Our People.” Despite the heated debates that took place within the Scottish Parliament, the anti-union petitions presented from numerous shires and boroughs, and the riots by the mobile in Edinburgh, Glasgow, Stirling and Dumfries, Anne got her wish. The Act of Union was affirmed and on May 1, 1707, the

2 Her Majesties most Gracious Letter to the Parliament of Scotland (Edinburgh, 1706), 2.
parliaments of Scotland and England were combined into the Parliament of Great Britain.  

Far from proving “the greatest Happiness of Our People,” however, the Union continued to be a subject of contestation. Christopher Whatley points out that “Such was the level of disenchantment with the union in 1713 that it came within four votes of being dissolved,” and Colin Kidd suggests that “the generality of the Scottish political nation appear to have been reluctant Britons for at least a couple of decades after the passage of incorporating union.”  Despite, or perhaps because of its rocky beginning, the Act of Union became an overdetermined site of national memory, a lieu de mémoire in Pierre Nora’s terms. As a “symbolic element of the memorial heritage” of Scotland, the Union was represented through a variety of lenses. While in James Thomson’s optimistic view in The Seasons, for example, the Union was responsible for the consolidation of British “Wealth,” “Commerce,” “Liberty” and “Law,” Robert Burns offered a more jaded view of the events leading to the Union, lashing out against the “parcel of rogues” who “bought and sold” their nation.

What was surprising in the discussions leading up to the 2014 referendum on whether the union should continue was the lack of specific attention to the Act of Union itself, despite its fundamental significance to the issue under debate. Although there were frequent allusions to the “307-year old relationship” between Scotland and England, and although the question voters answered on the ballot—“Should Scotland be an independent country”—can be seen as an uncanny echo of the question debated in the Parliament of Scotland in the autumn of 1706, the Act of Union itself was surprisingly absent from the discussions on the future of

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5 Pierre Nora defines a lieu de mémoire as “any significant entity, whether material or non-material in nature, which by dint of human will or the work of time has become a symbolic element of the memorial heritage of any community”; Nora, Realms of Memory: The Construction of the French Past, Vol. 1 (New York: Columbia UP, 1996), xvii.
Scotland in the United Kingdom, relegated to being a mere place-marker on website timelines. In this brief discussion, I examine the Act of Union within the context of the referendum debates, approaching the latter discussions as a re-inscription of earlier issues, often through the same rhetorical tropes. Although there are of course crucial differences between events in 1707 and those in 2014, a comparison of the debates in the two eras suggests a number of productive avenues of exploration concerning not only the issues under debate but also the mediation of those issues.

Acts of Mediation
One of the notable features of the 2014 referendum was the fact that it was the first decision of such magnitude in Britain to be undertaken during the age of digital technology. When the 1997 devolution vote had taken place, for example, the World Wide Web and email were still at an early stage. Technology and access to that technology changed drastically over the ensuing seventeen years; the 2008 presidential election in the United States in particular showed just how effective digital resources and social media could be in influencing voters. The 2014 referendum took place across the internet and social media. Facebook pages were created and liked for both campaigns, blogs were constructed, Youtube clips were shared, memes were circulated. Reacting to the perception that traditional media were adopting a pro-Union bias, a number of new online resources such as Wings Over Scotland and Bella Caledonia sprung up. At the same time, however, traditional media were never far in the background. The Scottish government’s hefty white paper, Scotland’s Future, for example, was made available for mobile devices, for personal computers and for readers of print; by March, 2014, 100,000 copies of the 670-page plan had been printed and distributed (with a fourth printing ordered). The crucial debates between Alistair Darling and Alex Salmond were

8 [http://www.telegraph.co.uk/news/uknews/scottish-independence/10691534/Alex-Salmonds-independence-blueprint-cost-Scottish-taxpayers-1.3m.html](http://www.telegraph.co.uk/news/uknews/scottish-independence/10691534/Alex-Salmonds-independence-blueprint-cost-Scottish-taxpayers-1.3m.html).
televised on BBC, then streamed and watched around the world, accompanied by a whirlwind of twitter messages. David Cameron and the other Westminster politicians published their pleas to Scotland to stay in the UK in the *Daily Mail*, a newspaper which is distributed both in paper and in digital form. The interplay of traditional and new media remind us of the way that, as Jay Bolter and Richard Grusin suggest, “A medium in our culture can never operate in isolation, because it must enter into relationships of respect and rivalry with other media.”

The debates on the 1707 Union, too, took place during an era of media transition; the new medium in this earlier case, however, was print. As Michael Suarez and Michael Turner suggest, the early eighteenth century saw “the efflorescence of a comprehensive ‘print culture’ in Britain.” Bruce Levack comments on the number of printed works produced at the time of the Union: “The volume of recorded opinion on the union, in the form of speeches, letters, proclamations, and pamphlets, is truly astonishing. Between 1603 and 1707 there was no other issue in the history [of] either nation, with the one exception of the English civil war, which attracted more attention and created more controversy than the union.” In fact, the debate regarding the Union was the first extensive political debate that took place under new censorship laws. The Civil War printed debates that Levack mentions, as well as the pamphlet wars accompanying the Exclusion crisis and the Glorious Revolution, had all taken place during a time of governmental crisis when censorship administration was temporarily disrupted. But in 1695, due to party conflict in the English Parliament, the Licensing Act was allowed to lapse in England, signaling the end of pre-publication censorship by government officials. In Scotland, printing restrictions had been imposed by the Privy Council, not by a Licensing Act, but there was, as Karin Bowie notes, a corresponding lessening of state censorship north of the border, too, during this time period. Appearing at a time of fewer

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restrictions, the Union debates involved a wider subsection of the population not only in consumption but in the production of printed materials.

In the early years up to the negotiation of the 1706 Treaty of Union, it was anti-union commentators, many of whom were associated with Country party politicians, who dominated the printed conversation. From London, George Ridpath, the editor of the newspaper *The Flying Post*, and James Hodges, another journalist, wrote pamphlets against an incorporating Union. In Scotland, Andrew Fletcher of Saltoun, Member of Parliament for Haddingtonshire, published his parliamentary speeches as well as pamphlets on the Union controversy. For many commentators like the Presbyterian minister of Hamilton, Robert Wylie, author of *A Speech Without Doors, Concerning Toleration* (Edinburgh, 1703), it was the fate of the Presbyterian Kirk that was the main issue. Pro-union commentators such as George Mackenzie also dipped their oar in the waters of the debate at this point, although to a much slighter degree, as Bowie notes (Bowie, 87-91). The growth in print culture also meant that readers had available to them not just persuasive argumentation, but the materials on which many of the arguments were based. In addition to quoting from Thomas Craig’s arguments written at the time of the Union of Crowns, for example, Ridpath also translated and printed his work.\(^{14}\)

Discussion in the press heated up as the Treaty of Union was brought before the Scottish parliament for ratification. The Queen’s speech to the Scottish parliament (cited above) and the speeches of the High Commissioner and Lord Chancellor were available in printed form, as were the Articles of Union. Several other parliamentary speeches were also printed and circulated, the most famous of which, Lord Beilhaven’s speech delivered on 2 November, 1706, represented a dystopic vision of the Scottish nation after Union. By this time, as Bowie notes, the Court party had also began to take further advantage of the uses of print for propaganda purposes (Bowie, 103). William Seton of Pitmedden also published his speech delivered 2 November, arguing that the only successful way to ameliorate the “Languishing Condition of this Nation” was through a complete union. George Mackenzie, now Earl of Cromarty, published a host of new materials, including a periodical,

\(^{14}\) Thomas Craig, *Scotland's Soveraignty [sic] Asserted: Being a dispute concerning homage, against those who maintain that Scotland is a feu, or fee-liege of England, and that therefore the king of Scots owes homage to the king of England* (London: Printed for Andrew Bell, 1695).
Trialogus: A conference between Mr. Con, Mr. Pro, and Mr. Indifferent, Concerning the Union, aimed at providing calmly reasoned “Information” in the midst of what he presents as an “Epidemick Phrenezie [sic]” of ignorance regarding the Union debate. The pro-Union campaign also got an infusion of energy from the indefatigable pen of Daniel Defoe who travelled up to Edinburgh in the autumn of 1706 with a commission from Robert Harley, Queen Anne’s chief minister, to publish what he could in favour of the Union.

The Union debate was accompanied by an unprecedented amount of printed material. But, like the 2014 referendum debates, the 1707 debates also afford a view of the interaction between old and new media, in this case between print and embodied performance. As the Minutes of the Parliament of Scotland indicate, there were a large number of printed petitions against the Union presented to Parliament from various boroughs and guilds; these were all read aloud during the time of the discussion on the Treaty as well as printed for distribution. Bowie suggests that the printing of these petitions, along with pamphlets, sermons and speeches “brought awareness of the union treaty . . . to many ordinary subjects in the Lowlands” and had the effect of attracting anti-Union rioters in Edinburgh, Glasgow, Stirling and Dumfries. Printed accounts of the embodied actions of protest also served to encourage public perception of the opposition to Union. A copy of the Articles of Union was symbolically burnt at Dumfries, for example, a metaleptic symbol in print of the Union itself, then an account of the burning was also printed, further disseminating the protests of the people of Dumfries. The discourse on the Union demonstrates the way in which, as Clifford Siskin and William Warner suggest, “print” came to take “center stage” in the early eighteenth century, but only within an “already existing media ecology of voice, sound, image, and manuscript writing.”

Examining the referendum and the Union debates side by side provides a

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15 George Mackenzie, Trialogus: A conference between Mr. Con, Mr. Pro, and Mr. Indifferent, Concerning the Union ([Edinburgh?], 1706).
18 Clifford Siskin and William Warner, “Introduction,” This is Enlightenment (Chicago: Univ. of Chicago Press, 2010), 10.
long-term perspective on the way in which newly dominant media work in relation to existing media.¹⁹

Roads Not Taken

*Scotland’s Future* lists three main points at the “heart of the case for independence”: political representation; control over resources and economic decisions; and control over social benefits.²⁰ Up until the final week before the referendum, the “Better Together” side focused primarily on the second of these issues in its campaign, arguing that an independent Scotland would mean a weaker Scotland both in terms of its finances and its global political voice. Alistair Darling’s famous question to Alex Salmond regarding what currency Scotland would use if they were not allowed to use the pound (“What’s your Plan B?”) was considered to have won for him the first televised debate.²¹ There are notable differences between the concerns in 2014 and those in 1707. In the earlier debates, the issue of the distribution of social benefits was naturally absent, for example.²² However, the origins of contemporary concerns regarding political independence and economic power can also be discerned in the debates that took place 300 years ago.

For George Ridpath, discussions on Union were intimately connected to the historical power imbalance between England and Scotland that dated from the time of the Union of Crowns, an imbalance that he argued had contributed most recently to the disaster at Darien.²³ James Hodges also considered the historical relationship between the two nations, concluding that Scotland “hath had so much sensible Experience of very great and almost innumerable Disadvantages in their National Rights and Interests, and of the unavoidable influence of *England* upon their Government Civil and Ecclesiastical, their Trade, and all other public Affairs” that they have “great reason to be very cautious in putting themselves further in the Power of *England*.”²⁴ Echoing the sentiments

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²⁰ *Scotland’s Future*, 3.


²² Although there were discussions about how well off the population would be in general, questions regarding specific social benefits were confined to considerations of positions for Scottish aristocrats under a combined parliament.

²³ *A Discourse Upon the Union of Scotland and England* (London, 1702).

²⁴ *The Rights and Interests of the Two British Monarchies* (London, 1703), 8.
of Ridpath and Hodges, Fletcher of Saltoun also maintained that Scotland’s political hands had been tied since 1603: “All our Affairs since the Union of Crowns, have been manag’d by the Advice of English Ministers, and the principal Offices of the Kingdom fill’d with such Men as the Court of England knew wou’d be subservient to their Designs: By which means they have had so visible an influence upon our whole Administration, that we have from that time appear’d to the rest of the World, more like a conquer’d Province, than a free and independent People.”

Ridpath, Hodges and Saltoun sought a federal union, an eighteenth-century equivalent of “devo-max” which would re-assert Scotland’s rights vis à vis England, rather than an incorporating union which would further erode Scottish “Liberties, Privileges, and Independency.”

Ridpath’s reaction to the terms of the Treaty bluntly states the perspective of many who opposed an incorporating union: “to deprive the Kingdom of Scotland of Our Parliament, and to allow us only 16 Lords, and 45 Commons, to join the Parliament of England, is a Subjection, and not a Union.”

Pro-incorporating Union works, however, indicated the positive impact on trade that would result from incorporation and emphasized the threat to the security of both nations were such a Union not to proceed. In Parainesis Pacifica, which included separate arguments addressed to English and Scottish readers, George Mackenzie argued that “a perpetual Identifying One-ness . . . will give a present contentment to all minds; a security against all apprehensions in our Selves, or hopes to our Adversaries of our dis-union or variance; it will strengthen Brittain’s force, Increase Brittain’s Trade, Facilitate all the Exercise of Government to the Sovereign; and so this One will more solidly, than any other Neighbour, pretend to be, Non pluribus impar.”

William Seton of Pitmedden, too, argued for that an incorporating union would help Scotland in a global economy: “this Nation by an entire Separation from

25 Andrew Fletcher, Speeches by a Member of the Parliament, which began at Edinburgh the 6th. of May 1703 (Edinburgh, 1703), 6-7.
26 Hodges, Rights and Interests, 7.
27 George Ridpath, Considerations upon the union of the two kingdoms (Edinburgh, 1706), v.
28 George Mackenzie, Parainesis Pacifica (London, 1702), 21
England cannot extend it's Trade, so as to raise its Power in Proportion to other trafficking Nations in Europe."

In 2014, six years after the collapse of the global marketplace and in the midst of the growing power of Putin’s Russia and ISIS, “Better Together”’s arguments regarding the “Advantages in Commerce” and security in an incorporating union seem to have convinced a majority of Scots to vote against independence. In the current discussions regarding devolved powers to Scotland (and to other parts of the UK), however, it is worth considering the way that the representation of such issues also resonates with past formulations. In going forward, it is also important to call attention to paths that were not taken along the way, such as the federal system proposed by Ridpath and others, and to reflect on the influences behind the choices not to take those paths.

Imagining the Nation
The 2014 referendum campaigns featured a frenzy of competing images and slogans. A “Yes” advertisement depicted individuals following their goals: a woman running her own florist shop, a pensioner preparing for a date, a toddler learning to dress herself, a young man going off to university. “Independence; it’s what we all want,” intoned the florist to the chords of inspiring and vaguely Celtic music, encouraging the nation to take the plunge. Meanwhile, a “Better Together” campaign ad caught the comments of those who purported to present a more rational perspective: “We’re not in Braveheart, you know; there’s a lot of other things going on.” “We can have the best of both worlds,” boasted another youth in the ad. A comparison of images of the Scottish nation in the 1706 debates and the 2014 referendum indicates differences in the ways in which the Scottish nation is represented, but it also suggests how symbols found in the earlier debates are re-inscribed in a contemporary situation.

In 1706, a fierce battle raged in print regarding the history of the Scottish nation, particularly after William Atwood published his The Superiority and Direct Dominion of the Imperial Crown of England over the Crown and Kingdom of Scotland (1704) in which he claimed that

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30 https://www.youtube.com/watch?v=pO3Jm1XD8h8.
31 https://www.youtube.com/watch?v=2uSJJKnFKQE&list=PLghs191htKjzuT3kFY6wW_T8VoEEac-%20to%20211.

Scotland was a fiefdom of England, hence bound by the English Act of Settlement. Those opposing an incorporating union refuted Atwood and drew on the figures of William Wallace and Robert the Bruce as well as the National Covenant and the struggles of the Kirk in order to assert Scottish historical independence. George Ridpath also invoked the Declaration of Arbroath, suggesting the parallels between the original signatories and the current Parliament: “they would never suffer the Crown of Scotland to be subject to that of England, so long as there were 100 Scotsmen alive: And we can’t suppose, but their Successors will shew as much Zeal for preserving the Liberty of the Kingdom, as their Ancestors did for saving the Independency of the Crown.”  

In the work of Ridpath and others, Scotland’s ethnic purity was emphasized, as the nation was represented as a homogeneous population who had withstood the onslaughts of invaders. Lacking a parallel positive history of the connection between the two nations, pro-Unionist writers focused instead on future improvements and security for the nation. Daniel Defoe mocked the fact that Scotland’s reputation rested on “the Rubbish of her Ancient Fame” and sang the praises of the proposed “Blest Conjunction” of the Union as a Providential act.

In the 2014 discussions, however, it was the anti-Union campaigners who seemed to make an effort to avoid engaging with historic depictions of the nation, fearful perhaps of drawing forth accusations of ethnic nationalism and of being dismissed as Braveheart wannabes. Scotland’s Future referred only briefly to “our ancient nation,” promising to restore Scotland to its earlier status as “an independent country.” Instead, the document focused more on Scots as makers of modernity: “Scots have been at the forefront of the great moral, political and economic debates of our times as humanity has searched for progress in the modern age.”

The “Better Together” campaign, on the other hand, eagerly drew on a history of united British efforts, capitalizing on the memorialization of WWI and depicting the common suffering and triumph involved in both world wars. (Mention of the common history of the British colonial period, however, which was actually the most beneficial post-Union era for many Scots, was carefully avoided.)

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32 George Ridpath, Considerations Upon the Union (Edinburgh, 1706), 55.
34 Alex Salmond, “Preface,” Scotland’s Future, viii.
The media campaigns of both 1706 and 2014 drew on anthropomorphic representations of England and Scotland as individuals in a relationship. The 1706 pamphlets abounded with gendered images of the Scottish nation as a courageous but helpless woman unable to resist the unwanted advances of her southern suitor. *The Comical History of the Marriage-Union Betwixt Fergusia and Heptarchus*, for example, characterizes the incorporating union as the literal consumption of the Scottish nation, as Fergusia [Scotland] complains that Heptarchus [England] will not be satisfied until: "You'd devour Me, and burie Me in the midst of Your self, and I be turned into Your very Flesh and Blood." In *Scotland's Speech to Her Sons*, the “Old Mother” Scotland admonishes her “sons” to come to her “Relief” and save her “Reputation.”

In 2014, it was primarily the “Better Together” campaign that utilized such gendered images of the nation. The “Woman Who Made Up Her Mind” ad, for example, visually reaffirmed the idea of the union as a marriage with close ups of the wedding ring of the main character’s fluttering hands. David Cameron’s uncharacteristically emotive plea for the Scots to stay in the UK also reinforced the idea of affective familial bonds: “I would be heartbroken if this family of nations was torn apart.” The official “Yes” campaign was careful to avoid such representations, citing the relationships between individuals rather than invoking images of the nations as partners in a marriage: “England, Wales and Northern Ireland will always be our family, friends and closest neighbours.” One of the most successful “Yes” advertisements, however, implicitly reinforced a gendered representation of the nation, opening with an image of a fetal ultrasound and featuring a narrator who

36 James Clark, *Scotland's Speech to Her Sons* (Edinburgh, 1706).
37 This ad prompted an intense backlash for its portrayal of women as disengaged from politics <https://www.youtube.com/watch?v=OLAewTVmkAU>
38 [http://www.dailymail.co.uk/wires/reuters/article-2750329/British-PM-begs-Scots-Dont-rip-UK-family-apart-independence-vote.html#ixzz3Iyw1KXnR](http://www.dailymail.co.uk/wires/reuters/article-2750329/British-PM-begs-Scots-Dont-rip-UK-family-apart-independence-vote.html#ixzz3Iyw1KXnR).
39 *Scotland’s Future*, ix.
explains: “My name’s Kirstie, and I’m going to be born on Sept. 18, 2014, the very same day as the referendum on independence for Scotland. The question is what kind of country will I grow up in.”

At the same time, the reactivation of gendered representations of the nations also enabled a consciousness of the implications of their terms. The timely announcement of the Duchess of Cambridge’s pregnancy inspired a flurry of retweets (13 ½ million of them) reimagining the alignments implicit in the earlier images of the nations as domestic partners: “Scotland: ‘I’m leaving you...’ Britain: ‘You can’t!’ Scotland: ‘I’m leaving. It’s over.’ Britain: ‘I’m pregnant!!’”

In this reinscription of the “Fergusia/Heptarchus” dyad, it is Scotland which is gendered male and which is represented as the partner with the greater power.

Who speaks for Scotland?

In My Scotland, Our Britain: A Future Worth Sharing, published in 2014 before the referendum, former Prime Minister and “Better Together” campaigner Gordon Brown professes astonishment at the recent increase in the desire for political independence in Scotland:

The speed at which Scottish political nationalism has moved from the fringes to the mainstream...and now to threaten the very existence of Britain is extraordinary.... Why did we go for 300 years without feeling the need to convert nationhood into statehood?

In fact, the recent upsurge in the pro-independence perspective is more understandable if viewed within a longer time frame and within a more dynamic understanding of the union at the time of its inception and afterwards. In considering the 2014 referendum alongside the Act of Union, one cannot but be struck by the changes that have taken place in the process of political decision-making over the past 300 years. In 1707, the decision to unite Scotland and England under the name of Great Britain was determined by the members of the three estates of the

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40 https://www.youtube.com/watch?v=pO3Jm1XD8h8
41 https://twitter.com/YesVoteScots/status/509011727078674432.
43 As Linda Colley remarks, “Historically speaking, Great Britain, and still more the United Kingdom, are comparatively recent and synthetic constructs that have often been contested and in flux in the past, just as they continue to be contested and in flux now” (Acts of Union and Disunion [London: Profile Books, 2014], unpaginated eBook).
Parliament of Scotland and by the members of the House of Commons and House of Lords in the Parliament of England. In contrast, in 2014, the decision to keep or disband the union was put into the hands of all Scottish residents of voting age, including, for the first time, 16- and 17-year-olds. 4.7 million Scots registered to cast their votes on September 18; the turnout was 85%, with 90% of the population coming out in some locations. Despite the obvious differences in circumstances between the two moments, however, it is crucial to consider them in “conjunction,” as Defoe would say, in order to avoid the historical blinkering of which Brown is in my judgment guilty. Most importantly, in this era of what Nora calls “historical sensibility,” such a comparison encourages us to see history not as a chronological and teleological unfolding but as a fluid process of meaning-making that works in multiple directions. As Catherine Belsey suggests, “We remember the past not simply as it was, but as it is or, more precisely, as it will turn out to have been, in consequence of our remembering it.” The wider impact of the 2014 referendum for both Scotland and Great Britain remains to be determined. What is clear, however, is that going forward, there is much to be learned by going back, as such a historical perspective suggests that rather than regarding the political connection between the two nations as an inevitability, it is more realistic to view it as an anomalous success in a series of attempts that had gone on for over a century before 1707 and as a site of contestation long after its ratification, albeit viewed differently by Scots, and managed differently by the British government, in different eras. The 2014 referendum, and the resulting shape of the United Kingdom in the future, needs to be seen within a context of constant change rather than achieved stasis. A closer look at the Act of Union as a *lieu de mémoire* and as a “fact of importance” in Scottish collective memory provides one way of gaining that perspective.

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45 Catherine Belsey, “Remembering as Re-Inscription–with a Difference,” in *Literature, Literary History and Cultural Memory*, ed. Herbert Graves (Tübingen: Gunter Narr Verlag, 2005), 3-17 (p. 4).

46 For a perspective linking increased Scottish focus on renewed political power to the eclipse of Scotland’s interests by policies aimed at promoting England, see Murray Pittock, *The Road to Independence? Scotland in the Balance* (London: Reaktion Books; Chicago: Univ. of Chicago Press, 2014).