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With uncertainty over independence, Catalonia is set for its most significant National Day demonstration since Spain's transition to democracy



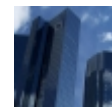
The Catalan government has announced its intention to hold a referendum on declaring independence from Spain on 9 November. However, with the Spanish government opposing the referendum, it is unclear what form such a vote would take, or even if it will be held at all.

Sebastian Balfour writes on the emergence of a proposal by the Catalan government to hold a non-binding consultation on independence as an alternative, which would nevertheless carry all the political and moral force of a referendum. He notes that in the context of this uncertainty, the traditional demonstrations associated with Catalonia's 'National Day' on 11 September may well be the most important since Spain's transition to democracy.

It would be rash at this stage to try to predict the outcome of a referendum on Catalan independence planned for 9 November. Opinion polls have shown majority support for independence among Catalans. What is not clear is whether a referendum will take place at all, and if so, in what form. Unlike the Tory government's endorsement of the Scottish Referendum, any consultation on independence in Spain has been ruled out by Madrid. Without the approval of the Spanish parliament, the Constitution cannot be altered to allow such a

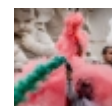
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referendum to be held. Spanish MPs have voted by an overwhelming majority to deny the request of the Catalan parliament to have the right to ask its citizens whether they want an independent state. The Constitutional Tribunal has declared any referendum on secession unconstitutional.

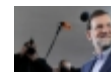
The Catalan government, on the other hand, is drafting a new law to put to the regional parliament in September (**Llei de consultes populars no referendàries**) whereby it will claim a consultation on the future of Catalonia is legal according to Catalan law, a matter for Catalans to decide democratically. In a press statement on 30 July 2014, the Catalan President Artur Mas declared that he wished for a 'completely legal' referendum (implying one approved by Madrid) but would go ahead on a 'legal' basis (one which would have the support of the Catalan parliament). The Catalan constitutional body that oversees the legality of laws in the regional parliament announced on 22 August that it had voted by the narrow margin of 5 to 4 to accept the draft law on the grounds that it would be a non-binding consultation about 'the future of Catalonia' rather than a referendum on independence and therefore perfectly constitutional.

In the present



Barcelona on 11 September 2012, Credit: Joanjo Aguar Matoses (CC-BY-SA-3.0)

circumstances, however, a non-binding consultation on independence, if successful, would have the political and moral force of a referendum, even if it was not a referendum in constitutional terms. For all the legal niceties, there is a clash here of two very different conceptual frameworks of what is legal and democratic. Who should be voting over



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the future of Catalonia, the Catalan people or, as the Constitution insists, the Spanish people as a whole? Catalan nationalists argue that it is a question of legitimacy versus legality.

This disagreement is a measure of the polarisation that has taken place over the last few years between Spanish and Catalan nationalisms. After the transition to democracy and during the many years of government by the centre-right coalition **Convergència i Unió** (CiU) led by Jordi Pujol, a narrative became consolidated of the exploitation of Catalonia by the Spanish state, starting with the loss of Catalan autonomy in 1714 to the present day. To this historical grievance was added the sense of injustice at the asymmetrical settlement of the new autonomous structure of the state which rewarded the Basques more than the Catalans. At the same time, Catalonia's distinctiveness went unrecognised, according to Catalan nationalists, when autonomy was awarded to regions which, with few exceptions, had no linguistic, cultural, or even regional traditions. To these comparative grievances was added that of the greater burden placed on the Catalan economy of the financial contributions the region makes to the rest of Spain because its GDP per capita is higher.

The renegotiation in 2006 of Catalonia's Statute of Autonomy, which, among other innovations, declared the region a nation, led to several years of wrangling until the Constitutional Tribunal declared in 2010 that most of the text was unconstitutional. In response, almost one and a half million Catalans came out into the streets to demonstrate around the slogan 'We are a nation. We decide!' Under popular pressure, the new Catalan government of CiU led by Mas began to adopt a more explicitly pro-independence position. Under its founder Pujol, CiU had always followed a pragmatic policy of seeking greater autonomous powers by mobilising nationalism. Whatever his own convictions, Mas chose to ride the wave of popular feelings against Madrid, boosted by a widely held rejection of the new austerity package of the Socialist government of Zapatero (announced under pressure from the ECB and the IMF). This convergence of cycles of economic and nationalist protest strengthened the nationalist discourse of a Catalan nation oppressed by Madrid.

The election of a conservative government in Madrid under Mariano Rajoy in 2011 with a strong Spanish nationalist and neo-liberal agenda deepened the hostility of many Catalans and widened the differences

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between the two governments. During his two legislatures of 2010-12 and from 2012, Mas sought unsuccessfully to negotiate a fiscal pact with Madrid similar to that enjoyed by the Basque Country. Yet after the two-million strong demonstration across the length of Catalonia in 2012 in favour of the right to self-determination, it was going to be difficult to claim any deal with the Spanish government was a victory if it did not include the right of self-determination. In any case, the post-2012 CiU government depends on the parliamentary support of the nationalist, left-wing party [Esquerra Republicana de Catalunya](#) (ERC) for a majority. ERC have made it clear it would withdraw this support if the government failed to hold a referendum on independence.

In this immensely complex process, the CiU has to navigate a number of risks and contradictions. Any deal with Madrid that falls short of the right of self-determination would lead to early elections in Catalonia, which CiU is likely to lose. Within his own coalition, Mas is facing unrest. CiU covers a broad spectrum of centre-right opinion, from the more conservative Christian-Democrats of the [Unió Democràtica](#) (UDC) who favour the third way of a fiscal deal with Madrid, to colleagues unwilling to risk a showdown with the state, to nationalists determined to hold a unilateral referendum.

The CiU also has to contend with important sectors of its traditional supporters who are in favour of continued union with Spain, including employers and employers' organisations and many citizens with a strong sense of dual identity. Any showdown with the state runs the risk of dividing the coalition and Convergència might lose its more conservative and less nationalist constituency to its erstwhile partner UDC. A further problem is CiU's public image. Its claim that an independent Catalonia would not only be better off but also free of corruption under CiU governance was severely dented by the recent confession of its founder Pujol that he and his family had been guilty of long-standing tax evasion, money laundering and corruption. Moreover, the CiU government could hardly claim to represent an alternative agenda to the neo-liberalism of Madrid when it has been carrying out austerity policies on its own patch.

The political situation is dynamic, constantly shifting. As hundreds of thousands of Catalans mobilise for probably the most important National Day demonstration since democracy on 11 September, the ambiguity over the status of the planned consultation of 9 November remains.

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Madrid seems to be playing a waiting game, ready to pounce at any whisper of secession.

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