From Jacobitism to the SNP: the Crown, the Union and the Scottish Question

The Stenton Lecture 2013

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Confusion of a strangely willed kind surrounds the events of 26 January 2011, an occasion whose - metaphorical - fogginess will yield footnotes for years to

proscribed republican faction, the 79 Group.³ In spite of the membership's commitment to republicanism, the SNP under Salmond has come to appropriate the British monarchy as part of its carefully triangulated campaign for a British 'social union'. A compelling slogan which has proved impervious - unsurprisingly - to unionist criticism, the SNP's 'social union' seems to involve an incongruous mar-



cession.8 Not only was the English Act of Settlement (1701) which excluded Catholics from the throne an integral element of Article II of the Treaty of Union (1707), but the SNP's critique of this aspect of the British monarchy helped - tactically - to distance the modern SNP from an earlier, and less glorious phase, of the Party's history. The SNP was formed in 1934 as a fusion of the left of centre National Party of Scotland (recently established in 1928) and the right-wing Scottish Party, formed in 1932 as a nationalist offshoot of Scotland's Unionist Party. 9 The Scottish Unionists, a fusion of Conservatives and Liberal Unionists who had split from Gladstonian Liberalism in opposition to Irish Home Rule, had a strongly Protestant identity and a markedly Orange hostility to Irish Catholic immigration. 10 These traits were transmitted to the Scottish Party and onwards to the early SNP. 11 Anti-Catholic sentiments flourished in the SNP in the inter-War years and survived into the post-War era. In 1950 Andrew Dewar Gibb, a former Unionist, who had been the Party leader from 1936-40 and had held the Regius Professorship of Law at Glasgow University since 1934, 12 complained that, 'The Union gave Scotland her Irish problem. '13 Salmond was determined to decontaminate the brand, not least

⁸ See e.g. Alex Salmond, 'Northern Ireland and the Scottish Question', no. 13 (autumn 1995), 68-81, esp. at p. 71 which discusses 'the injustice of the Act of Settlement'; (Scottish Government, 2007) - http://www.scotland.-gov.uk/Publications/2007/08/13103747/0 - section 2.24.

⁹ R. Finlay, (Edinburgh, 1994).

¹⁰ C. Macdonald (ed.), (Edinburgh, 1998); S.J. Brown, 'Outside the Covenant: the Scots Presbyterian churches and Irish immigration 1922-1938', 42 (1991), 19-45.

¹¹ R. Finlay, 'Nationalism, race, religion and the Irish Question', 42 (1991), 46-67.

¹² L. Farmer, 'Under the shadow of Parliament House: the strange case of legal nationalism', in L. Farmer and S. Veitch (eds.), (Edinburgh and London, 2001).

¹³ Andrew Dewar Gibb, (Stirling, 1950), p. 184.



in shaping the curious ambivalence felt by Scottish nationalists on the topic of monarchy?

Peering back further into Scottish history, we are confronted with a further ambivalence in the momentous events of the late thirteenth- and early fourteenth-century War of Independence. Medieval Scotland's resistance to England was led

ambiguously it has also infused nationalists, notwithstanding their republican pref	_

The most obvious kind of dissidence in Scotland, at least during the first half of the eighteenth century, was Jacobitism. Eighteenth-century Scotland - or more particularly the Highlands and north-eastern Lowlands around Aberdeen - was the heartland of Jacobitism, and a nursery of Jacobite rebellions in 1708, 1715, 1719 and 1745. B Jacobites, who tended to be Episcopalians or Roman Catholics, celebrated the high antiquity in Scotland of indefeasible, hereditary monarchy. After the accession of the Hanoverians in 1714 Jacobitism offered Scots the alternative of an independent Stuart state ruled by Scotland's native royal line to the double alienation attendant upon subordination to an English-dominated union under a German dynasty.

Although Jacobitism was a partisan, confessional or regional cause in the first half of the eighteenth century in Scotland, the Jacobites' undoubted opposition to the Union of 1707 and the seemingly higher levels of Jacobite activity in Scotland than in other parts of these islands, gave rise to an assumption which, in the longer run, has lodged in the national memory: the influential notion that the ideals of Scottish independence and the dynastic claims of the Stuarts were closely linked, if not indistinguishable. To espouse Jacobitism in the early eighteenth century was to cock a snook at the British state, and it continued in the late eighteenth century and beyond to offer a means of articulating discontent with - and suggesting one's distance from - the Hanoverian status quo. After the defeat of the Jacobites at Culloden in 1746, sentimental Jacobitism survived as a mode of expression. Although no longer hitched to a plausible set of political goals, it offered

¹⁸ J.S. Gibson,

the easy sense of estrangement from the post-1688 - or more especially post-1707 - powers-that-be. Nostalgic yearnings for a lost Scottish nationhood often took a Jacobite form, regardless of whether the nationalist dreamer was a convinced supporter of the lost cause of the Stuarts.

Jacobitism did nothing to obliterate the more distant historical memory of the Scottish War of Independence. The stirring deeds of the War had been celebrated by two late medieval epic poems, John Barbour's (1375?) and the (c. 1477) by Blind Harry the Minstrel. Barbour's and Harry's remained staple features of Scottish reading throughout the eighteenth century, partly, it has been argued, as a nationalist reaction to the Union of 1707. Editions of the appeared in 1709, 1713, 1722, 1728, 1737 and 1758, while the was reprinted in 1737 and 1758. Nevertheless, as with Jacobitism in the later eighteenth century, the undoubted resonance of the medieval War of Independence by then was more purely sentimental: to keep alive the idea of Scottish nationhood within the Union, not to agitate for independence or to challenge the Union

Whiggish loyalty in Scotland also had its own local peculiarities. Scots and English Whigs alike celebrated the Glorious Revolution of 1688 as an achievement pregnant with significance for Britain as a whole. In several respects, ,

Scotland's own distinct realm of memory. In particular, Scotland was home to a Whig-Presbyterian tradition which championed limited monarchy - indeed, a monarchy so limited, that to English (and Scots Episcopalian) eyes, it seemed quasi-republican, or at least anti-monarchical. Resistance to monarchy was much less circumscribed among Scottish Whigs than in the English Whig tradition. A canon of Presbyterian political theory formed during the late sixteenth and seventeenth (1579), by way of centuries - from George Buchanan's Samuel Rutherford's (1644), to (1687) by the later Covenanter Alexander Shields²⁰ - had justified resistance to ungodly kings, and flirted too with the right of private individuals to assassinate unrighteous tyrants. The works of Buchanan, Rutherford and the later Covenanting writers were different in kind from even the most Whiggish elements in the Tory-dominated tradition of Anglican political thought.²¹ Whereas English Whigs tended to celebrate a harwondered, trust to the capriciously conditional loyalty of Scots Presbyterians? Had not rebellious Scots Presbyterians triggered the troubles which undid Charles I? Indeed, did not Scots Presbyterians bear the major share of responsibility for the regicide?²² Quite simply, Presbyterianism, it was argued, was incompatible with royal government of any kind, Williamite, Hanoverian or Stuart. Scots Presbyterians were routinely accused of being crypto-Catholics, of having absorbed the kingkilling principles and practices of the Jesuits and a variant of the papal deposing power, 23 into their own dangerously democratic scheme of ecclesiastical politics, where every minister - worryingly - was the equal of every other and where no clerical hierarchy existed. Other Episcopalian pamphleteers went further. Some denounced Scots Presbyterians as Calves' head republicans who struck knives into the head of a calf on 30 January, in a vicious double parody of the royal execution and the Eucharist.²⁴ In defence Scots Presbyterian preachers used 30 January sermons as a way of wiping away the reproaches of their adversaries.²⁵ The Presbyterian 30 January sermon was largely a matter of defending the denomination from the charge of republicanism and rebellion. The Reverend James Anderson, the minister of the Scots Presbyterian church at Swallow St. in London, delivered a 30 January sermon in 1715 under the self-exculpating title .26

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Bruce, the English Reformation settlement had turned the monarch into an 'English pontifex maximus'.²⁹

Scottish Whig culture encompassed both loyal politeness of the most anglicised kind, and an unruly rumbustiousness which seemed tinged with disaffection. As Professor Chris Whatley has shown, from the late seventeenth century to the mid nineteenth, the King's Birthday was the most important date in Scottish public calendar of civic ceremonial. It often degenerated, he shows, by way of saturnalian boisterousness, into drunken riot. Nevertheless Whatley does not doubt the basic Hanoverian loyalty of the Scottish mob in the eighteenth and early nineteenth centuries. The tacitly licensed aggression and plebeian intimidation on the King's birthday functioned primarily as a 'safety-valve' for the expression of griev-

monument in his birthplace, Killearn, to the sixteenth-century Scots proponent of resistance and king-killing, George Buchanan.³²

Odder still, Presbyterian prickliness towards post-1707 British monarchs co-existed in Scottish culture with a sentimental hankering after the cause - the safely lost cause - of the Stuarts, and also with a pronounced strain of anti-Hanoverianism. The late eighteenth-century vernacular poet, Robert Burns (1759-96), who would become in time Scotland's national bard, exhibits precisely this languid and untroubled agility, moving as he did among different varieties of Whiggism and ostensible Jacobite positions within a diverse oeuvre which included a number of political poems, election ballads and Jacobite songs. Burns's own particular amphibiousness owes much to his parentage. His father, William Burness, came to Ayrshire from the epicentre of Jacobite Episcopalianism in the north-east of Scotland, while his mother, Agnes Broun, was of proud Ayrshire Covenanting stock. ³³ Burns celebrated both branches of his lineage, and was adept at switching personae. Politically, he was of a Whiggish cast, but seems to have alternated between conservative Pittite Whiggism - which, confusingly, he sometimes alluded to in his poetry as

teenth-century republican revolutions in America and France.³⁵ Sometimes, oddly,

Burns - adopting a Jacobite mantle - feigned denial of his own political creed:

Awa whigs awa,

Awa whigs awa,

Ye're but a pack o' traitor louns,

Ye'll do nae guid at a'36

However, Burns's Jacobitism seems more precisely to have been a sentimental type, and altogether compatible with an open declaration of Whig commitment.³⁷ At the centenary of the Glorious Revolution in 1788, Burns wrote a lengthy letter to the

The injur'd Stewart line are gone.

A race outlandish fill their throne;

An idiot race, to honour lost;

Who know them best despise them most³⁹

This is not to suggest that Burns favoured toppling the Hanoverians, restoring the Stuarts and dismantling the Union of 1707: those kinds of measures had long ceased to be practical policy options. 40 Nonetheless it is indicative of the rich body of idioms and material available to Scots for the expression - however mild or impractical - of disaffection from the British monarchy and the power centres of the Union-state. At this stage outright republicanism was a marginal phenomenon, as it had been more generally in eighteenth-century Scottish political culture. Burns, like many others Scots of radical inclinations during the 1790s, did little more than gesture at the possibility of a full-blown republican alternative.

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Disaffection from the monarchy became a more common feature of nine-teenth-century British political culture: still a minority phenomenon on the radical margins of political life, but around 1870, briefly, a seemingly plausible option, with an organised movement behind it. Historians of British anti-monarchism in the nineteenth century are careful not to reduce a cause underpinned by a diverse portfolio of discontents to the narrow category of republicanism. The culture of British 'anti-monarchism' - the preferred term - was much richer, and more am-

³⁹ Kinsley (ed.), , I., p. 348.

⁴⁰ See C. Whatley, 'Burns and the Union of 1707', in K. Simpson (ed.),

(East Linton, 1997), pp. 183-97. For a contrasting view, see Crawford,

, pp. 70-96.

biguous, than mere republicanism. Antony Taylor identifies three strands in an eclectic and heterogeneous anti-monarchist culture. Alongside what might be called political republicanism, he situates two other kinds of anti-monarchism which were far removed from the standard template of Paineite republican radicalism. Less highbrow than republicanism proper and less directly political was a crude, scurrilous anti-monarchism, which took a kind of perverse delight in being outraged by royal extravagance and scandal. This type of anti-monarchism was itself reducible to various sub-genres: outraged puritanism, faux-outraged prurience, longstanding anxieties about Old Corruption and penny-pinching concerns about the costs of monarchy. Related to this was the third - and most strangely ironic - of the strains of populist anti-monarchism identified by Taylor, namely a disgruntled loyalism. This constituted an example of the fickleness of popular royalism. The royalist public wanted to see the monarch in full fig in the public performance of royal duties, such as they were, on high days in the royal calendar; and disappointment led easily to a kind of disaffection. Queen Victoria's withdrawal from public life after the death of her consort Prince Albert in 1861 produced in time irritation as well as sympathy from royalists. 41 There were further complexities to the culture of anti-monarchism as it developed in the late 1860s and especially early 1870s. Richard Williams has drawn a sharp distinction between the middle-class and working-class versions of republicanism which were touted at the time, tsu

achievements of Wallace and Bruce. However, Robert the Bruce posed a dilemma for the young patriot. Carnegie recalled, somewhat guiltily, that 'King Robert the Bruce never got justice from my cousin or myself in childhood. It was enough for us that he was a king while Wallace was the man of the people.' Nor did the Scots-American industrialist ever guite lose his ambivalence on the subject of Bruce.⁴³

Yet insofar as the British monarchy in the nineteenth century raised issues concerning national identity these tended to arise not from English-Scottish differences, but from British-German tensions. A more diffuse anti-Germanism evolved out of (though it never entirely displaced) anti-Hanoverianism of the sort articulated by Burns in the late eighteenth century. Anti-Germanism, and a more specific anti-Hanoverianism directed at the house of Brunswick, surfaced on a widening fringe of mid nineteenth-century British political discourse. While Prince Albert was alive, his adviser Baron Stockmar became the focus of suspicions that he was importing German absolutist principles into court circles, a controversy which resumed with the appearance of Theodore Martin's multi-volume biography of Albert in the 1870s and 1880s. 44 Anti-Germanism as well as questions of cost surfaced in Charles Bradlaugh's republican polemic,

(1871).45

The early 1870s constituted modern Britain's short-lived republican moment
- and modern Scotland's republican moment too. There were eighty-five republi-

⁴³ Andrew Carnegie, (London, 1920), pp. 9-10, 12, 18, 367.

[!] Elizabeth Longford, 'Stockmar, Christian Friedrich',

can clubs in Britain between 1871 and 1874. Furthermore, republican activism out

1873, after considerable hesitation and anguished consultation with advisers,

Queen Victoria took communion in the Church of Scotland at Crathie Church, near

Balmoral; and would do so thereafter on her visits to her Aberdeenshire estate.

This bold step earned the Queen considerable popular support in Scotland.⁵⁰

The British republican moment - north and south of the border - was a brief spasm of protest, which rapidly waned. The recovery of the otherwise errant

Nevertheless, notwithstanding its marginality, Scottish alienation from the British monarchy remained highly distinctive in its modes of expression. Jacobitism, whether whimsical, sentimental or unrealistically serious in intent, continued, long after the mid-eighteenth-century defeat of the Jacobite cause, to shape Scottish the matter and idioms of Scottish political argument. Odder still, the influence of Jacobitism seems to have been felt as much among staunchly anti-royalist radicals as among romantic poseurs. Even the staunchly rationalist John Mack-

the supposedly popular forms of Saxon landholding which predated the imposition of the Norman Yoke. Perhaps unsurprisingly, Davidson ran as a parliamentary candidate in Greenock at the general election of 1885 for the Scottish Land Restoration League.

Aristocrats were not the only villains in Davidson's demonology. So too were monarchs. Davidson set out his anti-monarchical agenda in (1884). A special edition was published in 1897 for Queen Victoria's Diamond Jubilee, and by its 1902 iteration, to mark Edward VII's coronation, Davidson claimed it had sold 130,000 copies in its various printings. Indeed, Davidson associated royalist fawning with the inflexions of English political culture, and contended that for centuries - at least since the days of Buchanan in the sixteenth century - Scottish political ideas had followed very a different course. Buchanan, he claimed, 'had openly avowed the most advanced republican doctrines'. Such ideas had influenced the way in which the Scottish political nation treated its rulers. 'England,' Davidson proclaimed, 'has long been a king-ridden, Scotland a king-riding nation'. Alongside Buchanan, Fletcher of Saltoun - 'this inflexible Home Rule republican Scot' - was another hero of Davidson's. Davidson recognised that at bottom it was Presbyterianism which immunised Scots against the 'monarchical madness' which Anglicanism seemed to foster south of the border. Scotland, by sharp contrast, was 'essentially a republican country'. Notwithstanding the differences Davidson perceived between the political cultures of Scotland and England, his

Scottish nationalism was limited to a vigorous championship of home rule within a decentralized 'British republic, federal, social and democratic'.

the basis of Whig Revolution principles: 'even as a royal fetich the Queen is at best a third-rate idolon'.

powerful under-current of sympathy towards the Royal House of Stuart yet remaining in Scotland'. Of course, he conceded, this existed largely 'in sympathy and sentiment', yet the flourishing of a culture of Jacobite song, he believed, helped to 'prepare the ground for a Jacobite harvest'. A Jacobite restoration meant 'restoration likewise to Scotland of her long-lost Parliament, of which she was deprived by an usurping government.'⁵⁹

Republicanism occupied a somewhat surreal niche in Napier's quaintly antiquarian political vision. Napier had an intense dislike of modernity, most especially of democracy, socialism and republicanism. Yet, although no republican, and confessing that he preferred the rule of a usurper such as Queen Victoria to the horrors of republican rule, Napier perceived the instrumental utility of republicanism nonetheless. The future, it seemed, was not entirely bleak. The very fact, he reckoned, that the Hanoverians constituted an uninspiring dynasty of usurpers might well hasten processes of reform and revolution in Britain. Yet, in the long run Napier foresaw the prospect of Britons ultimately recoiling from the emptiness of republican government, with a prompt reversion to legitimist Jacobite monarchy.⁶⁰

A further British republican moment loomed, it seemed, during the latter stages of the First World War and its aftermath. The monarchies of Europe appeared to be staggering. The Romanovs fell in the Russian Revolution of 1917, and the Hohenzollerns lost the German throne at the conclusion of the War. The top-

⁵⁹ Theodore Napier, 17, 26-7, 31.

⁽Edinburgh, 1898), pp. 6,

pling of the Wittelsbach dynasty in Bavaria in November 1918 produced fine pickings for connoisseurs of irony: King Ludwig III, the last King of Bavaria, was forced to flee the German revolution with his wife, Queen Maria Theresa, the very Jacobite heiress whose restoration had been so fervently championed by Napier and his fellow legitimists. ⁶¹ In Britain itself King George V and his courtiers foresaw serious problems ahead, and the need to rehabilitate the monarchy as a more recognisably British entity. The royal house of Saxe-Coburg-Gotha transformed itself into the House of Windsor in 1917, having contemplated various other options for rebranding, including York, Lancaster and Plantagenet. A royal press secretary was appointed, the Order of the British Empire was created, and, perhaps most important of all, Britain, it was decided, would not become a place of asylum for the deposed crowned heads of Europe. ⁶²

1920, and idealised a misty Celtic past as the incubator of an indigenous Gaelic communism. Nor was Jacobitism entirely beyond the pale of MacLean's Communist-nationalism. In his short leaflet (1920)

MacLean celebrated Jacobite resistance to the British state: 'The rebellions of

as 'the heir of the great Scottish republican and radical traditions', ⁶⁷ and his type-script 'Red Scotland' (c.1936) was suppressed by the publishers Routledge for its libellous hostility to royalty. ⁶⁸ Yet, MacDiarmid's republican commitment to Scot-

removed the Stone to Westminster and who remained - and still remains - a villainous boo-figure in Scottish popular demonology. The Stone was returned to the authorities in the symbolically important setting of Arbroath Abbey in the spring of 1951.⁷¹

The accession of Queen Elizabeth as Elizabeth II in 1952 and her subse-

read out a republican declaration of sorts in Aberdeen: 'that as you cannot have a second before a first...therefore, whether the Queen wished to be or not (and I am not against the right kind of monarchy)....our land [is] now a Republic...'. Yet a few

style, the Court of Session pronounced, was a matter of the royal prerogative. The Nevertheless, there were some significant side-effects from MacCormick's quixotic litigation. The Lord President of the Court of Session, Lord Cooper, took the opportunity presented by the case to argue in his decision that Scottish compliance on state occasions of such high importance should not simply be taken for granted. In

Indeed, the 1953 judgment in MacCormick v Lord Advocate was a crucial turning-point in Scottish constitutional theory. 79 One of the most influential developments in Scottish political thought during the second half of the twentieth century was the increasingly widespread currency enjoyed by a distorted version of Cooper's controversial statement from the bench. 80 By the 1980s the Scottish political classes - Labour and Liberal as much as Nationalist - had come to endorse the distinction between an indigenous conception of Scottish popular sovereignty and the Westminster norm of parliamentary sovereignty, which was rejected as both elitist and alien to the historic political tradition of the Scottish nation. The Claim of Right (1988), endorsed by most Scottish Labour and Liberal politicians in 1989 articulated the new language of Scottish popular sovereignty: 'We, gathered as the Scottish Constitutional Convention, do hereby acknowledge the sovereign right of the Scottish people to determine the form of government best suited to their needs.'81 Interestingly, the idea of popular sovereignty was ambiguously quasi-republican in effect, but did not explicitly exclude the monarchy. The idea of a historic doctrine of Scottish popular sovereignty, embodied in the Declaration of Arbroath of 1320, which appeared to limit the authority of the Scottish crown, has allowed nationalist politicians to squar 0.3 qsh (r) 0.3 (e) -0.4 (d) -0.1 () -0.3 (t) -0 native to the dominant mode of English constitutional interpretation, but also to navigate without major difficulty between popular republicanism and popular royalism.

Highlighting the difference between what might be called 1320 principles from the 1688 principles which underpin the English tradition of parliamentary sovereignty allows Scottish politicians to invoke quasi-republican values without openly challenging monarchy. Moreover, the Scottish intelligentsia has explored the more ambiguous meanings of republicanism. After all, the Latin original of the term 'republic' – — and its Scots vernacular translation, 'commonweal', 82 have a wide range of connotations and do not carry the same reductive set of connotations associated today with republicanism. The poet Edwin

of a red deer; the antler-glint had fled
but the fine cut could still be felt. All right:
we turned it over, read easily
,
but then the shock of Latin, like a gloss,
, sent across
such ages as we guessed but never found
at the worn edge where once the date had been
and where as many fingers had gripped hard
as hopes their silent race had lost or gained.
The marshy scurf crept up to our machine,
sucked at our boots. Yet nothing seemed ill-starred.
And least of all the realm the coin contained. 85

In a similar vein, in his Saltoun Lecture of 1986, entitled 'Republicanism, Fletcher and Ferguson', Professor Sir Neil MacCormick (1941-2009), the son of John Mac-



modern Scotland is a British 'peculiarity' which the Scots share with the English.

Nevertheless, it would be an error to assume that the trajectory of post-Union

Scotland simply followed that of the English nation, in which it was largely (but not entirely) incorporated in 1707, with no diversions of its own. In particular, the compressed rapidity and ensuing dislocation of agrarian change - most spectacularly, in the nineteenth-century Highlands - together with the perceived rigidity of Scottish feudal law, provoked in Scotland an enduring anti-landlord sentiment grounded in a coherent anti-feudalist ideology, which enjoyed a greater salience and tenacity in Scottish political culture than south of the border.

91 Classic works in this idiom, such as Tom Johnston's (1909), focussed

to Scotland - which dictate Scotland's own estrangement, or perhaps only semi-estrangement, from outright republicanism. These include, most obviously, Jacobitism and the supposed legacy of the Scottish Wars of Independence fought on behalf of an independent Scottish monarchy seemingly limited - and simultaneously strengthened in its campaign - by popular sovereignty. The SNP's championship of the title 'Queen of Scots'93 rather than 'Queen of Scotland' for the county's future head of state is a way of intimating that in an independent Scotland its constitutional monarchy will be quasi-republican and narrowly constrained by popular sovereignty; a light-touch Louis Philippe-style monarchy, as it were, rather than a heavy-handed Bourbon version.

Yet aligning Scottish and English political cultures and identifying the common characteristics of both are not the same as conflating them. There are, however, other peculiarities of the Scottish experience which stand at some considerable remove from English political culture. Most obviously, there is the curious coexistence - sometimes even in the works of the same propagandist - of Jacobitism and republicanism. The curious persistence of Jacobitism in Scottish political rhetoric, sometimes indeed entangled with republicanism, serves as a reminder that, notwithstanding what they share in common, Scottish political values are not simply reducible to offshoots of a dominant English culture. Scottish political culture draws upon a deep indigenous history as well as from a shared well of British values.

 $^{^{93}}$ See e.g. Salmond's invocation of 'the Queen of Scots' at the time of Queen's diamond jubilee in 2012- $\frac{\text{http://www.theguardian.com/uk/2012/jun/05/diamond-jubilee-salmond-scottish-celebrations}$.