



LIÈGE université
**Droit, Science Politique
& Criminologie**

GS OESES - Competing Sovereignties: Intertwinement, Contestation, Evolution

After Devolution and Brexit, What is Left of the UK's Sovereignty? Competing Narratives of Sovereignty and State in Scottish Political Parties' 2021 Manifestos

Nelly Gérard (PhD Student)

December 3, 2021

-
1. British Constitutional Tradition
 2. Challenges to the doctrine of unlimited parliamentary sovereignty
 3. Sovereignty and Brexit
 4. Scottish Political Parties' 2021 manifestos

1. British Constitutional Tradition

1.1. Unwritten constitution

1.2. Formal equality of all laws

1.3. Unlimited parliamentary sovereignty

- ❖ Cornerstone of the British tradition
- ❖ The Parliament has authority to pass / repeal any law + no other organ has the ability to overthrow an Act of Parliament (almighty) → confusion between a legal doctrine and a particular conception of authority?

2. Challenges to the doctrine of unlimited parliamentary sovereignty

2.1. EU membership

- ❖ Power is shared *de facto* → multi-level polity and ideas of shared sovereignty

2.2. National devolution

- ❖ Dispersion of authority between the centre and the periphery
- ❖ Creation of a Parliament in Scotland (policy divergence)
- ❖ Existence / acknowledgment of multiple *demos* in the UK → multi-layered evolution of power
 - **challenge to the doctrine of unlimited parliamentary sovereignty**

3. Let's take back control: sovereignty and Brexit

3.1. Pledge of the pro-Brexit camp : recover the sovereignty of the British Parliament

3.2. Paradox: undermining of Westminster's sovereignty

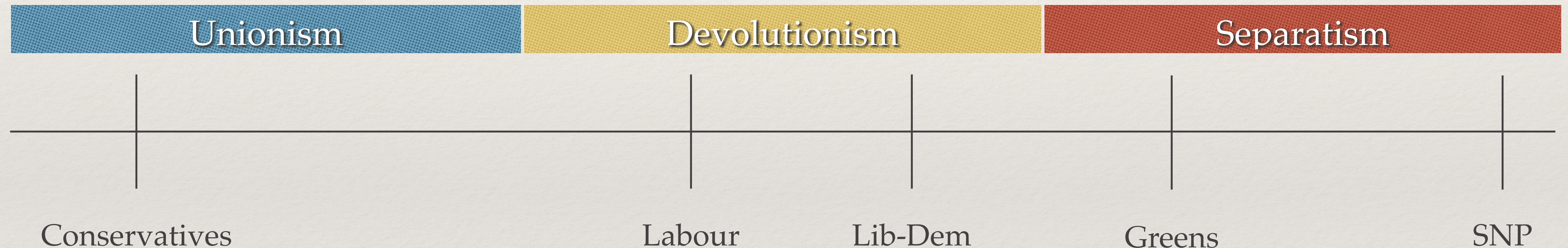
- ❖ Resorting to popular sovereignty: who is the British people ? Was the Parliament really sovereign ?
- ❖ UK government impinged on Parliamentary powers

3.3. Sense of re-centralisation in Scotland

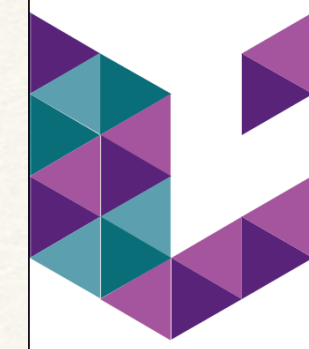
- ❖ Constitutive nations were ignored during the process of negotiating Brexit

4. Scottish political parties' 2021 manifestos

4.1. Scottish Conservative and Unionist Party, Scottish Liberal-Democrats, Scottish Green Party, Scottish Labour Party and Scottish National Party



→ **Devolution + Brexit = recipe for a critical constitutional juncture ?**



LIÈGE université
**Droit, Science Politique
& Criminologie**

GS OESES - Competing Sovereignties: Intertwinement, Contestation, Evolution

After Devolution and Brexit, What
is Left of the UK's Sovereignty?

Thank you!
