

## **Ian Mitchell's Scotland-related BOOK RECOMMENDATIONS**

27 – *Flag in the Wind*  
(17 December 2018)

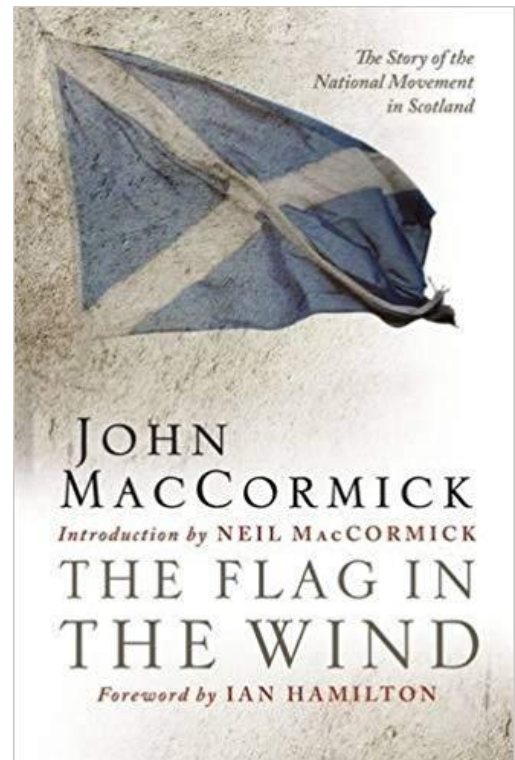
---

### **THE FLAG IN THE WIND - The Story of the National Movement in Scotland**

**Author:** John MacCormick (Foreword by Ian Hamilton QC;  
Introduction by Neil MacCormick)

**Publisher:** [Birlinn](#), 2008 (1955)  
(available on *Amazon*, [click on cover image for link](#))

**Descriptor:** Political autobiography of the founder of the  
(Scottish) National Party



**Rus&RoL relevance:** MacCormick's National Movement opposed STATUS in semi-post-imperial Britain by campaigning for recognition of national equality and therefore a basically CONTRACTual relationship between the two countries—as the 1707 Treaty supposedly mandated, before the principle was disrespected soon after signature by the new parliament of Great Britain.

---

**Reason to read:** Casts an interesting light on the origins of political nationalism in modern Scotland, showing how different the original members of the movement were from the modern machine politicians who have turned a positive expression of national particularity into something sour, aggressive and Anglophobic. This book provides a timely reminder that nationalism does not have to be like that.

John MacCormick tells a simple story well as he is able to enliven it with comment both general—“the infinite capacity of Scots to bicker over definitions, words and even commas” (p. 22)—and individual: “I am certain that C.M. Grieve [**High McDiarmid**] has been politically one of the greatest handicaps with which any national movement could have been burdened”. (p. 35)

MacCormick also has a nice line in self-deprecating humour, for example about the time he was invited by **Lady Louise Glen-Coats**, the leading Scottish Liberal hostess, to dinner at Hollybush House in Ayrshire. This was in the late 1930s and MacCormick wanted to make an electoral pact with the Liberals so as not to split the anti-appeasement vote in Scotland. He drove straight down to the dinner from his office in Glasgow, in his own car, and suffered rear tyre blow-out. “At the best of times I was always a somewhat improvident motorist and on this occasion I was travelling with no jack. Having often before had to deal with similar emergencies I drove the wheel onto the grass verge, propped up

the axle with stones and proceeded to dig a hole under the tyre with no better tools than a spanner and the starting handle.” (p. 91) Only then could he change the wheel, with the result that he arrived at the mansion dirty, sweaty and half an hour late. A disapproving butler showed him into the dining room where all the other guests had started eating. The assembled company included **Sir Archibald Sinclair**, the Liberal leader who served as Secretary for Air during most of World War II, and others of that calibre. The power-brokers were all in evening dress, while the earnest Glasgow solicitor looked as if he had been dragged through a hedge backwards.

But they were eager to meet the leader of the new and rapidly expanding SNP, and MacCormick was determined to sell his product. He was able to charm the company, and was invited back the following week to take the discussions further. This time he made no mistake. He borrowed a “limousine” from a wealthy friend and put on his dinner jacket. He arrived early enough that he had time to stop “at a local hotel for a final wash and brush-up, and for a modest helping of Dutch courage. Again I was ushered in to the company by the butler who I thought this time looked at me with a hint of a smile in his eyes. In a moment I knew why. Out of respect to my appearance the previous week, they were all now dressed in what looked to be the roughest tweeds and oldest flannels in their wardrobes!” (p. 93) MacCormick’s embarrassment was complete—though, once again, he succeeded in charming the company. On both occasions he was helped by the perfect manners of Lady Glen-Coats who put him at his ease, even when he misforked a pea, only to watch in horror as it rolled the length of the vast mahogany dining table and dropped into her lap.

**Main talking points:** People, really.

1. The most important figure with whom MacCormick dealt was **Lord Beaverbrook**, just then starting to make the *Daily Express* a leading paper in Scotland. As an expat Scot, he was happy to help the old country, and is repaid by many complimentary references to his iconoclasm and willingness to take risks for a cause he believed in. On 14 July 1932, Beaverbrook wrote in the *Daily Express*: “As for Scottish Nationalism I am, of course, strongly in favour of that movement. It is a sound movement and it is not made unsound because some of its supporters express extreme views. The movement that has no extremists has no promise of development and growth. Scottish Nationalism would give Scotland control of her domestic policies while securing her in the present share of Imperial concerns. That is a splendid project. It would bind the Empire more closely together.” (p. 60) Modern experience bears out the wisdom of Lord Beaverbrook’s observation about extremism. The enforced suppression of it within the modern SNP must go some way to explain why its MSPs appear to have so little creative or individual spirit—and therefore no long-term future.
2. **Compton Mackenzie** was “one of the most fascinating men I have ever come across.” (p. 31) Sadly no reasons are given.
3. One of the most self-regarding people MacCormick came across seems to have been **Eric Linklater**. He had stood unsuccessfully for the National Party, as it still was, in the East Fife by-election in 1933. But after the Party secured the backing of the Anglophobic and sentimentally pro-Scottish owner of the *Chicago Tribune*, Colonel Robert McCormack, Linklater wrote a piously pharisaic letter to *The Scotsman* parading that fact that he would now “withdraw his signature” (p.

158) from the Scottish Covenant which MacCormick was then promoting, and which eventually attracted over 2 million signatures.

**Thought(s) provoked:** Mainly concerning the Union:

1. “I would say of Britain... that I would rather be in a minority in this island than anywhere else in the world... I think it is the genius of the English that they are capable of being pushed; I think it is the genius of the Celtic peoples that we keep on pushing... I think that these islands have given more to the world than any other conglomeration simply because *we have learned the meaning of give and take.*” (p. 136, emphasis added) This is key, as without mutual interaction and tolerance there can be no society, much less civilization.
2. In 1947, MacCormick stood as Liberal candidate for Paisley after the death of Stanley Baldwin elevated his son, who had been the Labour MP, to the House of Lords as the 2<sup>nd</sup> Earl Baldwin of Bewdley. In his election address MacCormick wrote: “We believe that the distinctive national traditions and characteristics of Scotland are of great value to the United Kingdom and to the world, and that they constitute a priceless heritage of the Scottish people. If the process of centralising the economic control of Scotland in Whitehall is allowed to continue, that heritage will be lost and our national existence endangered. We therefore consider a measure of devolution in the government of Scotland is a matter of urgency.” (p. 120)

**Surprising points:** Undoubtedly the most startling public event recounted in this book was the SNP split in 1942. In June that year, while the Japanese army was occupying Burma, the battle for Kharkov was raging on the Ukrainian steppe, the US Navy was fighting the Battle of Midway, the first V-2 rockets were being tested at Peenemünde, convoy PQ17 was being decimated on its way to Arkhangelsk, and early reports were coming in of the use of gas on Jews in the expanded Reich, the bickering purists within the SNP resorted to oafish, Nazi-style “beerhall” tactics at the Party’s annual conference in Edinburgh to prevent their “virtue” being sullied by permitting conscription into the British armed forces. Apparently they thought *Scotland* had no quarrel with Hitler or Hirohito (de Valera-style) that was as important as its historic grievance against England. These priggish moral pygmies succeeded in driving out of the Party most of those who supported free debate and who wanted cross-party co-operation in the campaign for Home Rule. The Party was crippled for a generation. That was why MacCormick stood as a Liberal candidate in Paisley five years later. The shameful story is told in chapter 16 (pp. 103-7)

**Negative issue(s):** MacCormick’s underlying justification for Scottish nationalism was based on a now discredited idea of Scotland’s constitutional history. Unlike England, he says, Scotland was always a free country. “In nearly two thousand years no conqueror has ever brought a new and alien ruling class to subjugate the common people... The practice of democracy came naturally to the people of Scotland since in the fundamental sense of family all men were equal in blood and dignity if not in power or wealth... Scotland had no need for a Magna Carta ... The king was not a supreme ruler standing above all law but was the head of a family, *primus inter pares*, who had to obey the law like anyone else.” (p. 47)

This is nonsense. Scotland was conquered by invaders from Ireland who established Dalriada then proceeded to drive out the Britons and exterminate the Picts, as the now semi-sacred Declaration of

Arbroath boasts (“expulsis primo Britonibus et Pictis omnino deletis”). There was not a lot of democracy in lowland Scotland before the massive expansion of the electorate in 1832, and none at all in the Highland half of the country until the post-Culloden reforms. The suggestion that the king was subject to law would have been laughed out of court by all the later Stuarts, especially James VI, who believed explicitly that he was descended from conquerors of the land north of the Tweed and so had the same right to rule as the heirs of William I of England. Between the Wars of Independence and 1532, when the College of Justice (i.e. Court of Session) was founded, there was not much civil law, even in practice, and the theory had to wait for Viscount Stair in the 1680s. Criminal law was extremely patchy, and in any case was largely delegated to the *owners* of sheriffdoms—i.e. to the lairds. The Treaty of Union in 1707 explicitly preserved these jurisdictions as *rights of property* (in Article XX).<sup>1</sup>

Ordinary Scots were, so far as we can judge today, in many respects *less* free than their counterparts in England. MacCormick’s legal history was conventional at the time he formulated it, but it has since been revealed to be an “exceptionalist” fantasy, especially by Professor Colin Kidd, some of whose books I will be covering in future reviews.

**Publishing quality:** Acceptable, though the index is patchy and half-hearted.

**Smile(s):** When Col. McCormack drove MacCormick from his office in Chicago to his mansion in the distant suburbs for Sunday morning porridge, the Scot who had as a child sat “in the murk of the peat smoke in a black house in Mull” (p. 156) writes: “It amused me to note that every seat in the car was provided with straps as in an aeroplane.” (p. 157)

**Author:** John MacCormick and his wife, Margaret Miller, had four children, including Sir Neil MacCormick (Regius Professor of Public Law and the Law of Nature and Nations at Edinburgh University) and Iain, who was the SNP MP for Argyll in the 1970s and subsequently a founder member of the Social Democratic Party.



**Overall recommendation level:** HIGH – especially for patriotic Scots who question today’s SNP

**About the reviewer:** Ian Mitchell is the author of four books, including [Isles of the West](#) and [The Justice Factory](#). He is writing a comparative study of Russian and Western constitutional history to be called *Russia and the Rule of Law*—hence the “Rus&RoL Relevance” section at the top. He can be contacted at: [ianbookrec@gmail.com](mailto:ianbookrec@gmail.com). For other reviews in this series, see [Ian Mitchell’s Book Recommendations](#).

<sup>1</sup> I present these arguments in detail in the Afterword to the 2<sup>nd</sup> edition of *The Justice Factory* (forthcoming).