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A Second Scottish Independence Referendum: Should the Diaspora get a Vote?

MURRAY STEWART LEITH AND DUNCAN SIM

Abstract

The 2014 Scottish independence referendum settled little in terms of Scotland's constitutional future. The after-effects of what was the largest exercise in democracy in Scottish history certainly increased Scotland's devolved authority but, following withdrawal from the EU and with continuing differences and disagreements between the Westminster and Scottish governments, there have been increasing demands for a second referendum. One aspect of these conversations has been about the voting rights of Scots living outside Scotland, whose relationship with the nation would certainly be impacted by any successful vote for Scottish independence. And yet, they have had no voice in that decision and despite calls for their inclusion in any future vote, such inclusion remains unlikely. This article examines the reasons why such inclusion would be challenging and then considers what the Scottish diaspora think about Scottish independence and voting rights, by considering qualitative responses to a survey of members of the Scottish diaspora.

Keywords: Scotland, diaspora, independence, referendums, franchise

Introduction

THE 2014 REFERENDUM result did not (perhaps unsurprisingly) end the debate around Scottish independence. The subsequent Brexit vote and the UK's departure from the EU created a situation that the nationalist movement considers a 'significant change' in circumstances and the Scottish National Party (SNP) has, as a result, consistently argued for another vote. The recent UK Supreme Court decision that the Scottish parliament does not have the power to initiate another referendum has made the current situation more opaque. The First Minister, Nicola Sturgeon, has stated that the next UK general election (expected in 2024) will be fought as a '*de facto* referendum' on the issue and, if nationalist parties gain more than 50 per cent of the votes cast, she will regard that as a mandate to negotiate for independence. Of course, such a decision would still require the cooperation of the Westminster government to implement legislation and constitutional change.

This article, however, does not argue the merits or otherwise of a second vote. Rather, we are concerned with the franchise of a

second independence referendum ('Indyref2', for brevity). Specifically, we consider whether Scots living outside Scotland should have voting rights. This issue was raised by some expatriate Scots in 2014, but it failed to gain traction as a major concern in Scotland, or beyond. Here, we report on the initial findings from a short pilot survey of views among the Scottish diaspora.

Referendums: some background

The use of referendums as a means of consulting voters on significant (often constitutional) issues can be traced back to the United States in the late eighteenth century, although they were not used in Europe until 1905, when Norway seceded from Sweden.¹ Indeed, referendums have often decided independence issues. They have been used in Quebec (1980

¹M. Qvortrup, 'Voting on independence and national issues: a historical and comparative study of referendums on self-determination and secession', *Revue Française de Civilisation Britannique*, vol. 20, no. 2, 2015; <https://doi.org/10.4000/rfcb.366>

and 1995), East Timor (1999), Montenegro (2006) and South Sudan (2011). The Quebec referendums were unsuccessful, but the others resulted in the establishment of newly independent states.

Within the UK, referendums were unknown until 1975, when the Wilson government used a referendum to settle the issue of UK membership of the then European Community. Views on EC membership cut across political party lines and there was considerable internal party debate.² Today, referendums have become part of the political landscape, with votes on Scottish and Welsh devolution in 1979 and 1997, the Northern Ireland Good Friday Agreement in 1998 and proportional voting (the alternative vote) in 2011. The referendum on Scottish independence, held on 18 September 2014, saw high turnout at 84.6 per cent and the country voted by 55 per cent to 45 per cent to remain within the UK. The result was clear and widely accepted, although Alex Salmond, who resigned as First Minister, claimed that ‘the dream shall never die’.³

Subsequent elections saw significant shifts in Scottish political opinion. SNP won all but three Scottish seats in the 2015 Westminster general election and emerged as by far the largest party in Scotland from subsequent elections. These included the general elections of 2017 and 2019, the Scottish parliamentary elections of 2016 and 2021 and local government elections in 2017 and 2022. In addition, the Scottish Social Attitudes Survey suggested that Brexit may be driving an increase in support for independence.⁴ It is clear, therefore, that the referendum did not settle Scotland’s future within the UK, nor remove the nationalist challenge.

The Scottish government, comprised of a loose coalition of SNP and Green MSPs, currently has a pro-independence majority within the Scottish parliament. Holyrood has consistently requested a second independence referendum, arguing the ‘significant change’ in circumstances since 2014, primarily referring to Scotland ‘being dragged out of the EU

against its will’, a result described as ‘democratically indefensible’. Three consecutive Tory Prime Ministers have refused to sanction a second independence referendum ‘at this time’, yet there has been much debate within both Westminster and Holyrood as to when *might* be the time and whether or not the Scottish government might simply proceed with a referendum anyway. The recent legal clarification from the UK Supreme Court has ended that debate.

The independence referendum franchise

The franchise for the 2014 referendum was settled by the Scottish Independence Referendum (Franchise) Act 2013, using powers devolved by Westminster under the 2012 Edinburgh Agreement. The vote was given to all EU citizens then residing in Scotland, but excluded anyone *previously* resident in Scotland who was no longer on the electoral register. There was therefore a significant difference from the UK-wide position. Under the Political Parties, Elections and Referendums Act 2000, UK citizens living abroad are entitled to vote in UK-wide elections and referendums for fifteen years after leaving the country, although this will change to a lifetime entitlement, following the passing of the Election Act 2022. But, overseas voters are not entitled to vote in elections for local or devolved governments, or ‘local’ referendums, including the Scottish referendum of 2014.⁵ In fact, of an estimated 5.5 million overseas voters in 2019, only 233,000 registered to vote in that year’s general election.⁶ Interestingly, if the next general election is employed as a *de facto* referendum, the Westminster franchise applies and overseas voters will play a part.

In 2014, an oft-discussed element of the franchising legislation was the extension of voting rights to 16- and 17-year olds, whereas the exclusion of former Scottish residents

⁵The Scottish Government has stated that no change is proposed in this area for devolved Scottish elections, see Scottish Government, Electoral Reform Consultation, 14 December 2022, p. 39; <https://www.gov.scot/publications/electoral-reform-consultation/>

⁶N. Johnston and E. Uberoi, *Overseas Voters*, London, House of Commons Library, 2022.

²B. Pimlott, *Harold Wilson*, London, Harper Collins, 1992.

³A. Salmond, *The Dream Shall Never Die*, London, Collins, 2015.

⁴J. Curtice and I. Montagu, *Is Brexit Fuelling Support for Independence?*, London, NatCen Social Research, 2020.

appeared to pass with limited or no comment. At Westminster, however, the Scottish Affairs Parliamentary Select Committee in 2013 did raise concerns that EU citizens, while not eligible to vote to elect the UK government, would be able to vote on whether or not to break up the UK itself.

The franchise was constructed so it could be seen to be robust, and the UK government believed it was essential to start from a pre-existing franchise in order to avoid a perception of seeking to influence the result. Thus, the franchise was essentially the same as for the 1997 Scottish devolution referendum. Secondly, the disenfranchisement of 'non-resident Scots' was perhaps the only workable position, since drawing up a register based on either birth or previous residence in Scotland would have been exceptionally difficult and probably inaccurate.⁷ Finally, if voting was extended to Scots living in the rest of the UK, it could potentially be argued that it should be extended to *all* UK citizens, since they would be affected by the breakup of their state. But, if independence depended on a majority of all British citizens voting for it, then that would essentially mean that Scotland had no right to self-determination, since its residents would be outvoted by people living elsewhere in the UK.⁸ Thus, the adoption of a different franchise would have been hideously complicated and inimical to the whole notion of Scottish self-determination.

Nonetheless, some members of the Anglo-Scots diaspora sought to challenge their exclusion. In Corby, councillor Rob McKellar began a campaign to allow anybody 'entitled to hold a Scottish passport under the SNP's regime' to vote. Meanwhile, an Edinburgh law graduate, James Wallace, who had moved to England for employment reasons, began a 'Let Wallace Vote' campaign. A number of pro-Union politicians supported him, but promptly ran into

the difficulty of defining a 'Scot' and whether this would be based on birthplace alone, or if ancestral Scots born in other parts of the UK (or indeed elsewhere in the world) would also be allowed to vote. The Scottish government, while acknowledging the connections that the diaspora had with Scotland, argued that the inclusion of Scots-born voters elsewhere would greatly increase the complexity of the referendum. Furthermore, evidence from the United Nations Human Rights Committee indicated that a franchise based on criteria other than residence could have implications regarding international recognition of the outcome and would also be considerably more expensive. In the event, the issue fizzled out and the petition set up by Wallace closed six months later.⁹

So, should the diaspora have a vote?

There is no doubt that diasporas have often played a significant role in nation-building, but this has sometimes been associated with lobbying for nationalist movements, the sending of resources, the smuggling of arms, or even active participation in armed conflict.¹⁰ Voting in an independence referendum is, however, a rather different matter. Sometimes, where there has been population displacement caused by conflict, non-residents have been allowed to vote, as in East Timor in 1999 and Eritrea in 1993. But elsewhere, the picture is quite nuanced. The European Court of Human Rights in 1999 found that those living outside a jurisdiction had weakened the link between themselves and that jurisdiction and therefore could not claim a right to vote. This view influenced Montenegro's independence referendum in 2006.¹¹ There was a debate as to whether the 'people' of Montenegro represented *all* Montenegrins, some of whom lived

⁷J. Shaw, 'Voting in the referendum on Scottish independence: some observations from the front line', in R. Ziegler, J. Shaw and R. Bauböck, eds., *Independence Referendums: Who Should Vote and Who Should be Offered Citizenship*, European University Institute, EUI Working paper RSCAS 2014/90, 2014, pp. 55–58.

⁸R. Bauböck, 'Regional citizenship and self-determination', in Ziegler, Shaw and Bauböck, eds., *Independence Referendums*, pp. 9–12.

⁹A. Mycock, 'Invisible and inaudible? England's Scottish diaspora and the politics of the Union', in M. Leith and D. Sim, eds., *The Modern Scottish Diaspora: Contemporary Debates and Perspectives*, Edinburgh, Edinburgh University Press, 2014, pp. 99–117.

¹⁰D. Lainer-Vos, 'Diaspora-homeland relations as a framework to examine nation-building processes', *Sociology Compass*, vol. 4., no. 10, 2010, pp. 894–908.

¹¹Qvortrup, 'Voting on independence'.

in Serbian territory, or simply those who were resident within what would become the newly independent Montenegrin state. Serbia argued that non-residents should have voting rights (presumably because this group was thought likely to vote against independence). But the EU's Venice Commission, which oversaw the referendum, rejected the Serbian argument, believing that this would jeopardise the referendum's legitimacy.¹² In contrast, in its 1990 independence referendum, Slovenia enfranchised both its 'internal citizens', defined by bloodline, wherever they lived and all permanent residents of Slovenia.¹³

Elsewhere, Quebec provides us with another precedent. In this case, the franchise in the referendums of 1980 and 1995 included Canadian citizens with a legal address in Quebec during the six months prior to the referendum. In 1995, voters outside Quebec could register to vote if their legal address was in Quebec and they could show that they had temporarily left Quebec after being domiciled there for twelve months. A limited number of non-residents of Quebec therefore gained voting rights.¹⁴

Turning back to Scotland, there has been continuing debate around voting rights. Ziegler's view is that those who would be eligible for citizenship in a future independent Scotland should have voting rights, as congruence between participation in the referendum and eligibility for citizenship is highly desirable.¹⁵ But, this would rely heavily on rights being granted according to bloodline. Weinstock believes that excluding 'blood nationals' is a requirement of liberal democratic ethics, while Arrighi and Lafleur argue that giving residents the right to vote, but denying it to those whose

claim was based solely on bloodline 'considerably strengthened the national movement's liberal credentials'.¹⁶

Some Westminster politicians have suggested that Scots living in the rest of the UK should be given a vote, although this has led to accusations of ballot rigging, making a unionist victory more likely. Indeed, in 2014, Lord Wallace (former Scottish Deputy First Minister, Jim Wallace) argued that, if Anglo-Scots were given the vote, it might be resented by voters within the homeland, particularly those seeking independence, who might feel their aspirations were being thwarted by others, including diaspora Scots across the UK.

Indeed, the 2014 British Election Study asked voters across the UK how they would vote in an independence referendum. It showed that, of 381 people born in Scotland, but living in England or Wales, 78 per cent would vote No and only 22 per cent indicated Yes. The same survey showed that, at that time, 57 per cent of voters in Scotland were planning to vote No and 43 per cent Yes. This showed a twenty-point difference between support for independence within Scotland and Scots-born living elsewhere.¹⁷

The current position is that, if Indyref2 is held, the Referendums (Scotland) Act 2020 would apply. The Electoral Commission would have a statutory role, overseeing the conduct of the poll, the regulation of referendum campaigners and testing the proposed question, which would probably be the same as in 2014. The act provides that the franchise for any future referendum will be the same as that for Scottish parliamentary elections, meaning that anyone aged 16 or over, who is legally resident in Scotland regardless of nationality and who is on the Scottish local

¹²Z. Oklopčić, 'Independence referendums and democratic theory in Quebec and Montenegro', *Nationalism and Ethnic Politics*, vol. 18, no. 1, 2012, pp. 22–42.

¹³J. Vidmar, 'Scotland's independence referendum, citizenship and residence rights: identifying "the people" and some implications of Kurić v Slovenia', in Ziegler, Shaw and Bauböck, eds., *Independence Referendums*, pp. 27–29.

¹⁴I. Serrano and J. Lopez, *Who is Entitled to Vote? And Other Controversial Issues Surrounding Secession Referendums*, Girona, University of Girona, 2017.

¹⁵R. Ziegler, 'Kick-off contribution', in Ziegler, Shaw and Bauböck, eds., *Independence Referendums*, pp. 1–14.

¹⁶D. Weinstock, 'In a secession referendum the franchise should depend on what you do, not what you are', in Ziegler, Shaw and Bauböck, eds., *Independence Referendums*, pp. 49–50; J.-T. Arrighi and J. M. Lafleur, 'Where and why can expatriates vote in regional elections? A comparative analysis of regional electoral practices in Europe and North America', *Journal of Ethnic and Migration Studies*, vol. 45, no. 4, 2019, pp. 517–538.

¹⁷J. Aitchison, 'Scottish independence: the figures behind plan to give Scots across UK an Indyref vote', *Herald Scotland*, 21 June 2021; [Scottish independence: The figures behind plan to give Scots across UK an Indyref vote | HeraldScotland](#)

government electoral register, would be entitled to vote. As in 2014, this would exclude Scots living permanently outside Scotland.¹⁸ Of course, as we note above, a *de facto* referendum based on the next UK general election, would use the Westminster franchise and, significantly, 16- and 17-year olds would not have a vote.

While this effectively settles the matter as regards the franchise for the next referendum, little attention has been paid to what the Scottish diaspora thinks, aside from some remarks by politicians and occasional high-profile campaigning such as ‘Let Wallace Vote’ in 2014. But there has been little focus on the views of the diaspora, particularly outside the UK. We have therefore sought to explore this issue, in the expectation that there will be—at some point—a second referendum.

Methodology

We have conducted research with the Scottish diaspora since 2003 and have undertaken a number of studies.¹⁹ More recently, we conducted two online surveys, of members of the diaspora returning to Scotland and of Scots living in England following Brexit.²⁰ On each occasion we explored attitudes to constitutional change, in particular independence,

and have amassed interview data from over 200 individuals. We did not, however, ask direct questions regarding a referendum franchise or the voting intentions of diaspora members, should they be able to vote. We remedied this, making fresh approaches to previous interviewees, specifically seeking such information.

In total, we identified 103 previous participants and invited them to complete an online questionnaire. As well as questions regarding their sense of identity, we specifically asked if they had been able to vote in the 2014 referendum and if so, how they voted; if not, how *might* they have voted. We asked about their awareness of the discussions regarding any Indyref2 and whether they thought diaspora Scots should this time get a vote. Finally, we asked about their voting intentions in any Indyref2.

We received a total of fifty-four responses, or 52 per cent. Here, we analyse these responses, recognising of course that this is in no way a large or representative sample. Rather, we believe that the answers which we received might pave the way for a more substantial piece of research prior to an Indyref2. We use quotations from the interviews to help illustrate the points we make.

Analysis of results

Of our fifty-four respondents, sixteen had returned to live in Scotland, while a further thirty-eight were still living outside the country. All but one of the returners had been born in Scotland, while, of those still living within the diaspora, twenty were born in Scotland, fourteen in North America, two in England and two elsewhere. Those still living outside Scotland tended to be older, with twenty-eight of the thirty-eight being over 60 years old; most (ten out of sixteen) returners were under 60, suggesting that they were still economically active. This accords with previous research.²¹ In terms of gender, we interviewed twenty-six men and twenty-eight women.

²¹D. McCollum, *The Demographic and Socio-Economic Profile of Return Migrants and Long-Term In-Migrants to Scotland: Evidence from the Scottish Longitudinal Study*, Edinburgh, Scottish Government Social Research, 2011.

¹⁸As previously noted, the Scottish government is not minded to change this and allow extra-territorial voting.

¹⁹For example, D. Sim, *American Scots: the Scottish Diaspora and the USA*, Edinburgh, Dunedin Academic Press, 2011; M. S. Leith and D. Sim, ‘Les Écossais en France: a modern diaspora?’, *Social Identities*, vol. 23, no. 2, 2017, pp. 179–194; M. S. Leith and D. Sim, ‘The Scots in England: a different kind of diaspora?’, *National Identities*, vol. 21, no. 2, 2019, pp. 119–134; and M. S. Leith and D. Sim, *Qualitative Research for the Scottish Government’s Scottish Connections (Diaspora) Work*, Edinburgh, Scottish Government Social Research, 2022; <https://www.gov.scot/publications/literature-review-scottish-governments-scottish-connections-diaspora-work-2/>

²⁰M. S. Leith and D. Sim, ‘We’re no’ awa’ tae bide awa’: Scotland’s returning diaspora’, *Scottish Affairs*, vol. 30, no. 4, 2021, pp. 450–471; and M. S. Leith and D. Sim, ‘Indifference or hostility? Anti-Scottishness in a post-Brexit England’, *Identities: Global Studies in Culture and Power*, 2022; <https://doi.org/10.1080/1070289X.2022.2064082>

Table 1 shows the responses on national identity. Only two respondents (both currently within the diaspora) prioritised their British identity, so there was a strong sense of Scottishness.

We then asked whether they had been able to vote in 2014 and how they had or might have voted and the results are in Table 2. If we exclude the eight ‘Don’t Knows’, the ‘vote’ splits 25–21 in favour of remaining in the UK and this 54 per cent to 46 per cent split almost exactly mirrors the actual referendum result.

We moved on to ask our interviewees if they were aware of the Scottish government’s desire to try and hold Indyref2 and of the refusal by the Westminster government to grant a Section 30 order under the 1998 Scotland Act (as happened in 2014), to allow it. All sixteen returners were fully aware of both, while within the current diaspora, all but three knew of the Scottish government’s proposals, and all but four of Westminster’s refusal.

In terms of voting rights, we found that views were quite divided. When asked if Scots living abroad should be able to vote in an Indyref2, only four returners believed this appropriate. Current diaspora members, perhaps unsurprisingly, felt differently with twenty-three of our thirty-eight respondents believing that they should have voting rights. Of course, if the next UK-wide general election is a *de facto* referendum, then some of these individuals may well be able to register to vote as overseas voters.

Explaining their views, those who rejected diaspora voting rights stated, for example:

- I believe that people living IN a country and subject to the running of that country should be allowed a vote. It should not depend on birth right.
- It’s a really difficult one, because emotionally I would like to have a say, but on purely logical terms, it should only be people who currently live in Scotland and are thus directly affected by any changes that occur. It’s the corollary of ‘no taxation without representation’.
- Where do you draw the line? How many generations ago? How long have they lived abroad? I have family members abroad who would all vote like me, but I still don’t think they should.
- Those people aren’t affected by the outcome. And I would have said that when I lived overseas ... If I don’t pay taxes in a country, I shouldn’t get a vote.

Those who felt that the diaspora should have a vote, however, told us:

- I am Scottish, no matter where I live.
- Scots were forced to leave Scotland because of the Highland Clearances [and] were robbed of the opportunities in helping to shape Scotland’s then future. I think it would be a nice way to repair that.
- I visit often. It feels unfair that I cannot vote, while non-Scots living in Scotland can.
- Work and life have meant living outside Scotland, but that does not make me any less of a Scot, and I would wish to have a say.

Table 1: Sense of identity

	Returned Diaspora	Current Diaspora
Scottish NOT British	5	12
More Scottish than British	3	13
Equally Scottish AND British	8	11
More British than Scottish	0	1
British NOT Scottish	0	1

Table 2: Voting in the 2014 referendum

	Returned Diaspora	Current Diaspora
Able to vote: Voted for Independence	4	1
Able to vote: Voted to stay in UK	4	0
Not able to vote: Would have voted for Independence	2	14
Not able to vote: Would have voted to stay in UK	4	17
Not able to vote: Don’t Know	2	6

Although a clear majority of current diaspora members believed they should have voting rights, there was no consensus on how to determine eligibility. Most suggested that birthplace and bloodline were the most important considerations. Being born in Scotland was the most common answer, but other suggestions included ‘being married to a Scottish citizen’, having a last address in Scotland, having ‘some contact or employment still in Scotland’, or ‘by affidavit attesting to Scottish heritage’. One individual argued that voting rights should extend to the second generation diaspora, while another suggested the use of DNA! The responses illustrated very clearly the near-impossibility of finding a robust definition of eligibility for diaspora voting rights.

We then asked individuals how they would vote in an Indyref2 if they were actually able to do so. Surprisingly, there had been a significant shift in opinion since 2014, as shown in Table 3, with thirty-four respondents stating that they would now vote for independence:

The main reasons for this shift in opinion seem to be the UK leaving the European Union (Brexit), despite the large majority within Scotland voting to remain, together with a view that the present Westminster government does not reflect Scottish views and values. Thirteen people specifically referenced Brexit and ten mentioned the failings of Westminster. Of those who cited Brexit as the reason for now supporting independence:

- My view has changed significantly after Brexit. I believe Scotland has always had a European outlook and would in time would become similar to Denmark in its social policies.
- As with most Scots I firmly believe we would be better off as part of Europe,

Table 3: Potential voting intentions in an Indyref2

	Returned Diaspora	Current Diaspora
Yes: For Independence	11	23
No: To stay in UK	3	13
Don't Know	2	2

preferably as part of UK. If that is not possible then as an independent Scotland.

- At the time of the 2014 referendum, I did not see the necessity for full independence within the EU. Following Brexit ... I have changed my mind and would now vote for independence.

Others expressed dissatisfaction with the present Westminster government:

- I sense the UK government is becoming too right-wing. The government does not believe in social justice or welfare. Indeed, the Tory credo denies that there are things such as human rights. I have a vision of a fairer country.
- The Scottish electorate are of a very different political persuasion to that in England. It would suit them better to be in charge of their own financial affairs ... I believe that Scotland could thrive economically without being part of the current political arrangement in the UK.

A number of respondents combined the two issues:

- Scotland has shown itself to be a different nation to England repeatedly in who they elect ... and the kinds of policies they enact. Scotland also wants to be part of Europe.
- Scotland's distinctive institutions need protecting from a remote Westminster that appears ever more centralising; decisions are best made closer to the people they affect. Scotland's political leanings have rarely been represented in Westminster and the final straw was being dragged out of the EU, making us poorer in every way.
- The United Kingdom is a shambles post-Brexit and under successive Conservative governments.

That said, some people remained committed to the Union:

- Scotland remains stronger and more financially secure remaining within the Union.
- On balance, I think economic considerations take precedence over political and the rest of the UK is Scotland's largest trading partner.

- Independence would be detrimental to Scotland. Firstly, the economy is not robust enough ... Secondly, to extricate Scotland from the UK would be a nightmare ... There are so many links across Britain, family, business and other, that it would be impossible to satisfactorily separate what and who could be called Scottish. The fallout would be long lasting.

Conclusions

Although the Supreme Court has ruled the Scottish parliament cannot authorise an independence referendum, it seems inevitable that, at some point, there will be another vote. There is also the plan for a *de facto* referendum using the next general election. If this is the method used, then the Westminster franchise will apply and overseas voters may vote, assuming that they are eligible and they register. An Indyref2, at some future point, would see the Scottish parliament franchise apply and all non-resident Scots would be disenfranchised. But, either way, there is no absolute right for all members of the Scottish diaspora to vote.

Although the issue of the franchise was discussed in 2014 and since, there is no agreement regarding diaspora voting. But, in any case, the discussions have only focussed on the diaspora living elsewhere in the UK and the views of the wider diaspora have never been sought. Our research is a very small-scale exploration of the issue which, we hope, may trigger a larger scale piece of research. We would not wish to exaggerate our findings here. We acknowledge that our sample size is limited and we were unable to conduct in-depth face-to-face interviews.

Nonetheless, our findings reveal that the diaspora retains a strong sense of Scottish identity and an awareness of political events. Secondly, while the returned diaspora mostly

believed that Scots remaining overseas should not have voting rights, a majority of the current diaspora unsurprisingly resented being excluded from voting. That said, there remains much disagreement over how eligibility for voting could be defined and so we would conclude that the Scottish government is correct to define the franchise by residence rather than by bloodline—by *demos* rather than by *ethnos*.

Interestingly, one of the arguments against giving the vote to Scots in the wider UK in 2014 was a belief that they were likely to vote for the Union, thereby skewing the vote against independence. This would have rendered the result more challengeable. In fact, partly because of Brexit and partly because of the poor standing of the current Conservative government in Westminster, there currently appears to be a majority in favour of independence within the diaspora. So, the idea that the diaspora is predominantly unionist seems no longer to be accurate. In closing, we must stress that more research is required and hope that this study will provoke discussion around Scotland's constitutional debate.

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