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Title: "*"The SNP and EU policy-making with Europe 2020: bridging the gap between multi-level governance and neo-functionalism"*

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Abstract

Since the 90's, the issue of European integration has been deeply intertwined with debates of self-determination. In this respect, processes of decentralization and supranational integration have also inspired the Scottish National Party (SNP) who have echoed a federal vision of Europe where they could anchor their nationalist project of self-determination in a context of dispersion of political power. However, with the European 2020 Strategy, a new context of functional interdependence has allowed the SNP to rely on the European compromise towards economic recovery to legitimize demands of self-governance through functional spillover. With this pragmatic vision of Europe, the political strategy has become economically driven and collectively performed in articulation with Scottish stakeholders within the limits of a European policy network. Building on a multi-level governance approach in articulation with grand theories of European integration, this paper shows that since 2007 the SNP have moved from a state-centric to a governance-centric strategic approach to Europe, which ultimately supports the transition from a federal to a neo-functionalist vision of Europe.

Abstract: 168 words

Key Words: SNP; territorial mobilization; Europe; multi-level governance; European 2020 Strategy.

*** *Please, do not quote, without permission. Work in progress. Thank you*. ***

Introduction

Since the 90's, the issue of European integration has been deeply intertwined with debates of self-determination as (ethno)regionalist political parties (Lynch 1996; De Winter and Tursan, 1998; De Winter, 2001) have always looked at Europe as a political opportunity structure (Marks and McAdam, 1996; Loughlin, 1996a) where they could anchor their distinctive project of self-determination (Hepburn, 2008 and 2009; Elias, 2008) in a context of dispersion of political power. In that respect, the multi-level governance approach (MLG) has identified two types of MLG - type I and type II of MLG - that have been used to capture the rise of non-state actors and the related challenges posed to national state power (Hooghe and Marks, 2003). In spite of this major contribution, the MLG approach has largely remained a contested concept (Hooghe and Marks, 2001) or theory (Piatonni, 2010) for its multiple meanings and difficulty to be put into operation (Rosamond, 2000: 100; Jordan, 2001; Bache and Flinders, 2004: 4; George, 2004: 116; Keating, 2001).

Against this theoretical background, type I of MLG has been pressed forward to acknowledge simultaneous empowerment of supranational and sub-national authorities in Europe, in the 90's (Keating and Hooghe, 1996; Kohler-Koch, 1996; Bomberg and Peterson, 1998; Marks and Hooghe, 2004: 23). At that time, Europe was commonly perceived as a federal polity (Loughlin, 1996a) where the vertical dispersion of the national state authority *up* to supranational institutions and *down* to regional governments was leading gradually to the dismiss of the national state authority. Within this particular context, the emergence of a supranational political arena offered new channels of regional interest intermediation (Mazey and Richardson, 2001) which allowed regional parties to consolidate a strategy of national "bypassing" on a privileged access to political power (Keating, 1995; Keating and Hooghe, 1996). Yet, growing frustration with the persisting neglect of regional interests led regional parties to dismiss the idea of the "Europe of the Regions" (Keating 2008; Hepburn, 2008; Moore, 2008) and assume a Euro-skeptical position in the late 1990's (Hepburn, 2008: 538; Elias, 2008).

Bearing in mind a reinforced context of functional interdependence that has been set into place with the European 2020 strategy, the purpose of this paper is to introduce an element of discontinuity in the efforts to theorize regional mobilization in Europe (Hepburn, 2008 and 2009a; Moore, 2008). Reflecting upon the Scottish case study, the purpose of this paper is two-fold. First, to improve the existing conceptual work that has been carried out on regional mobilization in Europe, using a MLG approach in articulation with grand theories of European integration – federalism, on the one hand, and neo-functionalism, on the other - to advance a more comprehensive contribution to the evolution of territorial mobilization in Europe. Second, to identify a strategic shift on the part of the Scottish government led by the Scottish National Party (SNP) to challenge national state authority in Europe, using type II of MLG as the most suitable theoretical tool to frame it.

For the purpose of clarity, this paper will be divided into three sections. In the first section, we will present the theoretical contribution of Gary Marks and Liebset Hooghe and we will justify the validity of a multi-level governance approach to frame the evolution of the SNP's territorial strategy in Europe. In the second section, we will explore the empirical details of the SNP government's strategic shift in Europe since 2007. In the third and last section, we will summarize our arguments and raise major conclusions.

Methods and data

This qualitative research has been conducted through process tracing (Bennett, 2010) and has been supported by in-depth interviews conducted in Brussels and in Edinburgh between January and March 2013. Additionally, SNP regional and European party manifestos as well as Scottish governments economic strategies have been used as complementary pieces of evidences to sustain the analysis. The period under analysis begins with the accession of the SNP into government, in May 2007 and ends, at the time of writing, upon the aftermath of the British referendum on European membership held in June 2016.

Multi-level governance, territorial strategies and regional mobilization in Europe: which model to take?

When Gary Marks and Liebset Hooghe (Marks, 1993; Hooghe, 1996a; Marks and Hooghe, 2004) first forged the concept of multi-level governance, their main concern was to fill the void of theoretical tools to describe a *sui generis* system of European Governance beyond traditional intergovernmental or supranational schools of thought. In spite of sharing common grounds with intergovernmentalists (Hoffmann, 1995; Moravcsick, 1998) in the observation that the Member-States are, and will remain, the most important pieces of the European puzzle; the notion of multi-level governance also shares with neo-functionalists (Haas, 1958; Lindberg, 1963) the view that independent influence in policy-making can be assumed by non-state actors. Reflecting upon these major assumptions, Marks and Hooghe (2001a; 2003; 2004) proposed to distinguish two different 'types' of multi-level governance: type I and type II of MLG, respectively.

Whereas type I of MLG portrays a state-centric vision of Europe that builds upon 'general-purpose' jurisdictions located at different levels (Jessop, 2004:53); type II of MLG holds a governance-centric vision of the European integration process that is characterized by task-specific (instead of general purpose) jurisdictions and intersecting memberships (*ibidem*: 57). To put it differently, type I of MLG echoes a federalist thought as it is concerned with the vertical dispersion of political power among a limited number of governments operating at distinctive levels (Hooghe and Marks, 2003: 236; Marks and Hooghe, 2004: 219); whereas type II of MLG sustains a neo-functionalist vision of Europe (Haas, 1958; Lindberg, 1963) as it signals the growing functional

interdependence between levels of government and organized supra-national interest groups, leading gradually to the shift of state sovereignty to supranational and sub-national governments through policy delivery (Hooghe, 1996: 20; George, 2004: 109).

In short, we could argue that both models of MLG convey two distinctive ways of how national state authority can be unraveled by non-state actors (Hooghe and Marks, 2003) in a context of functional interdependence. However, whilst MLG I involves a tendential *re-scaling* (Jessop, 2004: 54; Keating, 2013) of state sovereignty from the national to the supranational level which has culminated into the federalization of the European polity (Loughlin 1996a); MLG II identifies a tendential *de-statization* of Europe (*Ibidem* 2004: 57), which emphasizes which emphasizes the role of reflexive policy networks (Sorensen and Torfing, 2009) to solve complex governing coordination problems that involve a wide range of non-governmental partners, beyond as well as within the state.

Territorial strategies and regional mobilization in Europe in the 90's

In the 90's, MLG I was pressed forward to acknowledge the simultaneous empowerment of supranational and sub-national institutions (Keating and Hooghe, 1996; Kholer-Koch, 1996; Bomberg and Peterson, 1998). Indeed, in the 90's, Europe was perceived as a federal polity where regional parties could promote their distinctive projects of self-determination on a strategy of national bypassing in a context of vertical dispersion of political power. In other words, Europe was conceived as a political opportunity structure (Princen and Kerremans, 2008: 1130) where regional parties could open and/or exploit new channels of access to Europe (Hooghe and Marks, 2001b) as a means of influencing the European policy-making process (Jeffery, 2000: 4).

So, in the late 80's and early 90's, sub-national mobilization became an unmistakable feature of European Union politics as the European institutional structure offered new possibilities to escape domestic constraints (Mazey and Richardson, 2001; Hepburn, 2009a), shifting their attention to whichever channel offered the best opportunities to exert policy influence beyond national interference.

Similarly, the idea of "Europe of the Regions" (Loughlin, 1996a) - or "With the Regions" (Hooghe, 1996b; Hooghe and Marks, 1996) - was rapidly disseminated to portray a federal Europe (Hooghe, 1995) where "regions" would serve as some kind of a "third level" of the European government (Christiansen 1996; Jeffery 1997 and 2000; Bullman, 1996). Although the idea of a "Europe of the regions" was an old one (De Rougemont, 1966), it was given contemporary resonance in this period due to the European Union's structural fund reforms in 1988 which gave a new level of prominence to regional governments that were also seeking some level of institutional representation within the European Union (UE). The outcome of this pressure was twofold: the creation of the Committee of the Regions as a consultative body within the EU (Loughlin, 1996a:150) and the passage of the Treaty of European Union (Maastricht), which gave regional governments the constitutional ability to represent Member State

interests within the Council of Ministers[1] (Keating and Hooghe, 1996: 244).

In a similar vein, the phenomenon of regional offices mushroomed in Brussels and became very notorious in the literature of the late 80's and early 90's (Jeffery, 1997; Marks and Hooghe, 1996; Aldecoa and Keating, 1999; Marks *at al,* 2002). According to this literature, the decision to set up a regional office in Brussels was driven primarily by political and cultural considerations (Lecours, 2007: 119). To put it differently, the decision to open and maintain a regional office in Brussels was not simply a decision to extend a regional representation to an additional political arena, but the decision to do so *autonomously* and *apart* from the State (Marks at *al,* 1996: 171; Tatham, 2008 and 2010).

However, by the end of the 90's, it became clear that sub-national strategies of "national bypassing" (Keating and Hooghe, 1996; Keating *at al,* 2015) were more elusive than real and that the advent of a multi-level system of government – a federal polity in the making - didn't allow sub-national governments to supplant national state authorities in the EU (Jeffery, 2000: 4). Ultimately, the European policy process confirmed an intergovernmental logic (Moravcsick, 1998) that emphasized the centrality of states actors, acting as "gatekeepers" capable of resisting unwanted consequences of integration (Bache and Flinders, 2004: 2).

Territorial strategies and regional mobilization in Europe with the European 2020

Between 2005-2007, while the European 2020 Strategy was still being prepared (European Commission, 2004)[2], regional parties in government started to look at Europe in a realistic manner as they realized that they could rely on the European compromise towards economic recovery to contest the limits of national constitutional settlement in a multi-level setting. In fact, with the European 2020 Strategy, the European policy cycle has been expanded[3] beyond traditional European policies such as agriculture, fisheries and structural funds in order to include policies such as economy, research/innovation, energy/climate change, education and social inclusion, which are considered to be "devolved" competences, but which in practice, are "semi-devolved" competences. Additionally, the implementation of the European economic plan requires regional intervention which means that national governments are now relying on regional willingness to comply with the National Strategic Reference Framework.

Bearing in mind these two pre-conditions, regional governments rapidly understood that they could benefit from this new European policy cycle to contest the fuzzy division that lies between "devolved" and "reserved" competences to legitimize their distinctive projects of self-government - ranging from federalism, confederalism or political independence - through policy delivery in a multi-level setting.

Ultimately, for these regional parties, the purpose is to rely on the European compromise towards economic recovery to justify the expansion of "semi-devolved" competences that fall within the European 2020 strategy, but, which in practice, are

deeply interconnected with "reserved" competences. If in Europe, it represented the possibility to argue for equal partnership; at the regional ground, it represented the possibility to argue for further concessions of policy competences in policy areas such as energy, economy, welfare and fiscality. However, since regional governments were rationally bounded (Simon 1957) in the sense that they were lacking the "policy expertise" to comply with their renewed political plan, regional authorities have learned to use functional regional offices in Europe as a self-governing policy solution (Sorensen and Torfing, 2009) through which they could clarify, in articulation with regional stakeholders, the policy options to be implemented in Europe and at the regional ground. To put it differently, if in the 90's, functional regional offices were mobilized by private actors to represent their interests in Europe (Tatham, 2010 and Rowe, 2011); with the European 2020, they have become an indispensable tool of government for regional governments to coordinate regional stakeholders across the extended range of policy sectors in a multi-level setting to comply with their renewed political plan.

Overall, we could argue that this new approach fits into MLG II as it holds the view that the European Union is perceived as a *site of governance* that involves a plurality of state and non-state actors – public and private regional actors - who attempt to coordinate activities around a series of shared functional problems (Flinders 2004:65). Very seemingly, according to this vision of Europe, state actors act as negotiating partners in a complex "network polity", pooling their sovereignty to realize collectively agreed policy aims on behalf of the network as a whole (Jessop 2004: 58).

On the other hand, as it has been suggested by Gary Marks and Liebset Hooghe (Marks *et al*, 1996; George, 2004: 112), this new territorial strategy shares common ground with a neo-functionalist vision of Europe for three main reasons. First, it identifies a transfer of political loyalty from national state governments to the European Union (Haas, 1958; Lindberg, 1963; Sandholtz and Stone, 2012) at a time that certain pressing governing economic problems can only be solved through European intervention. Second, lining-up with a neo-functionalism thought, it highlights the role of transnational policy networks to weaken the ability of national central governments to play the role of gatekeepers in shaping European policies (Rosamond, 2004: 3; Bache and Flinders, 2004: 3). Third, it allows subnational authorities to legitimize the transfer of competences away from the national state to the sub-national level (George 2004: 113) through functional spillover (Haas, 1958; Lindberg, 1963).

This concept is certainly the most important (and most discussed) in neo-functionalism theory. It is based on the perception that modern economies are made up of interconnected parts, so that is not possible to isolate policy sectors from each other. This weakening role can be translated in the ability of regional governments to argue for the expansion of "semi-devolved" competences by getting into reserved competences. Since the new European policy agenda falls upon policy sectors where regional and national competences are deeply interconnected and for that reason, competences should be reconfigured for regions to be able to comply with the European compromise towards economic recovery.

The evolution of the SNP's political strategy in Europe

The SNP in Europe in the 90's

The SNP is not a pro-European political party in the sense that it has not always looked at Europe as the saving element to escape British national grip. In fact, after pursuing a vaguely pro-European line in the 1950's (Dardanelli, 2005: 35) and turning sharply against it in the 1960's and 70's, the SNP has reassumed a pro-European line in the late 80's making a strong link between the unification of Europe and the disintegration of Britain (Keating, 2009a: 58). In spite of these many ups and downs, the SNP is not a truly Europeanized political party (Keating, 2009b: 109), as its attitudes towards the EU, is rather very British, seeing it as economically useful, favoring an intergovernmental rather than a supranational union and choosing *à la carte*, which bits of integration to take while in preparation of statehood (Lynch, 2001: 159).

In 1961, when the UK government submitted its first application to join the EU in 1961, the SNP's response was that it encroached on "certain Scottish rights" and breached "limitations in the constitutional powers of the UK parliament" (Wright, 2009: 177). In the 1973, when the UK joined the European Economic Community (EEC), the SNP still had reservations about the cost of membership as well as the transfer of political authority to Brussels. In the early seventies, influential figures within the SNP had many doubts about the EEC and wrote to the Prime Minister asking for the reestablishment of the Scottish Parliament on the basis that the UK government had no right to cede Scottish sovereignty to the then European Economic Community (EEC).

In the 80's, the political and economic context was about to change. Europe was opening its borders to new candidates. Europe started to look less threatening as much as it was becoming economically attractive for Scotland with the economic prospects of the completion of the European single market in 1986. Additionally, the presence of Jim Sillars highly contributed to the SNP's European turn (Keating, 2009: 58). Sillars was resolutely against the EEC in the 70's but he became one of the leading advocates of the SNP's campaign for "Scottish independence in Europe" in the 80's (Wright, 2009: 179). At the European elections of 1989, the slogan "Independence in Europe" was about to become a powerful vehicle to promote constitutional change in the UK as much it was allowing the SNP to be perceived under a new positive light. Emphasis was put on the constitutional change within the UK with Europe delivering "*the opportunity to break free from Westminster* "(SNP European Party Manifesto, 1989: 33) and with political independence guarantying that "Scottish *interests and priorities would be properly reflected within the European community where many of the key economic and industrial decisions affecting the future of Scotland will be taken* (*ibidem*: 10)*.*

Furthermore, in the 90's, the term *para-diplomacy* emerged at the margin of the literature on international relations and appeared to be highly seductive for regional authorities with nationalist political ambitions. These practices can be found in the external affairs strategy of the SNP, in 1999 (Lynch, 2001: 159) which is why the SNP has

always been very supportive of the establishment of Scotland House in 1999 – which hosted Scotland Europa, established in 1991, and the Scottish Executive's Office in Europe – and agreed upon the creation of a Scottish Minister for European and External Affairs in spite of this being the Scottish Labour's accomplishment.

Overall, between 1979 and 1999, the purpose of the SNP was to be perceived as "the" only Scottish Pro-European political party that could properly represent Scottish Interests in Europe at a time that when the government in London was led by the Conservative Party, which hated the European Union. For the UK representative to the EU, the SNP used *"to portray Europe as Non England land: it was a way of saying that Scotland would be much better in Europe on its own than going through a UK government who is anti-European and cannot adequately represent Scottish interests"* (interview 2013a). On the other hand, Europe made political independence looked less frightening and allowed Scotland to avoid political and economic isolation (Lynch, 2002: 16).

Despite aiming at a confederal Europe with powers concentrated at the Member-State level, the SNP became active in debates about the regionalization of Europe and have favored the creation of the Committee of the Regions (CoR) in 1993 (Hepburn, 2009b: 194). As an opposition party, the SNP have assumed a formal representation at the European Parliament within the EFA Group with 1 or 2 SNP's MEPs. Thus, in the 90's, Europe was largely perceived as a polity where formal and informal channels of regional interest intermediation offered the possibility to protect Scottish interests from British neglect, especially in policy areas that are under Scottish responsibility – such as agriculture, structural funds and fisheries – and which had been *re-scaled* to Europe.

However, by the end of the 90's, the SNP became more critical of Europe as they realized that whilst they had been granted new access points to European decision-making processes, these were either not available to them – because a position in government was required - or the scope of influence that could be exercised was very limited due to the constraints of an intergovernmental logic prevailing at the Council of Ministers. According to the EU Director and Head of the Scottish Brussels Office, *"Scottish representation in Europe can only be written with a small "r" because what prevails at the Council of Ministers is more of an accommodation than a consensus"* (Interview 2013b).

The SNP in Europe with the European 2020 Strategy

When the SNP returned to Europe in 2007, the Lisbon Strategy was already set in place and the European strategy 2020 was already being debated. According to the Head of the Scottish Government's Energy: "*with the European 2020 in perspective, Alex Salmond realized, even before he came into office, that Europe could help him to advance the SNP's policy objectives. He knew how he could fit Europe into his political project*" (interview 2013c).

For the SNP, the idea was to rely on the extension of the European 2020 policy spectrum to contest the fuzzy division between "devolved" and "reserved" competences, which prevents Scotland from being fully responsible for its policies, in Europe and at the regional ground. Indeed, although British constitutional settlement seems to be rather functional and transparent as it tries to prevent cross border conflicts between layers of governance (Lynch, 2002: 24); policy practices acknowledges an unbalanced relationship, which does not translate a cast iron-division of powers between the two sets of institutions.

According to schedule 5 of the Scotland Act 1998, many aspects of "devolved" and "reserved" competences are overlapping and interlinked but with the European 2020, this situation became even more salient across a full range of policy sectors. Indeed, in Europe, climate change, energy, education, research and innovation have been added to traditional devolved policies such as agriculture, fisheries and structural funds but Scotland has no responsibility over foreign affairs as it is considered a "reserved" competence; whilst, in Scotland, economy, welfare, fiscality and energy competences started to be questioned because these competences are, in practice, "shared" competences that hamper Scottish economic growth towards a Smart, Sustainable and Inclusive growth.

As we look into detailed aspects of British constitutional settlement, we realize that in economy, Scotland has the power to promote economic development but it has very limited fiscal powers to vary income taxes and to manage social benefits related to employment policy such as jobseekers allowance; employment and support allowance; income support; tax credits and universal credit. Accordingly, in welfare, Scotland has the power to distribute health and social services but lacks fiscal powers to amend taxes and social security benefits such as pensions; pension credit; maternity allowance; statutory sick pays; widowed parent and child benefits. Finally, in energy, Scotland can promote renewable energies but lacks any direct control over energy regulation, including regulation of energy sourced in Scotland (including oil, gas and coal) and the supply of electricity.

Therefore, whereas in Europe, this renewed political strategy represented the possibility to argue for equal partnership for Scotland to be able to decide across the full range of devolved policies that fall within the European 2020, and for which the Scottish Parliament has responsibility; in Scotland, it offered the opportunity to argue for further concessions of competences in economy, welfare, taxation and energy since these competences are "semi-devolved" competences that should be expanded for *"all of Scotland to flourish, through increasing sustainable economic growth"* (Scottish Government Economic Strategy, 2007:1)*.

Moreover, beyond fortunate policy circumstances, Scotland Europa – a Scottish functional office - had already been into place since 1991. Thus, public and private actors were already coordinated by the means of an informal public-private partnership and policy targets were already clear. For both public and private actors, the policy *praxis* hadn't changed, but Scotland Europa was now emerging as a self-governing policy

network to fulfill two complementary purposes: first, to integrate Scottish stakeholders into the new European policy cycle; second, to coordinate Scottish stakeholders across the full range of policy sectors encompassed by the European 2020 in order to clarify the best policy options to be implemented in Europe and in Scotland.

For the managing director of Scotland Europa: *"with the 2020 European strategy, traditional policy areas have remained Scottish government's priority but new policy areas have been added to it"* (interview 2013d). Furthermore, *"an intense work of information gathering has been implemented in Scotland in order to guarantee that Scottish stakeholders are perfectly aware of the new economic opportunities and to make sure that they are duly coordinated across functional sectors. Scotland Europa works closely with the Scottish government in Brussels and in Scotland but we are much more focused on economy than politics. What we really want is to demonstrate that Scotland can meet the European economic targets and that Scotland can make a positive contribution to the European development. In a way, Scotland Europa has become much more important than it used to be in the 90's" (ibidem)*. In a similar line of argument, for the SNP, *"it is the overarching strategy that sets the direction for Scotland's public sector to work collaboratively with the private, academic and third sectors, in pursuit of increasing sustainable economic growth"* (Scottish Government Economic Strategy, 2007: 2).

Hence, and in a clear contrast with the 90's, for the SNP, Europe emerges as a *site of governance* which identifies the *de-statization* of Europe and involves a shift from gover*nment* to gover*nance* on various territorial scales and across various functional domains in a context of tangled hierarchies and functional interdependencies. Similarly, this renewed political strategy reinforces the link that can be established between MLG II and neo-functionalism for three main reasons. First, it identifies a policy window for sub-state authorities to unravel national state authority through policy delivery in a multi-level setting at a time when national economic problems can only be solved through European intervention. Second, it highlights the role of transnational interest groups and sub-national authorities to weaken the ability of national central governments to play the role of gatekeepers in shaping European policies in a multi-level system of governance (Hooghe, 1996:20; George, 2004: 116). Third, it allows the SNP to legitimize demands of self-governance away from the national state to the sub-national level (George 2004: 113) through functional spillover (Haas, 1958; Lindberg, 1963).

SNP's minority government: May 2007- May 2011

Between 2007-2011, as soon as the SNP took office as a minority government with 32.9% of the votes, economy became their main priority using European economic targets as legitimate guidelines to accommodate demands of self-determination. In the 2007 Party Manifesto, the SNP portrays "a nation" that *"has the people, the talent and potential to become one of the big success stories of the 21st century"* (SNP Regional

Manifesto, 2007:7), and political independence is mentioned as the best political solution for Scotland to achieve that goal: *"With independence Scotland will be free to flourish and grow. We can give our nation a competitive edge"* (*Ibidem*). The tone is strikingly positive: *"It is time for fresh thinking and a new approach for Scotland to move forward"* (*Ibidem*:5).

The SNP's strategy is highly pragmatic: it relies on the European policy guidelines - for employment; research and innovation; climate change and energy; education and combating poverty - to contest the limits of British constitutional settlement which prevent Scotland from controlling all levers of economic governance to achieve *"a Smart, Inclusive and Sustainable growth"*. For the Scottish Government, *"higher sustainable economic growth is the key which can unlock Scotland's full potential and create benefits for all our people"* (Scottish Government Economic Strategy, 2007: 1). Although political independence is mentioned as a long-term political goal that will come in stages, Alex Salmond has promised *"to do everything in his power to maximize the role and influence of the Scottish government across the full range of reserved and devolved policy areas"* **(**2007 SNP Regional Manifesto: 16) to deliver a more successful Scotland**.**

Whereas in Scotland, *"greater autonomy over the levers of the economy – with a direct impact on fiscality, employment, welfare and energy"* is clearly stated (Scottish Government Economic Strategy, 2007: 7); in Europe, the SNP is asking for equal partnership *"to enhance Scotland's role across the full range of policy areas for which the Scottish Parliament has responsibility"* **(**SNP Regional Manifesto, 2007: 16)*,* with special emphasis put on renewables and the energy sector, where Scotland holds an obvious competitive advantage. Similarly, in 2009, at the European elections, the party manifesto confirms an optimistic attitude: *"We have got what it takes"* (SNP European Manifesto 2009) – remembering the contribution of Scottish renewable potential to European development –, and asking for equal partnership for Scotland to speak with its own voice (*Ibidem*:2).

According to SNP's Scottish MEP, *"a goodness of fit between Scottish natural resources and European economic agenda has definitely contributed to put the SNP's strategy at the mainstream of the European Reforms"* (interview 2013e). Yet, irrespective of a more ambitious attitude, the relationship with the UK Government and with the European Institutions is cooperative in nature as both actors are defined as *"partners* of *a common goal towards higher sustainable growth"* (Scottish Government Economic Strategy, 2007: 8). The old narrative of "non-England land" of the 90's has been replaced by a highly pragmatic one where Scotland and England are depicted as *"friends and partners, both free to make their own choices"* **(**SNP Regional Manifesto, 2007: 7).

SNP's majority government: May 2011- May 2016

In May 2011, the SNP achieved a majority government with 45.4% of the votes

and 69 seats. After winning an outright majority, between 2011-2016, political life in Scotland became smoother as opposition appeared less threatening to the SNP's policy choices. In Scotland, for the SNP "*it is time to keep pushing Scotland forward*" (SNP Party Manifesto, 2011), by keeping the purpose *"to make Scotland a more successful country for all of Scotland to flourish through increasing sustainable growth*" (Scottish Government Economic Strategy, 2011: 4). The idea of faster sustainable growth is one to be recaptured as the key message to unlocking Scotland's potential and strengthening its greatest asset – the people of Scotland: it is the avenue through which the Scottish Government can deliver a better, more prosperous and fairer society.

In Scotland, the emphasis is put on what the Scottish Government can achieve with the competences it already possesses – especially in the health sector with the protection of the NHS and free education – but it also demonstrates how further competences in taxation, welfare, economy and energy would allow Scotland to create more jobs, to make the Scottish economy more competitive and to protect the most vulnerable members of their community: *"with independence, we will have the economic levers to create new jobs. We will be able to address the priorities of people in Scotland, from better state pensions to universal free childcare. Scotland could do even more to lead the world in areas like renewable energy and tackling climate change (…) Our plan is to see all tax raised in Scotland kept in Scotland. And if we take on responsibility for tax and for welfare we can protect families, and protect the most vulnerable members of our community"* (SNP Regional Party Manifesto, 2011: 28).

In Europe, political independence is, once more, argued as the political solution that would allow Scotland to make decisions on all the major issues that affect Scottish interests and fall upon Scottish responsibility. At the European elections of 2014, the SNP defines itself as an *"unashamedly, though not uncritically, pro-European*" political party (SNP European Party Manifesto 2014: 3) and a vote for independence is mentioned as the opportunity *"to play a full and equal part in Europe as a member-State with its own right and with its own voice" (Ibidem)* to advance Scottish policy priorities, especially when *"Westminster governments regularly fail"* to do so (*Ibidem*: 6).

On top of these arguments, the case for independence is also made to avoid the prospect of Scotland being forced out of Europe against its will by a Westminster government with the British referendum on European membership to be held in June 2016. Finally, for the first time, the European party manifesto underlines the ability to form alliances –with large and small states -, moving smoothly towards the lines of a small state strategy (Panke 2010; Steinmetz and Wivel 2010) and anticipating a new Scottish strategy in Europe if political independence is finally reached.

Endowed with a majority position, Alex Salmond triggered the procedure to hold a referendum on political independence on the 18th of September 2014. Although Scotland decided to remain in the UK by a margin of 55.3% against 44.7%, a Commission - the Smith Commission - has been set into place to oversee the process of devolution of further powers to the Scottish Parliament and an agreement has been reached unanimously by all five main Scottish political parties. With this new agreement, further

competences over economy, fiscality, welfare and energy have been granted, but these concessions fell short of the Scottish Government's expectations as they have been limited in respect to key elements of these policy sectors (British Government, 2015).

Indeed, in taxation, Scotland has gained new extensive power to set rates of income tax and the thresholds at which these are paid for the non-savings and non-dividend income of Scottish taxpayers, but all other aspects of income tax such as the imposition of the annual charge to income tax, the personal allowance, the corporation tax, the taxation of savings and dividend income have remained reserved competences. In welfare, benefits for care providers, disabled people and those who are ill have been granted but child benefits, maternity allowance, widowed parent, statutory sick pays as well as state pensions, universal credit and national insurance contributions have remained reserved competences. Similarly, in the energy sector, powers to determine how supplier obligations in relation to energy efficiency and fuel poverty are designed and implemented in Scotland have been devolved, but the responsibility for setting the way the money is raised as well as the licensing of offshore oil and gas extraction has remained a reserved competence.

Last but not least, in Europe, the improved version of the Concordat on the Coordination of European Union Policy Issues sealed in 2013 (British Government, 2013) has been remembered. That is, the UK Government has committed itself to involve the Scottish Ministers as directly and fully as possible in decision-making on EU matters which touch on devolved areas (*Ibidem*: 22), but foreign affairs have remained a reserved competence. Further, although institutional cooperation has been reinforced, the Concordat does not constitute a legally enforceable contract. Overall, in spite of these major concessions, to the eyes of the SNP, this constitutional reform felt short of their political expectations and contributed to reinforce, once again, demands of political independence.

SNP's minority government: since May 2016

On the 19th of September 2014, in the aftermath of a deceptive outcome of the Referendum on Independence, Alex Salmond resigned and Nicola Sturgeon took office as the first Minister of Scotland and the leader of the SNP. However, the political strategy of the party has remained unchanged: the purpose of creating a more successful country, with opportunities to flourish, through a *Smart, Inclusive and Sustainable* growth to contest the limits of British constitutional settlement has remained at the center of the Scottish Government's economic strategy (Scottish Government Economic Strategy, 2015a). For Nicola Sturgeon, "*many of the key levers for addressing both competitiveness and inequality, however, remain reserved to the UK Government. The strategy sets out our approach within areas of current responsibility of the Scottish Government but also makes the case for key priority powers – particularly over the economy and welfare – to be transferred to Scotland*" (*Ibidem*: 8).

Additionally, in the Scottish Government's action plan on European engagement

of 2015 (Scottish Government, 2015b), Europe is portrayed as the best international framework to deliver prosperity to the people of Scotland: it is perceived as an agent capable of delivering jobs, economic prosperity and social equity and the Scottish Government is committed to contribute positively and constructively to the Europe 2020 to legitimize their nationalist project of self-determination (*Ibidem*: 4). With Europe on their side and following the outcome of the British referendum on European membership, the SNP is now facing a new challenging moment to reinforce their case for independence with the prospect of a second referendum to be held by 2020.

Concluding remarks

In territorial politics, the MLG approach has been pressed forward to emphasize the open and flexible nature of the European system of multi-level governance that allows room for non-state actors to become involved in decision making across multiple levels. However, to date, there has been a notable lack of systematic accounts of how type I and type II of MLG can be applied to evolutionary forms of regional engagement in Europe. The purpose of this paper was to revive the validity of this approach to tackle territorial mobilization in Europe, using MLG I and MLG II models in articulation with grand theories of European Integration – federalism and neo-functionalism, respectively - as useful analytical tools to frame the evolution of the SNP's approach to Europe.

Notes

1 - Article 146 of the Maastricht Treaty - subsequently renumbered Article 203 by the Amsterdam Treaty and more recently it has been enshrined as a concept within the Lisbon Treaty of 2009 as Article 9c - allows a Member-State to send a regional minister to act as its delegate in the Council of Ministers in certain instances.

2 - Wim Kok is the former Prime Minister of the Netherlands. He chaired the High Level Group on the Lisbon Strategy and wrote a report called *Facing the Challenge: The Lisbon Strategy for growth and employment* published by the European Commission in 2004. In this report he concluded that the Lisbon Strategy had failed in its goals due to a lack of determined political action. The report called for a determined action and came into force as the European 2020 Strategy. Although this new policy cycle was formally launched in 2010, it was prepared in 2005.

3 - The European 2020 Strategy was established to achieve "*a Smart, Sustainable and Inclusive growth*". By doing so, the European Commission has defined five measurable targets for 2020 that would steer the process and would be translated into national targets for employment; research and innovation; climate change and energy; education and for combating poverty. These new economic targets have contributed to expand the traditional scope of European policies.

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