

Liberation Scotland

- A Liberation Movement for a Hidden Dependency

A. Rights of a People and a Sovereign Territorial Nation

A.1. Scots Are a Distinct People for the Purposes of International Law and Rights

Excerpt: **OPINION ON MATTERS RELATING TO INTERNATIONAL LEGAL ISSUES CONCERNING THE RIGHT TO SELF-DETERMINATION FOR THE PEOPLE OF SCOTLAND**

Professor Robert McCorquodale, June 2023

Who are a “people” for the purposes of the right to self-determination has not been fully determined, not least because “nations and peoples, like genetic populations, are recent, contingent and have been formed and reformed constantly throughout history”.¹

14. The most widely quoted definition of “peoples” for the purposes of the right to self-determination is that set out by an international group of experts:²

A people for the [purposes of the] rights of people in international law, including the right to self-determination, has the following characteristics:

There is little dispute that the people of Scotland are a distinct people within the UK. The reasoning for this is summarised by the Scottish National Party in its Intervention [SNP Intervention] before the Supreme Court in the *Scottish Devolution Reference* case.³ The people of Scotland also fit the criteria for a “people” set out in para 16

¹ Eugene Kamenka, ‘Human Rights, Peoples’ Rights’ in James Crawford (ed), *The Rights of Peoples* (OUP, 1988) 127 at 133.

² *Final Report and Recommendations of an International Meeting of Experts on the Further Study of the Concept Final Report and Recommendations of an International Meeting of Experts on the Further Study of the Concept of the Rights of People for UNESCO*, SNS–89/CONF.602/7 (22 February 1990).

³ [The SNP’s Supreme Court submission on the independence referendum — Scottish National Party](#), para 5.1- 5.6.

above, with, for example, a distinct territory, history, culture, laws and institutions. There is also, as the courts in the UK have acknowledged, a distinct constitutional legal tradition in Scotland.⁴

The structure of devolution in the UK, which is a form of internal self-determination, confirms that the people of Scotland are distinct within the UK and have a right to self-determination.⁵ This is confirmed by the UK government in its periodic reports to the UN Human Rights Committee, where it reports on its implementation of the ICCPR, in which it refers to devolution in Scotland (and Wales and Northern Ireland) under its Article 1 (right to self-determination) obligations.⁶

As the people of Scotland are a people for the purposes of the right to self-determination, they can exercise it. The choice of the means to exercise is for the people to decide and not the state.*

A.2. Scotland Remains a Distinct Territory With Its Own Territorial Boundaries and Territorial Sovereignty under the Scottish Crown

The continuation of the Crown of Scotland as a constitutional fact means Scotland has remained territorially sovereign, as defined by the reach of Scots law and the distinct, legal character of the Scottish Crown.

Under the articles of Union, Scotland surrendered its independent statehood but continued to be a sovereign nation. The status of Scotland as a stateless nation is fairly unusual internationally and has attracted particular sociological and political study... Constitutionally, the ultimate ownership of the territory of Scotland as a sovereign nation is vested in the Crown. The territory is synonymous with the Realm of Scotland, while the Crown itself represents the Community of the Realm. **This ultimate ownership**

⁴ For example, *MacCormick v. Lord Advocate*, 1953 SC 39, per Lord President Cooper and *Cherry v Advocate General* 2020 SC 37, per Lord President Carloway.

⁵ James Mitchell, "The 1992 Election in Scotland in Context", (1992) 45 *Parliamentary Affairs* 612 at p. 613: "the claim of Scottish [and Welsh] distinctiveness...is aided by the State having conceded that Scotland [and Wales] is a political entity through its establishment of central institutions and some measure of policy distinctiveness".

⁶ For example, the UK's 7th Periodic Report to the Human Rights Committee in December 2012: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en paragraphs 221-243.

encompasses the whole territory and all its natural assets.⁷

(Emphasis added.)

To this day, the ownership of Scotland remains vested, not in the person of the monarch or the state, (which acts on the monarch's behalf), but in the Crown of Scotland, the Community of the Realm, the people.

Scotland's rights of sovereignty over its territory are vested in the Crown with its distinct constitutional and legal identity in Scotland under Scots law, compared to the Crown in the rest of the United Kingdom under English law... This distinct identity was not affected by the Union of Crowns in 1603 and has continued since the Treaty of Union in 1707, when Scotland ceased to be an independent state but continued to be a sovereign territorial nation.⁸

Crown property rights in Scots law, which are an important part of Scotland's system of land ownership, are also distinct from Crown property rights in the rest of the UK and belong to Scotland as a sovereign territorial nation.⁹

Summary: As the Scots remain a distinct people for the purposes of right of peoples in international law, so the territory of Scotland retains its distinct boundary, preserving Scotland's historic claims through its still extant Crown institution, as a sovereign territorial nation institution with exclusive ownership of its territorial and maritime assets.

A.3. Scotland - A Dependency Hidden in Plain Sight

The status of a Non-Self-Governing Territory is determined by key characteristics: first the historic, legal and constitutional relationship between a people and/or a nation and an Administering Power and secondly the 'markers' or features which define a state of subjugation under a foreign sovereignty or Power.

⁷ R Callander 'How Scotland is Owned' p. 43 (Canongate, 1998)

⁸ *The Land of Scotland and the Common Good, Report of the Land Reform Review Group, May 2014, Section 1 - Land of Scotland, (Land Reform Review Group Secretariat)*

⁹ *The Land of Scotland and the Common Good, Report of the Land Reform Review Group, May 2014, Section 1 - Land of Scotland, (Land Reform Review Group Secretariat)*

** See attachments

1. A historic, legal and constitutional dependency**

The Treaty of Union is the sole basis of the claim by the UK government and its legal and political establishment that Scotland entered a union with England as a partner *and not as a dependency*. But this treaty, the partnership agreement, is inoperative, its primary effects remaining unrealised and replaced by the annexation of Scotland by England without any authorising agreement.

Liberation Scotland will show, that the United Kingdom of Great Britain and Northern Ireland is purely the continuation of the state of England, (also describing itself as Britain and Great Britain), administering Scotland under an English Crown and through an English Parliament to the destruction of the Scottish people, their national identity, constitution, culture, language, history, traditions, values, prosperity, opportunity and wellbeing to the present. The self-representation of the state known as the United Kingdom of Great Britain and Northern Ireland is that of a state created by a distinct, legal and constitutional event (rather than by the usual 'de facto genesis'), the Treaty and Acts of Union, 1706-1707. This representation is a fiction and a fraud. To this day, the Scots are a people annexed under pretext of a treaty, represented as a voluntary partner in a union whereas Scotland was made a dependency of the English Crown by means of a treaty that remains inoperable, never having been given effect.

2. Defining features

This is colonization and it has produced all the defining features of a dependency, including the ethnic cleansing, population displacement and replacement, colonial administration, cultural and linguistic imperialism, poverty, despair and psychic wounds which distinguish all colonized peoples.**

Excerpted from 'Doun Hauden' by Professor Alf Baird¹⁰:

Scotland is ... under the full or partial control of a UK administering 'power' (i.e. Westminster and hence England's MP's who form its majority) and thus meets the initial defining feature of a colony (p. 166).

** See attachments

¹⁰ *Doun-Hauden: The Socio-Political Determinants of Scottish Independence*, Alfred J. Baird, 2020

Scotland has experienced long term, focused and rising occupation by settlers mainly from the UK 'administering Power' (England), coupled with significant displacement of its own people and thus exhibits the second defining feature of a colony, (p. 167).

Scotland is subject to ongoing economic exploitation by the 'UK' administering power and, therefore, meets the third and final defining feature of a colony, (p.175).

The continued asset stripping of Scotland, the removal of its economic institutions and the manipulation of its economic data are violations of Scotland's rights under international law undermining Scotland's ability to exercise self-determination and economic sovereignty.

All these practices, and more, align Scotland's situation with the principles of decolonization outlined by the United Nations.

B. Scottish Liberation - a Right and a Need

1. The Founding of a Liberation Movement

Liberation Scotland, an expression of the national claim and will for liberation was established, on September 1st, 2022, with the public reading of the Edinburgh Proclamation:

The Edinburgh Proclamation, 2022

The nation of Scotland has enshrined in its constitution, from the Declaration of the Clergy of 1310 and the Declaration of Arbroath of 1320 to the Claim of Right Act of 1689, the supremacy of the Scottish people over all other authorities of state. From which it is clear that the English principle of parliamentary sovereignty, is foreign, irreconcilable and unlawful in Scotland.

Embodied in the Claim of Right, our constitution provides that we, the people, lend our power to the government to serve the common good and to uphold our rights and interests. And we may withdraw this loan. Through the Convention of the Estates, a National Assembly comprised of the communities of Scotland, we may remove any government that fails to serve us or overrules the express will of the people.

The Westminster Government has grossly and repeatedly violated the provisions of the Claim of Right, a contractual obligation ratified by the nations of Scotland and England in the Treaty of Union of 1706. It has ruled Scotland, not as an equal partner in a political union, but as a colony. It has thwarted the democratic will of the people and disposed of our assets to enrich a privileged few. It has moved to end our ancient sovereignty by replacing it with Westminster parliamentary sovereignty. Yet the source of legitimate power in Scotland remains, and will always remain, the people of Scotland.

Therefore, to halt the eradication of our sovereignty, the abuse of our protected rights and the plunder of our territories and resources, and reaffirming our lawful authority, we echo the Irish Proclamation of 1916:

We declare the right of the people of Scotland to the ownership of Scotland and to the unfettered control of Scottish destinies, to be

sovereign and inalienable. The long usurpation of that right by a foreign government has not extinguished that right, nor can it ever be extinguished except by the destruction of the Scottish people.

We, the signatories, will form the peaceful Liberation Movement of Scotland. We call on all Scots to join us in urgently recalling the Convention of the Estates, through a modern, Scottish National Congress, to defend and assert our rights and to end the abuses of a foreign government that now threatens our lives and very existence as a nation - Liberation Scotland



Reading of the Proclamation outside Queen Elizabeth House, September 1st, 2022, Edinburgh (with Neale Hanvey MP)

This proclamation is now available for every Scot to sign at liberation.scot, thereby joining Liberation Scotland. Liberation Scotland is not a political party, but it is a political movement seeking true liberation, decolonization. This does not only mean independence from the English as 'British' state, but the full restoration of Scotland's deliberately erased identity, culture, history and languages, its plundered, (though still sovereign), territorial assets and resources and its autochthonous constitution with its unique political traditions. This includes:

- A true liberation from the colonizing state known as the UK, which in reality is the continuation of the state of England and not the new kingdom or state agreed by treaty (voluntary agreement);

- Restoration of Scotland's constitutional compact, limiting the powers of government and guaranteeing the human and civil rights of the people on pain of removal of that government;
- Real and practical political popular sovereignty;
- The former, true separation of powers;
- Participatory assemblies;
- The restoration of the governing principle of the Common Good and the sharing of wealth from Scotland's territorial assets and resources with the lawful owners of those assets and resources owners - the Scottish people, (not the English/British Crown).

Liberation Scotland seeks the radical and just political reform inherent in the **restoration of these Scottish, constitutional provisions and political traditions through** modern, democratic mechanisms. It is open to all Scots **as an expression of that national will for liberation which has been consistently demonstrated in:**

- **Scottish Home Rule Petitions (late 19th - early 20th century)** – Multiple petitions were submitted to Westminster seeking a devolved Scottish Parliament.
- **The Scottish Covenant (1949–1950)** – A petition for Home Rule, organized by John MacCormick, gathered around two million signatures but was ignored by the UK government.
- **The 1979 Scottish Devolution Referendum** – Proposed a devolved Scottish Assembly with limited powers. It achieved a majority (51.6% Yes), but failed to meet an artificially imposed 40% electoral threshold required for implementation. (In real terms this was at least a 50% threshold given the 'redundancy', the names of the deceased or moved, duplicate names or names of those ineligible to vote and added in error).
- **The Claim of Right (1989)** – A declaration signed by Scottish civic leaders affirming Scotland's right to self-determination and calling for a Scottish Parliament.

- **1997 Scottish Devolution Referendum** – A resounding Yes vote (74.3%) led to the establishment of the Scottish Parliament in 1999.
- **2014 Scottish Independence Referendum** – The first direct vote on independence, resulting in a 55.3% No and 44.7% Yes outcome.
However:
 - The referendum was based on the question of a negotiated withdrawal from a ‘partnership’ rather than on ending an administrative dependency – one of which Scots have been kept unaware;
 - The referendum was non-binding (advisory only);
 - The franchise for this vote included second home owners, temporary workers, non-Scottish military personnel stationed in Scotland, non-Scottish students and brand ‘new settlers’ – non stakeholders;
 - Media coverage was studied and found to have promoted ‘no’ (no to independence) to a hugely disproportionate extent¹¹;
 - The terms of the referendum, the Edinburgh Agreement, were violated by the introduction of new campaigning promises by the ‘No’ lobby a day before the vote, in breach of the purdah period;
- **A 2023 (Proposed) Independence Referendum** – Announced but blocked by the UK Supreme Court, ruling that Scotland could not unilaterally hold a binding referendum without Westminster’s consent;
 - Current polls show support for Scottish independence still rising, with a Sunday Times (pro-Union) newspaper poll (Norstat Poll, December 2024), reporting 54% in favour while others have shown as much as 60% in support.

¹¹ Conducted by **Dr. John Robertson** of the University of the West of Scotland, this study found media advocacy for ‘no’ at 70% while that for ‘yes’ was some 30%. A 2016 study by the University of Cardiff, “The Referendum that Changed a Nation: Scottish Voting Behaviour 2014-2019”, found that the UK-wide media (including the BBC) was overwhelmingly negative toward independence.

Had the 2014 referendum franchise extended only to genuine stakeholders it is likely the yes vote would have prevailed, and had basic standards of fairness also applied, Scotland would be independent today.

To date, despite repeated efforts to undermine its website and despite a virtual media 'blackout' (de-platforming), some 16,500+ Scots have signed the Proclamation and have joined Liberation Scotland. This puts the membership of Scotland's liberation movement on a par with the major political parties of the country:-

- Scottish National Party: [64,525 as of June 2024](#)¹² (pro-independence party)
- Labour Party, Scottish members: [16,467 as of February 2021](#)¹³ A 10% drop in membership across the 'UK' by August 2024, suggests the real membership is now around [14,800](#)
- Alba Party: [7,500 as of December 2023](#), (reported June 2024)¹⁴
- Scottish Conservative and Unionist Party: [7,000 as of September 2024](#)¹⁵
- Scottish Green Party: Currently estimated at between 6,500 and 8,000 as this party rarely publishes its membership figures.
- Liberal Party, Scottish members: As at 31 December 2020 the membership of the Scottish Liberal Democrats [stood at 4,185](#).¹⁶ (Although overall membership has fallen the Liberal Party has not updated its membership data.)

¹² *Accounts submitted to the Electoral Commission*

¹³ *Hutcheon, Paul (3 February 2021). "[Scottish Labour 'crisis' after leaked figures show fall in membership](#)". Daily Record. Retrieved 6 February 2021*

¹⁴ *Electoral Commission data*

¹⁵ *Leadership election data, pub. [Alasdair Ferguson](#), '[Scottish Tories have fewer members than Alba Party, figures reveal](#)'. The National, 27th September 2024*

¹⁶ *Electoral Commission data*

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2. Structure of the Liberation Movement

The Liberation Scotland Committee is the democratically elected and constituted^{***} co-ordinating committee of Liberation Scotland representing over 16,000 members. It is responsible for taking forward the international campaign for decolonization and promoting the domestic campaign for liberation. As the champion of the international right of the Scottish people to self-determination and an expression of the national will to that self-determination it is inclusive and supportive of all initiatives and organisations committed to Scottish liberation consistent with the principles of the Edinburgh Declaration.

Salvo (salvo.scot) is the fund-raising and campaigning arm of Liberation Scotland. With its own constitution, over 7,000 members in eleven active hubs across Scotland, a democratically elected executive 'Core' representing those members, an elected Administration team, four ad hoc 'delivery teams', two national campaigns, (one ongoing), and further direct actions in planning, Salvo stands for the lawful rights and assets of the people of Scotland. Since 2022, Salvo has held many events and has mounted several public campaigns:

- In order to assert the lawful, constitutional sovereignty of the Scottish people and to require their elected representative to recognise and assert that sovereignty over government and based on standing constitutional law, guaranteed under the terms of the (inoperative) Treaty of Union through the Claim of Right Act, 1689, Salvo co-ordinated a collaborative campaign, including public meetings and gatherings, and petition, the Stirling Directive. The devolved Scottish administration of the Westminster government was presented with the Stirling Directive in 2023. It has failed to respond.
- Since 2023, the Salvo Freeports Campaign has built support across Scotland to expose and oppose the unlawful transfer of Scottish territorial sovereignty and the Common Good assets of the Scottish people to private corporations or corporate conglomerates through 'Freeports' and Special Economic Zones.
- Salvo has issued notices to all concerned that these 'deregulated', corporate feudal fiefdoms, the Freeports and Special Economic Zones, are not lawful. They transfer sovereignty from the Scottish Crown-as-people without permission of the owner, the Scottish Crown. The notices

^{***} See attachment

provide both grounds for legal challenge by Salvo and protection from future 'good faith' arguments by partners in these Freeports and Zones.

- Salvo has submitted legal Opinion to oppose the undermining of the Scottish legal tradition and the still extant statutory provisions protecting that tradition.
- Salvo is working to educate the Scottish people with respect to the Scottish constitution and its provisions for civil and human rights, the true status of Scotland as an English dependency and the potential for the eradication of poverty, lack of opportunity, 'austerity' and inequality and the restoration of justice, civil rights, direct democracy and equitable wealth distribution under the still lawful and extant, autochthonous constitution of an independent Scotland.

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3. Why Scotland Must Seek Liberation

3.1 Scotland has been in the union for 318 years

In that time, Scotland's population has fallen from 20% of the population of England and Wales to just 8.1%.

In that time, between 3 and 4 million Scots have 'left' their country through mass forced evictions and British government policies, representing the largest loss of people in Western Europe for a country of Scotland's size.

In that time, our written Scottish Constitution elevating the sovereignty of the People over any monarch or government has been buried and supplanted with the unwritten English Constitution elevating the monarch and parliament over the People.

In that time, our Scots language has been removed, our culture suppressed and our history hidden or rewritten.

In that time, hundreds of thousands Scots have fought and died in UK wars, the highest proportion of any UK nation.

In that time, Scotland's trade with the world has plummeted and our shipbuilding industry, once the greatest in the world, destroyed along with our steel industry, manufacturing industry and more.

In that time, our vast resources of oil and gas were stolen to bail out the UK and provide tax cuts for the wealthy, leaving nothing for our people, and the same theft is being repeated with our renewables.

In that time, we were dragged from the EU when every Scottish region voted to remain.

In that time, Scotland has become a dumping ground for nuclear weapons and waste.

In that time, our land has been sold off to foreign corporations for profit, impoverishing our people.

In that time, Scotland has the lowest life expectancy of all UK countries for both males and females.

In that time, Scotland was promised the world's most powerful devolved parliament only to have Westminster curtail and thwart it.

The union is a fiction foisted onto Scotland to justify the effective colonization of our nation.

Scottish political parties have failed to liberate us from Westminster tyranny.

The People will take over from here.

Leaflet, Liberation Scotland

3.2 The Nation of Scotland is Dying

Our people are impoverished and without opportunity and their poverty is increasing as every Scottish industry is relocated to England or elsewhere, as revenues from Scottish assets, oil, gas, renewables is channelled to the mother country while Scots pay more for the energy Scotland produces than any other part of the UK. With the imminent closure of the Grangemouth oil refinery, Scotland, which produces 82% of the 'UK's' oil and gas, will have no refining capability while England, with 5 refineries, will refine and sell Scotland's natural assets back to a people now dependent on the 'mother country' for their own resources.

Our land and sea is for sale to the wealthy for hunting and fishing, to foreign companies for destructive marine farming, to retirees from England who are replacing the indigenous population and inflating house prices so that our own families cannot afford them.

Our languages, culture and traditions have been consciously and deliberately erased and continue to be erased, replaced by those of our English neighbour.

We have no dedicated broadcast media and the once thriving independent media industry in Scotland has been all but eradicated.

Our 'history', as taught in schools and universities is either untold or misrepresented; our pre-union, hugely successful, non-settler, mercantile trading operations, our participatory political mechanisms, our thriving highland populations (destroyed after Culloden in 1745), our international treaties and diplomacy, our unique 'common good' based laws and provisions and our old songs, poems stories and music remain unknown to the vast majority of Scots.

Our unique constitutional traditions, including popular sovereignty and the central principle of the Common Good, are all but forgotten despite being guaranteed under the terms of the Treaty of Union. They are casualties of the 'partnership agreement' that was never given effect.

Our people are leaving Scotland to find work and opportunity while across the Highlands and Islands you hear the English language and English accents instead of Gaelic or Scots.

And all that once made this 1200 year-old nation — just, equitable, fierce, proud, poetic, musical, artistic, inventive, prosperous, internationalist and free — stands to disappear from the earth.

3.3. The Annexing State Blocks All Democratic Remedy

It is only through the international community that Scotland now has any hope of exercising its right to self determination ****

3.4 The Restoration of Scotland could inspire the world.

Scotland has an autochthonous, written and partially codified constitution in which equality, justice, the sovereignty of the people and the inviolability of civil

**** See attachment

and human rights are entrenched. Brought up to date and applied through modern mechanisms, the Scottish constitution could not only restore a common aspect of Scottish identity but could act as an example for a world in dire need of these principles and a method by which to apply them.

In Conclusion

Liberation Scotland has uncovered and revealed the truth of Scotland's annexed status, its true constitutional relationship with England as a subjugated and subordinate nation, a dependent and administered vassal of an English Crown, both explaining and defining, for the first time, the source of the wrongs and oppressions suffered by Scotland's people over three centuries.

Liberation Scotland's Call to Action for the International Community

Liberation Scotland now asserts the right and urgent need:

- to end the colonization of our nation;
- to reclaim our national identity;
- to re-establish our own autochthonous constitution by which the Common Good is the purpose of government and the people are sovereign over their governments and own the territorial assets of our still extant Scottish Crown;
- to take back control of the territorial assets and resources which belong exclusively to the Crown of Scotland, representative of its people;
- to exercise the right of self-determination in the full knowledge of our colonized status, not as a withdrawing 'partner' in a union which has never taken place;
- and thereafter to take our rightful place in the world as a sovereign and independent state.

We look to the international community, of which this nation of Scotland was once a member in good standing, without imperial ambitions and with a record of honest and honourable dealings, to recognize the truth of our colonized status and acknowledge the right of the Scottish people to the free and unencumbered exercise of self-determination it has so long been denied.