

**Catalonia and European Integration:
A regionalist strategy for nationalist objectives**

Ruth Elisa Roller

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Abstract

This thesis examines the strategy employed by the Catalan nationalist movement in the late 1980s and 1990s to secure a greater role for sub-national authorities in the process of European integration. It includes an analysis of the relationship of the Generalitat, the government of the Spanish autonomous community of Catalonia, and particularly, *Convergència i Unió*, the centre-right Catalan party in power since 1980, with the various actors and institutions central to the process of European integration. Thus, the Catalan nationalist movement has pursued a dual strategy to consolidate its participation in the process of European integration based on the one hand on a co-operative regionalist strategy and on the other, a bilateral nationalist strategy. A close examination of this dual strategy would suggest that there is a clear disenchantment among Catalan nationalists with the concept of "Europe of the Regions" and with the EU-wide efforts in the 1990s to secure a greater role for sub-national authorities.

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To my mother

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Abbreviations

AER	Association of European Regions
BNG	<i>Bloque Nacionalista Galego</i> (Galician Nationalist Block)
CCAA	<i>Comunidades Autónomas</i> (Autonomous Communities)
CDC	<i>Convergència Democràtica de Catalunya</i> (Democratic Convergence of Catalonia)
CEMR	Council of European Municipalities and Regions
CiU	<i>Convergència i Unió</i> (Convergence and Union)
CoR	Committee of the Regions
DG	Directorate-General
EA	<i>Eusko Alkartasuna</i>
EC	European Community
ECJ	European Court of Justice
ECOFIN	Economic and Financial Committee
EE	<i>Euskadiko Esquerra</i>
EFA	European Free Alliance
EMU	Economic and Monetary Union
EP	European Parliament
ERC	<i>Esquerra Republicana de Catalunya</i> (Republican Left of Catalonia)
ERDF	European Regional Development Fund
ESF	European Social Fund
EU	European Union
FEOGA-O	<i>Fons Europeu d'Orientació i Garantia Agrícola-Secció Orientació</i> (European Orientation and Guidance Fund for Agriculture)
IGC	Intergovernmental Conference
IRPF	<i>Impuesto sobre la Renta de las Personas Físicas</i> (Income Tax)
MEP	Member of the European Parliament
PI	<i>Partit per la Independència</i> (Party for Independence)
PNV	<i>Partido Nacionalista Vasco</i> (Basque Nationalist Party)
PP	<i>Partido Popular</i> (Popular Party)
PSC	<i>Partit dels Socialistes de Catalunya</i> (Socialist Party of Catalonia)

PSOE	<i>Partido Socialista Obrero Español</i> (Spanish Socialist Workers' Party)
PSUC	<i>Partit Socialista Unificat de Catalunya</i> (Unified Socialist Party of Catalonia)
SNP	Scottish Nationalist Party
UDC	<i>Unió Democràtica de Catalunya</i> (Democratic Union of Catalonia)
UM	<i>Unió Mallorquina</i> (Mallorcan Union)

Chapter 1

Introduction and Chapter Summary

Introduction

This thesis examines the strategy employed by the Catalan nationalist movement to secure a greater role for itself and other sub-national authorities in the process of European integration. It includes an analysis of the relationship of the *Generalitat*, the government of the Spanish autonomous community of Catalonia, and particularly, *Convergència i Unió*, the centre-right Catalan party in power since 1980, with the various actors and institutions central to the process of European integration. The purpose of this thesis is to generate a deeper understanding of the changing role of sub-national authorities within the process of European integration by presenting the case study of Catalonia. The motivations behind these efforts vary and this thesis will argue that the Catalan nationalist movement has developed its own unique strategy to fulfil a series of objectives: a) to enhance its own influence in the EU decision-making process both at the domestic and European levels; b) to secure a greater role for sub-national authorities in EU institutions; c) to encourage a non-territorial form of international recognition of Catalonia as a state-less nation; and d) to push forward a transformation of the structure and functions of the state.

The primary process under scrutiny in this thesis will be the regionalisation of Europe and the emergence of a European polity characterised by a hybrid of relationships across various tiers of governance. The thesis would elucidate one salient but not universal feature of this process - the role played by nationalist movements. Within the historical, cultural, and political background of its hard-won autonomous status at the domestic level, Catalonia seeks to exert an independent influence on policy making in the EU and by extension this contributes to the continued process of regionalisation within the EU.

The thesis is expected to be valuable to any reader interested in the regionalisation of European politics and the particular case of Catalonia, as well as the evolution of the nationalist movement in Catalonia. The Catalan case is significant in the sense that the reader will be able to gain a greater understanding of one aspect of the complex process of European integration. The thesis will question pre-conceived notions about the role of sub-national authorities in the process of European integration. By presenting an analysis of the Catalan case, the thesis will shed light on the relevance of the Catalan case to the regional question in Europe and specifically, that of devolution. Devolution has become a more public issue in the late 1990s with, for example, possible constitutional reform in Britain and the creation of a Scottish Parliament and Welsh Assembly. Furthermore, as the process of European integration deepens and increasingly affects citizens' day to day lives, the Catalan case could prove to be a model followed by other European regions or sub-national authorities. Its high degree of self-government and its unique strategy in dealing with EU matters have set a precedent for nationalist movements attempting to cope with the Europeanisation of politics and policy-making.

Questions and hypotheses to be addressed

The traditional concept of the nation-state within the European Union is being challenged at present by two forces, one emerging from the ashes of the Second World War to ensure continued peace as well as economic reconstruction and political unity in Europe, that of 'Europeanism'. The other force appears in the form of historical movements that in some areas of Europe refuse to die, nationalism and regionalism. The concept of the nation-state has changed since the Second World War. Its traditional description no longer fulfils modern day functions and requirements, such as a greater reliance on regional defence alliances such as NATO, this area traditionally being a prerogative of the nation-state. Greater economic interdependency has also radically shifted importance away from the territorial dimension of the state. More emphasis has been placed on the role of the regions within the EU, in part because of the administrative and political decentralised arrangements in federal and quasi-federal member states

such as Belgium, Germany, Austria and Spain. In light of increased co-operation between the EU and the sub-national authorities, will this association result in the undoing of the structure and function of the nation-state as it has been traditionally viewed? How will regions with high degrees of autonomy and self-government within their own states be able to influence the EU decision-making process faced by resistance to the devolution or transfer of policy-making powers to any institution which does not directly represent the state? How will moderate nationalist ideology reconcile its own nation-forming objectives with a shift towards adopting federalist institutional arrangements and practices in a supranational political system? Are these two objectives compatible or will they inevitably conflict? And in legal and constitutional terms, why is it that the implementation of EU legislation on member-states has a relatively clear set of procedures and the same process is so lacking for sub-national authorities?

These questions have a special significance for Spain as the process of European integration coincides with the creation and evolution over the last two decades of the State of Autonomies, a radically different model from the one that has prevailed in Spain since the eighteenth century. Spain, more so than any other member-state of the EU, has been experiencing a change both in its internal political structure and in its exterior political outlook, ending nearly four decades of political and cultural marginalisation from the rest of Europe. Although the strength and nature of regionalism vary within the member-states of the EU, an analysis of the Catalan case within Spain and the EU framework will provide a strong example of the changing role of the regions and other sub-national authorities within the emerging European political system. This role will likely increase in the future, as sub-national units have grown faster than the state at the central level (Sharpe, 1988).

By examining the parallel relationships between the Catalan and Spanish governments on the one hand and the Catalan government and the EU on the other hand, I propose to use this level of analysis to explain the ongoing development of a process of institutional and political legitimisation for the European Union and Catalonia. This process is fundamentally transforming traditional interpretations of the nation-state. By engaging in competitive relationships based on the pursuit

of political and economic benefits within the state, both Catalonia and the EU hope to be able to continue with the analogous processes of state building (in the case of the EU) and nation formation (in the case of Catalonia). The thesis will attempt to describe both relationships and the strategy employed by the nationalist-led *Generalitat* to strengthen the Catalan position in constitutional, political and institutional terms. By using both the comparative approach on the institutional level and the cultural pluralist approach to explain the nationalist motivations, I hope to be able to explain the increasing role of the regions within the EU by using the Catalan case.

Chapter Summary

Although this thesis attempts to stay away from a purely theoretical argument within which the case study has been laid out, the nature of the subject requires a more detailed analysis of the definitions used throughout. In Chapter 2, concepts such as nation, state, identity, and nationalism will be examined in the context of the Catalan case. A more precise definition of the terminology employed throughout the thesis as well as an overview of the theoretical frameworks used will be the focus of Chapter 2. Faced with an intense process of European integration, traditional concepts of state and nation have begun to change functionally. Throughout its brief history, the EU has divided up its spheres of influence into functions, rather than into territories. Following the creation of the European Coal and Steel Community after the Second World War, the process of European integration was characterized by the promotion of the differentialization of functions, the first instance of this being the area of coal and steel. Within this paradigm, sovereignty is divisible not by territory, but by function. Inevitably, the role of the state enters into another dimension, wherein it no longer exercises exclusive control in the classic Weberian sense over such traditionally sovereign areas as territory, society, government, and foreign affairs or retains a monopoly on violence or coercion¹. The proliferation of federalism and regionalism throughout Europe and increased global economic interdependence since the Second World War suggest that the state is losing its control over events and

¹ See Weber, M. (1946) and Tilly, C. (1978).

policy areas of which traditionally it was able to control. The dual processes of European integration and regionalism have contributed to the tendency within both the EU and Spain to allocate or distribute competencies, rather than sovereignty. The state is therefore no longer a single agent, but rather divided up into units which determine its behaviour *vis à vis* other actors. The state is forced to deal with a reality in which other actors (regions and supranational arrangements) penetrate its territory and reduce its autonomy. In this process, “sovereignty is devolved but not divided. The subdivisions of the state are reconstructed rather than the state itself”². Regardless of the analytic approach taken to the terminology, on the surface, the notion of state has changed owing to both functional and cultural requirements. These requirements are closely related to the evolution of nationalist movements in the twentieth century. In the Catalan case, this relationship is even more relevant since it is based, in most cases, on the assumption of the separation of nation and state without the objective of state-creation for each nation.

Although Chapter 2 will analyse the concepts and assumptions used throughout the thesis in more depth, the process of transformation of the state within both the European and member state’s context is important as this will prove to be the primary assumption used in the arguments. In the level of analysis I propose to use comparing the two relationships described above, I will analyse the existing institutional and political balance between the various variables, i.e. the *Generalitat* (at the sub-national level), the Spanish government (at the state level) and the EU (at the supranational level). Thus, the importance of the discussion lies in the description of this particular balance rather than the identification of the specific powers or functions of the nation state.

The cultural pluralist argument used will attempt to define the Spanish state as a plurinational state in which cultural groups or societies have been territorially assimilated over time. These groups wish to remain culturally distinct societies while simultaneously participating in the state’s cultural and political processes in order to reinforce principles of the recognition of historical rights and privileges,

² Hebbert, M. (1987) “Regionalism: a reform concept and its application to Spain,” Government

reaffirmation of cultural differences and the reinforcement of distinct core values which make up the nationalist movement. Within the state, minority groups attempt to secure their participation in the prevalent political process to obtain greater political and economic influence, thus securing their survival and objectives. Core values such as symbols (national anthems, flags, music, literature, the celebration of public holidays), language and a clear definition of national identity contribute to the consolidation of the nationalist movement. Despite the implicit recognition and the validity of such concepts as *citizenship*, *demos*, and *ethnicity*, the thesis will attempt to focus on other concepts such as to retain certain simplicity to the argument.

Chapters 3 and 5 will detail the history of the Catalan nationalist movement and its views on Catalonia's role within Europe. Chapters 3 will place the present day Catalan nationalist movement in its historical context tracing its political origins back to the nineteenth century at which time many of the movement's present political strategies began to take root. The historical framework of the Catalan nationalist movement has been outlined extensively to provide a more accurate description and explanation for its present nature and overall objectives. Similarly, Chapter 5 intends to describe the concept of Europe as employed in Catalan nationalist discourse thereby refuting the frequently held assumption of a generalised consensus among Catalan political parties on the role of Catalonia in Europe. Inevitably, the focus will be CiU as it has dominated the Catalan nationalist movement since the late 1970s. Its ideology is based upon a pro-European outlook, a re-definition of Catalan identity, and promotion of Catalan interests in EU matters. Its position as one of the leading nationalist parties both within Spain and the European Union requires a closer scrutiny as a party which has managed to channel traditional regionalist and nationalist demands both at the Spanish and European levels. In recent years, numerous regionalist and nationalist parties throughout Europe have transcended the domestic level in their attempts to secure increasing political power both at the domestic and EU levels. This has led to the emergence of a distinct pro-European tendency, particularly the principal nationalist and regionalist parties in Spain, Belgium, Germany, and more

recently the United Kingdom. The motivations for this pro-Europeanism vary from a growing realisation that regional development is inevitably linked to EU development or that the discovery of a new political arena within which nationalist objectives can be pursued. Thus, these parties have re-evaluated their party goals and have as result become more Europeanised. Nevertheless, as Chapter 5 will evaluate, Catalan political parties, both nationalist and non-nationalist, have increasingly become more divided over Catalonia's true role in the process of European integration. Rather than questioning the merits of European integration itself, they have raised doubts over the extent to which Catalonia and other sub-national authorities can secure an important role in the EU decision-making process faced with member-state resistance.

However, the process of European integration encourages the idea of fragmentation of power and greater attempts have been made to decentralise state power. Regionalism and Europeanism³ both challenge the present concept of the nation-state. These processes do not necessarily challenge the actual definition of the concept of the state, but the framework of laws, functions and powers that constitute it. Thus, nationalist parties such as CiU in Catalonia and the PNV in the Basque country "regard the consolidation of the European Union as the most desirable scenario where the powers of central governments and the very idea of the nation-state would be in retreat"⁴. As a result, these parties have continued developing their pro-European disposition in their attempts to secure a greater role for sub-national authorities within the EU policy process. These objectives are based on the notion that "nations" like Catalonia can contribute both to the plurinational character of Spain and to the European Union⁵. These objectives have been set out despite the apparent contradiction between refusing to adopt a completely pro-federalist position within Spain itself for fear of a perceived loss of identity and the construction of a 'Europe of the Regions'⁶. The development

³ In this context, the term "Europeanism", refers to all that which is pro-integration and convergence.

⁴ Moreno, L. "Multiple Ethnoterritorial Concurrence in Spain," Nationalism and Ethnic Politics, Vol. 1, No. 1, Spring 1995, p. 25.

⁵ Based on a speech given by Jordi Pujol, President of Catalonia, titled "States, Regions and Transnational Organizations," at the London School of Economics, 6 November, 1997.

⁶ Walker, D. "Convergència Democràtica de Catalunya: Its Successes and Its Problems," Regional Politics & Policy (now, Regional & Federal Studies), Vol. 1, No. 3, Spring 1991, p. 300.

of the pro-European element of nationalist ideology will be traced in Chapter 3 and the argument will be developed further in Chapter 5.

Chapter 3 will trace the background of the Catalan nationalist movement and is based on the assumption that the crystallization of the nationalist movement since the 1970s is a direct result of: 1) the moderate nature of its nationalist ideology which has allowed it to attract broad based support cutting across traditional class and ethnic cleavages; and 2) a reaction against the 'overcentralised' structure of the Franco regime, an approach based upon a "*cause-effect model*, which explains....insurgencies as a *direct* response to state repression"⁷. The moderate nature of the nationalist movement is based on a pragmatic approach that rejects secessionist aspirations, embracing a centrist political orientation and an inclusivist notion of Catalan identity. The evolution of the movement is based upon a variety of socio-cultural triggers implying a "consciousness of difference from the majority culture that goes beyond mere localized variation and involves a difference in language, religion or ethnicity, or all three"⁸. This ideology encompasses a traditional view held by Catalan nationalists of their responsibility to modernise the Spanish state, both in economic and political terms. This sense of duty or responsibility in Catalan nationalist ideology establishes an inextricable link between the notion of 'being modern' and 'being Catalan'⁹. Thus, full participation in the Spanish political process is motivated, among other factors, by a desire to contribute to Spain's continued integration within Europe, Spain's consolidation as an open democratic regime and to persist with a policy of co-operation with other regions in Spain. Despite frequent publicly manifested defences of the so-called core values of Catalan nationalism and identity such as language, culture, and history, the Catalan nationalist movement has managed to integrate itself into both the Spanish and EU political processes. It has done so without being alienated from either process or advocating violence. Its rhetoric denounces the Spanish state for wanting to dilute the claims of Spain's 'historic nationalities' (Catalonia, Galicia and the Basque Country) and homogenise Spain's

⁷ Conversi, D. "Reassessing Current Theories of Nationalism: Nationalism as Boundary Maintenance and Creation," *Nationalism and Ethnic Politics*, Vol. 1, No. 1, Spring 1995, p. 76.

⁸ Sharpe, L.J. (1993) "The European Meso: An Appraisal," in *The Rise of Meso Government in Europe*, Ed. by L.J. Sharpe, London: SAGE Publications, p.7.

decentralised political system. In practice however, CiU has embraced a strategy of full participation in the Spanish political process, a far cry from the 'all or nothing' strategy engaged in by other less moderate nationalist movements.

Catalan nationalists see themselves as a nation without a state, pertaining to the Spanish state but without any secessionist ambitions. This moderate nationalism arises from a rejection of the traditional view that nationalist movements seek the creation of new nation states (Tamir, 1993). It also confirms a more pragmatic approach based on demands for the creation of political institutions in which a high degree of autonomy and self-government is exercised. In other words, the underlying principle of much of the Catalan nationalist movement is the acknowledgement that not all nations seek to establish a state and the realisation that this objective is not always attainable. Thus, this new class of nationalism is based on the defence of identity, language and culture, core values that distinguish the nation and the movement from others. However, it also seeks the separation of the nation from the state through both full participation in the domestic political process and recognition in the institutions of the European Union. This is achieved through the consolidation of new forms of institutional and political arrangements within a dynamic of competitive relationships among all groups involved.

CiU will be the primary focus of analysis in examining how the nationalist movement has succeeded in acquiring broad-based support across Catalonia and political leverage at the state level. Nevertheless, Chapter 5 will analyse how Catalan political parties (both nationalist and non-nationalist) employ varying approaches to both Catalan nationalism and its role in the process of European integration. One example of these differing approaches is the interpretation of the concept of autonomy. Whereas CiU has defined autonomy as "the vehicle to preserve and build Catalan culture and society against Castilian dominance," the regional wings of such statewide parties as PSOE and PP have demanded that Catalan nationalism "must remain open to the multicultural diversity of the region," in an attempt to secure the support of those sections of Catalan society,

⁹ Pi, R. (ed.) (1996) *Jordi Pujol: Cataluña-España*, Madrid: Editorial Espasa Calpe, p. 112.

i.e. immigrants from other areas of Spain and segments of the working class, which have traditionally felt threatened by the nationalist movement¹⁰. Thus, Chapter 5's focus will be on the varying approaches towards the role of Catalonia in the process of European integration.

In Chapters 4, 6 and 7, the relationships between the *Generalitat* and Spanish government on the one hand and the *Generalitat* and the EU on the other hand are analysed. The underlying theme however, will be a detailed examination of the EU strategy embraced by *Convergència i Unió* (CiU) through its presidency of the *Generalitat* over nearly two decades. A variety of approaches will be employed to analyse the development of this strategy including both institutional and legal-constitutional perspectives. Thus, Chapters 4, 6 and 7, present a picture of institutional arrangements and relationships of power among the three levels of government as they coexist under the present legal and constitutional frameworks. They also include the institutional/decision-making arrangements designed to accommodate these relationships.

Chapter 4 is intended to generate a greater understanding of the evolution and state of the Spanish constitutional framework. It examines the complexities of the relationship between the Catalan and Spanish governments within a constitutional framework which has granted the Spanish autonomous communities varying levels of autonomy. Spain's transformation from a unitary state to its present State of Autonomies has often been written about as an example in which centre-periphery relations and issues of ethnic conflict and identity have been addressed. These conflicts are gradually being resolved within a framework which allows for a high degree of regional autonomy in legislative, administrative, and economic affairs. Gradually, the State of Autonomies has become a structure in which historical sub-cultures and political sub-units have been accommodated. Chapter 4 will also contribute to one of the underlying premises set out in this thesis: the fundamental transformation of the state. Accordingly, the chapter will illustrate how the establishment of the State of Autonomies in Spain and the ensuing

¹⁰ Johnston, H. (1991). *Tales of Nationalism: Catalonia, 1939-1979*, New Brunswick: Rutgers University Press, p. 201.

devolution process has led to widespread confusion by the Spanish political class of the notion of state.

The evolution of constitutional arrangements in Spain and the development of Catalan autonomy following the death of Franco in 1975 will be traced in this chapter. This chapter will attempt to paint a picture of Catalonia's¹¹ position within the Spanish political process, both at an institutional and political level, as it relates to the Catalan nationalist movement's European strategy. This position has often been described as exercising disproportionate influence: the "Basque provinces with only about 6% of the population and legislative representation, and Catalonia with about 15% of the population and 14% of the representation, exercise far greater weight politically in terms of strength, decentralization and regionalisation, not only because of their historic ethnic subnationalism, but with the political weight that corresponds to their relative weight"¹². Special emphasis will be placed on the conflictive relationship between the *Generalitat* and Spanish government that has characterised the process of devolution and the consolidation of Catalan autonomy. Catalan nationalists argue that the Spanish central government is engaged in a process of homogenising devolution within the Spanish state. In general however, the devolution of powers and functions to the regional governments by the central government has continued to evolve on an asymmetrical level. Critics have warned of greater tensions in centre-periphery relations¹³, the threat of instability to Spain's constitutional framework¹⁴, and the crisis of Spanish 'stateness' which has only been contained through efforts by the Spanish government to delay the process of devolution throughout the period of democratic transition and consolidation¹⁵.

¹¹ Along with the Basque Country, also led by a nationalist party, the *Partido Nacionalista Vasco*.

¹² Agranoff, R. "Inter-governmental Politics and Policy: Building Federal Arrangements in Spain," *Regional Politics & Policy* (now *Regional & Federal Studies*), Vol. 3, No. 2, Summer 1993, p. 13.

¹³ Agranoff, R (1993).

¹⁴ Peces-Barba, Gregorio. Based on a speech given at the London School of Economics, October 23, 1997.

¹⁵ Linz, J. & Stepan, A. (1996) *Problems of Democratic Transition and Consolidation*, Baltimore: The John Hopkins University Press, p. 106.

Chapters 4 and 6 focus on the specific legal-institutional arrangements of both the Spanish state and the EU to accommodate the participation of sub-national authorities. Chapter 4 avoids pointing to the direction that Spain's process of regional devolution has taken since the mid 1970s but will conclude with an outline of some of the issues that remain contentious in the consolidation of Spain's political, institutional and territorial framework within the devolution process. These issues concern demands that remain unresolved by Catalonia (as well as the Basque Country) for: a) greater levels of fiscal autonomy; b) a clearer distribution of administrative arrangements; c) the transformation of the Senate as a forum in which regional and nationalist issues are discussed; d) continued commitment on behalf of the central government to the recognition of Spain as a plurinational state; e) widespread recognition of Catalonia's *hecho diferencial*¹⁶. The dynamics of the problems facing both levels of government in their relationship at the domestic level are crucial in the understanding of the comparative elements generated by an analysis of both relationships (Spanish government/*Generalitat* and EU/*Generalitat*). Whatever the conclusions in this aspect, the main objective of Chapter 4 is to establish that the unique legal, political and constitutional arrangements of the Spanish state have allowed for the replication of a traditional political system but at the sub-national level. In other words, the 1978 Constitution provided for a political system at the central or state level composed of legislative, judicial and executive powers and institutions. This structure is replicated at the sub-national level with the autonomous communities retaining a political system with a similar institutional arrangement. In addition, the asymmetrical and decentralised constitutional arrangements have reinforced rather than weakened the unity of the Spanish state.

Chapters 6 and 7 will focus on the evolution of the *Generalitat*'s efforts to assert its role, as well as the role of other Spanish and European sub-national authorities, in the EU decision-making process. The efforts described will include: 1) Catalan participation in the Committee of the Regions; 2) the establishment of a Catalan regional office in Brussels; 3) transregional initiatives wherein Catalonia has participated to foster greater co-operation among the regions of Europe; and 4) the

¹⁶ *Hecho diferencial* is the recognition that the 'historic nationalities' of Catalonia, the Basque

push towards a 'direct route' to secure active sub-national participation in EU institutions. The purpose of the establishment of the Committee of the Regions in November 1993 by the Treaty on European Union was seen by many as contributing to the strengthening of the role of the regions in the EU policy-making process. Its creation provided a solid defence of the subsidiarity principle, based on the notion that policy-making and other decisions faced by EU legislators should be taken at the lowest level of authority in order to ensure that these policies and decisions are carried out effectively. Despite the widening of powers through the draft Treaty of Amsterdam and the impressive amount of opinions generated by the Committee of the Regions (CoR) since its creation, it has been difficult to assess its long-term impact on the EU policy-making process. Nevertheless, this chapter includes a brief description of the successes and failures of the Committee of the Regions avoiding predictions on the future of the CoR or on the proposed 'Third Level' of government. This description will merely serve as background information to generate a clearer picture of the bilateral relationship between the *Generalitat* and the EU by presenting the Committee of the Regions as one of the crucial institutional forums wherein this relationship is based.

In order to place the Catalan strategy into context, a comparative element will be introduced with the German *Länder* and their efforts to participate in EU matters. Chapter 6 contains a brief section with a comparative analysis between Spain and Germany of the modern constitutional and political arrangements for sub-national authorities to both participate at the European level and involve themselves within their own states in European matters. The aim will be to cast light on the potential and limitations of specific constitutional arrangements for the Spanish autonomous communities by drawing comparisons with the empirical case of the German *Länder*. Although the comparative analysis will demonstrate some of the differences between the two cases, it is because of these differences that extensive research is needed into the varying provisions for sub-national authorities within both the EU and its member-states in form and in function.

Country and Galicia are to be differentiated by right and not privilege.

Although the Catalan nationalist movement's pro-European outlook will have been analysed in Chapter 5, the actual success of its policy and institutional objectives is examined in Chapters 6 and 7. The ideological contradictions of the concept of the 'Europe of the Regions' adopted by CiU as a key theme of its overall EU strategy are analysed in Chapter 7. References to a 'Europe of the Regions' are confusing both in political discourse and academic literature. As a political concept in nationalist discourse, it is ambiguous and abstract. The interpretation employed here is a Europe of the Regions as the struggle by sub-national entities to radically transform the political organisation of the state. Still, this remains very normative and vague. It is of a 'Europe with the Regions' (Borrás, Christiansen and Rodriguez-Pose, 1994) rather than 'of the regions' that we are hearing. Many are sceptical of a true Europe of the Regions (Amin and Tomaney, 1995). Is it a federal concept, as the *Länder* would see it? Germany has been cited as a model for the Europe of the Regions. But Germany is a federal state. When nationalists refer to this concept, do they mean the federalisation of Europe? Does it mean the by-passing of the nation-state with the emergence of a European super-state? The assumption here is that the nation-state is not being abandoned; it is merely being reformed. Again, the question of whether this pro-European outlook is merely a convenient way towards securing more influence in all policy areas except controversial areas such as defence and foreign policy, bypassing Madrid and placing Brussels in a scapegoat position¹⁷, is addressed in this chapter.

Thus, both Chapters 6 and 7 will address the apparent contradiction within the Catalan nationalist movement between the apparent loss of sovereignty for sub-national authorities and the process of European integration. In other words, why do Catalan nationalists seem to keen on the process of European integration when it means that they may have to transfer competencies to Brussels? If member-states have had to transfer their competencies, sub-national authorities will also have to surrender their limited sovereignty. At this stage, it is difficult to assess who will gain and who will lose with this process. Will continued European integration be beneficial or detrimental to Catalonia and other sub-national

¹⁷ Walker, D. "Convergència Democràtica de Catalunya: Its Successes and Its Problems,"

authorities? One can argue, however, that it would be difficult for regions to lose much more, as they were never given much decision-making power or sovereignty in the first place. However, this argument does not hold true for Catalonia which exercises a high degree of self-government. At present, the most efficient way for regional governments to influence the EU's decision-making process is directly through the member-states, something regional governments increasingly have shown to want to move away from. In this chapter, the influence of sub-national interests in the EU's decision-making process, both through regional governmental initiatives and private initiatives is addressed, by presenting the case study of Catalonia.

The emphasis in these two chapters will be the strategy employed by the Catalan nationalists in EU matters. Both the Spanish and EU legal and policy-making structures are examined in great detail particularly with regard to the proposed changes inherent in the Catalan strategy. This strategy has evolved from a concerted effort in the late 1980s and early 1990s to bypass central decision-making mechanisms by appealing directly to the EU and other regions to a more pragmatic regionalist approach in the late 1990s. Related to this change in strategy is the change in government occurring with the March 1996 Spanish general elections and the subsequent governability pact established between CiU and the ruling *Partido Popular* (PP).

The *Generalitat's* increased involvement in the Spanish political process from March 1996 onwards was due to CiU's coalition with the ruling PP. The fragile governability pact established within a few weeks of the election reaffirmed the conflictive nature of the relationship between the Catalan nationalists and the central government. This conflict escalated between 1996 and 1999 despite greater ideological agreement in economic and social matters between CiU and PP than with the previous PSOE led central government. These events include protests by the central government over the 1997 Catalan linguistic law. This *Generalitat*-sponsored legislation included several contentious components: a) it

favours the use of Catalan over Spanish in business and legal documentation¹⁸; b) guarantees a minimum use of Catalan in radio and cable television broadcasts as well as in cinematic productions; c) introduces regulation for the use of Catalan in those firms and industries which provide public services, and d) introduce labels in Catalan on all food products¹⁹. With the controversy generated by this legislation, the issue of language takes on a variety of important elements central to the arguments in this thesis. First, the issue of language is a key element Catalan nationalist ideology. Second, linguistic legislation is an example of a policy area brought to both the EU and Spanish political arenas by the Catalan nationalists, symbolising the importance placed on the issue²⁰. Finally, the controversy over the linguistic law demonstrated the fragility of the governability pact between CiU and the PP. This reinforces the argument that the Catalan nationalists' political strategy (including their EU strategy) is highly dependent on electoral outcomes rather than a move within Spanish political circles to accept the growing role of sub-national actors in the political process.

Chapters 6 and 7 also examine the changes occurring with the participation of sub-national authorities in EU institutions. Specifically, the Committee of the Regions and the agreements reached between the *Generalitat* and the Spanish government on the former's role in EU matters are analysed. This agreement is based a series of bilateral and collective agreements which would allow for the Spanish autonomous communities to participate in committees or working groups of the European Commission²¹. Thus, representation of the various regional governments would be guaranteed in 55 of the 450 committees or working groups within the Commission following an agreement among the various regional

¹⁸ The 1978 Spanish Constitution officially recognizes Catalan as one the languages of the Spanish state and the 1980 Catalan Autonomy Statute establishes Catalan and Spanish as co-official languages of Catalonia.

¹⁹ Pujals, J. M. "¿Por qué otra ley del catalán?" *El País*, October 24, 1997.

²⁰ The 1997 linguistic legislative project sponsored by CiU was inspired by Bill 101/1977 in Quebec, of which the Catalan nationalist movement has drawn great inspiration and influence over the years. For more on the legislation, see Varela, J. "La ley del catalán," *El País*, 25 September, 1997.

²¹ Both the Basque and Catalan governments demanded the central government's support for these initiatives in the April 1996 governability pacts signed with the PP. Section 5 of No. 11,8 of the agreements stipulates that "the presence of autonomous government representatives will be specified in the Spanish delegations within the committees and working groups in the Commission

governments involved. Along with the regional governments' representative would be the central government representative. This agreement followed the Catalan government's 1993 proposal in which representatives from the regional governments would be able to substitute those from the central government in the various EU institutions. This proposal was disallowed by the then Secretary of State for Territorial Administration, Jorge Fernández, by reason of Spain's lack of a federal structure, unlike the German case, which would not allow the regions to substitute the central government. The *Generalitat*, in co-operation with other Spanish regional governments, most notably the Basque government, has attempted to persuade the central government to accept proposals which would allow regional governments to be represented in the Council of Ministers. These proposals follow the creation in the early 1990s of a Conference for Matters Related with the European Communities²². Within this Conference, the central government consults with its regional counterparts on the positions it will adopt regarding certain issues which directly affect the various autonomies. Other developments included the recognition by the Constitutional Tribunal in 1992 of the representative offices of the regional governments at the European level and the establishment in July 1996 by the PP government of the position of regional aggregate in the office of Spain's Permanent Representative in the EU. These issues, and more recent developments, are discussed in Chapter 7.

Conclusion

Over the last few years, the transformation of the nation state has become more evident with the proliferation of both new and traditional pressures. These include governments' inability to control crises provoked by fluctuations in an increasingly interdependent world economy and the mass proliferation of a global communications system which allows for enormous transfers of information and capital in shorter and shorter periods of time. The traditional notion of the nation state based upon the possession of the monopoly of the use of force or on the sovereignty of political institutions within a bounded territory and a citizenry

in areas of specific or singular interest for the corresponding autonomous communities." See *El País*, 3 August, 1997.

²² In Spanish, *Conferencia para Asuntos Relacionados con las Comunidades Europeas*.

defined by these institutions has become an increasingly obsolete concept. The state has become forced to coexist on a more or less equitable level with other institutions, nations, cultures and social forces. The consequences of this phenomenon have yet to be felt completely. Nevertheless, the state will be forced to resist moves by regions, sub-territorial units, supranational organisations, and other institutions to continue the processes of devolution, decentralisation and transfers of power, functions and sovereignty.

Even as citizens, we have begun to realise that many of the competencies and functions previously carried out by the state in such areas of daily life; education, culture, transport, environmental concerns, etc. have been taken over by local, regional and supranational institutions. This phenomenon of modern society is no longer apparent merely in those functional spheres or areas of competency but also in our own identities, which are no longer expressed within a territorial boundary encompassed by the modern state, but within several boundaries. Some of these boundaries have been drawn by nations without a state such as Catalonia, the Basque Country, Northern Ireland or Scotland, or with a vaguer definition such as that drawn by an entity such as Europe.

Thus, the structure of the nation-state is changing in two ways: 1) supranationally in addressing the challenges of globalisation and; 2) 'intranationally' towards a new internal distribution of power within the nation-state. This process is driven by the demands of regional and local identities anxious at the homogenizing threat posed by globalisation. This does not suggest that the state as such will disappear in light of the transfer of functions and powers on the one hand and the strengthening of regional or national identities on the other. This transformation is hindered by the state's tradition of historical stagnation and permanence, as well as the presence of powerful interests at the state level. To a certain degree, the state still controls many of the mechanisms for social cohesion by ensuring that the principles of democracy remain with the citizenry, hence the impossibility of foreseeing the complete destruction of the state in Europe. As a dominant political actor however, its influence is changing. But that does not mean that the nation-state as we know it today is disappearing. It is not playing a secondary role to the other two levels, supranationalism and regionalism, and it is not being

replaced by the regions. Even in the economic sphere, the regions are not replacing the states as dominant economic actors. Indeed, even an economic 'Europe of the Regions' is not taking place (Borrás, Christiansen and Rodriguez-Pose, 1994).

Nevertheless, the state is being faced with regionalisation and Europeanisation of its functions manifested by: devolution occurring within many European states; the emergence of a state made up of nation states; the presence of nations without a state, autonomous governments, provincial and municipal authorities and other European institutions; and the increasing intervention of these institutions and authorities in the day to day economic, political, social and cultural processes. Thus, the state is not disappearing but merely undergoing a transformation with the emergence of a new genre of state, based upon principles of flexibility. This flexibility is reflected in allowing other forces and institutions to take over the state's traditionally prerogative functions and powers in return for a guarantee for the permanence of social order and cohesion.

The case of Catalonia with its intertwining actors, groups and institutions and the competitive nature of these relationships within both the Spanish and European political and institutional framework is a strong example of the way both nationalist movements and regional governments are extending their influence within two different spheres of decision-making. States still play a significant role in regulating relations between the regions and the EU as the case of Catalonia demonstrates. What is clear is that the constitutional and institutional framework of the various forms of autonomy and decentralisation both in Spain and at the European level need to be examined in light of the decisive impact European integration has had on the political process. This in turn has largely defined the boundaries of the changing legal and constitutional frameworks. As part of this, regions have increasingly attempted to strengthen their participation in the EU policy-making process (Hooghe, 1995) to maximise their role in the transformation of the nation-state. The functions exercised by all three levels of government (the supranational, national and sub-national) must be re-evaluated within their legal and institutional contexts along with the motivating factors, in

this case the ideological and pragmatic importance placed by nationalist movements on the process of European integration.

Chapter 2

Theoretical Framework and Methodology

Introduction

This chapter will provide a brief overview of the primary theoretical approaches to the issues and assumptions addressed in this thesis. In addition, the chapter will attempt to clarify some of the terminological confusions that arise from tackling the complex issues of nationalism, regionalism, and European integration. The terms 'nationalism' and 'regionalism' have become increasingly blurred in recent years particularly within the context of European integration (Lynch, 1996). Adding to this confusion is the popular notion of the apparent decline or disintegration of the nation-state as a result of the construction of a politically unified Europe. By examining the historical complexities of nationalism and the transformation of the state, we can begin to understand some of their present day challenges. Regionalism and nationalism are in fact not very different from one another. Perhaps the only difference is the degree to which nationalism's affective content is expressed.

The importance and definitions of both nationalism and the nation-state have changed over time in spite of the fact that our present-day interpretations reveal that both of these concepts are in reality recent phenomena. Reasons vary but many authors agree that our interpretation of the nation-state is a product of the modern era (Keating, 1997) or a product of the process of modernisation (Deutsch, 1966). As a product of the modern era, the nation-state is seen to be labouring to survive or merely resisting change in light of growing cultural pluralism and the rise of nationalism. These views however, give rise to a series of questions regarding the interplay among the forces at work. Will the rise of nationalist movements since the 1960s and 1970s or the ever-growing process of European integration lead to the demise of the nation-state? Or is a fundamental reordering of the political system underway with a 'reshuffling' of powers, structures and competencies? Does the case of the European Union with its

process of integration deserve special attention owing to the nature of the competing forces at work? Or are the forces of economic globalisation and modernisation responsible for these changes, generating a spill-over effect into other areas of the world?

The section on approaches to European integration is based on the assumption that the structure and composition of the nation-state as it exists today is evolving due to a dual set of forces: (1) one emanating from above, at the supranational level, involving exposure to the globalisation of the economy, communications revolution, increased interdependence, socialization flowing from membership within transnational systems and agreements such as the European Union and; (2) the other force emanating from below, at the sub-national level, involving changes occurring from increasing tendencies towards regionalisation and in some cases resulting from successful nationalist movements. These forces have resulted in two complementary evolutionary processes that have corroded the traditional definitions and functions of the nation-state. They have also led to new actors and institutions playing influential roles within a changing political structure. Essentially the three levels, the state, supranational and sub-national levels, engage in a constant process of interplay and increasing interdependence.

Thus, the main purpose of this thesis is to weave together several explanatory threads. The focus will be on the European dimension of the Catalan nationalist movement both in ideological and policy terms taking into account European integration and the relatively recent consolidation of the State of Autonomies in Spain. On a broader level, an analysis of these issues will generate a greater understanding of the challenges posed to the state. The purpose here is not to come up with a new theoretical design encompassing nationalism, regionalism and European integration. This chapter will simply examine existing theoretical models and isolate those that apply to the study in question, clarifying conceptual problems arising along the way.

Defining Nationalism

The problem of defining nationalism and its impact on the nation-state has confounded authors time after time. In essence, the definition of nationalism, like our interpretation of the nation-state, is a function of the era and society we live in. Nationalism means different things to different people, not least among academics in the field. Objectives and feelings among people are difficult to measure and categorise. Most theories of nationalism seek to explain the specific relationships between politics, economics and culture as factors explaining the rise of a particular nationalist movement. Unlike social or economic development where one can analyse indicators such as poverty, unemployment and inflation statistics, it is difficult to pinpoint specific indicators in the study of nationalism. Indicators such as ethnic affiliation, language, legitimacy, territoriality, civil society, economic discrepancies and religion have been used to categorise varying types of nationalist movements. What is important however, is the process of state formation within which nationalism evolves.

The process of state-formation in Western Europe varied from state to state. Several structural factors were essential to this process but again, owing to historical or cultural reasons, they played different roles in each state. This thesis does not set out to provide a general theory of the origins, structure and dynamics of the modern state but does intend to highlight the structure of the Spanish state in the face of two impending processes threatening to modify it. Nationalist considerations have played an enormous role in both the historical and modern legitimisation of the Spanish state and continue to exert an important influence.

Territoriality

As well as processes of state formation, territoriality is another factor to take into consideration when studying nationalism. In a sense, territoriality is the common denominator of both the nation (or nationalist movement) and the state with both entities expressing territorial claims. Although a nation need not have specific territorial claims (e.g. the Jewish nation outside of its Israeli homeland), in many cases territoriality remains as an element claimed by both the nation and the state.

Both Anderson (1992) and Smith (1986) have discussed this common denominator not only in distinguishing between the nation and the state but also in determining that the territorial dimension separates the ethnic group from a nation or a state. Natural geographic boundaries such as rivers and mountains as well as the concept of territorial unity have also been described as contributing to the establishment of specific cultural and political identities as well as a sense of distinctiveness; elements essential to the development of nationalism (Llobera, 1994). Nevertheless, it should not be the sole determinant in developing a conceptual matrix of nationalism or in detailing the authority and functional domain of the state. It is merely a factor of the equation. In the Catalan case, the issue of territoriality appears to be marginal. In reality, the Catalan nationalist movement has filtered the concept of territoriality through its nationalist discourse. Its efforts to secure greater participation in the EU decision-making process reflect a non-territorial form of public recognition necessary to legitimise and sustain the nationalist movement.

Institutional arrangements

Institutions and administrative arrangements, i.e. the internal structure of the state, also play an important role in the study of nationalism and state-formation. Rokkan and Urwin (1980) attribute the origins of nationalism to the dynamics of centre-periphery relations. Administrative divisions dating back from Roman times in certain areas of Western Europe have arguably contributed to the development of specific identities and more generally, national self-consciousness (Llobera, 1994). In the Catalan case, institutions created since the re-establishment of the *Generalitat* during the Spanish transition to democracy have played a fundamental role in channeling the Catalan nationalist movement's policies. They have provided an institutional and administrative base from which the movement can consolidate its position within Catalan political life.

Actors

Determining the actors involved is another problem in the study of nationalism. In the specific case of Catalonia, special attention will be given to the Catalan

government, the *Generalitat* and some of the political parties that have played an important role in the evolution of the Catalan nationalist movement. Nevertheless, when referring to the Catalan nationalist movement, the focus will be on *Convergència i Unió* (CiU), not as the sole representative of Catalan nationalism but as its most important political actor since it first came to power in 1980. Alter (1989) has described three types of nationalist movements that can be applied to the Catalan case. The first type is a movement generated by secessionist *risorgimento* nationalism. The second is based on a form of integral nationalism that seeks to represent the traditionally isolated peripheral minorities and attempts to incorporate them into a process of national integration. Finally, the third model, nationalism by trade, attempts to explain the often moderate nature of nationalist movements based on economic cost-benefit analyses rather than political considerations. Thus, nationalist parties subscribing to this view attempt to establish some sort of political separation from the state while continuing to foster economic ties. It is this third model that directly applies to CiU.

Detailing the networks and ideological strategies constructed by the Catalan nationalist movement and specifically the ruling party, *Convergència i Unió* (CiU) over the years allows for a thorough description of Catalonia's objectives within the process of European integration. This approach will be based upon the assumption that nationalist parties such as CiU act as agents of the nationalist movement, channelling resources and actions towards specific goals and objectives. Furthermore, this approach has been employed in other studies analysing the relationships between nationalism, regionalism and European integration (Lynch, 1996) providing a detailed yet simple analysis of the case study in question²³.

Federalism

²³ Lynch (1996) employs three concepts to classify and define nationalism within the process of European integration: goals, ideology and strategies, Lynch, P. (1996) Minority Nationalism and European Integration, Cardiff: University of Wales Press, p. 4-6.

Although the focus of this thesis is not whether or not the Spanish constitutional framework is increasingly moving towards a federal model, it is important to define federalism when examining the legal and constitutional implications of the participation of sub-national authorities in the EU's policy-making process. Many authors have argued that Spain has increasingly been moving towards a federal model, perhaps not in structure but certainly in function (Aja, 1999). The definition used in this study refers to a constitutional framework in which "two sets of governments, neither being fully at the mercy of the other, legislate and administer within their separate yet interlocked jurisdictions"²⁴. This definition assumes that the institutionalised internal division of powers refers to jurisdiction over specific geographical delineations and involves a constraint over centralised political power. Distinctions can be made between 'unitary' and 'cooperative', or 'competitive' or 'concurrent' federalism (Moreno, 1997), but for purposes of simplicity, the federal model toward which arguably the Spanish constitutional framework is shifting, could be characterised as 'asymmetrical'. This definition refers to the flexibility of the present process of devolution, in which regions can voluntarily opt of the process. This decentralisation process has been described as seemingly unlimited which could feasibly allow regional governments to assume increasing levels of power with few limits imposed on them by the central government. As a result, this has led to a system in which Spain's seventeen autonomous communities enjoy very different levels of autonomy, a type of "institutionalisation of diversity".

Distinguishing between nation and state

Another problem in the study of nationalism is in distinguishing between the concepts of 'nation' and 'state'²⁵ as well as the relationship between the two. Attention has focused on redefining the boundaries of these two concepts. Frequently these concepts have been indistinguishable or blurred in writings on

²⁴ Duchacek, I. (1990) "Perforated Sovereignities" in Michelmann, H. J. and Soldatos, P. (eds) Federalism and International Relations: The Role of Subnational Units, Oxford: Clarendon Press, p. 3.

²⁵ The most obvious example of the confusion stemming from distinguishing both concepts is the study of 'international relations' which is in fact nothing else than 'inter-state relations' or 'state relations' rather than the study of relations between nations.

the subject and sadly, the concept of 'nation-state' has been misused and misinterpreted. States have been referred to as nations and vice-versa. Often, cultural, political and historical hegemony is assumed when states are referred to as nations or the term 'nation' is seen as a necessary pre-condition for the state rather than as a separate principle. Marx failed to distinguish between either concept viewing both 'nation' and 'state' as a single political unit (Connor, 1984). Nevertheless, neither states and nations are monolithic entities. I intend to use the term 'state' when referring to the Spanish state and 'nation' can be interpreted to be the Catalan or Basque 'nations' or even Spain as a 'nation of nations' (Moreno, 1997). Thus, the terminology will distinguish between 'state' (political structure) and 'nation', an idealised objective generated by a certain ideological/political force and used to denote the territorial element of a specific community, ethno-national or 'ethnoterritorial movement' (Moreno, 1997) sharing similar cultural and linguistic, and sometimes also religious and racial characteristics. Although one interpretation suggests that the term 'state' refers more to a unit denoting reason and logic, and the term 'nation' denotes affection and sentiment, this generalisation is hard to accept in the Catalan case. Here the distinction is more to do with political vs. cultural phenomena. Nationalism can also be rational in its goals and the state as an institution can also be neither logical nor reasonable.

Within the discipline of international relations, realists and neo-realists have argued that among other issues, sub-national forces such as nationalism undermine the traditional strength and configuration of the nation-state and lead to a situation of 'global ungovernability' (Haymes, 1997). The realist school of thought ignores the distinctions between the concepts of 'nation' and 'state'. Along similar lines, another statist approach suggests using both terms to distinguish two conceptualisations of nation-states: (1) one in which its citizens share similar linguistic, religious and historical identities and where the new state has been artificially created by existing states and; (2) the concept of national states in which regions or territories are governed by a combination of centralised and autonomous structures (Tilly, 1992). This approach views the process of European state-formation as having a close association with the wars and conquests that have characterised history. Yet this approach focuses too much on the state. The classic Weberian approach of defining the state as the sole

possessor of the legitimate use of force has become outdated. Indeed, the dual processes of nation- and state-building can no longer be assumed as evolving on parallel terms. In fact, as the case of Catalonia will show, nationalist movements and national identities evolved as a result of economic, cultural and political factors, even when the Spanish state had been united through dynastic union and the defeat of the Muslims (at the end of the fifteenth century) and reinforced its legitimising authority through a series of foreign wars and defeats of minority uprisings (eighteenth century).

The Catalan nationalist model

Aside from varying opinions regarding the definition of nationalism as well as the concepts of 'nation' and 'state', there are also conflicting views on the initial emergence of nationalism. Has nationalism always existed or is it an exclusively modern phenomenon? Have our definitions of 'nation' and 'state' been constrained by time? Hobsbawm argues that as late as the eighteenth century the term 'nation' was not employed to denote territorial limitations but as a point of reference to distinguish between varying cultures and traditions many of which coexisted within the same territorial boundaries (Hobsbawm, 1992). Other authors have argued that the terms *natio* and *patria* are in fact medieval terms and that despite their evolving definitions over time, do describe certain political and cultural realities (Llobera, 1994). Anderson has argued that the advent of nationalism as we know it today coincided with the gradual deterioration of universal religion and the need for groups of people to substitute the nation for religion (Anderson, 1991). Smith stresses the continuity of nationalism rather than its modernity as Gellner and Anderson have done. Other approaches treat nationalism as a product or function of the revival of ethnicity and national identity while others maintain that nationalism is merely a movement designed to claim and establish a new state. Keating (1997) has argued that the resurgence of present-day nationalist movements and its efforts to adapt to the modern era is reminiscent of the intense period of state-formation during the nineteenth century and that parallels can be drawn between the two.

As with all nationalisms, it is difficult to categorise Catalan nationalism. Like its Walloon, Flemish and Welsh counterparts, it does not embrace violence or secession yet it claims to represent a nation without a state. It defies traditional interpretations of nationalism, which suggest that the end goal is self-determination or state-formation. Instead, Catalan nationalism belongs to the new wave of nationalism evolving during the last two decades which rejects secession or the right to self-determination and claims to embrace a moderate type of nationalism intent on building a nation within a state. It seeks to assert its sense of identity, distinctiveness and nationhood by operating within the Spanish state. It could be described as 'bourgeois nationalism', a product of a wealthy region or territory attempting to create a 'distinctive consciousness' (Harvie, 1994). Keating (1997) has differentiated between the type of nationalism that focuses primarily on a process of nation-building and the traditional approach towards nationalism focusing on the principle of self-determination and the process of state-building. Both models apply to the Catalan case. Nation-building is an important element in Catalan nationalist discourse. This refers to the political and social mobilisation engaged in to build on a nationalist movement's differentiating features, i.e. language, culture, history and identity. In order to survive, nationalist movements must continuously adapt to changing circumstances but this process does not necessarily involve state-building. Thus, the Catalan case suggests that the principle of self-determination does not always lead to or desire statehood. A nationalist group can seek to determine their own destiny within a state, as the Catalans have done, by pursuing a nation-building process (Catalonia) within the confines of a separate state-building process (Spain). This interpretation of nation-building is accompanied by an implicit reject of the right of territorial secession. The process of state-building in the Catalan case refers to the Spanish state, more specifically the process of state-building initiated with the territorial unification of Spain in the fifteenth century. In this thesis, the emphasis on the process of state-building in Spain will focus on the creation of the State of Autonomies with the 1978 Constitution. This assumes that the process of state-building in Spain, particularly the modernisation of the state, has developed over a period of five centuries culminating (but perhaps not ending) in the creation of the State of Autonomies.

Another approach used to describe Catalan nationalism argues that the Catalan nation is an artificial creation, an image fabricated by an elite. According to this approach, national identity is artificially constructed through the actions and discourse of the political elite (Conversi, 1995) (Shafir, 1995). The constructivist approach suggests that leaders manipulate events and the evolution of the nationalist movement by setting goals and channelling interests and resources. They also reinterpret historical myths and symbols to broaden the movement's appeal, selectively choosing symbols that suit their cause. Thus, all political events and processes can presumably be traced to elite initiative. This approach coincides with a Weberian interpretation of nationalism, which would understand it as the "activity of a status group which is monopolising resources through social closure"²⁶. According to this approach, the concepts 'nation' and 'national identity' are ideological tools employed by those controlling the state to ensure the unity of the 'nation' and build on the legitimacy needed to ensure obedience to the state's authority. Thus, national identity and/or ethnicity by the political elite are politicised to contribute to the evolution of the nationalist movement.

The rise of nationalist movements is a result rather than the cause of the weakening or transformation of nation-states. This approach has been used to explain the rise of nationalist movements in Central and Eastern Europe following the collapse of the Soviet Union. Thus, the state continues to play an important role in the emergence of nationalist movements and in the consolidation of national identity, be it at the core or periphery. One approach to understanding Catalan nationalism suggests that we have inevitably misconstrued nationalism as a "hard, static concept based upon a quest for the nation-state"²⁷. Like the definition of the terms 'nation' and 'state', nationalism is an ever changing process. Nations have also been denoted as 'imagined communities' (Anderson, 1991) and successful nationalist movements existing in such places as Catalonia, Quebec and Scotland have been described as engaged in 'state-less nation-

²⁶ Fevre, R., Denney, D. and Borland, J. (1997). "Class, status and party in the analysis of nationalism: lessons from Max Weber," Nations and Nationalism, Vol. 3, No. 4, December 1997, p. 559.

²⁷ Haymes, T. (1997) "What is nationalism really? Understanding the limitations of rigid theories in dealing the problems of nationalism and ethnonationalism," Nations and Nationalism, Vol. 3, No. 4, December 1997, pp. 543.

building' (Keating, 1997). Marxists have traditionally viewed nationalism as a 'false consciousness' preventing people from pursuing their true goals. Still other approaches suggest we explore psychological or 'human nature' assumptions to enable us to conceptualise nationalism (Finlayson, 1998) or stress the role of class interests in the political mobilisations of nationalist movements (Hobsbawm, 1990) (Díez Medrano, 1995).

A primordial approach would describe Catalan nationalism as a "spontaneous process stemming from a naturally given sense of nationhood"²⁸. It suggests that this particular brand of nationalism merely involves demands for territorial autonomy from a stateless nation, an argument not sustained in this thesis. There was little spontaneous about the evolution of Catalan nationalism as demonstrated by its development in the late nineteenth and early twentieth centuries. The historical context of this cultural or national differentiation is important in understanding the evolution of a particular nationalist movement. It is this historical context, fabricated or not, which is employed by the Catalan nationalists to provide a particular type of 'adhesive' to the movement. Political mobilisation provides a similar type of 'adhesive' by reasserting the movement's cultural or linguistic features, historical references and communal identity. This two-way process conjures up the image of a nationalist movement that is continuously undergoing a process of modification and adapting to changing social, political and economic circumstances.

The importance of the primordialist approach to nationalism lies essentially in its emphasis on a network of associations (Moreno, 1997) and the role of the intelligentsia (Llobera, 1994). This network of associations develops through cultural and social contacts within an individual's community. Eventually, this network of associations reinforces the notion of an inextricable link between the individual and the nation. These links constitute the crucial elements of the process of social and political mobilisation within the nationalist movement. The role of the intelligentsia is seen as important as the primary 'movers' or instigators of the nationalist movement, both at the formative stages (political activists and

²⁸ Conversi (1995) p. 73.

authors during the late nineteenth century in the case of Catalonia) and through political activity in the modern state (representatives and leaders of Catalan nationalist parties). Although the primordialist approach does not apply to the Catalan case, the links and actors described above are important in explaining the social and political mobilisation over time of Catalan nationalism.

The modernist approach suggests that economic change in modern society has been conducive to the establishment of the nation-state and the advent of nationalism²⁹. It suggests that nationalism and the concept of the nation are products of the modern era. Unequal economic factors, generated by capitalism or industrialisation, are used to mobilise nationalist movements (Gellner, 1983) (Anderson, 1991). This is particularly true in the context of centre-periphery tensions in post-colonial societies. This argument has little bearing in the Catalan case (Llobera, 1994) (Díez Medrano, 1995), in which - within the economic dimension - Catalonia has historically been situated at the core.

The political outcome of a particular nationalist movement depends on differing patterns of economic development and the levels of internal class conflict, an economic approach useful in analysing the differing characteristics of the Basque and Catalan nationalist movements (Linz, 1973) (Díez Medrano, 1995). Horowitz's (1985) explanation that nationalist movements in regions with a high degree of economic development mobilise their members to pressure the state for greater regional development is useful in describing the Catalan case. However, it does not explain the varying historical outcomes of different nationalist movements with similar patterns of economic development. An economic approach in the modernist tradition can explain the roots of nationalist development in terms of cultural rather than political elements (Gellner, 1983). It describes nationalism as a fabricated ideology and cultural instrument employed for economic objectives. Gellner presents economic reasons as the cause of the rise of nationalism. This approach has a strong functional but not primordial element. Economic objectives can include the domination of the capitalist classes over the proletariat or the adoption of protectionist tendencies to ensure

²⁹ See Gellner (1983) and Hobsbawm (1990).

domestic economic survival. Nevertheless, this structural determinist approach and cause-effect relationship between capitalism and nationalism does not begin to unravel the complexities of nationalism. Non-economic structural variables such as language, political leadership and nationalist discourse are also key elements in describing the evolution and nature of nationalist movements.

In this thesis, Catalan nationalism will be described as a form of what Moreno (1997) denominates 'minority' nationalism. This defines a particular nationalist or ethnic group as a "self-conscious community characterised by a set of shared beliefs, attitudes and values, a common language, a unique nationality or communal sense of belonging, and an association, real or perceived, with a specific history and territory, thereby granting it differing and peculiar characteristics in relation to other groups."³⁰ This definition fulfils most or all of the components outlined by Smith (1986) in defining or distinguishing a nationalist or ethnic group. It defines the movement in *sociological* terms. It allows for a deeper explanation of the affective content of the nationalist movement and how this is defined, as well as using the term 'nation' as a central unit of analysis. As part of a *political* analysis however, the argument will be based on a cultural pluralist approach. Applying the former approach generates a detailed historical description of the nationalist movement and explains its origins and subsequent development. It explains *what it is* and *what it is not* by employing the theoretical assumptions of historical determinism and cultural pluralism. The cultural pluralist approach explains the present day moderate nature of the Catalan nationalist movement, that elites are forced to act within the constraints posed by historical and cultural developments. They are forced to rely on pre-existing cultural values, symbols and myths, i.e. language and traditions, as well as a process of continuous reinforcement of a historical consciousness to keep the process of nation-building alive. Thus, it is within this process of nation-building that elites must operate employing a strategy based on cultural determinism, i.e. utilising the concept of the *hecho diferencial* as a political resource or weapon in reacting against perceived state interference. This strategy is then used as a rational logic to shape and defend the institutional arrangements

and dynamics of interaction between the Catalan nationalist movement and the Spanish state on the one hand and the Catalan nationalist movement and the EU on the other. This unique strategy is what characterises 'Catalanism', a nation-building process based on cultural and historical determinism that rejects territorial secessionism or other forms of state-building. This inherent moderate nature is then translated into an aggressive defence of institutional and participatory arrangements to secure a non-territorial form of public recognition both within the confines of the state and at the supra-national level.

Identity

The question of a common identity is crucial in defining Catalan nationalism, which necessitates a common element to justify its existence. The question of common identity points to a "key difference between nationalist movements on the question of who constitutes the nation and on the basis for legitimacy of nationalist demands"³¹. The primordial approach to nationalism also regards the question of identity or ethnicity as static. Other approaches suggest that identity and ethnicity are artificial creations. Another possible approach implies that minority nationalisms are in fact ethnic groups striving for recognition and survival. For purposes of clarity and simplicity, however, identity and ethnicity will be used interchangeably throughout the thesis, as the Catalan case does not warrant an extensive differentiation of both terms. The underlying assumption will continue to be that like nationalism, identity changes over time and its survival is assured by those that shape and control it. The issue of identity is also particularly important in the Catalan case as it is a key factor in the nationalist movement's evolution combined with a shared sense of history, language and culture. In other words, the issue and protection of identity in the face of a real (during the Franco era) or perceived threat has substituted the quest for a 'state' - in secessionist or self-determination terms - as the primary force behind Catalan nationalism.

³⁰ Moreno, L. (1997). La Federalización de España. Poder político y territorio, Madrid: Siglo Veintiuno, p. 4.

Common identity is based on a common history, language, culture and the Catalan nationalist movement has made the preservation of language and culture its primary concern. This feature has often been described as cultural nationalism (Hutchinson, 1987). Its transmission and socialisation from generation to generation ensures its survival. As real or imagined threats grow, a sense of cultural deprivation rises among nationalists. This is particularly true in the Catalan case where language took on a particularly political significance during the Franco regime (Conversi, 1997). Nevertheless, Catalan nationalism cannot be identified solely by cultural protection and language differentiation. It has been argued that language has been an artificial creation to symbolise national identity rather than existing as an inherent feature of national differentiations (Hobsbawm, 1992), or that it has been employed as a symbol of a fabricated shared history (Anderson, 1991). The issue of language is particularly important in the Catalan case and will be highlighted in subsequent chapters as part of a notion of 'linguistic nationalism' and the "exclusive association of one language with one nation"³². In other words, the issue of language in Catalonia remains an integral part of Catalan collective identity shaping the essence of nation (Llobera, 1994). Linguistic distinctiveness is not the only necessary pre-condition for creating a national consciousness or identity. However, the Catalan nationalist movement has made a great effort to incorporate a strong linguistic element into its platform. The political significance of linguistic factors has risen with the emphasis Catalan nationalists have placed on the educational system, in particular the study of language and history to cultivate loyalty to Catalonia.

Some authors have focused on differentiating between varying types of identity including cultural and political identity (de Blas Guerrero, 1994) and ethnic and civic identity (Smith, 1991). The issue of language can also be viewed as part of a fabricated historical consciousness to accommodate specific political and/or social objectives (Hobsbawm, 1992). In the Catalan case, the issue of language determines identity. Although it is not part of a fabricated historical

³¹ Keating, M. (1997) "Stateless nation-building: Quebec, Catalonia and Scotland in the changing state system," *Nations and Nationalism*, Vol. 3, Part 4, p. 690.

³² MacClancy, J. (1996), "Bilingualism and Multinationalism in the Basque Country" in Mar-Molinero, C. and Smith, A. (eds) *Nationalism and the Nation in the Iberian Peninsula*, Oxford: Berg p. 207.

consciousness, the issue of language and its protection has been employed by the Catalan nationalist movement to justify its nation-building strategy by laying out the foundations to define identity. This pluralist notion of national identity suggests that competing identities have emerged over the last few decades within Catalan society to consolidate into a continuously evolving notion of Catalan identity. These competing identities have emerged to create a 'dual identity' or 'shared loyalty' (Moreno, 1997). This cultural pluralist approach is not fixed and immutable but subject to processes of historical and political change, generating increasing levels of multiple identity (Llobera, 1994).

Historical consciousness

In addition to the phenomenon of multiple identity, the development of a national consciousness is closely related to selective history, not necessarily fabricated but subject to wide varying interpretations. Historical myth or historical consciousness is important in the creation of a nation. Viewing the past in a symbolic way or through what has been called 'ethnic prisms' is a central component in the construction of Catalan nationalism. Thus, the impetus behind the movement is based on common historical traditions and specifically in the case of Catalonia, shared experiences of past political autonomy and more recent political, cultural and linguistic subjugation by the Spanish state. Catalan nationalist discourse relies on the image of Catalan identity and sense of distinct history traced as far back as 1300. This sense of continuity as well as the perceived threats to autonomy and culture emanating from the state have served to reinforce the sense of national identity.

In basing this thesis on a cultural pluralist approach to ethnicity and nationalism, "the emphasis is not merely placed on the distinctiveness but rather on those relationships of interaction among the different ethno-territorial groups within the state"³³. These interactions are guided by a competent political and ideological leadership and supported by a consolidated democratic institutional framework. In addition, by accepting Keating's argument that one of the pre-conditions for the

³³ Moreno, L. (1995) p. 21.

success of any nationalist movement is its ability to project itself effectively both within the state and the international arenas, then the study of these relationships becomes important in evaluating the past and future developments of the Catalan nationalist movement.

The various groups involved compete with each other to improve their positions of power by attempting to secure increasing levels of political and economic influence. Thus, certain groups are able to exploit the dissatisfaction or resentment felt towards the state or another group or institution by their members. They can mobilise the particular group to engage in active policies and adopt common positions that seek to enhance the group's interests and consolidate its position *vis à vis* the state. The ensuing conflict, rising to fluctuating degrees over time, continues as the interaction among the various groups increases. The conflict takes place within a political and institutional framework characterised by intertwining groups functioning within a framework of transnational networks, high levels of communication and interaction, and significant degrees of co-operation and dependency. Thus, the cultural pluralist approach explains the channelling of the resentment felt towards another group about perceived unfair and/or unequal distribution of wealth and power within a certain institutional framework.

As the case of Spain demonstrates, often this conflict results in a certain degree of polarisation, political stagnation or even violence. If resolved successfully, groups enter into a period of continuous political bargaining and negotiation aimed at maximising their political and economic power along with a process of consolidation and institutionalisation. In the case of Spain, this process has led to a reordering of existing political and institutional arrangements. The same can be said for the process of European integration.

European Integration

One of the aims of this thesis is to analyse the participation of one European region in the process of European integration. The process of European integration and specifically, its impact on the nation-state has been explored in

depth from a variety of approaches and disciplines including economics, international relations and political science. To explore each approach in detail would be an enormous undertaking and is beyond the scope of this exercise. Nevertheless, employing a multidisciplinary approach to the process of European integration allows for the development of a broad yet balanced overview of many of the concepts in question.

How do we explain the reorganisation of contemporary European society from a multidisciplinary approach? Many authors have argued that sub-national entities within both the EU and the individual member-states have been strengthened by the process of European integration through institutional links, transnational networks, policy networks, informal contacts, and participation in European institutions and the policy-formulation process (Kohler-Koch, 1992) (Scharpf, 1990). Many have argued that this is particularly true in states where sub-national actors or regions play a strong domestic role such as the *Länder* in Germany and the *Comunidades Autónomas* in Spain. The strategies employed by nationalist movements and parties both at the European and national levels demonstrate the influence the process of European integration has had on their objectives. Essentially, the process of European integration has Europeanised these goals, providing a set of institutional arrangements through which nationalist movements can channel their resources to further their interests. Sub-national actors have been able to develop their own power base at the European level. In the case of Catalonia, these developments are examined later in a comparative context by analysing Catalonia's position both within the Spanish and European political systems. From a theoretical point of view, both the legal/constitutional explanation detailed in Chapter 6 and the institutional explanation put forth in Chapter 7 provide a more balanced approach in examining how sub-national actors have increasingly become more involved in the process of European integration.

Over the last few decades, substantial research has been conducted in examining the nature of co-operation, whether it be political, cultural, economic or social, between the various member-states. Other research has been conducted to analyse the impact of European integration and more specifically the impact of EU

legislation and institutions on member-state legislation and political institutions. Recently however, research has begun to shift towards the impact of European integration on the structure of the domestic political system and nowhere is this more evident than in Spain. The establishment of the internal market, the proliferation of EU directives and agreements, a gradual shift of powers and competencies to the supra-national level and the advent of monetary union have all changed the traditional composition, role and functions of the nation-state. What is obvious is that the EU no longer fits the description as an alliance among states or an alliance of states. It has moved beyond this towards a political system with corresponding institutions, i.e. the executive, legislative and judicial branches. Whether these exercise power as other institutions in more traditional democratic systems, which are fully legitimised and held accountable, is questionable but detailing this is not an objective of this thesis. What is clear however, is that a proliferation of forces will continue to exert pressure on the process of integration. These pressures include demands for devolution, autonomy and decentralisation justified by nationalist claims or administrative and institutional efficiency in the name of subsidiarity. The pressures for institutional change within the EU will increase over time concurrently with pressures for democratic accountability and legitimacy as the process of European integration deepens.

It is difficult to measure in quantitative terms how European integration has affected Spanish domestic political arrangements. Since Spain's accession to the EC in 1986, studies have been conducted measuring the costs and benefits of EU membership using economic and social indicators. Quantitative analysis is much more difficult to evaluate the level of perceived or real changes in the domestic political system. It is even more difficult to establish a causal relationship between domestic political change and exposure to the process of European integration. Determining the relative weight of the role of value systems and political culture is a difficult balancing act to maintain but their consideration remains essential in assessing the impact of European integration. The difficulties of these approaches as well as the varied interpretations of the process of European integration mean that the analysis has to be flexible in nature and must

encompass a variety of disciplines. This would allow for a balanced approach towards complex and often conflicting concepts.

Studies have been conducted in this area and the difficulties in doing so have been acknowledged (Moravcsik, 1994) (Börzel, 1997) as well as rejected. Measuring the perceived strengthening or weakening of the state in its relationship to sub-national or other actors is difficult as is outlining the triangular linkages between supranational actors/institutions, domestic political arrangements, and sub-national actor/institutions. Although Moravcsik (1993 and 1994) does construct a solid model to demonstrate that European integration has strengthened the state *vis-à-vis* other sub-national actors, others have rejected this assumption by presenting the case study of Germany (Börzel, 1997). Nevertheless, increased European integration has led to quite the opposite results than those presented by Moravcsik's model. Instead, the relationship and the decision-making mechanisms between the *Bund* (federal government) and the *Länder* (regions) in Germany have been reinforced. The same case can be made for Spain.

Moravcsik's liberal intergovernmentalist model and 'strengthening-the-state' assumption do not hold for the argument sustained in this thesis. The model ignores the powerful role of institutions and domestic constraints. Furthermore, the model determines actors' behaviour by rational choice in light of the limitations placed on it by the international system. The process of European integration is not the result of a rational actor intergovernmentalist approach to actors' behaviour but the result of domestic bargaining processes in which the state acts as a single agent *vis-à-vis* other sub-national actors³⁴. The intergovernmentalist tradition supports the view that the EU decision-making process, and by extension its policies, in fact strengthen the national dimension *vis-à-vis* sub-national authorities at the latter's expense. Moravcsik also argues that ideas of European integration play a critical role in the state's policy legitimisation process. However, in the case of Germany, the *Länder* have also been able to employ the 'European idea' to their advantage, more specifically in

³⁴ Börzel, T. (1997), "Does European Integration Really Strengthen the State? The Case of the Federal Republic of Germany" in *Regional & Federal Studies*, Vol. 7, No. 3, Autumn 1997, p. 88.

opposing Federal policies or ‘to justify their interests and demands *vis-à-vis* the Federal government”³⁵.

The other problem often encountered in researching these issues is the unit of analysis. Should the Union as a whole be analysed in a comparative context? To simplify the issue, the methodological choice employed is that of a sub-national entity rather than the state as the appropriate unit of analysis. The state (in this case the Spanish state) and the EU are used as points of comparison to demonstrate the intent at ‘bypass’ which is occurring at all levels of governance within the EU (both at the supranational and national levels). This notion contradicts a broad consensus held until recently that in policy dimensions such as EU regional policy, the national dimension is the primary unit of analysis as the key actor within the European decision-making.

The participation of sub-national authorities in EU matters has served as a base from which theories on the process of European integration have been constructed (Hooghe and Marks 1995) (Kohler-Koch, 1997) particularly that of multi-level governance to counter the theories on European integration from an inter-governmental approach (Moravcsik, 1993). The multi-level governance approach seems to be, at face value, the most appropriate model to employ in the study of the role of sub-national authorities in the process of European integration and particularly appropriate in the case of Spain. After all, multi-level governance describes a "patterning of authority that is unstable, contested, territorially heterogeneous, and non-hierarchical, rather than stable, consensual, territorially uniform and hierarchical"³⁶, a fairly accurate description of Spain’s present-day State of Autonomies. Multi-level governance describes territorial and institutional relations between the various levels of governance within the EU by explaining a collective decision-making process that spreads across various levels of government. Thus, the relationship among these levels of government influences

³⁵ Ibid, p. 93.

³⁶ Hooghe, L. and Marks, G. (1995) “Channels of Subnational Representations in the European Union” in Dehousse, R. and Christiansen, T. (eds.) What Model for the Committee of the Regions? Past Experiences and Future Perspectives, EU Working Paper EUF No. 95/2, Florence: European University Institute, p. 23.

the coherence and stability of both the national and European policy-making process. Thus, the focus is on the nature of the institutional relations themselves.

Although institutional deadlock may occur both at the European and domestic levels, this should be considered a normal feature of two concurrent processes which have yet to be completely defined and for which outcomes are still very much unknown. The question of whether the European system of governance can handle the two pressures is a recurring theme in academic literature. Unfortunately, the multi-level governance approach suggests that governments, whether at the sub-national, national or supranational levels, engage in conflict-minimising strategies leading to a lowest common denominator policy process, something the Catalan case clearly disproves. Indeed, the approach employed in this thesis will explain the factors behind the dual approach inherent in the Catalan case. On the one hand, Catalan nationalists employ a co-operative almost regionalist approach, by seeking links with other regional actors both in Spain and throughout the EU. On the other, Catalan nationalists employ a confrontational strategy at the level of the state full of nationalist rhetoric, the outcome of which is very much dependent on governance pacts with ruling parties. This strategy has thus far been successful for Catalan nationalists. However, the stability of the system is vulnerable to the entry of third parties, which may force it to change. The Catalan nationalist tradition to seek the fulfilment of their goals within the Spanish state by co-operating with the central authorities and other political parties has remained a feature of Catalan politics from the nineteenth century onwards. Whether this tradition will continue with a change of government remains unknown. In policy-making terms, there is an uneven character to governance in both the Spanish and EU's process of decision-making. Rather than the co-operation and consensus-building character of a multi-governance approach, the system is very much of an ad-hoc kind, based on the personal authority and charisma of the actors involved, electoral outcomes and nationalist rhetoric. Although at times threatened by deadlock, the system has managed to develop based on these alternative forms of conflict and co-operation, policy networks and a general change in Spanish political culture with greater recognition of the political participation of sub-national actors.

However, it is not merely the reconfiguration of power and relationships among the three levels which is occurring. This thesis attempts to take an approach that goes beyond a pure focus on policy-making or institutional analysis. It is not that multi-level governance is ill-defined as some have argued (Benz and Eberlein, 1998). Multi-level governance only analyses the different levels of the decision-making structure without looking at the motivating factors. It is not only that the process of European integration has affected the domestic territorial distribution of power. The converse is true as well. Furthermore, the multi-level governance approach ignores the importance of individual actors and the ideological or power-based factors that drive them. An actor-centred approach is important in analysing the developments occurring at the EU level.

According to the multi-level governance approach, the establishment of formalised institutions or mechanisms allowing for regional participation in EU matters could be vulnerable to bureaucratic deadlock and inflexibility. Nevertheless, the informal and personalised networks forged among the various actors in the process have led to a high degree of co-operation. In this thesis, there will be an implicit assumption that all actors involved are trying to enhance their own authority and power base. That is why focusing merely on a multi-level approach to governance will not allow us to attain a clear picture of relations between the various levels. The interplay between politics at the sub-national level, electoral outcomes and nationalist discourse on the one hand and EU governance on the other has been virtually ignored despite the fact that the approaches described above all offer a high degree of validity in explaining both the process of European integration and decision-making within the EU. This thesis proposes to offer an alternative explanation, by examining nationalist discourse, electoral influences, and legal/constitutional implications, to generate a clearer picture of the driving forces behind the strategies to transform EU governance.

Regionalisation

Related to the question of European integration is the issue of the regionalisation of Europe. The concepts of the 'region' and 'regionalisation'³⁷ have troubled researchers throughout history. Our cultural boundaries and subjective reality have shaped our conceptualisation of these terms. Our disciplinary predispositions limit our definitions in geographical, administrative, economic, political or social terms. Even once we have succeeded at defining these concepts, other doubts surface. What is the difference between regionalisation and regionalism? Regionalism and a regional movement? How closely tied are nationalism and regionalism in contemporary Europe? What is the difference between 'regionalism' and 'federalism'?

I do not intend to use the regions as the focus of an analysis of institutional change. The focus is on the broader concepts of regionalism and nationalism and their role in the process of European integration. The regionalisation of Europe is developing as a political and institutional response to the cultural and national divisions occurring at the sub-national level. Again, like nationalism, our conceptualisation of regionalism is bound by historical and cultural constraints. Had we lived in the nineteenth century, we might have regarded regionalism as a 'conservative distortion' or even as sometimes referred to today as 'Balkanisation' (Harvie, 1994). Obviously, these terms have all sorts of negative connotations. A conceptual distinction is further hindered by the occasional emergence of a nationalist movement from an initial regionalist movement.

Moreno (1997) has described both the similarities and differences between 'regionalism' and 'nationalism.' The similarities include the emergence of a national/regional consciousness, the presence of a centre-periphery conflict within the cultural, economic or political dimensions of the state, and the development of social and political mobilisation to further specific objectives. Moreno describes the primary difference between the two concepts as an affective one. In the case of a nationalist movement, this has to do with the prior existence of a collective

³⁷ These terms are employed interchangeably throughout the thesis.

identity. In the case of a regionalist movement, this has to do with the modern emergence of a regional consciousness as a result of the restructuring of the state. Thus, the cases of north-east England, Bavaria, Lombardy and even the US states of Massachusetts and New York as well as some Russian *oblasts* (provinces), could be categorised as examples of the impact of regionalisation and the development of a regional consciousness. In contrast, the well-known cases of Scotland, Flanders, the Basque country and Catalonia cover both categories as territories or sub-national units with both strong nationalist movements and a willingness to lead demands for greater regionalisation at the global and European levels. Within the Spanish context, the term 'regionalism' has often been denoted in academic and media circles as signifying 'nationalism' (Ehrlich, 1998). In this thesis however, the term will be interpreted as a move towards functional/administrative territorial re-organisation of the state. Furthermore, the term 'federalism', described above, is assumed to be an example of the process of regionalisation sweeping Europe, as a shift towards federalism also implies a functional/administrative territorial re-organisation of the state.

The importance of the emerging phenomenon of 'regionalisation' is that the region or sub-national unit has essentially taken over many of the functions traditionally contested by central and local governments (Sharpe, 1993). In other words, the region provides a link between the central and local governments. The proliferation of such public services as social security, health, and education with the modernisation of the post-Second World War economies and the subsequent establishment of the welfare state, placed an enormous demand for services on the central government. The limited scope of work of antiquated local governments proved incapable of taking on additional demands for services. Co-operation between the central and local government in periods of high-growth and in areas where infrastructure and communication were underdeveloped proved to be an increasingly difficult task for central governments. Regional planning based in part on the French indicative model became inevitable with the drive to alleviate or eradicate regional economic inequalities. This led to partnerships or associations with regional agencies, institutions, or individuals, inducing the growth in importance of these entities. Regional plans were set up which inevitably led to the public policy structure taking on a regional dimension,

indirectly granting the region a certain status within the state. Further co-operation between the centre and the region led to a high degree of resources being transferred to the regions to carry the central government's regional plans. The primary reason behind the growth of regional administration and transfer of functions from the state to the regional level was not to enhance public participation or promote decentralisation or the devolution of powers and services. Instead, it became a necessary step towards improving the efficiency of indicative planning and economic modernisation.

Thus, the transformation of the nation-state and the rise of the regions and resurgence of nationalist movements in Europe are inextricably linked to the proliferation of public obligations taken on by the state with the modernisation of the economy and the increasing economic interdependence among the states. This has required an internal adjustment to its political and administrative structure to be able to take on these new obligations. The ability of central and local governments to provide services was limited in its scope and territorial domain, all of which required the state to create an intermediate political unit, above the local government and below the state itself, to undertake many of the new services provided. Merely creating a territorial administrative unit no longer seemed to be enough, in light of the increased demand by the electorate of accountable and efficient government. The creation of regional governments and the transfer of services and responsibilities from the central to the peripheral levels allowed the state to ease its burden within the growing complexity of government in an era of modernisation and interdependence.

The rise of regionalisation throughout Europe over the last few decades has also been attributed to post-Industrial social ills such as uneven economic development and urban and regional problems. These challenges also include easing administrative and bureaucratic burdens, the streamlining of procedures, directives and norms and the association of regionalisation with democratisation (Scharpe, 1993)(Henders, 1997)(Newman, 1996). As with the modernisation of the state in the late nineteenth century with greater state involvement in the economy - in such areas as land reform, industrial relations, the extension of

taxation and the establishment of a welfare state - the state and sub-national authorities have had to cope with greater demands.

Many approaches have emerged in recent years to describe the apparent decline of the nation-state and growing patterns of regionalisation and nationalism. Some authors have prescribed the death of the traditional concept of the nation-state with the acceleration of the process of European integration while others have argued that rather than substituting the nation-state, regions will complement and/or share the EU decision-making process with the nation-state (Newman, 1996)³⁸. The concept of sovereignty has played a role here too with some authors who argue that the traditional concept of the nation-state has been eroded by the growing influence of sub-national actors (Loughlin, 1994). Others suggest that the tendencies displayed in recent years to transfer powers from central government to both regional and local authorities imply a rapid functional and territorial fragmentation of policy-making. This fragmentation could undermine the state's effectiveness in coping with political, social and economic reform (Hesse and Wright, 1996). What is clear is that a high degree of regionalisation of the administrative and political processes has occurred which had remained the exclusive domain of the state. Thus, functional importance and territorial belonging remain two important characteristics of the state, despite its changing nature.

The Europeanisation of nationalism

The originality of this thesis derives from its multidisciplinary approach in employing concepts such as nationalism, regionalism and European integration in reference to the Catalan case. Although these concepts have been researched and analysed individually in great depth since the 1960s, little research has focused on combining these concepts and approaches. One of the few authors to tackle this complex web has been Lynch (1996), who details the relationships between European integration and minority nationalism. Nevertheless, Lynch's argument

³⁸ Newman, M, (1996). Democracy, Sovereignty and the European Union, London: Hurst and Company, p. 117. Newman describes this as 'co-operative regionalism' but doubts its immediate feasibility.

is based upon case studies which include the Scottish Nationalist Party, Plaid Cymru, the Breton Movement and Volksunie, omitting the use of other nationalist parties such as CiU and the PNV as case studies.

Lynch devises three approaches to analysing the relationship between nationalist movements and the process of European integration: a) the incompatibility of European integration and minority nationalism; b) the compatibility of European integration and minority nationalism; and 3) Europe as an external support system for minority nationalism³⁹. Thus, the process of European integration is seen by nationalist movements as a means of undermining the structure and functions of the nation-state. In essence, as functions are transferred to the European level and as the nation-state undergoes a fundamental transformation as a result of Europeanisation and regionalisation, nationalist movements and parties increasingly support the process of European integration. Accordingly, they seek to enhance their roles and position within its institutional framework. Does this mean, however, that the nation-state will eventually disappear or merely that its fundamental composition and functions will undergo an integral process of transformation? Furthermore, history has demonstrated that nation-states have proven in many cases to be capable of withstanding both external and internal threats.

The Europeanisation of many nationalist movements within the EU is an integral part of a process of internationalisation undergone by sub-national entities to further their demands within the international arena and to attract support for their cause both at home and abroad. The process of European integration has been employed as a 'political resource' by nationalist movements everywhere (Lynch, 1996). The premise employed by this thesis is that the Europeanisation of the Catalan nationalist movement has occurred as a result of a need to acquire a non-territorial form of public recognition. Both the state and sub-national authorities share similar tasks, acting as national economic managers and planners in an era of increasing globalisation. Day-to-day administrative and regulatory functions are carried out at both levels to similar degrees of importance. But more

³⁹ Lynch (1996), pp. 12-16.

importantly, the two share a similar function, that of a source of legitimacy and governance for the people. In this respect, the state has not lost any of its importance. On the contrary, it is merely sharing this legitimacy and governance with other entities at the sub-national and supranational level. The question merely remains whether governments at these two other levels will be able to carry out these functions successfully.

In addition, the question of sovereignty must be addressed in looking at the Europeanisation of nationalist movements. Sovereignty has persisted as an integral element in the discussion of changes to the nation-state from the classic Weberian interpretation of modern state as retaining a monopoly on the legitimate use of force to a more functional interpretation which sustains that globalisation and regionalisation mark the transformation or even demise of the state. Sovereignty defined as a claim or control of a specific territory is an outdated definition but it remains important, not subject to a process of erosion. It is divisible and can be shared, thus becoming a variable concept. Policing one's borders ensures sovereignty over one's territory. However, deciding on the transfer of functions of governance to one or another level is a distinguishing feature of sovereignty as well. This entails the distribution of power in general but also sovereignty as a source of the rule of law. Until recently, the state retained its monopoly on the source of law. Again, the rule of law has seen a process - if uneven - of transfer to both the supranational and sub-national levels. This does not mean that the law-making process has entirely disappeared from the grasp of the state.

In these relatively peaceful times and without the threat of war, the question of sovereignty in Western European states has taken on a new dimension. In the nineteenth and early twentieth centuries, the crucial element determining the success of a state-building process has been the struggle of control over sovereignty. This approach essentially entails a zero-sum view of sovereignty in which there are only winners and losers, leaving no prospects of survival for the nation-state. This static approach to the dual processes of European integration and regionalisation does not provide a balanced examination of the nature and importance of the impact of these dual processes on the nation-state.

Nevertheless, the importance of sovereignty as a decisive element of a successful nation- or state-building process has been undermined by the dual processes of European integration and regionalisation. This new interpretation of sovereignty has been embraced by nationalist movements and forms one of the key elements of nationalist discourse.

Like sovereignty, the state has until recently retained the monopoly of governance. The state may attempt to set limits on the sharing of functions of governance but may not always succeed. Thus, the scope of governance has extended over three levels of government, neither one replacing the other. Despite being conflictual at times, the coexistence of competing and overlapping authorities is possible. It is not a constant source of conflict, yet it may be conflictual until a coherent system develops. The state retains a central role in this process, filtering through the transfer of functions and competencies within this intricate framework of constitutional measures and institutionalised mechanisms of co-operation. Thus, the transformation of the political organisation of the state will redefine the source of political legitimacy.

Methodology

An outline of the chapter structure has been detailed in Chapter 1 and the emphasis here is to illustrate any potential methodological complications generated by tackling subjects as broad and diverse as those listed above.

The study of comparative politics has been accused of being vague and superficial. Nevertheless, it does allow for a simple framework within which enormous amounts of information can be processed to generate some concrete answers to difficult questions. I have developed a comparative framework within which a variety of crucial political phenomena interact: European integration, nationalism and regionalism. By examining these phenomena from a multidisciplinary approach, a clearer picture emerges outlining the origins, characteristics, dynamics, structure and even perhaps the future of these elements or processes.

Another difficulty encountered is in the development of a comprehensive description of Catalan nationalism in its present form. In other words, when one refers to the Catalan nationalist movement, does one refer to the ideological framework which encompasses an entire movement both in historical and theoretical terms, highlighting the common elements accepted by all domains within the movement? Or does one refer to *Convergència i Unió* as it has represented the majority of the Catalan citizenry in political and electoral terms over the last two decades? Does one merely limit oneself to describing the positions and actions adopted by the Catalan nationalist parties as sole representatives of the movement? Or does the description extend to other sectors of society to include cultural and literary movements? Although the sections describing the development of Catalan nationalism will contain a brief description of the political party system in Catalonia, the remainder of the thesis will refer to the Catalan nationalist movement primarily in terms of policies and actions undertaken by CiU despite occasional references to other parties. Furthermore, the strategy of the Catalan nationalist movement will be analysed by examining its rhetoric and nationalist discourse, as well as through the accounts of its participants through interviews. Like Hobsbawm, one should be sceptical of nationalist discourse and its simplistic approach towards cultural and political complexities. Nevertheless, by filtering through the discourse and carefully analysing the objectives, the overall strategy and motives of the Catalan nationalist movement in securing a greater role for sub-national authorities in EU policy-making matters can be ascertained.

The importance of employing historical analysis to describe many of the processes (evolution of the Catalan nationalist movement, the consolidation of the State of Autonomies, etc) detailed in this thesis must be stressed. It is of course questionable to what extent historical analysis can have any predictive force. Nevertheless, as the Catalan example will demonstrate, the historic context of events has played a significant role in outlining future developments.

Furthermore, care has been taken in isolating events and characteristics which have affected the evolution of the Catalan nationalist movement with cautious regard to their importance over time. Whilst economic considerations and a

widespread perception of excessive burden-sharing might have played a powerful role in inciting Catalan nationalist sentiment, they seem to be far less important than cultural and linguistic considerations as well as concerns for autonomous decision-making institutions. Moreover, these demands and considerations all fulfil the pre-conditions needed to engage in the nation-building process. Although in the case of Catalonia it might be correct to identify cultural and linguistic concerns as the dominant force behind Catalan demands for autonomy and decentralisation, these hardly suffice to describe the evolution and development of the Catalan nationalist movement. The importance of these other factors in explaining this process of development has been stressed by other authors and this thesis merely attempts to highlight their importance despite the topicality of the subject. It has to be noted however, that the individual factors leading to the resurgence of the nationalist movement cannot be considered in isolation from one another and are often mutually conditional. This issue is acutely relevant to other nationalist movements' attempts to secure power and influence. Thus, the example in question illustrates the complexities of some of the issues tackled in this thesis. Care has been taken by using historical analysis to uncover as many background conditions as possible without losing perspective of the main arguments.

In employing the case study of Catalonia, another methodological pitfall is again that of generalisation. For obvious reasons, a single case study provides a backdrop of fairly uniform case conditions and hence has little explanatory value. Obviously, the conditions uncovered in the Catalan case may not be applied to all case studies. The case study of Catalonia presents a range of valid empirical evidence in the form of interviews and documents of policy actors which generates a set of predictions often limited to the Catalan example. Nevertheless, the importance of a single case study is that an in-depth approach is used to examine the processes whereby all the initial case conditions (history, actors, institutions, policy-making, legal and constitutional) are translated into specific case outcomes. On an empirical level, the Catalan example is also unique because it is a region with sufficient institutional capacity to project its objectives at several levels. Nevertheless, the study of Catalonia is useful because the dynamics of territorial mobilisation both within the EU and within Spain have

become increasingly important in recent years. The relatively recent consolidation of the State of Autonomies and the as yet unconsolidated process of European integration provide interesting examples of parallel processes that look set to remain intertwined. Indeed, the processes of regionalisation and European integration are not divergent but in fact coincide.

I intend to present a range of empirical evidence on the enhancement of the power of sub-national authorities in EU matters using the case of Catalonia. By tracing the historical, ideological, legal, constitutional and policy-making processes leading up to the state of affairs at the end of the twentieth century, we can begin to observe how these initial case conditions translate into specific outcomes. The cause-effect link is divided into a series of mitigating factors and conditions, each of which will be examined closely. A serious attempt will be made not to over-emphasise the explanatory power of the dynamics under scrutiny. Thus, the case study in question is of course a unique example. Other case studies put to the test of these conditions may not result in the same pattern of events. The antecedent conditions employed to predict the outcome enjoyed by the Catalan example may have to be different in each case but detailing these conditions does remain an important task and can only be done by exploring other case studies. Still, the Catalan case remains a solid example and in the final chapter, I will speculate on the broader implications of the study. The question of how the issues discussed are limited by time will be broached as well as the relevance of the Catalan example to other case studies. Although the final chapter will avoid being predictive, no study of the issues at hand could be valid without speculating on future events which may raise other questions and may call for further research.

Chapter 3

The Evolution of Catalan Nationalism: From Prat to Pujol

*Avui ja per a molts Espanya és
sols un nom indicatiu d'una
divisió geogràfica, com ho és
Europa. Avui són molts los que
veuen clar que Espanya no és
una nació, sinó un Estat: i que es
penetren de la diferència que va
de l'Estat, obra d'homes, entitat
artificial, a la Nació, entitat
natural, producte de
l'espontaneïtat del desenrotlló
històric.*

Enric Prat de la Riba
La nació i l'Estat.
Escrips de joventut,
1888.

Introduction

The purpose of this chapter is twofold. It traces the historical development of what Keating (1997) has labelled as 'stateless nation-building' in Catalonia. This overview is important in establishing the historical framework⁴⁰ within which the unique characteristics of Catalan nationalism have developed. The second purpose is to outline some of the characteristics surrounding the consolidation of Catalan identity in the late twentieth century, including a brief overview of the myths and symbols used to reinforce the multifaceted features of Catalan identity. Particular emphasis will be placed on the issues of culture, language and linguistic policy, as these have played a central role in the *raison d'être* of Catalanism and as will be explained in the following chapters, Catalan participation in the process of European integration. The moderate element of Catalanism is explored in depth as one of the primary features of the evolution of the Catalan nationalist movement. It is the moderate element of Catalanism, the proliferation of the use of the Catalan language and the reinforcement of dual identity which has provided the Catalan nationalist

⁴⁰ A chronological sequence of key events in the evolution of the Catalan nationalist movements is listed in Appendix I.

movement with widespread support in its quest for greater participation in both the Spanish and European decision-making processes.

Both the historical framework and an examination of some of the features of Catalanism which have reinforced a sense of national identity and differentiation will contribute to an analysis of a movement which has had clear traditional and Catholic roots, creating the concept of a Catalan nation based on strong sense of historical unity and national spirit in which language and culture have played central roles. On the other hand, the movement has embraced an ambiguous policy, both within the Spanish state and the process of European integration, which encompasses concurrent strategies of moderate confrontation based on nationalist justifications and of co-operation of an almost regionalist motivation. An analysis of this dual strategy will be detailed in later chapters.

Historical Background

Catalonia, which belonged to the Crown of Aragón⁴¹, and Castille were unified by the marriage in 1469 and the subsequent Union of the Crowns of Ferdinand and Isabella, the Catholic Kings, in 1479. In the century that followed, Castille followed its imperial ambitions by establishing a presence throughout the world. Catalonia continued to sustain the small feudal empire it had forged throughout the Mediterranean, remaining marginalised from the rest of Spain's imperial ambitions. It was able to retain many of the privileges and a substantial measure of autonomy it had enjoyed under the Crown of Aragón, an exception to the trend of royal absolutist and centralised power characteristic of other European states (Moreno, 1997). Nevertheless this ended in 1640, when under increasing pressure from Castille to contribute financially to the Spanish empire - along with the

⁴¹ Catalonia entered into a confederate agreement and subsequent political agreement between the Count of Barcelona, Ramón Berenguer IV with the Crown of Aragón in 1137. During the subsequent two centuries, Catalonia under the auspices of the Crown of Aragón simultaneously enjoyed a substantial degree of institutional autonomy and rapid economic development, strongly preserving its identity at all levels through so-called *pactisme*, a political concept characteristic of Catalan politics dating back to the fifteenth century, organising relations between the monarchy and its people based upon strict adherence to the pact. The Crown managed to expand territorially to include Valencia, the Balears islands, and Murcia, and its realm of dominance spread to many areas of the Mediterranean. This period has often been

simultaneous decline of the Kingdom of Aragón's traditional hegemony in the Mediterranean - the Catalans revolted in the *Segadors* rebellion. This event would subsequently lead to the War of Spanish Succession against Castille, which Catalonia entered in 1705. Catalonia was eventually abandoned by its Dutch and English allies, leading to the capture of Barcelona by the Bourbon troops on September 11, 1714.

Catalonia's defeat by the Castillian forces was followed by a period in which its autonomy became increasingly curtailed by the central government. Following the introduction of the Decree of Nova Planta of 1714, most administrative matters were centralised. This period has often been described as crucial to modern Spain's state-building process (Moreno, 1997)⁴². The central government began to exert greater control over economic, political, and social matters, many of which had traditionally fallen under the domain of the Catalan authorities. The traditional model of a highly centralised state favoured by the French was adopted and "geared to the assimilation of all Spanish territories into the cultural and political patterns of Castile"⁴³. The historic Catalan institutions of the *Generalitat* and the *Consell de Cent* were abolished and Catalonia lost the Mediterranean territories of Menorca, Sicily, Sardinia and Naples. A special tax for Catalans, the *cadastre*, was introduced, much to the discontent of Catalonia's emerging bourgeoisie. Symbolically, Article 5 of the famous decree ruled that Castilian be used in appeals court cases. In Catalan nationalist discourse, the Decree of Nova Planta would be forever associated with the beginning of a period of political and administrative repression to destroy Catalan language and culture.

Despite its decline in political influence following the dismantling of its autonomous institutions and decreasing leverage in the Mediterranean basin during the nineteenth century, Catalonia became one of the cores of the uneven

described, particularly in nationalist circles, as Catalonia's Golden Age. See Moreno (1997) and Llobera (1994).

⁴² This period was followed by events in the nineteenth century consolidating the centralising tendencies of the Spanish state as well as the providing for elements of cohesion for Spanish nationalism in the form of symbolic reforms such as the establishment of the *Guardia Civil* (Civil Guard, later a close collaborator of Spain's authoritarian regimes in the twentieth century and a key player in the 1981 attempted coup) and the Bank of Spain in 1844.

⁴³ Moreno, L. (1995), p. 12.

and overdue process of industrialisation that had begun in Spain. While the rest of Spain continued to suffer from inherent poverty, corruption, and the inefficient administration of the Bourbon dynasty, the Basques and Catalans continued to enjoy growing economic prosperity. The Catalans' successful economy and their modern outward looking views contrasted sharply with their limited participation, like the Basques, in the Spanish political process. This lack of incorporation into the political process and the refusal of Catalan society to assimilate the imposed homogenising cultural, economic and political policies contributed to many Catalans' sense of differentiation. Nevertheless, throughout the Middle Ages and until the late nineteenth century, the notion of Catalan identity was fairly limited to intellectuals and did not extend to other sectors of Catalan society. The introduction of this element of differentiation into the Catalan collective consciousness was however, reflected in the positions adopted by many leading Catalans resisting the process of state homogenisation initiated by the Bourbon kings of the eighteenth century⁴⁴. As a result of this process, "state-building in Spain did not involve a successful national integration of the pre-existing communities", something which had succeeded in the unification of city states elsewhere in Europe, most notably in Germany and Italy⁴⁵. As would occur during the latter part of the Franco regime, the Restoration (1876-1923) and the Primo de Rivera dictatorship (1923-1930) were characterised by an imposed system of cultural, economic and political assimilation. These policies generated a backlash characterised by growing manifestations of nationalist sentiment and simultaneous demands for democratisation and autonomy.

The process of state building in Spain will be discussed in the following chapter. The primary concern in this chapter is to trace the evolution of the Catalan nationalist movement over time. Space limitations do not allow for an extensive analysis of the movement and the period of time chosen is limited from the mid-nineteenth century onwards, marking the failure of the Spanish state to modernise,

⁴⁴ Heiberg (1986) argues that the Basque nationalist movement and its demands for an autonomous state for the Basque people emerged from the fight to preserve the historical autonomy, rights and privileges granted to the Basque country by the Spanish crown. A similar case can be made for Catalonia particularly with regard to the centralising 'liberal' attempts at reform throughout the nineteenth century and the resistance to these efforts voiced by growing sections of Catalan society. See Moreno (1997) and Madariaga (1979).

democratise, legitimise successfully and to assimilate or incorporate varying identities.

The rise of Catalan nationalism during the nineteenth century

The rise of Spanish nationalism and the role of economic differences

The nineteenth century was marked by a series of events which would shape the process of state- and nation-building in Spain. First, the French invasion in the early part of the century would shape Spanish national identity in the century to come by providing it with myths and references to draw from. These myths would frequently be referred to during both the Primo de Rivera and Franco authoritarian regimes to glorify Spain's position abroad and its sense of historical continuity. Along with the unstable political situation which characterised the first few decades of the twentieth century, the growth of nationalist movements in various regions led to the emergence of a conservative authoritarian right-wing movement which would dominate Spanish politics for much of the twentieth century with its own strand of nationalist discourse (Balfour, 1996). Secondly, with the loss of the Spanish empire, notions of a 'Spanish national identity' were weakened by the emergence of peripheral nationalisms in Catalonia and the Basque country with a strong social base. As with British national identity and the notion of 'Britishness', Spanish national identity towards the end of the nineteenth and beginning of the twentieth centuries continued to revolve around imperial identity, a "supranational identity deriving from an imperial past"⁴⁶.

The loss of the Spanish empire and particularly Spain's 1898 defeat in the Spanish-American war were factors in the gradual erosion of Spanish national identity. The imperial nature of Spanish identity, while sustainable for several centuries, proved unable to adapt to the needs of a modern state without relying upon an imperial legacy. In addition, the disastrous political and economic consequences of the Spanish-American war weakened the Spanish state (Balfour, 1997) and its control over its population by breaking the links between the state

⁴⁵ Moreno, L. (1995), p.12.

⁴⁶ McCrone, D. (1997) "Unmasking Britannia: the rise and fall of British national identity", Nations and Nationalism, Vol. 3, Part 4, pp. 594-595.

and Spanish identity. The Spanish state lacked the resources and/or will to effectively carry out processes of cultural assimilation and social integration which could lead to a greater sense of national identity and loyalty to the Spanish state (Alvarez Junco, 1996). This rupture can arguably be described as an inherent phenomenon of the modern era in which the separation between the state and national identity becomes more common-place. This results in the emergence of a multiple or multi-faceted form of national identity (Keating, 1997). The loss of Spanish empire and the events of 1898 contributed to the prolonged disintegration of Spanish identity in Catalonia and the Basque country. Therefore, it was no coincidence that the rapid development of many of the nationalist movements in both Catalonia and the Basque Country coincided with the events surrounding the 1898 tragic defeat⁴⁷. In Catalonia, the 'Disaster' of 1898, marked the moment when a growing group of Catalan intellectuals and bourgeoisie began to refer to Catalonia as a 'nation' rather than as a 'region' and Spain as the 'state' (Balfour, 1997) (Marfany, 1995).

Within the economic dimension, the loss of Cuba significantly hurt the Catalan economy for which exports to the former Spanish colony had constituted a valuable part. In addition, the ensuing taxes levied by the central government on commerce and industry to finance the debts accrued by the costly conflict affected important sectors of the Catalan economy, primarily its upper and middle classes. During the latter part of the nineteenth century, *la Febre d'Or* (Gold Fever), characterised by enormous stock market speculation swept through Spain during 1875 and 1882 leading Catalan textile producers to intensify both production and technological innovation resulting in an essential Catalan monopoly on Spanish textile imports (Balcells, 1977). This was followed by an industrial crisis commencing in 1885 which witnessed the mobilisation of Catalan industrialists and its petty bourgeoisie against the weak attempts by the central government to open markets and introduce liberalising economic reforms. A group of Catalan industrialists, intellectuals and both moderate republicans and monarchists

⁴⁷ Attempts at defining a Catalan historical consciousness, its collective identity and the development of its nationalist movement preceded attempts in the Basque Country which did not fully manifest itself until the late nineteenth century. Nevertheless, the impact of the 1898 crisis should not be employed as a deterministic explanation of the mobilization of nationalist movements in both Catalonia and the Basque Country (Díez Medrano, 1995).

presented King Alfonso XII in 1885 with the *Memoria en defensa de los intereses morales y materiales de Cataluña* or as it was later called the *Memorial de Greuges*, which became the first expression of political Catalanism.

It has often been argued that one of the primary reasons for the adoption of Catalan nationalist sentiment by the bourgeois and middle classes was their acquired ability to exert more political and economic influence both within and outside Catalonia (Solé-Tura, Jordi, 1979). The Catalan bourgeoisie, intent on furthering their economic interests, depended on the Spanish state for the protection of its economic interests (Balfour, 1997). They now found themselves in a precarious position: should they continue to support the Spanish state with its weaknesses or should emphasis be shifted towards strengthening their political and economic influence in Catalan society? Nevertheless, an economic deterministic approach is not sufficient in explaining many of the structural and programmatic features of nationalism. Connor and Díez Medrano have respectively used the comparative cases of Maine and Quebec and Catalonia and the Basque Country to illustrate this point⁴⁸. Indeed, one of the leading thinkers behind the Catalan nationalist movement recognised that “..if nations did not have any other cohesive force besides politics...they would all have disintegrated by now. They survive because they are bound by ties one hundred times stronger: the community of history and feelings, civil relations and economic interest.”⁴⁹. Moreover, the benefits derived from Catalan economic development, process of rapid industrialization and its overall success during the late nineteenth century seemed to reassert Catalan national identity (Conversi, 1997).

Nevertheless, economic differences do play a role in shaping the emergence of nationalism and in the case of Catalonia, the backlash towards the centralising tendencies of the Spanish state was particularly prevalent with the emerging Catalan bourgeoisie. This group favoured greater economic ties with industrial

⁴⁸ Connor (1994) argues that whereas the two territories have suffered a similar economic predicament, unlike Quebec, Maine has not directed its discontent of the situation towards fueling nationalist sentiment against the federal government. Similarly, Díez Medrano (1994) argues that the disintegration of the Spanish empire and the loss of Cuba does not explain the differences in the development of Basque and Catalan nationalism [both with strong local economies in the nineteenth century], namely their separatist and non-separatist characters.

Europe and sought to impose their vision of modernity - in both its administrative and economic forms, although perhaps not entirely democratic - on the Spanish state. Thus, Catalan economic success and the ongoing process of industrialization which led to the concentration of one-third of Spanish industry in the province of Barcelona by the mid nineteenth century (Balcells, 1977), did serve to reinforce an existing phenomenon, that of a national self-consciousness and sense of distinctiveness.

Furthermore, the emerging nationalist movement was successful in exploiting Catalan resentment towards the financing of what they perceived was a decadent and underdeveloped Spain. As we will see with an analysis of the present-day Catalan nationalist movement, the perception of Catalonia as the net financial contributor of the development and modernisation of the rest of Spain has played a prominent role in Catalan nationalist discourse. In the nineteenth and early twentieth century however, economic differences also influenced the emergence of Catalanism from within, with the issue of class. Díez Medrano (1994) argues that both class differences and economic interests in the form of 'regional capitalism' played an important role in the development of two distinct types of Catalan nationalism - bourgeois and progressive. Thus, economic factors would play an equally important role to political developments in the evolution of nineteenth century Catalan nationalism.

Political developments and social aspects of nineteenth century Catalan nationalism

Following the frustrated attempts of the liberal movement in Spain during the mid to late nineteenth century to create a state modelled on the political systems emerging throughout Western Europe, many Spanish liberals began to turn to republicanism. Simultaneously, and in response to the increasing centralising efforts of the state, demands for the return of political and institutional autonomy escalated rapidly in both Catalonia and the Basque Country. The two views were seen as inextricably linked and many intellectuals, particularly from these regions, began to view the Spanish state as one composed by regions, each possessing a

⁴⁹ Author's translation. Francesc Pi i Margall (1911) quoted in Moreno (1997), p. 85.

unique national identity, culture and language which was argued, should benefit from a high degree of autonomy. They began to advocate a policy of national solidarity and compromise with mutual respect for other cultures and languages by resisting demands for total assimilation within the Spanish state. As early as 1835, the liberal Catalan left voiced the frustration felt by many Catalans, “tired of suffering from foreign petty bureaucrats, sent by intriguing decisions taken in Madrid, wanting more consideration and that the name ‘Catalan’ be referred to in the nineteenth century as that of an industrious and diligent people”⁵⁰. The central government was also perceived by many Catalans as remote and out of touch with a description of life in Spain as being “in its peripheries; the centre is lifeless, emaciated, cold, little more than dead. Catalonia, the Basque provinces, Galicia...offer a movement, a vibrancy in which the heart of Spain does not participate” (Balmes, 1925)⁵¹. Nevertheless, the term ‘nation’ did not appear in Catalan nationalist discourse until the latter part of the nineteenth century until which time the term *patria* or ‘fatherland’ was employed to refer to any manifestations of emotional affect such as language and popular traditions (Colomer, 1986). Thus, when Francesc Pi i Margall, one of the key figures of the Federal Republican Party referred to the ‘historic’ regions as “...almost all of them were nations in their day. They still retain their specific physiognomy and some are distinguished from the rest by the particularity and unity of their language, customs and laws”⁵², this type of reference would not become more commonplace until the latter part of the nineteenth century.

While in the Basque Country, some nationalist discourse began to adopt racial overtones to justify special status or privileges, emphasis on a specific ‘physiognomy’ or a ‘special people’ rarely appeared in Catalan nationalist discourse (Mar-Molinero and Smith, 1996). The emerging Catalanist movement did focus on the glorification of the Middle Ages as the Golden Age of Catalan nationhood and culture during which Catalonia had been a major Mediterranean trade and sea power and Catalan culture and language had enjoyed a period of

⁵⁰ *El Nuevo Vapor*, Num. 7, November 2, 1835, p. 3 (author’s translation).

⁵¹ Author’s translation.

⁵² Pi i Margall 1877, 1936 edn, p. 274, quoted in Mar-Molinero, C. and Smith, A. (eds), Nationalism and the Nation in the Iberian Peninsula, Berg: Oxford, p. 5.

renaissance. Catalan as well as Basque in the Basque Country and Galician in Galicia remained a widely spoken language and the desire to protect Catalan language and culture became increasingly widespread as the centralising tendencies of the Spanish became more and more evident resulting in new form of 'linguistic patriotism' (Colomer, 1986).

This cultural revivalism, along with the role of economic interests and disenchantment with the Spanish state detailed above, combined to form the leading impetus behind the development of Catalanism. Catalan society was characterised by a strong bourgeois class with a progressive approach, specifically in the nineteenth and early twentieth century, towards the modernisation and industrialisation of Catalan society. These strong influences were channelled into the organisation of various social and political movements towards the end of nineteenth and beginning of the twentieth centuries. Nevertheless, Catalanism, as the Catalan nationalist movement has been called, did not develop as a bourgeois political perspective, later to be transformed into a popular movement of mass appeal. Instead, Catalanism became a hybrid of differing political traditions - federalism, republicanism, separatism, regionalism, nationalism, urban radicalism, rural traditionalism - stemming from varying sectors of Catalan society; conservative landowners, protectionist industrialists, the enlightened bourgeoisie, working class radicals and intellectuals. From initial provincialism to republican federalism, Catalanism began to voice greater demands for regional autonomy, decentralisation of the Spanish state and recognition of the distinctiveness of Catalonia. Nevertheless, within these groups themselves, there were divisions on the degree to which this Catalanism should be expressed. Some of the same classes or social elites were also anti-Catalanist. Some were regionalist and others continued to be anti-nationalist. Thus, from the beginning the Catalan nationalist movement would continue to attract both supporters and critics from a variety of social backgrounds.

On the cultural and linguistic fronts, the latter part of the nineteenth century was characterised by a 'renaissance' of Catalan culture and the development of a historical consciousness with a renewed emphasis on the Catalan language and literature. This movement was partially inspired by nationalist movements

elsewhere in Europe promoting Romanticist ideas and a new form of cultural nationalism (Mar-Molinero, 1996). The rapid process of industrialisation in Catalonia led to a heightening of the *hecho diferencial*⁵³ which in its affective context represented the feelings of differentiation in historic, cultural, linguistic and economic terms experienced by numerous sectors of Catalan society. Unlike Basque nationalism however, Catalanism embraced modernisation of the Spanish state and industrialisation of the economy as part of a seemingly contradictory strategy. On the one hand, there was constant reference to a mythical past of Catalonia's 'greatness' in language, culture and commerce which naturally consolidated its distinctiveness. On the other hand, Catalonia was seen as a key contributor to the modernisation of the Spanish state and economy.

These heightened feelings of differentiation were reflected in an emerging political literary movement during the latter part of the nineteenth century which addressed the themes of republicanism, regionalism, nationalism and federalism within the Catalan context. This movement was in part influenced by *modernisme*, a term which appeared in Catalonia in 1884 in the journal *L'Avenç*, representing a movement which would prove to be the intellectual driving force behind the transformation of Catalanism from a regionalist and traditionalist background to a modern nationalist outlook. Towards the beginning of the twentieth century however, Catalanism increasingly became influenced by *noucentisme*, a doctrine based on the belief that human beings are able to control their surroundings over and above the forces of nature and society based upon rationality and classicism.

⁵³ The *hecho diferencial* which in literal terms is difficult to translate represents the characteristics (real or perceived) which distinguish one community from another. These characteristics can be ethnic, linguistic, historical or cultural. In political and constitutional terms, the concept has been interpreted as applicable to any autonomous community which enjoyed a certain degree of autonomy in the form of *fueros* or otherwise, or possessed institutions of self-government prior to the Second Republic. The concept has frequently been employed in Catalan nationalist discourse as a justification for certain policy initiatives (the Catalan linguistic law passed in 1997, Senate reform and autonomous community financing) and to ensure the differentiation between the 'historic' nationalities/communities and all other autonomous communities within the Spanish state. Its closest English translation would be the notion of 'distinct society' as employed in Québécois nationalist discourse.

Within this literary movement and cultural revival⁵⁴, a series of individuals rose to prominence and collectively formed part of an influential Catalan civil society which led the emergence of a strong sense of national identity at the cultural level. Towards the end of the century this would become the core of Catalan nationalist ideology, later to constitute the ideological basis for a political movement of self-government (Llobera, 1994). The movement promoted a new form of cultural nationalism in which “Catalan national identity was seen as a result of historical destiny”⁵⁵. These writers and intellectuals, predominantly from the Catalan illustrated bourgeoisie, played a key role in the development of a collective Catalan conscience, reinforced by a rejection of the dominant position of the Spanish state.

The desire to protect Catalan cultural and linguistic heritage⁵⁶ was only one reason why the Catalan nationalist movement quickly developed into several strong and well-organised political parties. Mar-Molinero and Smith point out that despite the fact that the use of the Galician language was by far more common than either Catalan or Basque, the nationalist movement in Galicia was weaker than the movements in either Catalonia or the Basque country. This ‘type’ of nationalism attracted social groups that felt isolated from central government and targeted by its specific policies. Cultural revivalism seemed to tie in closely with the rapid economic development enjoyed by Catalonia throughout much of the nineteenth century. Nevertheless, it does seem clear that cultural nationalism in the form of the *Renaixença* and other expressions of Catalan culture and identity did precede any political articulations of nationalism.

One of the first authors to emerge from the political literary movement was Valentí Almirall, who, in his publication Lo Catalanisme (1886) equated the modernisation of Catalan society with both the defence of Catalan economic interests and traditional aspects of Catalan culture such as language and literature

⁵⁴ The first *Jocs Florals* were held in 1859 in Barcelona and newspapers published in Catalan began to appear in 1865, with the first daily newspaper *Diari Català* published by Valentí Almirall appearing in 1879.

⁵⁵ Balfour, S. (1997) The End of the Spanish Empire 1989-1923, Oxford: Clarendon Press, p. 135.

which he argued formed the core elements of Catalan national identity. Almirall referred to these elements of differentiation as *particularisme* or a type of special 'distinctiveness' which marked, as he claimed, Catalonia's special character. Like his literary successors, Almirall did not advocate separatism as a potential objective for the Catalan nation. Instead, until his defection from federalism and his shift towards urban republicanism in the 1880s, Almirall promoted a federalist framework for the Spanish state in his *Bases para la Constitución federal de la Nación española y para la del Estado de Cataluña* (1868). This would entail the disappearance of the centralist state and the establishment of federal states observing the boundaries encompassing historical regions which constituted the former Crown of Aragón. Thus, the federalist vision advocated the creation of a Spanish state *and* nation through democratic, republican and federal channels. Nevertheless, the federalist movement was paralyzed by its failed effort to proclaim a Catalan State within a Federal Republic of Spain in 1873 following the Tortosa Pact, driven by Almirall in 1869, uniting the territories⁵⁷ which had constituted the Crown of Aragón under a federal framework. The federalist vision would not attract widespread support among all sectors and classes of Catalan society. This was due to the Catalan bourgeoisie and upper classes' opposition to social reform and their reliance on the central government to prevent any social or collective upheaval (Balcells, 1977). Despite its eventual failure to attract extensive support across all sectors of Catalan society, federalism was able to influence the ideological course of Catalanism particularly with regards to concepts of nation and identity. It was able to instil into the Catalan collective conscience notions of nationhood and the pursuit of political objectives from within a state framework. It also promoted the concept of a dual identity combining a strong emotional and historical attachment to Catalan identity with a pragmatic loyalty to the Spanish state in search of solutions of compromise and co-operation.

The conflict between progressive Catalan republicans and/or federalists and conservative regionalists characterized the emergence of Catalanism in the late

⁵⁶ This followed the abolition in 1825 of the use of Catalan in schools and its regional administration in 1845.

⁵⁷ These included Catalonia, Valencia, the Balears Islands and Aragón.

nineteenth and early twentieth centuries. Almirall himself would leave the Catalan federalist movement after intense disagreements with the more conciliatory Pi i Margall and go on to form the *Centre Català* in 1882, an organisation created in the follow-up of the first Catalan Congress in which projects for the establishment of a Catalan Civil Code and an academy for Catalan language were approved. The establishment of the *Centre Català* was an attempt to integrate the varying tendencies within Catalanism and despite its initial attempts to be a cultural forum, it quickly began to undertake varying forms of political activity.

Another key influence in the development of the Catalan nationalist movement was the historical and unquestionable dominance of the Catholic Church throughout the Spanish state. The well organised Church hierarchy in Catalonia played a crucial role in the *Renaixença*. Bishop Josep Torras i Bages published *La tradició catalana* in 1892 which highlighted the inextricable link between Catholicism and Catalan national identity. In addition, the Church was closely associated with the Carlist movement in rural Catalonia associating the defence of traditional values with the defence of Catalan identity and language (Balfour, 1997). In 1880, the millennium celebrations surrounding the establishment of Montserrat transformed this religious sanctuary into a symbol of popular Catalanism. Despite not being central to Catalan nationalist political activity, the Church and specifically Catholic values have played a central role in the emergence of conservative traditional values in Catalanism, perhaps as a form of ‘civil religion’ (Llobera, 1994), both at the turn of the century, during the Primo de Rivera⁵⁸ and Franco⁵⁹ regimes, and in contemporary Catalan politics.

The influence of the Church and the conservative tendencies of the Catalan bourgeoisie led to the creation of the *Lliga de Catalunya*, a predecessor of the *Unió Catalanista* and the subsequent *Lliga Regionalista* in 1887 from the most

⁵⁸ Francesc d’Assís Vidal, Cardinal and Archbishop of Tarragona, struggled during this time for the autonomy of the Church *vis-à-vis* the State in allowing all Church business, including mass, sermons and catechism to be conducted in Catalan. During the Civil War he was exiled to France and never returned.

⁵⁹ With the “*volem bisbes catalans*” (we want Catholic bishops) campaign following the Vatican II.

conservative wing of Almirall's *Centre Català*. This new entity promoted a romantic, historical and socially conservative view of Catalanism, inspired by a reevaluation and reinterpretation of Catalonia's medieval past and its most glorious moments. The organisations supporting the *Lliga* included some of the more conservative elements of Catalan society including the *Fomento del Trabajo Nacional*, the *Instituto Agrícola Catalán de San Isidro*, the *Ateneo Barcelonés*, the *Liga de Defensa Industrial y Comercial* and the *Sociedad Económica de Amigos del País*. The two organisations collided frequently, most notably during the 1888 *Jocs Florals*⁶⁰ in which Queen María Cristina was invited to preside the ceremony by the *Lliga de Catalunya*, an act opposed by the *Centre Català*.

The first conference demanding the return of Catalan autonomy and the protection of Catalan language, culture and identity (*Bases de Manresa*) was held in 1892 organised by the *Unió Catalanista* (Catalanist Union). The *Bases de Manresa*, in line with conservative and traditionalist Catalanism, supported by the Church in the form of Torras i Bages' involvement in the drafting of the document, proposed an autonomous political framework for Catalonia, based on *comarques* (counties) and municipalities and organised by means of an elected assembly constituted by restricted suffrage. The *Bases* also established the concept of a Catalan nationality by stipulating that all civil servants and military officials working in Catalonia were required to be Catalan (Base 5). The *Bases* defended the official use of Catalan as the sole official language of Catalonia and despite its conservative objectives, would become the ideological manifesto relied upon by subsequent Catalanist movements or parties - such as the *Lliga Regionalista*. Again however, the defections suffered by the *Centre Català* in 1873 and the subsequent friction among the various movements with Catalanism reflected the tension between the two main currents of Catalanism: the conservative agrarian and the urban radical or progressive wings (Balcells, 1977).

⁶⁰ A manifesto signed by the *Unió Catalanista* was presented to the Queen which called for - among other things - the division of Spain in regions whose boundaries were determined by language and history, administrative decentralisation and the establishment of a central government whose only functions would include around maintaining the political unity of Spain, solidarity among regions and foreign relations.

The Lliga Regionalista

The so-called ‘Catalan problem’ increasingly began to preoccupy the Spanish political elite with the introduction of universal male suffrage and even led to the proposal of a military ‘solution’ during the Primo de Rivera dictatorship (Moreno, 1997). This preoccupation stemmed from the establishment of a regionalist political party called the *Lliga Regionalista*⁶¹ (1901-33) founded by Enric Prat de la Riba and Francesc Cambó, among others. The *Lliga* differed from its predecessor *Unió Catalanista* in that the former was a proper political party while the latter remain a co-ordinated platform of varying ideological positions. Although the *Lliga* was predominantly composed of members of the bourgeoisie, many traditional rural conservatives echoed their demands for the decentralisation of the centralised political structure of the Spanish state. The Catalan bourgeoisie had grown increasingly bewildered at the inability of the Spanish state to foster industrial development and economic restructuring (Keating, 1997). Indeed, they became frustrated with the Spanish state’s inherent corruption and inability to impose law and order, and by voicing demands for greater tariff protection for Catalonia’s powerful textile industry. The disastrous economic consequences of the loss of Spain’s colonies was also the driving force of bourgeois Catalanism. The creation of the *Lliga* was a direct result of the central government’s refusal in 1899 to honour a promise, in return for the Catalan bourgeoisie’s political support, to grant Catalonia a fiscal agreement with substantial measures of autonomy similar to that obtained by the Basques in 1882. Thus, the years following the 1898 Disaster saw a frenzy of political activity developing in both Madrid and Catalonia with the emergence of a new political vision and strategy among the Catalan bourgeoisie: Spain would be regenerated from a politically active and culturally/economically superior Catalonia. The debate on the chaotic condition of the Spanish state intensified. Authors such as Joan Maragall in his poem *Oda a Espanya* which ended on the controversial note of “*Adéu, Espanya!*” (Goodbye, Spain!) reinforced a growing view that Catalan self-government was preferable to enduring the corruption and misadministration of the Spanish central government.

⁶¹ Renamed *Lliga Catalana* during the Second Republic.

Generally however, organised Catalan nationalism was primarily distinguishable by class with sections of non-immigrant working class nationalists generally being isolated or ignored (Smith, A. 1996a). These groups considered Catalan nationalism as only an element of the greater goal of eliminating social and economic inequalities⁶². Thus, Catalan nationalism increasingly began to be associated with traditional conservative Catalan ideology, incorporating the Church, family values, and rural culture (Oltra, Benjamin, Francesc Mercadè, and Francesc Hernández, 1981 and Smith, 1996). This was in sharp contrast with the urban radicalism, labour conflict and anti-clericalism that characterised working class political activism during this period culminating in the events of the Tragic Week (26 July - 1 August) of Barcelona in 1909. Following the Tragic Week, the cleavages based on class and demands for democratisation that characterised Catalanism became evident. The central government, in an attempt to appease the conservative Catalan bourgeoisie - fearful of the economic and political repercussions of a democratic modernisation of the Spanish state - granted various economic concessions and subsidies. The *Lliga*'s toleration of the central government's repressive actions following the Tragic Week merely served to reinforce the perception held by both the republican left and anarchist movements, that Catalan nationalism was synonymous with the protection of traditional bourgeois and capitalist interests (Smith, 1996) (Díez Medrano, 1994). Thus, the Catalan nationalist movement continued to be unable to attract support across the various classes of Catalan society reinforced by the *Lliga*'s periodic alliance with Madrid's centralist forces. This was particularly evident during periods of social and political upheaval when the Catalan bourgeoisie would back down in its demands for a transformation of the Spanish state and of fundamental democratic and decentralised reform if this entailed the institutionalisation of working class movements and the dismantling of economic protectionist barriers. This mistrust in the *Lliga*'s true motives was clearly reflected in its disastrous electoral results in 1910 when the Catalan left and the Lerrouxists managed to defeat the *Lliga* to the point where it was no longer represented in the Barcelona city council.

⁶² In addition, there were inherent contradictions with left-wing support of nationalism and socialist centralism.

Catalan politics would continue to be characterised by sharp divisions between rural conservative nationalism and urban working class radicalism throughout the first three decades of the twentieth century. The divisions were fuelled sharply by the continuous influx of immigrants from other areas in Spain. It has been estimated that over 547,000 immigrants entered Catalonia between 1910 and 1930 up from 59,230 in the period between 1877 and 1887 and 110,439 between 1887 and 1897 (Rebagliato, 1978) (Marfany, 1995). Working class politics threatened to destabilise many of the small measures of autonomy gained from the *Lliga*'s dealings with the central government and served to fuel the bourgeoisie's traditional fears of a breakdown in law and order. Working class organisations and political parties, many of which were anarchist controlled such as the *Federación Anarquista Ibérica* (FAI), promoted violent strikes, bombing, murders, and demonstrations. Thus, the *Lliga* was countered by a variety of movements, most notably the fiercely anticlerical and antiCatalan movement led by Alejandro Lerroux and the *Unió Republicana* and left-wing splinter groups from within the *Lliga* itself. These groups were led, among others, by Francesc Cambó, who advocated the idea of Catalan identity as being more important than class differences (Balfour, 1997). With the creation of *Solidaritat Catalana* (Catalan Solidarity) by the *Lliga* in 1906 until its eventual demise following the Tragic Week, the expectation was that a political movement would be created which would go beyond class differences and unite Catalan demands for autonomy and the protection of Catalan language and culture. *Solidaritat Catalana* was created following the approval of legislation by the Spanish Cortes in 1906 which brought under military jurisdiction all written or spoken criticism against the unity of the state or the integrity of the armed forces. The platform attempted to integrated all Catalan political forces including the Carlists, *Unió Catalanista*, federalists, *Unió Republicana*, and the *Centre Nacionalista Republicà*. Again however, this platform was unable to absorb all sectors of Catalan society, including monarchists, Lerrouxists, and representatives from Catalan organised labour. Its political platform presented in the 1907 general and provincial elections essentially revolved around opposition to the Jurisdictions Law but was able to gather 41 out of the 44 contested seats. Nevertheless, the platform which held together *Solidaritat Catalana* fell victim to its own internal dissent with opposing positions appearing with the Maura government's local

administration law and the debate over cultural provisions in the Barcelona's 1908 municipal budget. The 1909 municipal elections during which the left and right wings of the movement presented separate candidates and the events following the Tragic Week meant the end for one of Catalanism's first attempts to integrate varying political forces in a common nationalist platform.

The *Lliga's* programme, drafted in La nacionalitat catalana (1906) by Prat de la Riba voiced the party's demands for an autonomous government for Catalonia and promoted the concept of a Catalan 'nationality' and nationhood without advocating separatism. Prat de la Riba's writings, like his predecessors', attempted to show the imbalance between Catalonia's economic strength and its weak political position within the Spanish state. He considered the Spanish state as an artificial entity, no longer capable of responding to modern demands and a danger for the future well-being of Catalonia. Prat de la Riba's writings were greatly influenced by German Romantic writers (Mar-Molinero, 1996) reflecting the pro-European and international sensibilities of the mainstream nationalist movement. They also reflected the influence during the first three decades of the twentieth century of *noucentisme* with its emphasis on setting European standards for Catalonia. The European dimension was emphasized with frequent references to the cultural and economic superiority of other European nations. Thus, the cases of Swiss nationality, French equality and English liberty were seen as applicable in the Catalan case (Ehrlich, 1998). Prat de la Riba's concept of a Spanish state whereby the boundaries of its regions were based upon linguistic and historic differentiations clearly viewed a reorganisation of the state as a natural ordering of entities and peoples, based upon language and nationalities. Prat's writings, as did the writings of other leading thinkers of the Catalan nationalist movement, reflect convictions that Catalonia's situation was similar to that experienced by other nations or nationalities of the time (Hungary, Flanders and Ireland are only some examples). Conceptions at the core of Romanticism such as pluralism and nostalgia for the past (Llobera, 1994) became integral parts of Catalan nationalist ideology, elements which have carried over to modern nationalist discourse. Ironically, this pro-European vision contrasted sharply with the traditional conservative base of the movement, with rural Catalonia having been one of the bastions of Carlism during the three Carlist wars in the nineteenth

century. Thus, Prat de la Riba's writings would consolidate the conservative rather than progressive trends originated by federal and Catholic predecessors such as Almirall and Torras i Bages and would greatly influence Catalan nationalist discourse throughout most of the twentieth century.

Despite its conservative overtones, the *Lliga*'s programme was seen by many of Madrid's political class as a full fledged demand for a separate state with its republican ideals. The *Lliga*, however, was important in that it provided a political base for demands for regionalist autonomy, political decentralisation and federalism. It was a more a Spanish political party rather than the true political representative of the Catalan nationalist movement (Ehrlich, 1998) with regionalist yet deeply conservative objectives. It remained however, a powerful instrument of "regional representation, not the embryo of revolutionary bourgeois nationalism"⁶³. It was able to extract concessions from the central government in the form of the creation of the *Mancomunitat* in 1914 with Prat de la Riba as its president. Despite its short existence⁶⁴, the *Mancomunitat* it provided some semblance of institutional autonomy encompassing all four Catalan provinces. The *Lliga* retained its ambiguous policy of promoting timid attempts at regionalisation while at the time acting as pressure group within the Spanish political system without formally breaking away from the two main parties in power. It did not venture forth on a purely autonomist strategy hindered by its collaboration with the central government in times of crisis⁶⁵. Although some have argued that the *Lliga* posed an obstacle to any real process of regionalisation or devolution in Catalonia (Solé-Tura, 1974), the *Lliga*'s existence was important in consolidating the moderate element of Catalanism into an organised political entity.

Thus, its existence was important for several reasons. First, it promoted the idea of a dual identity for Catalans with loyalty, in ambiguous terms, to both the Spanish state and the Catalan nation. Secondly, it was a clear example of a

⁶³ Balfour (1997), p. 134.

⁶⁴ The *Mancomunitat* was abolished by the Primo de Rivera dictatorship in 1923.

⁶⁵ Ironically, *Lliga* deputies sat with other traditionalist and rightist forces such as the *Bloque Nacional* and the *CEDA* in the Spanish Cortes during the Second Republic.

movement, whether nationalist or regionalist by nature, which did not call for the creation of a separate state, clearly reflecting a high degree of moderation inherent in Catalanism. Instead, the *Lliga*'s contribution to the development of the Catalan nationalist movement was the growing realisation among many sectors of Catalan society (particularly those skeptical or fearful of radical nationalist/secessionist demands) that compromise solutions for the 'Catalan problem' within the Spanish state could be found⁶⁶. The *Lliga* was also able to combine the forces of both the traditional Catalan rural conservatives and the emerging industrialist bourgeoisie. Traditional conceptions of nationalism promoting the recognition of the plurality of the Spanish state merged with regionalist and autonomist demands reflecting deep-seated dissatisfaction with the corruption, backwardness and inefficiency of the central administration. Not only was the affirmation of Catalan identity and autonomy seen as an objective but also the fundamental transformation of the Spanish state as a modern albeit conservative nation-state. Thirdly, the *Lliga* became the first of numerous attempts to provide a political front⁶⁷ for the mainstream Catalan nationalist movement. Furthermore, its defence of the Catalan language⁶⁸ and culture provided a politically symbolic link which went beyond economic and class cleavages despite its greater appeal in Catalan bourgeois and industrial circles. Its efforts in creating the *Mancomunitat* provided a brief sense of historical unity to Catalanism and established an administrative and bureaucratic framework to facilitate economic development in Catalonia. Even more importantly, the *Lliga* and particularly the intellectual movement surrounding it came to use language (advertently or inadvertently) as a political tool and symbol of the Catalan collective identity. Finally, the establishment of the *Lliga* reinforced a political strategy that sought to secure greater levels of Catalan autonomy within the legal configuration of the Spanish state. This political strategy allowed the *Lliga* to participate in Spanish politics by entering in the government by coalition in July 1917. The *Lliga*'s strategy reflected the underlying 'nationalist ambivalence' (Marfany, 1995) of the mainstream Catalan

⁶⁶ Article 1 of the *Lliga*'s statute stipulated that "the object of the *Lliga* is the defence of the interests and the recovery of the rights of Catalonia, working by all legal means to achieve the autonomy of the Catalan people within the Spanish state" (author's translation).

⁶⁷ For example, in its campaign for the defence of the Catalan Civil Code in 1889.

⁶⁸ Prat de la Riba wrote in the *Lliga*'s mouthpiece *La Veu de Catalunya* (13 January 1913) that the "possession of a literary language is the consecration of nationality".

nationalist movement. This ambivalence was clear with the interpretation of the concepts of sovereignty and independence but more often, the reassertion of Catalan identity, language and culture. Again, this concept of 'nationalist ambivalence' would remain an underlying theme within Catalan nationalist discourse throughout the twentieth century into modern Catalan politics.

Men such as Francesc Cambó, Jaume Bofill i Mates, Lluís Duran i Ventosa, Enric Prat de la Riba, Francesc Pi i Margall and Antoni Rovira i Virgili all played an important role in promoting the Catalan nationalist cause in the late nineteenth and early twentieth centuries. The nationalist discourse on which these authors, thinkers and politicians elaborated, emphasized the primordialist origins of Catalan identity and historical consciousness. This emphasis was reflected in Duran's 1905 publication Regionalisme i Federalisme in which he attempted, from a conservative and regional perspective, to define a national or ethnic consciousness as the "hereditary community of spirit, sentiment, and race between a group of men of different professions and status...(that feels united by culture and origin, especially by language and customs)"⁶⁹. Rovira i Virgili, author of El Nacionalisme (1916) also attempted, from a romanticist point of view and clearly influenced by other European thinkers, to define a Catalan 'nation' as a natural entity that had evolved throughout history. He defined Spain as a federation based on the plurality, in linguistic and nationality terms, of its own 'natural' composition. Throughout the twentieth century, this sense of shared destiny and nationhood has been expanded upon in both the nationalist discourse and policy terms. By the beginning of the twentieth century, the political activity transpiring both in Madrid and Catalonia, the process of Catalan industrialisation and its benefits, the emergence of the *Renaixença*, and the events following the 1898 Disaster all contributed to the evolution of a conservative traditional form of Catalanism. The consolidation of Catalanism occurred despite high levels of class conflict and the marginalisation suffered by certain sectors of Catalan society in the new Catalanist project.

⁶⁹ Quoted in Ehrlich, C. (1998), "Early twentieth-century Catalan regionalist theory: Lluís Duran i Ventosa, his times, and the influence of the Austrian Empire", Nations and Nationalism, Vol. 4, No. 2, April 1998, p. 209.

The Second Republic and the outbreak of the Spanish Civil War

Following Primo de Rivera's dictatorship, a variety of nationalist movements and parties were established to compete with the *Lliga*, most notably Francesc Macià's *Esquerra Republicana de Catalunya* (ERC). ERC united several leftist parties and derived from Macià's original separatist *Estat Català* following the 1931 *Conferència d'Esquerres Catalanes* (Conference of the Catalan Left). Unlike the *Lliga Regionalista* (renamed the *Lliga Catalana* in 1933), ERC united various sectors of the non-immigrant working class and represented a more progressive leftist view of Catalanism. Forming a coalition with the Socialist Union of Catalonia and the major anarchist union CNT, ERC received 47% of the vote in Barcelona during the municipal elections of 1931 while the *Lliga* only received 20%. Throughout the Second Republic, ERC would remain the most powerful party of the Catalan nationalist movement occupying the presidency of the *Generalitat* and contributing to the approval of the 1932 Catalan Autonomy Statute. Other working class parties, mostly immigrant based, were not so fortunate and were not able to consolidate their position. They remained marginalised from the Catalan political system despite their efforts to introduce nationalist overtones to socialism and working class politics. ERC's main contribution to the development of the Catalan nationalist movement was its attempt to integrate wider sectors of Catalan society into the nationalist project, not always successful. It also introduced a new interpretation to Catalan identity tying loyalty to Catalonia not to blood or birthright but to a desire to share a common political vision of economic and social reform.

The proclamation of the Second Spanish Republic in 1931 coincided with the proclamation of a Catalan Republic and State by Macià. Following negotiations with the Republican government in the San Sebastian Pact, the *Generalitat* was established with a promised Catalan Statute. Despite widespread fears within Spain that Catalan ambitions of separatism would be fulfilled, a Catalan Statute of Autonomy (*Estatut de Nurià*) was debated and subsequently put to referendum in August 1931, with an approval rate of over 90% despite the limited participation rate (only male suffrage being recognised). This concession by the Republican government was part of its project to transform the Spanish state into a regional state somewhere between a federalist and unitary state (Moreno, 1997). The

‘Catalan problem’ or ‘regional problem’ proved to be so serious that it undermined the fragile institutional foundations set up by the Republic (Moreno, 1997).

The 1932 Statute designated Catalonia as an autonomous region within the Spanish state (Article 1). The Catalan language was declared, along with Castilian, as the two official languages (Article 2) in Catalonia but Catalan itself was designated as the *llengua propia* or ‘own language’ of Catalonia in the Internal Statute (Article 3) approved by the Catalan Parliament in 1933. The Internal Statute also required primary education to be conducted in Catalan by nature of “its spirit” (Title II, Article 11). The Republic had already decreed Spain to be an “integral State, compatible with the autonomy of its municipalities and regions” (Article 1) in the 1931 Constitution. This vision of the state was intended to provide a compromise between the federal state sought by many Catalan nationalists and the unitary state sought by those who feared the disintegration of the Spanish state. The final result was seen by one of the drafters of the 1931 Constitution as a solution to “all that referred to the antithesis of the federal State and the unitary State” and whereby each region would “receive the autonomy it deserves according to its degree of culture and progress”⁷⁰. The differentiations inherent in the Spanish state were recognised with the growing acceptance that the Catalan problem was inseparable from the need to transform the Spanish state. Catalan nationalists would continue to support the Second Republic throughout its existence until its demise at the end of the Civil War. The first few years of the Civil War witnessed the highest degree of autonomy enjoyed by the *Generalitat* with the establishment of the various *Juntes de la Generalitat* to guarantee internal law and order and the creation in 1936 of the *Junta de Comerç Exterior* to promote Catalan foreign commercial relations.

The development of the Catalan nationalist movement during the first third of the twentieth century also saw the resolution of several obstacles, which allowed it to attract broader support. The Catalan peasantry and agrarian upper classes began to adapt to the industrialisation and introduction of a market oriented society.

Carlism and elements of traditional Catalanism were integrated into the nationalist movement, thereby increasing its support (Díez Medrano, 1994) (Marfany, 1995). At the time of the approval of the Catalan Statute of Autonomy and the subsequent outbreak of the Spanish Civil War, demands for Catalan autonomy cut across traditional cleavages such as the urban-rural divide. It attracted the support of the agrarian upper classes, intelligentsia, urban bourgeoisie and the peasantry, though not all. The primary difference within this broad platform was the degree to which each faction supported the desired levels of self-government. Internal dissent did not however reach the levels of polarisation suffered by the Basque nationalist movement. Nevertheless, support from lowest classes of Catalan society for Catalan nationalism continued to remain lukewarm.

The Franco Regime

The Civil War has been described as a “bloody manifestation of Spain’s multiple identity crises”⁷¹ or “an obsession with ‘national unity’”⁷². Those on the winning side viewed Spain’s regional problem, an internal issue, as an external enemy or conspiracy designed to destroy the unity of the Spanish state, against which all military efforts would be exerted. Catalonia’s Autonomy Statute was repealed in 1938 with the military occupation of Catalonia. It was followed by the Franco regime with its brutal centralising tendencies and its denial of the existence of historic, cultural and linguistic minorities within the Spanish state. The Franco regime viewed the territorial organisation established by the Second Republic as a powerful threat to the unity of the Spanish state. This pervasive thinking was to remain one of the untouched foundations of the regime’s ideology throughout its existence, part of a longstanding political tradition in Spanish history to reject any attempts at internal territorial, political and cultural reconciliation.

Nevertheless, it was during this period that the Spanish state began to undergo an intense process of state-building with the creation of a large administrative and bureaucratic network designed to carry out the regime’s policies and ensure the

⁷⁰ Speech by Jiménez de Asua in his presentation of the constitutional project in *Diario de Sesiones de las Cortes*, 27 August 1931.

⁷¹ Mar-Molinero, C. (1996), p. 81.

maintenance of opposition-free law and order. This process of state-building was justified by the regime's continual references to a Spanish *patria* or fatherland rather than a Spanish nation. This latter concept enjoyed close links with nineteenth century liberal interpretations of sovereignty and the modern state (Colomer, 1986) something emphatically rejected by the Franco regime.

Despite an official government policy of cultural and linguistic censorship, Catalan civil society flourished, particularly during the last few years of the regime. Within Catalonia itself, clandestine opposition groups, students, and intellectuals met on a regular basis to attempt to co-ordinate some sort of opposition to the Franco regime. Josep Tarradellas, Finance Councillor before and during the Civil War, took over the Presidency of the *Generalitat* in exile. The *Assemblea de Catalunya* was constituted in 1971 assembling most political forces and promoting important mass mobilisations and campaigns - such as *Volem l'Estatut* and *Per l'ús oficial de la llengua catalana* - to demand amnesty for all political prisoners, democratic freedoms and the return of the 1932 Autonomy Statute. Organisations such as the *Consell Nacional de Catalunya* and the *Consell Nacional de la Democràcia Catalana* cut across party lines and class cleavages to unite much of the regime's opposition forces in exile. They demanded the restoration of the *Generalitat* and the 1932 Statute despite diverging views of the exact nature of the eventual structure of the Spanish state.

One of the *Consell*'s leaders, Carles Pi Sunyer, parting from a federal vision of the Spanish state, attempted to define the Catalan nation as a historical entity with deep cultural and linguistic roots. He combined this vision with the idea of a political nation, one whereby all Catalans would unite in defence of a common political project, defending the Catalan nation as a natural phenomenon and promoting a reformulation of the Spanish state as a necessary complement. Pi Sunyer rejected the violent manifestations of nationalism of the German Third Reich experience yet recognised that the late nineteenth and early twentieth century notions of sovereignty for the people had been destroyed by the ideological excesses of the Second World War. Instead, Pi Sunyer advocated a

⁷² Conversi, D. (1997) *The Basques, the Catalans and Spain*, London: Hurst & Company, p.

model of national unity based upon the British experiment, with strong nationalist sentiment and loyalty to the state's democratic institutions without resorting to a federal solution. In his writings, Pi Sunyer promoted a socially integrated vision of Catalanism with references to its glorious past to promote a sense of national unity. Again, the unity was cemented by a common political project, that of the modernisation and transformation of the Spanish state. Rovira i Virgili's writings in exile also indicate a more socially integrated vision than his predecessor Prat de la Riba, encompassing all classes and sectors of society as a Romantic manifestation of the Catalan 'soul' combined with the pragmatic requirements of a political project. From a more separatist perspective at the end of the Civil War, Rovira i Virgili moved towards a more moderate solution of the Catalan problem, allowing for the expression of Catalanism from within the confines of the Spanish state by redefining Catalonia's relations with the Spanish state.

The traditional political centralism envisaged by immigrant and non-immigrant working class politics and socialist parties, particularly the PSUC, also began to undergo substantial modifications, influenced by working with progressive Catalanists in the struggle against the regime. Thus, their ideological strategy began to shift towards combining an overhaul of economic modes of production and a renewal of nationalist sentiment. Transforming the state was seen as a solution to the social conflict which had characterised society for centuries. Social conflict was perceived as not only revolving around class struggle but also as a crisis of 'nations' or peoples that were bound together by linguistic and cultural ties as a new form of a collective conscience. Inequalities were to be viewed in socio-economic but also in political, cultural and linguistic terms. PSUC leaders such as Joan Comorera and Manuel Serra Monet envisaged a Spanish confederation based upon the regions' right to self-determination and a European confederation which Catalonia could join independently. Again, the idea of joining European 'high civility' and the goal of becoming European citizens were, similar to the *Lliga's* strategy, objectives for Catalonia to aspire to in order to become a modern and democratic society. Thus, PSUC leaders began to view the popular or working classes as a driving force in the Catalanist project and the

fundamental transformation of the Spanish state. Socialist and Marxist-Leninist ideology began to distinguish the concept of 'nation' in its affective and natural context from that of the 'state', as something artificial and a logical consequence of the 'nation'. References to Catalonia's medieval past and its distinct language and culture became more common place in socialist discourse. A more pragmatic approach to the structuring of Catalonia's relations with the Spanish state, stressing Catalonia's potential contribution to this project, was adopted. Nevertheless, much of the left's discourse on the Catalan nation and its role within the Spanish state resonated with conceptual ambiguities with no clear definitions on Catalonia's right, if any, to self-determination and to the definitive political and territorial organisation of the Spanish state.

The ideological debate during the Franco regime among leftist opposition forces both within Catalonia and in exile was important for several reasons. First, it reinforced existing nationalist sentiment among sectors of Catalan society, most notably the working classes and immigrant population, who had felt isolated from the political projects advocated by the *Lliga* and other nationalist platforms or parties. This new form of nationalist discourse focused on the social leadership of the Catalan working classes who would engineer the course of Catalan nationalism, taking over the role exercised by the Catalan bourgeoisie at the turn of the century. Second, the broadening of the criteria - to create a more inclusive interpretation - as to who could be identified as Catalan contributed to an informal enfranchisement among previously isolated sections of Catalan society. Third, new conceptualisations of what constituted the Catalan 'nation' and what the eventual makeup or political formula of the Spanish state would encompass were introduced to a leftist political class previously more concerned with the emancipation of the working class and a fundamental restructuring of economic modes of production. Finally and despite diverging opinions as to the political formula and final constitutional solution to Spain's regional problems - confederation, federation or semi-unitary state with high degrees of autonomy for its regions - a general affirmation of Catalonia's status as a 'nation' (Colomer, 1986) emerged as well as a growing recognition of the plurality of the Spanish state.

Francoist repression and the state's refusal to acknowledge existing cultures and languages within Spain which did not conform with the so-called Castilian model, the attempt to homogenize Spanish society by forcefully imposing a culture and ideology linked to the Castilian history and language, and the excessive centralised nature of the state led to the emergence of peripheral nationalist movements with a social and political bipolar platform. On the one hand, these groups wanted to overthrow the dictatorship and restore democracy. On the other, the social platform was based on the denunciation of the regime's offensive against Spain's diverse make-up of varying ethnic identities and cultures as well as the demand for autonomy for Spain's 'historic' regions. As described above, experiences in exile and of the excesses of both the Spanish Civil War and Second World War led many of the opposition democratic forces, most notably the PCE and PSOE, to incorporate the demand for the recognition of Spain as a multicultural state into the struggle for democracy. This resulted in the creation of a dual purpose attracting more broad based support for those opposing the regime.

Resistance to the regime was particularly fierce in Catalonia and the Basque country. Hence, the "political milieu for the development of peripheral nationalism, regionalism and home rule 'autonomism' can be regarded in this respect as an 'unwanted effect' of Francoist hyper-centralist practices"⁷³. The consolidation of Catalan nationalism, particularly after the 1960s was a direct effect of the excessive centralized and interventionist nature of the Franco regime based on a *cause-effect model* (Conversi 1995). Because state sponsored repression was directed against particular core values ingrained in the Catalan nationalist movement such as language, this only served to strengthen the capacity of mobilisation of the movement. Thus, "because of the repressive centralism of the Franco regime and the anti-Spanish nationalisms' identification with the anti-Francoist struggle, the demand for autonomy and respect for one's own language and 'culture' came to be seen as consubstantial with the democratisation of the Spanish State"⁷⁴. An example of this reactive phenomenon would be the growing efforts during the 1950s and 1960s to protect Catalan language and culture with the publication of numerous journals and books in Catalan.

⁷³ Moreno, L. (1995), p. 26.

The Catalan nationalist movement underwent a substantial transformation during the Franco regime. Along with the dual political vision (democracy and autonomy) embraced by the regime's opposition forces and reinforced during the Franco regime, the gradual progress achieved by Catalanism to attract supporters from all sectors of society was aided by the changes in the mid-1960s occurring within the Spanish Catholic Church⁷⁴. The Church became a growing civic movement supporting a Catalan cultural and linguistic revival along with the increasing support given to nationalist demands by trade unions, business leaders, students, and political representatives traditionally ideologically opposed to each other (stemming from the PSUC, Catholic organisations, etc.). The 1950s and 1960s saw a massive wave of internal migration comprised mostly of immigrants from Southern Spain, which by 1980 would make up approximately 40% of Catalonia's total population (Rebagliato, 1978) (Gallagher, 1991). Despite it's the clandestine conditions, the Catalan nationalist movement was once again able to gather support by combining issues and spanning the ideological divide. This was achieved by encouraging social and immigrant integration as well as the issues of the Catalan national question and the protection of Catalan history, language and culture. Aside from new efforts to integrate traditionally non-Catalanist sectors of Catalan society, nationalist discourse during the Franco regime focused on the reiteration, reinterpretation or revision of many of the ideological foundations instigated by late nineteenth and early twentieth century intellectuals and politicians such as Pi Margall, Torras i Bages and Prat de la Riba. Not only was Catalonia's past glorified, but new debates emerged within both the traditional conservative and progressive nationalist circles as a result of the new influx of ideas and thinking emerging from both the Spanish Civil and Second World Wars. Differing opinions continued to revolve around the final political and constitutional solution to the Catalan problem but a broad based agreement did

⁷⁴ Smith, A. and Mar-Molinero, C. (1996b), p. 23.

⁷⁵ These changes refer specifically to a growing opposition to the Franco regime by an increasing segment of the Spanish Catholic hierarchy, the political radicalisation of priests in the Basque Country, and the general shift in priorities experienced by the Catholic Church following Pope John XXIII's Vatican II in 1962. For more on the Church's impact on the Catalan nationalist movement, see Conversi (1997) and Llobera (1994)

develop on the need to recognise and protect, by official means, the cultural and linguistic realities co-existing within the Spanish state.

The Transition

With the death of Franco in November 1975, the Catalan and Basque problems emerged at the forefront of Spanish politics and would continue to do so throughout the democratic transition, playing a prominent role in the consolidation of the democratic process. Even in the dying days of the Franco regime, the Spanish political establishment began to realise the importance of the problem of Catalan autonomy. In a feeble attempt to cope with the demands for political autonomy emerging from Catalonia, President Arias Navarro offered a “special administrative regime for the four Catalan provinces” in February 1976.

Arias Navarro’s successor, Adolfo Suárez, faced increasing demands for autonomy in the form of popular mobilisation and demonstrations such as the March of Liberty in 1977, the celebrations during the Catalan holiday of September 11 where more than 1 million persons marched through the streets of Barcelona demanding the restoration of the 1932 Statute of Autonomy. Many Catalans did participate in some of the more important tests of the transition, most notably in the *Ley para la Reforma Política* (Political Reform Law), where more than 74 percent of the population turned up to vote. At the same time however, unease and dissension continued to characterise Catalan political life, with campaigns espousing slogans such as *Volem l'Estatut* (we want the Statute), *Salvem Catalunya per la democràcia* (let us save Catalonia for democracy) and *Llibertat, Amnistia, Estatut d'Autonomia* (Liberty, Amnesty and Autonomy Statute), again linking the issue of the democratisation of the Spanish state with demands for autonomy. Nevertheless, most Catalan political parties and movements were more supportive than their Basque counterparts of the initiatives taken by the Suárez government in the continuing process of political reform.

Although political parties in Catalonia differed in ideological perspectives and the political formulas necessary to arrive at a solution, most agreed on the need to obtain substantial measures of autonomy for Catalonia. The platform of opposition forces, the *Assemblea de Catalunya*, was replaced in 1977 by the

elected *Assemblea de Parlamentaris* which called for the reestablishment of the *Generalitat* and the Catalan Autonomy Statute. Suárez, in an attempt to respond to demands for Catalan autonomy, invited the President of the *Generalitat* in exile, Josep Tarradellas, to return to Catalonia as a symbolic gesture of the central government's willingness to generate a politically negotiated solution to the Catalan problem. On October 17, 1977, Adolfo Suárez, in the presence of King Juan Carlos I, restored the title of President of the *Generalitat*, albeit in a provisional capacity, to Josep Tarradellas. Tarradellas' return was important to the Catalan collective conscience as it reminded many Catalans of the autonomy and self-government enjoyed during the Second Republic. Although the *Generalitat* lacked resources and powers, a commission of twenty senators and deputies of the Catalan assembly managed to draw up a draft statute for Catalonia during the months that followed. The statute was subsequently approved by a broad consensus on December 29, 1978. As a result of an intense process of political negotiations detailed in Chapter 4, this led to the proclamation of the 1978 Spanish Constitution and 1980 Autonomy Statute.

Culture, language and identity: the binding forces of Catalan nationalism

The previous section lays out the historical framework within which Catalan nationalism evolved into its present form, detailing the ideological and socio-political influences that characterised this process. Within the framework of events and developments which shaped the eventual outcome of Catalanism, the affective content of Catalanism has been the most constant feature of this consolidation process. The perpetuation of a historical memory with continual references to Catalonia as a 'nation' and the reinforcement of the need to protect and promote the Catalan language and its cultural heritage have resulted in a wave of cultural revivalism reflected in the *Generalitat*'s cultural and linguistic policies. Continual references to Catalan history, language and culture have managed to provide a particular type of 'adhesive' which sustains the unity of the movement. Although it has been argued that language is an artificial creation employed to symbolize national identity rather than existing as an inherent feature of national differentiations (Hobsbawm, 1992), language has been employed for both purposes in the Catalan case. Language has been used as an 'adhesive' to

reinforce identity. In political terms, this has resulted in the Catalan nationalist movement's primary interest in the preservation of language and culture, a form of cultural nationalism (Hutchinson, 1987) whereby the transmission and socialization of myths, symbols and language from generation to generation ensures its survival and unity by creating a strong sense of identity and shared history.

Various approaches can be employed to describe the socio-political mobilisation surrounding the cultural revivalist phenomenon which has swept Catalonia since 1975. References to a sense of shared history by continuous exposure of myths and symbols, linguistic policy and the emergence of a strong sense of dual identity have all contributed to a nation-building process driven by the Catalan nationalist movement. Within this process, the concept of 'nation' within the nation-building process- or *fer país* in Catalan terms - could be interpreted as an "imagined community" (Anderson, 1991) or "invented tradition" (Hobsbawm, 1992). From an instrumental approach, the 'nation' denotes a fabricated image in which national identity is artificially constructed through the actions and discourse of the political elite (Conversi, 1995) (Shafir, 1995). A constructivist approach to the cultural revivalism and policy diffusion that has taken place in Catalonia in the late twentieth century would suggest that Catalan leaders have manipulated events and the evolution of the nationalist movement itself by setting goals and channelling interests and resources as well as reinterpreting historical myths and symbols to broaden the movement's appeal. Thus, all political events and processes can presumably be traced to elite initiative, an issue which will be explored in greater detail in Chapter 5 with an analysis of the Catalan political party system.

Myths and symbols

There are variety of myths and symbols that make up the Catalan historical consciousness and have been described as elements of the centuries long process of (ethno)nation-building (Llobera, 1996) and as instruments of the mobilisation of Catalanism. These myths and symbols, along with language, provide crucial ingredients to the reinforcement of a sense of shared history and self-defined nationhood. In the Catalan case, these myths and symbols are characterized for

their inclusive and integrative nature (Conversi, 1997). The cultural revival experienced in Catalonia since 1975 has led to a strengthening of Catalanism in its social and political forms and in the reinforcement of a sense of differentiation among Catalans *vis-à-vis* the rest of Spain.

Among these myths and symbols is the Catalan national hymn, *Els Segadors*, which refers to the events of 1640 which precipitated the loss of Catalan autonomy within unified Spain. Popular culture involves dances and events noted for their inclusive and communal characteristics (Conversi, 1997) including the *sardana* and the *colles de castellers* (human towers). The *Diada* or National Remembrance Day of Catalonia is celebrated on September 11, commemorating the date in 1714 when the Bourbon troops entered the Catalan capital of Barcelona prior to Felipe V's dismantlement of Catalonia's autonomous institutional arrangements in 1716. The Catalan flag, the *senyera*, used by the Counts of Barcelona during the 12th century is particularly symbolic. Its use was banned during the most repressive times in Catalan history (following the Nova Planta decree and during the Primo de Rivera and Franco regimes) and restored during the so-called glorious moments of the restoration of Catalan political autonomy (the 1914 *Mancomunitat*, and the 1932 and 1979 Statutes of Autonomy). These commemorations are emphasized to arouse "specific recollections of the past in the form of images"⁷⁶. The nineteenth century *Renaixença* is often presented - along with Catalonia's Golden Age from the eleventh to fourteenth centuries - as a glorified and romanticized historiography at the core of the Catalan culture and heritage or a "historicist reconstruction of an idealised past"⁷⁷. Celebratory days, popular traditions and events involving Catalan culture are central to the development of a historical consciousness or sense of shared history (Llobera, 1996). Furthermore, linguistic policy is also employed as a unifying element of Catalan collective identity reflected by the campaign sponsored by the *Generalitat* following the implementation of the 1993

⁷⁶ Llobera, J. (1996) "The Role of Commemorations in (Ethno)Nation-Building. The Case of Catalonia", in Mar-Molinero, C. and Smith, A. (Eds) Nationalism and the Nation in the Iberian Peninsula, Oxford: Berg, p. 196

⁷⁷ Conversi, D. (1997), p. 16.

Linguistic Normalisation Law entitled *El Català, cosa de tots* (Catalan, something of everyone).

Sport is another example of a tradition employed (consciously or unconsciously) by the Catalan nationalist movement as a symbol of Catalan unity, culture and identity. One clear example is the annual political and social frenzy surrounding the matches between the rival Barcelona and Real Madrid football clubs, in part due to the Franco regime's open support for the latter. An example of the mobilisation of cultural and linguistic symbols by both the Catalan nationalist movement and the *Generalitat* was the use and portrayal of Catalan during the 1992 Olympic Games, when Catalan was the one of the four co-official languages (English, French and Spanish) and along with other Catalan national symbols was granted equal status next to Spanish symbols. The organisation, funding, and presentation of the Barcelona Olympic Games was an example of the tensions existing between Catalonia and the central government in the way the Games would be perceived abroad and of each side's political and economic objectives (Hargreaves and García Ferrando, 1997). During the actual Games, the King of Spain was ushered into the Olympic Stadium to the Catalan national hymn of *Els Segadors*. The Games also served to consolidate Jordi Pujol's image as leader of Catalonia with his dual strategy of encouraging the Catalanisation of the Games while emphasizing moderation to maximize Catalonia's economic and political benefits of the Games (Hargreaves and García Ferrando, 1997). The political controversy in the late 1990s surrounding the Catalan nationalist movement's efforts at creating a Catalan national football squad - using the British sports arrangement as justification - as well as the adoption of a resolution by the *Generalitat* supporting the Catalan Olympic Committee (COC) in its bid to gain International Olympic Committee (IOC) recognition are examples of the emphasis placed by Catalan nationalists on sport as a symbol of Catalan identity as separate from Spanish identity and as a tool employed to achieve international recognition and prestige. The concepts 'nations without a state' or 'stateless-nations' have also frequently been employed in the nationalist movement discourse in sport highlighting the implicit meanings of the terms (Moreno, 1997). Prior to the 1992 Summer Olympic Games, the international press (*Time* magazine and the

Financial Times) ran advertisements for the Games funded by the *Generalitat* promoting Catalonia as a 'country' or 'nation in Spain.'

Furthermore, the measures adopted by the *Generalitat* to encourage Catalan culture have included massive subsidies to Catalan publishers, the disproportionate emergence of Catalan folk and rock music, and the revival of long lost Catalan festivals and traditions. The importance of culture, its myths and symbols and its protection within the Catalan nationalist movement cannot be underestimated. Time and time again, issues dealing with Catalan culture have been transformed into widespread political manifestations, although in recent years there have been growing reactions against a perceived type of cultural imperialism, as will be described below in the case of Catalan linguistic policy. Nevertheless, these cultural symbols and historical myths and traditions are important to the emotional content and sense of continuity crucial to the consolidation of Catalan nationalism. Their promotion by the *Generalitat* demonstrates the importance of cultural politics as a central element of modern day Catalan nationalism.

Linguistic Policy

In the study of nationalist movements, it has often been argued that language is the single factor that overcomes the various internal divisions within the particular movement. In the case of Catalonia however, language has played a crucial role in the development and consolidation of the nationalist movement and as a factor in establishing a common identity within the nation-building process (Keating, 1997). It has been highly politicized in the post-Franco era to the point where it has been described as 'linguistic nationalism' (Harvie, 1994). More so than in the Basque Country, language has played a central and relatively stable role in the Catalan nationalist movement⁷⁸. It is seen as a basic sign of identity. Thus, language policy is often used to strengthen national identity, with the purpose of contributing to the nation-building process, rather than employed as an ethnic indicator (Keating, 1997) (Leslie, 1996). Because of its historical significance,

⁷⁸ The proximity of Catalan to Castilian has facilitated the Catalan nationalist movement and *Generalitat* in adopting policies of both cultural and linguistic integration. See Conversi (1997).

language policy remains a powerful cohesive force which unites and mobilises the various parties representing the Catalan nationalist movement⁷⁹.

As Table 3.1 shows, the general use of Catalan has increased substantially since 1980. This increased use is attributable to the end of Francoist repressive policies, a powerful linguistic policy by the *Generalitat* and a cultural revival encouraging all things Catalan.

Table 3.1
Linguistic ability in Catalan

	1981	1986	1991	1993	1996
Understand			93,76	96	94,97
Speak		64,2	68,34	73,7	75,30
don't understand	19,02	9,4	6,2		5,03

Sources: 1991 *Cens de Població* (*Institut d'Estadística de Catalunya*, March 1993), 1993 Centre for Sociological Studies (CIS) Survey, 1996 *Coneixement del català* (*Institut d'Estadística de Catalunya*) 1996, Keating (1997), *El País* 16 April, 1998 and 1996 *Censo de la Población*.

⁷⁹ The use of the Catalan language in areas outside of Catalonia, specifically in Valencia, the Balearic Islands, the southern part of the French Roussillon region and even in the small town of Alguer on the island of Sardinia represents a symbolic reminder to Catalan nationalists of the widespread use of the language during Catalonia's Golden Age.

Table 3.2**Native Language Ability in Catalonia**

Question: What is your native language, that is, the language you learned at home speaking to your parents?

Language	Percentage
Spanish - Castilian	55
Catalan	39
Galician	1
Valencian	1
Basque	0
Mallorcan, Balearic	0
Two languages	3
Others	1

Source: CIS Study 2,228, November - December 1996

The same 1996 data⁸⁰ shows that within the age group of 5 and 24 years, 98.5% of those that have been able to learn Catalan in schools with the educational reform in the post-Franco era, are able to understand Catalan whereas 87% of students between the ages of 10 and 19 years are able to write the language. The influence of language policy is obvious here - despite population figures showing that 50% of the Catalan population is not native Catalan (of Catalan descentance)- with 9.9% pre-school children between the ages of 2 and 4 years not understanding the language and the higher percentage with the following age groups (between 5 and 9 years) to 1,7%. Not surprisingly, the age group with the least amount of knowledge of the Catalan language corresponds to the over 70 age group. In rough terms, those that understand Catalan account for 19 of every 20 Catalans, those that speak the language account for 3 out of every 4 Catalans and approximately half the population is able to write the language⁸¹. The linguistic policy implemented by the *Generalitat* in the 1980s and 1990s has emphasized the

⁸⁰ 1996 *Censo de la Población*.

⁸¹ *El País*, 16 April, 1998.

practice of bilingualism with both Catalan and Castilian as co-official languages, rather than isolating each language from each other.

Table 3.3 Use of Catalan

Question: Regarding the use of Catalan, what do you think should be spoken in Catalonia?

Use	Percentage
Only Catalan	9
More Catalan than Castilian	26
Equal use of Catalan and Castilian	61
More Castilian than Catalan	2
Only Castilian	1
Don't know/No response	1

Source: Survey carried out by the Institut de Ciències Polítiques i Socials at the Autonomous University of Barcelona (1991).

The development of Catalan linguistic policy is a key factor in tracing the evolution of the Catalan nationalist movement. Whereas Catalan nationalism can be described as having mellowed with age, linguistic policy in Catalonia has radicalised over time. Within the Catalan Statute of Autonomy, Article 3 lays out the foundations for the co-official status of the Castilian and Catalan languages. The 1983 *Llei de Normalització Lingüística* (Law of Linguistic Normalisation) was passed by the Catalan parliament with nearly unanimous consent⁸² stipulating that all school-age children should be required to learn both languages (Art. 14.1). It takes full advantage of the ambiguities inherent in the 1978 Constitution on the issue of language. The emphasis placed by the *Generalitat* on linguistic policy from the very early days of the transition has two underlying reasons: 1) to assimilate or incorporate the substantial Spanish immigrant population residing in Catalonia into Catalan society to avoid social or political polarisation between 'native' and 'immigrant' Catalans; and 2) to protect and encourage the use of the

⁸² Despite official complaints lodged by non-Catalan speaking sectors of society, the Constitutional Court upheld the validity of the law on 23 December, 1994.

Catalan language in all spheres of Catalan society. These underlying reasons are not mutually exclusive in that the process of assimilation of certain sectors of Catalan society is seen as preventing the disappearance by non-political means, i.e. demographic changes, of the Catalan language. This perceived threat to the Catalan language was reinforced by the publication of an article in 1979 (in *Els Marges* by Joan A. Argente et al) which argued that the advent of democracy in Spain would eliminate the dual strategy of democratisation and demands for autonomy which had dominated Catalan society during the latter part of the Franco regime (Barrera-González, 1995). The authors of the 1979 article claimed that with the elimination of this strategy, political activity in Catalonia would no longer concentrate on the protection of the Catalan language. Needless to say, the article provoked massive reactions in numerous Catalan political circles and contributed to the *Generalitat*'s renewed emphasis on linguistic policy.

The 1983 law enjoyed widespread support among the Catalan population (Keating 1997) with little or no opposition from most mainstream parties. Over the years, however, this has begun to change. The *Llei del Català* (see Table 3.4) approved in December 1997 expanded the rights of Catalan speakers and among other stipulations, would require regional and municipal civil servants to have command of the Catalan language.

Table 3.4

The 1997 *Ley del Catalán* stipulates that:

- (1) Citizens will have the right to communicate in Catalan with their respective local and regional Catalan institutions and public enterprises;
- (2) Citizens have a choice in languages regarding all official public documents. Should these be translated, citizens will incur no additional costs;
- (3) All official forms will be issued in Catalan and will only be issued in Castilian upon request;
- (4) Catalan is the official language for the Catalan civil service and admission to this service is reserved for those having passed an oral and written examination in Catalan;
- (5) Catalan will be the official language in all non-university educational institutions;
- (6) Quotas of films in Catalan are limited at 50% whereas Catalan songs broadcast over the radio are limited to 25% (unless the broadcasters possess a regional or local license, thus increasing the quota to 50%) and 50% of cable television broadcasting;
- (7) Firms subsidized in any way by the *Generalitat* must conduct any transaction or interaction dealing with their subsidy in the Catalan language;
- (8) Announcements, notifications and information disseminated by public and private enterprises must be carried out in the Catalan language (with the exception of the business's name) and more importantly, customers have the right to be addressed in whatever language they choose; and
- (9) The labelling of traditional products distributed in Catalonia will be in Catalan.

Source: *El País*, 31 December, 1997

It has been argued that the initial intentions of Catalan linguistic policy have been to encourage a maximum level of assimilation and that Catalan society has been characterised as possessing a tradition of bilingualism (Keating 1997). Nevertheless, the perceived bias in favour of the official use of Catalan in legislation in recent years has resulted in increasing opposition from various sectors of Catalan society. They have accused the *Generalitat* and the Catalan nationalists of discriminating against the Castilian only-speaking minority and shifting towards a linguistic policy more similar to the protectionist linguistic policy practised by Quebec than to the equal treatment of both languages. In 1996, the *Foro Babel* was created, composed of a variety of intellectuals and professionals from differing political, social and ideological backgrounds, united in their criticism of three important issues: 1) the transformation of the emotional content of identity into *exclusive* political ideologies; 2) the enshrinement of nationalist ideology in the official ideology of Catalan political institutions; and 3) the forced submission of all political parties to the identity discourse (*El País*, 5 July 1998). The *Foro Babel*'s first act was its protest in April 1998 against the new Catalan language law arguing that the 1983 Linguistic Normalisation Law

had allowed Catalan to enter a “phase of normality”. In June 1998, it published a second manifesto promoting an alternative model to the nationalist model of ‘cohabitation’ imploring leftist parties to distance themselves from the model of ‘hegemonic Catalanism’⁸³. The arrival of the *Foro Babel* and its ensuing participation in the debate of ‘how far’ modern Catalanism should go has challenged the ideological hegemony in the area of linguistic policy of the Catalan nationalist movement. A real danger exists that the radicalisation of linguistic policy may lead to the Catalan language become an exclusivist indicator, separating those that choose to speak only Catalan from those who choose to speak both Catalan and Castilian. This could hinder the processes of integration and nation-building so crucial to the Catalan nationalist movement and lead to increasing sectors of Catalan society feeling isolated by their choice of language. Furthermore, as Keating (1996) has pointed out, the proliferation of Catalan as the main language of instruction at many Catalan universities has discouraged students from other areas of Spain from completing their education in Catalonia, an issue which could undermine the modern progressive vision embraced by Catalanism.

Despite the recent controversies however, linguistic policy continues to play several roles in the reinforcement of the Catalan nationalist movement. Firstly, the issue of language serves as a symbol of continuity of Catalan culture and identity. Secondly, it serves as a cultural instrument employed (or manipulated) to bind together a specific community, serving in a sense as an ethnic indicator, denoting a specific group, community, or nation. Finally, linguistic policy has provided the ideal tool to elaborate on the nationalist movement’s objectives of cultural integration. In other words, the growing use of Catalan has allowed the Catalan nationalist movement to grant immigrants from other areas of Spain the ‘status’ or ‘citizenship’ of being Catalan without the latter having to ‘prove’ their Catalan identity through race, ethnicity, place of birth, religion, ancestry or any other indicator used to distinguish one group from another. Jordi Pujol has referred to those that are Catalan as someone “who lives and works in Catalonia and wants to be Catalan”. Thus, linguistic policy constitutes a fundamental element of

⁸³ Foro Babel (1998) *Por un nuevo modelo de Cataluña*.

Catalanism's efforts to integrate immigrants from other areas of Spain (Shafir, 1995). The emphasis placed on language over the last two decades provides an additional symbol of continuity and moderation within the Catalan nationalist movement as expressed by nineteenth century Catalan ideologues highlighting the centrality of language as a key feature of Catalan national identity. The efforts exerted by the Catalan nationalist movement over time on the protection and use of the Catalan language and the current linguistic policies adopted by the *Generalitat* have managed to provide Catalanism with a high degree of strength and stability (Conversi, 1997) as well as nurtured its moderation.

Dual Identity

Catalan identity has often been described as an integral component of a form of 'dual nationality/identification' or 'shared nationalism' in which Catalans identify themselves as both Spaniards and Catalans (Herranz de Rafael, 1998) (Guibernau, 1997). This is perhaps most noticeable in the dual vote phenomenon which has characterised both Catalan and national elections in recent years. In general terms, the dual vote phenomenon implies a greater share of the Catalan vote for nationalist parties in Catalan elections than in national elections. A brief overview of the Catalan political system will be detailed in Chapter 5 reflecting the continued existence of this dual vote phenomenon which has allowed the mainstream CiU coalition to remain in power since 1980.

Catalan identity has also been described as 'dual identity' (both within the Spanish and Catalan spheres) or 'shared loyalty' (to the institutions both at the central and sub-national levels), a phenomenon which does not seem to recede with the advent of the process of European integration (Moreno, 1997). These categorisations are appropriate in light of the results of various surveys and public opinion polls conducted in recent years to ascertain the degree of loyalty or the nature of Catalan and/or Spanish identity (see Table 3.5).

Table 3.5 The dual identity phenomenon

Question: According to the following scale, where would you place yourself?

	Average percentage (1990-1996)
Only Spanish	12,1
More Spanish than Catalan	6
Equal	43,4
More Catalan than Spanish	22
Only Catalan	14,7
NS/NC	1,7

Source: Data carried out 1990-1996 by the Institut de Ciències Polítiques i Socials at the Autonomous University of Barcelona.

The number of people in Catalonia who consider themselves as much Spanish as Catalan reached 45% in 1996 while those who feel more Catalan than Spanish and those who consider themselves more Spanish than Catalan remained around 22% and 6% respectively. Other studies demonstrate only slight fluctuations over the years (1986-1996) in terms of individual identification with one indicator over the other, reinforcing the moderate as well as stable nature of the nationalist movement (Bru de Sala, 1998).

The concept of dual identity has been consolidated and reinforced by the creation of the State of Autonomies, the development of which will be discussed in Chapter 4. The creation of institutions capable of accommodating and channelling nationalist interests and demands both at the central and autonomous levels has led to a fundamental reinterpretation of identity both in its affective content and legal/constitutional interpretation. Over time, the generally moderate nature of the Catalan nationalist movement and the ideological changes it has undergone - as outlined in the first section of this chapter - have contributed to both the reinforcement of a more exclusive vision of what it means to be Catalan and an acceptance or at least tolerance of the Spanish state. Furthermore, the

emergence of a dual identity has prevented the radicalisation or polarisation of Catalanism (Moreno, 1997). More generally speaking, the gradual mobilisation of the Catalan nationalist movement during both the nineteenth and early twentieth centuries as well as during the Franco regime, can be explained by a growing resentment towards a perceived exclusion from both the process of modern state-building and the usual system of governance in Spain. As will be discussed in the following chapters, the success of the present system of the State of Autonomies is largely attributable to both the moderate nature of the nationalist movement and the willingness of the Spanish state to provide constitutional and political solutions to demands voiced by the Catalan nationalist movement.

Conclusion

As we have seen, the development of the Catalan nationalist movement over the past 150 years has been characterized by a gradual process of political, ideological and social evolution in which goals and objectives have constantly been reevaluated and redefined. Contributions from a variety of social and ideological formations, as contradictory as federalism and regionalism, republicanism and monarchism, Carlism and anarchism, and Catholicism and secularism, have each contributed to shape Catalanism's objectives. Although political strategies and specific objectives varied from platform to platform, party to party and movement to movement, several ideals have remained consistent and continue to play a significant role in contemporary Catalan politics. These elements include the protection of Catalan culture and language, the transformation and modernisation of the Spanish state and full participation in the process of European integration. This process of convergence (Johnston, 1991) has been attributed to various circumstances and transformations experienced by the Catalan nationalist movement including: its moderate nature, the perpetuation of a historical memory, the fundamental democratisation of the Spanish state and the increasing influence of the immigrant population. During the latter part of the nineteenth century, Catalanism was faced with a variety of obstacles including the strength of local and religious identities and the slow pace of modernisation. These obstacles made it unable to attract broad support across many sectors of Catalan society. During the Second Republic and even during the Franco regime itself, Catalanism

remained divided with no clear political vision as to the structure, dynamics and nature of the Spanish state and Catalonia's position within this state. But by 1975, and despite diverging opinions as to the appropriate political formula, most political forces in Catalonia, in varying degrees, agreed on several issues: the defence and promotion of Catalan language and culture, measures of self-government for Catalonia, modernisation and democratisation of the Spanish state and full participation in the process of European integration.

Chapter 4

The State of Autonomies

La cuestión de Cataluña
es la cuestión de España,
es decir, la cuestión del
Estado español.

Josep Colomer
Cataluña como
cuestión de Estado,
1986.

Introduction

In order to understand the present domestic political arrangements in Spain, a brief history of the process of nation-state building in Spain must be examined. Space limitations do not allow for an extensive overview of this issue but it is important to develop the historical context within which these events and developments have taken place. The arguments laid out in this chapter will focus on both the legal-institutional and policy-making provisions stipulated by the 1978 Constitution and the establishment of the State of Autonomies as a constitutional response to a historical political, cultural and social problem hindering the stability of the Spanish state.

The creation of the State of Autonomies and the unique arrangements provided for the ‘historic communities’ were attempts to accommodate historical political and cultural cleavages within a climate of compromise and ideological change among the Spanish political leadership. In the Catalan case, the fundamental transformation of the Spanish state led to a widespread acceptance of the Spanish state and its new constitutional arrangements. It reinforced traditional Catalan nationalist tendencies - examined in Chapter 3 - to further objectives within the political realms of the Spanish state. From a policy perspective, analysing Catalonia’s position within the Spanish political system is crucial in understanding its subsequent role at the European level since “the participation of regional governments at the European level reflects their institutional capacity

within their respective political systems”⁸⁴. The inherent ambiguity of the Constitution and the unfinished devolution process begun with the Statutes of Autonomy have resulted in a climate of constant political negotiation between the state and sub-national forces. For the Catalan nationalist movement, this has been beneficial in providing a favorable context within which constitutional and policy-making arrangements are re-interpreted to enhance its position within both the Spanish and EU decision-making processes.

History

Throughout Spanish history and particularly in the nineteenth and twentieth centuries, the conflict between centralist unitary forms of statehood and a more decentralised arrangement played a key role in the consolidation and transformation of the Spanish state. This conflict crystallized in the ongoing power struggle among a variety of movements within Spanish society such as federalism, Carlism, Catalanism, republicanism, and Basque nationalism, including schisms within the movements themselves. These conflicts proved to be continuous obstacles to the creation of a modern nation-state.

Initially, the unity of the Spanish state was based upon the premise of conquest and occupation of the various regions that make up the Iberian peninsula. At the same time, unity was guaranteed in the short-term by a united front against Muslim aggression. Once the Muslims had been driven out of Spain, Castille remained the dominant unifying force despite growing resistance in the peripheries of the Spanish state. In principle, these regions had been granted some level of autonomy and governed themselves according to their own *fueros* or legal codes. This unstable political arrangement had been institutionalised with the *Pacto Monárquico*, which granted formal recognition and respect to the various regions under the Castilian crown. The situation following the expulsion of the Muslim forces from Spain resembled the current political and regional arrangements implemented by the 1978 Constitution in that the “Spanish regions

⁸⁴ Hooghe and Marks (1995), p. 22.

were regarded as having a contractual rather than subordinate position to the central, royal authority”⁸⁵.

The political arrangements of the time have often been described as based on a confederate model (Solozábal, 1996). This has led some authors to argue that these measures of institutional and political autonomy led regional cultures and national identities to thrive⁸⁶. What can be ascertained however was that the territorial unification which followed the Union of the Crowns of Castille and Aragón and the conquest of the Kingdom of Granada with the expulsion of the Moors was characterised by a peculiar situation in which territorial unification did not necessarily coincide with complete political unification. Thus, many traditional measures of political and administrative autonomy were left intact.

These regional and political arrangements began to change with the development of the Spanish empire overseas. Wealth and power increasingly became concentrated in the central region of Castilla incurring tension in the other regions of Spain, eager to see the empire’s profits evenly dispersed throughout the territory. Gradually, these tensions began to cause escalating conflicts between the central government and the regions, often translated into battles and ensuing repressive policies such as the unsuccessful Catalan struggle for independence in 1640. Nevertheless, an overt process of centralisation did not occur until the mid-eighteenth century (Linz, 1973) although the defeat of the Catalan struggle for independence and the essential disappearance of the Crown of Aragón arguably marked the beginning of the fragile process of state formation in Spain (Llobera, 1994). Following the defeat of the Catalan separatist forces by Spanish troops on September 11, 1714, King Felipe V abolished the measure of self-rule of the principalities belonging to the Crown of Aragón - including Catalonia - and replaced these laws with Castillian ordinances inspired by distinctly French absolutist ideals. The result of these draconian measures was that many in the peripheries increasingly saw its political autonomy being curbed by a central government and state (through the *Decreto de Nueva Planta* in 1716) so unlike its

⁸⁵ Heiberg, M. (1989). *The Making of the Basque Nation*, Cambridge, University Press, p.1.

⁸⁶ Simon i Tarrés, A. (1993), “Patriotisme i nacionalisme a la Catalunya moderna. Mites, tradicions i consciències collectives”, *L’Avenç*, no. 167, p. 8-16.

own political and economic structures. These state-building efforts were characterised by attempts by Castile to integrate the various territories, impose one market and an overarching administrative structure. Felipe V's actions heightened the tension between the central authorities and Spain's peripheries, a conflict which would permeate Spanish politics throughout the 19th and 20th centuries in the form of bloody confrontations such as the Carlist wars in the 19th century⁸⁷ and the Spanish Civil War from 1936-1939.

There have been many explanations regarding the failure of Spain's political establishment to impose many of the nineteenth century liberal ideas of deposing the absolute monarchies or regimes. These explanations underline the traditional isolationism of Spain *vis-à-vis* the rest of Europe, the poverty of the Spanish state, a weak communications network, and a dominant political establishment conservative by nature and retaining many of the traditional religious and military values so common in many Southern European states⁸⁸. These weaknesses were reflected in the 1812 Cádiz Constitution. The agreement represented an attempt to instigate reforms in the liberal spirit which characterised Napoleonic and post-Napoleonic Europe. Nonetheless, it continued to emphasize the highly centralised nature of the unitary state of Spain despite substantial attempts at reform in other areas such as the secularisation of the state. Thus, nineteenth century Spain was characterised by "liberal attempts of modernisation [which] remained trapped by a totalitarian and simplistic vision which did not take into account the territorial peculiarities of a largely pre-industrial and irregularly conformed society"⁸⁹. Spain's numerous constitutions during this period (six during the nineteenth century) reflect the inherent political instability of the time and the failure of reformers to consolidate support for their efforts among Spain's political class.

During Spain's Second Republic, Catalonia enjoyed a brief period of self-rule with the model of regional autonomy and territorial organisation established by

⁸⁷ The three Carlist wars during the nineteenth century took place in 1833-1840, 1846-1848 and 1872-1875.

⁸⁸ Alvarez Junco, J. (1996), "The Nation-Building Process in Nineteenth-Century Spain", in Mar-Molinero, C. and Smith, A. (eds), Nationalism and the Nation in the Iberian Peninsula, Berg: Oxford, p. 89-107.

⁸⁹ Moreno (1997), p. 60. (Author's translation).

the 1932 Constitution. The Constitution provided for autonomy statutes for the three historic nationalities, Catalonia, the Basque Country and Galicia followed by various failed attempts to include these communities in the ongoing process of integration and state-building. This brief period of regional autonomy was abruptly interrupted by the political disintegration of the country with the eruption of the Civil War and followed by the authoritarian regime of Franco.

Spain's authoritarian regime under General Francisco Franco (1939-1975) dealt with decentralising efforts of the Second Republic by imposing a regime which refused to recognise national, cultural, or linguistic differences among the Spanish regions. A single language, culture, administrative structure⁹⁰, political system and economic structure based on the 'sacred unity of the homeland' was implemented to consolidate the centralist grip of the regime. Fear of social chaos led to the adoption of a strict state-imposed ideology based upon the purist notion of 'one state, one homeland, one nation'. As argued in the previous chapter, demands for regional autonomy went hand in hand with demands for the political liberalisation of the Franco regime. As a result, the gradual "intensification of centralized power during the Franco regime resulted in the centralized model being equated with the abuse of power, despite the examples of the French and British centralized states...in which this model is perfectly compatible with democracy"⁹¹.

Democratic Transition in Spain: 1975 onwards

At the time of Franco's death, certain sectors of Spanish society, most notably in the Basque country, no longer believed in the legitimacy of the Spanish state (Conversi, 1997). The Spanish state constructed under the Franco regime which relied on rigid centralism and the 'unity of power' was essentially the product of what has been described as 'cosmetic constitutionalism' (Carr, 1982). During the

⁹⁰ This administrative system was based upon the province as a single administrative unit thereby bypassing traditional regional or territorial boundaries and established in 1833 loosely based upon the Napoleonic system of territorial administration.

⁹¹ Solozábal, J.J. "Spain: A Federation in the Making?" in Hesse, J. and Wright, V. (eds.) Federalizing Europe? The Costs, Benefits and Preconditions of Federal Political Systems, Oxford: Oxford University Press, p. 240.

Spanish transition to democracy, the issue of regional autonomy coupled with the rejection of Franco's oppressive regime and policy of cultural assimilation led to the 'cantonisation'⁹² of Spain. This resulted in "demands for liberalisation and democratisation [which] may coincide with demands for recognition of local identities and aspirations to local self-government"⁹³. The historical political context within which political and territorial settlements are negotiated is a significant determinant in the ability of the actors involved to address and/or resolve the issue of regional autonomy. In the case of Spain, the only real precedent for the concession by the central government of significant measures of political and institutional autonomy to the regions was set during the Second Republic with well-known unfortunate consequences. However, the general consensus among most political forces opposing the Franco regime was the *status quo* would merely perpetuate the antiquated administrative and institutional structures of the Franco regime (Solozábal, 1996).

The transition to democracy resulting from the death of Franco in 1975 has often been described as dominated by consensual politics and co-operation among the negotiating political factions (Preston, 1986) (Linz and Stepan, 1996). Within this framework, one of the most important issues became the question of regional autonomy and the political and administrative arrangements which would have to be made to accommodate regional demands for decentralisation. With varying degrees of enthusiasm, most politicians accepted the idea that unless the issue of the nations and nationalities that made up the Spanish state was addressed, little progress could be made to achieve a widespread acceptance of the Constitution and its political arrangements. It was widely acknowledged that a refusal or reluctance to address the issue of regional autonomy and cultural, linguistic and historical differentiations would endanger the consolidation and establishment of the post-Franco democratic regime. This new awareness provided the impetus to find a stable solution to the conflict (Preston, 1986) (Agranoff, 1993) (Conversi,

⁹² As defined by Henders (1997) p. 521-523, 'cantonisation' is the "granting of special autonomy by a central or federal state to a locally chosen legislative or executive body with jurisdiction over a territory whose boundaries delineate or approximate those of a regional cultural community" and involves the "assymetrical decentralisation along territorial-cultural lines." Henders, S. (1997) "Cantonisation: historical paths to territorial autonomy for regional cultural communities" in Nations and Nationalism, Vol. 3, Part 4, December 1997, pp. 521-540.

1997).

Nevertheless, finding a solution would prove to be a difficult task since “this meant accepting a political philosophy and a historic understanding of our common land that had little or nothing to do with the triumphant and verbal monolith that reigned for so many years”⁹⁴. Co-operation with nationalist forces in Catalonia and the Basque Country needed to be secured. This meant recognising their demands for regional autonomy (to preserve the freedom of the ‘historic’ nationalities and other regions), guaranteeing their participation and representation in the Spanish state. This formed a key element of the legitimisation of the new regime which was struggling with two potentially destabilising issues: regional nationalism and industrial strife (Pérez-Díaz, 1990). During the Franco regime, corporatist policies had provided a sub-national link between the central government and industrial sectors (Pérez-Díaz, 1990). The recognition of the regions as official sub-national units within the political and economic structures substituted corporatism as a legitimising factor within the emerging regime. The perceived economic benefits of decentralisation became of the sources of consensus over the devolution process. This came as a result of the post 1950s modernisation process in Spain with its economic, social and cultural convergence. Thus, what remained clear was that the consolidation of the democratic regime would not occur without the implicit recognition and resolution of the regional problem. However, the solution to the issue of the decentralisation of the Spanish state was also highly dependent on the stability and endurance of the democratic regime (Henders, 1997).

Attempts were made immediately following Franco’s death by the government presided by Carlos Arias Navarro to allow for a small degree of decentralisation of powers, mostly in the form of administrative functions. Nevertheless, demands for devolution and for a new Autonomy Statute similar to the one enjoyed during the Second Republic grew in Catalonia and the Basque Country. In Catalonia, the government attempted to appease nationalists by promising to set up a General Council of Cataluña, designed specifically to deal with these issues. Nevertheless,

⁹³ Ibid, p. 529.

full participation by political leaders both in exile and in Catalonia was not guaranteed and the government's attempts failed, as attested in the well attended demonstrations held in Barcelona during 1976. With Adolfo Suárez's designation as president in July 1976, the pressure was placed on his government to come up with a solution to the so-called "regional problem". Further pressure came from the defeat in Catalonia of Suárez's political coalition, *Unión del Centro Democrático* (UCD), in the first general elections on 15 June 1977, when UCD received almost the same percentage of votes as Jordi Pujol's *Convergència Democràtica de Catalunya* (CDC).

The Suárez government's first agreement with Catalan nationalists led to the establishment in September 1977 of a provisional Catalan autonomous government⁹⁵. The move was largely symbolic, as the provisional government was not granted any specific powers or functions of great importance, but its establishment became a source of pride for many Catalans. By 1978 however, some services and functions had already been transferred from the central government to the *Generalitat*. Nevertheless, the future structure of the Spanish state remained an open question among the political forces of the time, an issue which had remained unresolved in constitutional negotiations during the Second Republic.

A constitutional committee, composed of 36 deputies from the *Cortes*, was created in July 1977 to discuss various constitutional proposals ranging from federal arrangements, administrative decentralisation measures and the organisation of political autonomies. A sub-committee was subsequently created to include 7 representatives of the various political formations, excluding the Basque nationalists who chose not to be represented. The model finally chosen, following over one thousand amendments in the *Cortes* and 1,200 in the Senate,

⁹⁴ de Areilza, J. (1983). *Cuadernos de Transición*, Barcelona: Planeta, p.155.

⁹⁵ The Catalan representatives visited Suárez as a coalition named *Entesa dels Catalans*, or Accord of the Catalans, formed with the sole objective of securing autonomy and self-government. Suárez's immediate response, a highly symbolic one and following the UCD's defeat in Catalonia in the 1977 elections, was to recall Josep Tarradellas from exile in October 1977 restoring him as President of the *Generalitat* in return for at least partial acceptance of Suárez's programme of transition. Tarradellas would remain in power until the March 20, 1980 elections when Jordi Pujol's CDC claimed victory.

was a radical departure from the centralised state structure which characterised the Spanish political system throughout its history (with the exception from the Second Republic).

The problem of identifying this model was heightened by internal divisions among the main political forces involved. Leftist parties such as the PSOE, PSC, PCE, and PSUC supported a federalist state structure whereas the Catalan nationalist parties (UDC, CDC and ERC) and the Basque PNV oscillated between outright independence, a federalist state structure or a political system whereby the so-called 'historic nationalities' (called for by the March 1976 *Coordinación Democrática* platform) would enjoy high degrees of autonomy. Parties on the right of the ideological spectrum (including UCD and Alianza Popular) hesitated between proposing a model of administrative autonomy, i.e. extending the administrative decentralisation cautiously initiated during the Franco regime, or adopting a system with limited political autonomy. This time around, however, most political leaders agreed that without a general agreement on the structure of the Spanish state, the future of democracy in Spain would remain in peril. A solution had to be found which would take into account the plurinational and multicultural reality of Spanish society protected by a judicial and constitutional framework.

The text finally agreed upon incorporated many elements of traditional Western liberal democracies: the recognition of basic civil rights, the creation of a constitutional tribunal, and the establishment of a parliamentary system as the legislative body. The drafting of the Spanish constitution was based upon a pick and mix system from various Western democracies (Aparicio, 1992) (de Vega, 1978). Hence, the recognition of basic rights and privileges was chosen from the Italian system and the various powers granted to the executive branch of government was chosen from both the French and German models. These rights and privileges were based on the principles of equality, liberty, justice, and more importantly, political pluralism (Article 1.1). This last principle did not only include the implicit recognition of co-existing nationalities, cultures, political parties and groups protected by the Constitution but also the establishment of a political framework within which participatory measures for these groups are

guaranteed. The final solution had a mixed reception and proved to be too little for the Basques, good enough for the Catalans, and too much for the Right”⁹⁶.

Constitutional Framework

The Spanish Constitution of 1978 is a clear reflection of the political circumstances of its time, enshrining a variety of political ideals. The end result, based on a non-traditional model of territorial organisation which does not account as a centralised or federal⁹⁷ model, emerged from the social and political dynamics of the immediate post-Franco era, preventing the constitutional drafters from selecting a more traditional framework (Solozábal, 1996). A plurinational or multinational state was not envisaged by the Constitution nor was the creation of a single nation-state. The text is often simultaneously contradictory and politically ambiguous, representing the spirit of compromise of the times. For example, the Constitution stipulates “the unity of the Spanish nation” (satisfying the traditional demands of the Spanish right) as well as the “autonomy of the nationalities and regions which constitute it” (recognising the historic nationalities and demands for greater autonomy). Article 2 of the Spanish Constitution states: “The Constitution is based on the indissoluble unity of the Spanish Nation, the common and indivisible country of all Spaniards; it recognises and guarantees the right to autonomy of the nationalities and regions of which it is composed, and solidarity amongst them all”. The introduction of the term ‘nationalities’ was extremely controversial particularly amongst AP representatives who argued that the term, stemming from the word ‘nation’ could not be used as it represented one and the same, and that a ‘nation’ could not be composed of other ‘nations’. Scarcely any reference is made in the text of the degree to which self-government is granted to regional authorities (devolution).

The highly complex and ambiguous nature of Article 2 again reflects great compromise on the issue of the territorial organisation of the Spanish state. While

⁹⁶ Gilmour, D. (1985) The Transformation of Spain: From Franco to the Constitutional Monarchy, London: Quartet Books, p. 200.

⁹⁷ In this context, the term *federal* implies a constitutional solution intended to reconcile differing ethnic or sub-national tensions rather than interpreted in pure administrative or regulatory terms.

the right attempted to preserve the centralised political structure established during the Franco regime, the more moderate Francoist forces as well as the political left sought to establish a model based upon the gradual devolution of power and services to the regional authorities. The compromise reached meant that the drafters of the Constitution recognised the various regions' right to autonomy for either political or historical reasons. Linguistic, cultural and regional differences were to be recognised within a constitutional framework that would guarantee regional governments a certain degree of self-government. Formal recognition of the division of powers and responsibilities, both at the central and regional levels, would be outlined in the text although not specified.

The end result of the negotiations was Title VIII, one of the most controversial aspects of the Spanish Constitution, which in the end was incorporated without the full participation of *Alianza Popular*. Title VIII clearly illustrates the guiding principles of the 1978 Constitution: the democratisation and the decentralisation of the Spanish state. It outlines the territorial distribution of political power within the Spanish state and establishes the State of Autonomies. The principle of the right of autonomy granted to the nationalities and regions that make up the Spanish state stipulated in Article 2 is the fundamental premise upon which Title VIII is based.

The highly ambiguous nature of the text is clear in the area of protection of regional languages and culture. This is recognised by Article 3 of the Constitution as inherent to the cultural heritage of Spain (thereby under the responsibility of the central government), with the acceptance of cultural pluralism and the notion of the Spanish state as composed of a variety of cultures and languages granted a co-official status in the autonomous communities. Article 4, for example, stipulates that both the state and local flags hang from public buildings and during official holidays. However, the protection of this area is not taken on as such by the central government, but rather belongs to the regions of Spain.

The seemingly contradictory and often vague terminology of the final text has frequently led to conflicting interpretations. The indissolubility of the Spanish state outlined in Article 2 can be interpreted as the state's right to obstruct any

region's attempts toward self-determination. Article 2 can also be interpreted as guaranteeing the participation of sub-national authorities in encouraging a sense of regional solidarity. The recognition and guarantee of territorial political pluralism was also seen as encouraging the acceptance of a fundamental constitutional premise: the unity of the Spanish nation. The continuous reaffirmation of the unity of the Spanish state and the recognition of its regional identities and culture in Articles 2 and 3 reflects these contradictions and the consensual politics characterising the negotiations. They illustrate a generalised rejection of the unitary centralised state and on the other, a rejection of a federal state structure.

The State of Autonomies thus took on a series of idiosyncratic characteristics. Firstly, that the process of political decentralisation is characterised by sovereignty being devolved and not divided. In other words, the entire process is based upon the indissoluble unity of the Spanish nation as being one of the fundamental premises of the Spanish Constitution. Yet it is the same Constitution where the autonomies can derive the powers that they are entitled to execute. Second, this decentralisation is defined in the Constitution as “self-government”. This self-government of the regions and nationalities of the Spanish nation marks a territorial redistribution of power of the state and its structural transformation. Nevertheless, this structure is not imposed from above, either by the state itself or by the political arrangements envisaged by the Constitution. In other words, the Constitution does not establish a territorial design of the nationalities and regions but rather lays out the conditions by which the regions (with popular consent) may decide to proceed with the practice of self-government.

The Statutes of Autonomy

The Constitution also stipulated the institutional arrangements for the restructuring of the state, including the political guarantees for the establishment of independently elected legislative assemblies and the creation of Statutes of Autonomy. Article 147 of the Constitution recognises the Statutes of Autonomy as a central component of the Spanish state's legal and constitutional framework. Institutions of self-government including the judiciary and executive branches are

organised and derive their power from the Statutes of Autonomy. Nonetheless, the Statutes do not act as individual constitutions for the individual autonomous communities but are considered part of Spanish organic law and accordingly fall within the jurisdictional framework of the central government (Solozábal, 1996). The Statutes represent the 'framework within the framework' (within the Constitution) within which the institutions of self-government of the autonomous communities operate and within which laws are formulated and implemented. In themselves, the Statutes are the end result of a series of negotiations and agreements between central government and representatives of each autonomous community. Each Statute of Autonomy is considered as a unique form of organic law "in that it cannot be modified by a norm of similar rank, but rather 'according to the procedures established therein'"⁹⁸. Amending the Statute requires the formulation and approval of an organic law by the national parliament. The uniqueness of each Statute reaffirms the state's recognition of the varying needs and demands of each autonomous community. Each Statute lists the distribution of competencies and powers between the central government and the respective autonomous community clarifying and/or extending the distribution of competencies as listed in the Constitution.

The Statutes of Autonomy were approved in Catalonia and the Basque Country in October 1979⁹⁹. The Statute of Autonomy of Galicia, the other 'historic region' was approved in 1981, following a delay imposed by the central government in the wake of fear that had arisen to the increasing trend of the devolution of powers. Although initially Andalucía was not deemed to be a 'historic region,' its Statute of Autonomy was approved in 1980 for political reasons¹⁰⁰.

⁹⁸ Solozábal (1996), p. 247.

⁹⁹ The Catalan Autonomy Statute was approved by 87.9% of those who voted, below the 90.3% 'yes' vote garnered by the Basque Autonomy Statute. Nevertheless, the vote in the Basque Country was marked by high degrees of abstention reaching 40.23% of voting age population reflecting the failure of Suárez's government in his dealings with the Basque country which would subsequently contribute to his demise. In Catalonia however, 61% of eligible voters participated, partially attributed to large scale political apathy on the part of Catalonia's immigrant population (Gilmour, 1985).

¹⁰⁰ Andalucía's status as a nationality has often prompted protests from Catalan, Basque and Galician nationalists who claim that this status has been artificially created and has no historical justification. Nevertheless, it has enjoyed the transfer of competencies in similar degrees to the other 'historic' nationalities although the disparities in the level of transfers have sharpened in recent years.

For other regions in Spain, a different process had been outlined. This process, stipulated in Article 143 of the Constitution, is of a transitional nature and lays out the conditions that regions are obliged to fulfil in order to complete a formal application for autonomy. Once the autonomy status is granted, this becomes law and is required to go through an additional five-year transitional period in order to attain the same level of autonomy as the 'historic' regions. Typically, various exceptions were made to this category with Navarra¹⁰¹, Aragón, the Canary Islands and Valencia¹⁰² granted similar levels of rights and privileges to those laid out in the other Statutes of Autonomy by means of organic law rather than a Statute in itself. The other¹⁰³ Spanish regions were granted the status of autonomy through the gradual process enshrined in the Constitution by Article 143.

Thus, the Statutes of Autonomy vary from autonomous community to autonomous community. Within each of these Statutes, the specifications of the institutional and administrative relationship between the central government and the government of the respective autonomous communities are enshrined. The separation of autonomous communities according to each level meant that regions such as Catalonia and the Basque country where nationalist and separatist sentiment had traditionally been deep-rooted, were appeased by being placed in the category of 'historic nationality' with a high degree of self-government. The process towards which an agreement was finally reached proved to be an arduous task for the both the central government and the *Generalitat* however. Both sides were forced to make concessions. The Catalan negotiators conceded that part of the administrative network set up during Franco's regime would be maintained.

¹⁰¹ Navarra achieved its autonomy through special provisions designating it as a 'foral community' implicitly recognising its historical distinctiveness with its '*fueros*.'

¹⁰² The latter three autonomous communities have been recognised as 'nationalities' with Valencia's 'nationality' enshrined by its Statute and the reform of the Statutes of the former two approved by the Spanish Cortes in 1996 allowing for the recognition of these as 'nationalities'. Aragón's nationality is referred to as a 'historic identity' thereby distinguishing it from the 'historic nationalities' of Catalonia, the Basque Country and Galicia.

¹⁰³ Castilla-La Mancha, Cantabria, Extremadura, Murcia, Balearic Islands, Asturias, La Rioja, Madrid and Castilla y León. Nevertheless, even among these autonomous communities, there are differences with Asturias, Castilla-La Mancha and Madrid refraining from any distinctive reference to nationality or any other form of historical or national distinctiveness. The other autonomous communities are referred to in their own Statutes as 'historic regional entities' although by late

This included the *Diputaciones*, the single provincial administrative units and the position of the Civil Governors. In addition, the central government retained its exclusive control over the social security system as well as the appointment of magistrates to the Supreme Justice Tribunal of Catalonia. The Catalan negotiators also were forced to drop their request for a regional financing system similar to the one historically enjoyed by the Basque Country. Within this financing system, the Basque government reserves the exclusive right of fiscal revenue collection and where the percentage of revenues later transferred to the central government is negotiated by both parties. Instead, the *Generalitat* was to conform with a percentage of the revenues collected by the central government. On the other hand, the central government transferred education and communications policy and services to the *Generalitat*.

However, the autonomous fervour or ‘snowball’ effect that followed the ratification of the Constitution led to a growing fear among Catalan nationalists that this process would undermine their special position within the Spanish state (Henders, 1997). Despite the concept of interterritorial solidarity¹⁰⁴ enshrined in Article 2 of the Constitution, relations between the autonomous communities have frequently been marred by bitter rivalries over the level of competencies transferred to any one community.

Conflict between the central government and autonomous communities

By the end of February 1983, autonomy statutes of varying degrees of responsibility and autonomy had been approved for all seventeen regions. The process did not end at this point, however. Once the process of granting varying levels of autonomy to the regions had been completed, the problem of the degree to which services and powers would be allocated to the autonomous communities and subsequently exercised by the regional authorities came to light. The

1997, Cantabria was attempting to reform its Statute to refer to itself as a ‘historic community’ (*El País*, 31 December 1997).

¹⁰⁴ Although this concept has been constitutionally interpreted as establishing the elimination of socio-economic disparities among the regions (with the creation of the *Fondo de Compensación Interterritorial* or Inter-territorial Compensation Fund), it has frequently been employed by weaker autonomous communities for political objectives as a type of ‘us vs. them’ notion.

broadness of these functions as well as the different interpretations of the true nature of the central government's competencies gave rise to a growing number of conflicts between the central and regional governments.

One of these conflicts, highlighting the conceptual vagueness of the Constitution, is foreign policy. Article 149 stipulates the exclusive authority of the state in matters of foreign policy. This contradicts the powers laid out to regional governments in Article 148 in the areas of the environment and livestock which do involve an international component (Letamendia, 1997). The apparent flexibility of interpretation has led to inordinate numbers of cases being brought to the Constitutional Tribunal where disputes arising from a differing interpretation of the ranges of power allotted to either the central or regional governments are resolved.

The Constitutional Tribunal

The Constitutional Tribunal is a judicial institution which exists at the fringe of the ordinary judicial process and is independent from both the judicial branch of government as well as other government branches set out in the Constitution. The 1978 Constitution allows for the creation of a regional court system assigned to protect the privileges and rights of the regions set out in the Constitution. These courts, called the *Tribunales Superiores de Justicia*, were not put into practice until 1989.

Some 800 cases were brought to the Constitutional Tribunal during the 1980s. Each actor in the conflict believed the other to have invaded its area of competency. The number of cases brought to the Constitutional Tribunal has decreased gradually since 1985 (from 131 in 1985 to 12 in 1993) since many cases are accorded by mutual agreement so as not to further burden the already heavy case load of the Spanish justice system. Nevertheless, the Constitutional Tribunal has remained a crucial institutional actor in the relationship between the central government and the autonomous communities. It serves as the institution which can ensure and enforce the division of competencies and power between the central government and the autonomous communities. The Tribunal's decisions serve as limits to the power exercised by the autonomous communities

reminding them of the division of powers stipulated by their respective Statutes and deriving other decisions directly from the principles outlined in the Constitution. In the years of its existence, the Constitutional Tribunal has gone to great lengths to protect one of the underlying assumptions of the Constitution: ensuring the unity of the Spanish state while at the same time respecting the pluralist character of the nationalities and communities that compose it (Solozábal, 1996). One of the most important decisions it has generated (Decision 76 of 1983) “underlines the constitutional guarantee of autonomy, prohibiting the central legislator from proceeding to redefine the limits of its powers”¹⁰⁵, a right retained solely by the Constitution and the Statutes of Autonomy.

The 1981 coup and its aftermath

Of particular importance to the ensuing conflict between the central and regional governments was the legislation approved by the Spanish Cortes in the aftermath of the attempted Tejero coup on February 23, 1981. Opposition to the democratic regime had increasingly become more concerned with the growing concessions to the nationalist forces, perceived as threatening the unity of Spain. The coup has often been described as being the catalyst to the second phase of the decentralisation of the Spanish state (Cuchillo, 1993) (Heywood, 1995). The legislation which emerged in the immediate aftermath of the failed coup was primarily designed to quieten the voices of dissent emerging from the right and former Francoist allies. It stipulated that state law would always predominate over regional law in any situation where a conflict of competencies had arisen. It specified that the government would define the criteria which would consequently be used by regional governments to introduce legislation. This would be achieved by imposing a system of unilateral co-ordination of the decentralisation process, as well as the uniformization of rights and services allocated to each of the regions.

In addition, the legislation was intended to restrain the pace of the process of granting Statutes of Autonomy to those regions which did not yet have any degree of self-government. The law, called the *Ley Orgánica de Armonización del*

¹⁰⁵ Solozábal (1996), p. 252.

Proceso Autonómico (LOAPA) was fought by the regional governments of Catalonia and the Basque country and was subsequently presented to the Constitutional Tribunal for a formal judgement. Catalan intellectuals and civil servants signed a manifesto proclaiming their opposition to the law. The promulgation of the LOAPA caused outbreaks of opposition all over Catalonia, which climaxed in a mass demonstration against the law in Barcelona on June 24, 1982¹⁰⁶. The Constitutional Tribunal decreed in August 1983 that over two-thirds of the LOAPA was unconstitutional. The Tribunal's decision (Decision 76 of 1983) was followed by the introduction and passage of the *Ley del Proceso Autonómico* (LPA) later that year which forced the government to revoke its position and continue the devolution process as initially planned.

Despite the repeal of the LOAPA, the central government proved to be reluctant to proceed with the process of devolution of powers to the regional governments. It attempted to take a more flexible approach towards the process by seeking to establish a model which would ensure that the central government would remain as the principal institution ultimately responsible for Spanish society's interests. It saw itself as the ultimate authority in deciding if regional governments were fulfilling their obligations adequately in guaranteeing full citizen participation in the democratic process. However, the principles behind the central government's framework for the continual process of devolution proved to be unacceptable to many regional leaders, particularly among Catalan nationalists. The initial consensus among leading political actors which had emerged in the early years of Spain's transition to democracy disappeared once the process of devolution entered into the stage of defining the degree to which self-government and specific services and rights would be allocated to the regions. Issues which would mark the end of the transition's political consensus included the regional financing system and the consolidation of regional administrative structures

Regional financing and administrative structures

The Spanish regional financing system is characterised by its highly asymmetrical nature. As an autonomous community, Catalonia's financing system was

¹⁰⁶ Most Catalan nationalist parties participated including CiU, Esquerra Republicana, the PSUC

designed to be based upon government revenues, regional tax revenues, and funds generated from the *Fondo de Compensación Territorial*. This last fund has also been a source of disputes between the central government and the *Generalitat*, which is resistant to contributing to what it perceives as a disproportionate system.

The first agreement on the regional financing system, agreed for a six year period in 1980 through the *Ley Orgánica de Financiación de las Comunidades Autónomas* (LOFCA), included a provisional formula for the regional financing system. The modification to the formula provoked anger among Catalan nationalists who regarded it as a barrier to increased financial autonomy. In the absence of an agreement, an additional period was approved in 1987 using the provisional formula until an agreement was reached. Once again, the process of arriving at this agreement proved to be contentious, since the *Generalitat* felt that the central government had ignored the requirements generated by Spain's accession to the European Community in 1987. The *Generalitat* felt that the regional financing systems, and the Catalan system in particular, needed adjustment to the economic programmes imposed by the European Community. In addition, the *Generalitat* felt that the decision had been reached outside the normal bilateral consultation and negotiation process (Valles and Cuchillo, 1988) (Agranoff, 1993).

The continued presence of the central government within regional administrative structures to preserve its territorial presence also provoked widespread anger among the ruling Catalan nationalists. The Spanish civil service has been affected by the new regional administrative measures. In some case, "inefficient basic structures, together with jealous demarcation of areas of competence, have put a premium on administrative collaboration - leading to pointless duplication of services and constant frictions between administrative leaders"¹⁰⁷.

In other cases, the central government has furthered angered the *Generalitat* by by-passing its specific level of government and granting special powers to the

(Catalan Communist Party) and Nacionalistes d'Esquerra.

¹⁰⁷ Heywood, P. (1995) *The Government and Politics of Spain*. London: MacMillan Press Ltd, p.141.

local and provincial governments. On various occasions, the *Generalitat* has also accused the Constitutional Tribunal of being too centralised in its decisions on central vs. regional competency issues. In 1989, Jordi Pujol accused the Constitutional Tribunal of attempting to undermine the powers constitutionally entitled to the autonomous communities by refusing to approve the transfer of power over the social security budget from the central government to the *Generalitat*. The rise of conflict emerging in the aftermath of the LOAPA debacle in 1982 resulted in an effective abatement in the pace of administrative and political devolution of powers and services. Each phase of the process has been characterised by intense and lengthy negotiations between the central government and the *Generalitat*, resulting in delays and decisions based on compromise by both parties.

The example of the controversies generated by the financing of the autonomous communities and the nature of the decisions by the Constitutional Tribunal clearly reflects the often unharmonious nature of co-operation between the central government and the autonomous communities. This problem has been much debated in recent years reflecting a need for more institutionalised means of co-operation. Despite the regular meetings and conferences held on various issues between the central government and the autonomous communities, relations (particularly true in the case of Catalonia) have often been based on stop and go measures and coalition or stability pacts agreed by the political parties in power¹⁰⁸. In other words, rather than carrying out relations or negotiations within a set institutional framework, these have often been carried out in other arenas, battled out by the political parties in a variety of fora.

Devolution through conflict

The issue of devolution in Spain has consistently remained one of the overarching features of Spanish politics since 1975. Among other issues such as terrorism, the failure to solve the nationalist issue has often been blamed for the political downfall of Adolfo Suárez's, Spain's first democratically elected premier. As

¹⁰⁸ In the case of Catalonia, pacts between the ruling party (CiU) in the *Generalitat* and the ruling party in the central government were agreed in 1993 (with the PSOE) and the governability pact of 1996 (with the PP).

mentioned before, disputes between the government and regional parties have often led to long drawn out conflicts in the Constitutional Tribunal. The central government's fear of radical nationalism in Catalonia, reflected in the rise of terrorist groups such as Terra Lliure in the 1980s and separatist parties such as *Esquerra Republicana*, has led to a greater spirit of compromise towards regional autonomy. The 1991 elections proved to be a key turning-point for relations between the central government and the Catalan conservative nationalist coalition (CiU) in that the government's narrow retention of its absolute majority in the *Cortes* required it to seek CiU's support. One of the conditions for CiU's agreement to support the PSOE was that a definitive model for the regional financing system would be established. Following the 1993 general elections, in which CiU won 4.94% of the national vote entitling them to 17 seats in the Congress of Deputies, the central government announced a programme intended to accelerate the process of devolution by which the autonomous communities would receive 15% of total income tax (IRPF). The plan, known as the *impulso económico*, proposed greater devolution of powers of behalf of the central government to the various regions. Following the 1996 elections and the ensuing pact between CiU and the conservative *Partido Popular* (PP), the Catalan government was able to extract substantial concessions with 30% of the IRPF to be returned to the autonomous communities. Thus, in the Catalan case, the process of devolution remained uneven and highly dependent on electoral outcomes and ensuing pacts of political co-operation.

Senate

Many battles have been won by the regional authorities not only in the courts and as a result of positive electoral results, but also in the national parliament. Reform of the Senate has a particularly symbolic importance for many of Spain's nationalist movements. This importance derives from attempts during the Spanish Restoration (1876-1923) to democratise the Senate. Here again, the historic parallel demands for autonomy and democratisation by the Catalan nationalist movement are evident. A Senate debate on the autonomous communities in September 1994 led to the recommendation that the 1978 Spanish Constitution be amended to transform the Senate into a territorial chamber. This would put into

practice the Constitution's reference to the Senate as a 'Chamber of Territorial Representation'. Catalan nationalists have repeatedly demanded that the composition of the Senate reflect the *hecho diferencial* inherent in the Spanish state with special representative status for the 'historic' communities. Catalan nationalists, priding themselves on their historic identity and special relationship with the central government, have thus placed constraints on the future possible effectiveness of the Chamber. Nevertheless, and in spite of its inherent weaknesses, the use of all regional languages in the Senate has proved to be symbolically important.

Article 155 of the Constitution grants the Senate a quota in the appointment of members of certain state institutions such as the influential Constitutional Court or the General Council of Judicial Power. The Senate also has the power to adopt legislative proposals from the different parliaments of the autonomous communities and present these to the Congress of Deputies as well as elaborate opinions on the central government's economic plans. Nevertheless, its power remains limited with the Congress of Deputies' right to overrule any Senate amendments and vetoes. The executive branch is not accountable to the Senate, denying this chamber any political power. In addition, the Senate often duplicates the functions constitutionally exercised by the Congress of Deputies and instead serves as a second forum for political parties to present legislative initiatives. Its lack of purpose has been viewed negatively by many sectors of the Spanish public. The PP government's plans to reform the Senate in 1996 came to an abrupt halt when Basque and Catalan nationalists demanded the inherent recognition of their *hecho diferencial*. Their demands were echoed by other autonomous communities paralysing the debate on reform. With the exception of 1997, the annual debate on the State of Autonomies was not held during 1996, 1998 and 1999 leading many to believe that Senate reform is unlikely to occur for a long time.

A General Commission for the Autonomous Communities was established in the Senate to facilitate the transition to a Chamber of Autonomous Communities. The objective was that the Senate could serve as the system's officially recognized institution for the direct participation of the autonomous communities. The

Senate would also serve as the autonomous communities' direct link with the EU and would serve to represent their interest in financial matters. Instead of recurring to the Constitutional Tribunal for the resolution of disputes, the plan envisaged the negotiation process take place in the Senate.

The composition of the Senate, of which merely one-fifth¹⁰⁹ of all Senators can be described as true representatives of the autonomous communities, in itself weakens these objectives. Institutional reform of the Senate would involve constitutional reform, leaving the Constitution itself open to other attempts at reform and perhaps unleashing a 'fever' of autonomy measures lacking co-ordination and stability. As a result of the institutional weaknesses of the Senate, governments of the autonomous communities and regional and nationalist parties have been reluctant to use the Senate as a means of direct representation and dialogue with the government. Instead, they have tended to rely instead on their political weight in the Congress of Deputies and the intervention of their respective leaders.

Towards a federal Spain?

Attempts at modifying the role and composition of the Senate have led some to believe that Spain is moving more towards a more federal model, with the Senate acquiring many of the same functions as the *Bundesrat* in Germany as the centre of representation for the German *Länder* (Olles, 1994). Rather than individual negotiation processes between each regional government with the central government on the devolution of competencies, the autonomous communities would have an institution through which to channel their demands, encouraging multiregional initiatives vis-à-vis the central government. The legislative branch is generally considered to be a weak institution as power has traditionally been associated with the role of the prime minister. In the case of participation in EU matters, the reluctance of the central government to encourage the adoption of mechanisms or the support for effective institutions which would serve to promote

¹⁰⁹ This one-fifth are the only Senators appointed by the parliaments of their respective Autonomous Communities. The rest are elected according to the same procedures as elected officials in the Congress of Deputies.

regional participation in the implementation of EU legislation has increased the level of conflict between the central and regional governments.

Spain is still far from being a federal state, however, as much as some of the regional and national parties would like to see one emerge. The 1978 Constitution does accept the existence of a plurinational and multilingual state. Rather than adopting a federal model however, it envisages a decentralised state with an emphasis on its unitary character. “The Spanish system is based on the assumption that the recognition of the right of the regions to devolution is not contrary to the preservation of the unitary character of the state or to the concept of central institutions as the custodians and the promoters of the ‘national’ interest”¹¹⁰. Supporters of a federal system, such as the Catalan Socialist Party, argue that it is the only way to address the question of nationalism and to reconcile the needs and demands of ethnic or regional minorities. Others argue that the decentralisation and autonomy provided by the present system are sufficient to address Spain’s historic nationalist problems (Solozábal, 1996). A federal system would not necessarily solve many of the problems derived from nationalist demands. Successful federal systems involve assimilating communities sharing similar value systems and political cultures which reject any type of secessionist aspirations. Despite the perception that because of Spain’s multi-cultural and multi-national character, a federal constitutional system might have been more appropriate, the idea of federalism in Spain has historically been interpreted as a concept implying the dissolution of the state and the division of Spain (Guibernau, 1994 and Moreno, 1997).

The present-day Spanish State of Autonomies is the culmination of an uneven process in Spain which has lasted for centuries and has often manifested itself in bloody conflicts and ensuing authoritarian regimes. The current Spanish political structure is considered to be a unique form of both conserving the unitary character of the state and allowing for varying forms of self-government. It has often been criticised as having resulted in a piecemeal system of devolution without taking into account specific objectives (Cuchillo, 1993). Others argue

that it is a weak constitutional framework which does not ensure the presence of mechanisms of co-operation in establishing a strong upper chamber (the Senate) and in reinforcing the conflicting underlying ideological principles established by the Constitution (Solozábal, 1996). Furthermore, the constitutional framework has been criticized for failing to restructure relations between the state and the autonomous communities in a meaningful way. It fails even to define the Spanish state as a 'State of Autonomies'. In essence, the constitutional framework is conceptually vague and has often resulted in an excessive flexibility of interpretation as witnessed by Catalan nationalists demands in late 1990s for a *relectura* or 're-reading' of the Constitution.

Varying demands by nationalist movements over the years have led to fluctuating degrees of pressure on the state to address these issues, resulting in a selective process of devolution. Although some have argued that it is the peripheral nationalist movements which justify the existence of Spain's unique constitutional arrangements (Solozábal 1996), what is clear is that the constitutional arrangements have led to a political climate in which the balance of power between the central government and the autonomous communities is constantly being shifted by political pressures. The decentralisation process begun in the late 1970s may at times seem to be deprived of a specific goal or model and as discussed previously, the goal of a federal constitutional model for the Spanish state still remains a distant reality. But the conflict between centralist and regionalist forces does not necessarily imply the end of the system. Rather, it is characterised by a "climate of permanent political bargaining among local, regional and central governments...bound to remain as the most characteristic feature of the - yet unfinished - Spanish process of decentralization"¹¹¹.

Although this process remains a challenge to all actors and institutions involved, the case of Catalonia, in its pursuit of increasingly higher levels of autonomy within the Spanish state has successfully demonstrated the ability of one particular

¹¹⁰ Cuchillo, Montserrat. (1993) "The autonomous communities as the Spanish Meso" in Sharpe, L.J. (ed) The rise of Meso government in Europe, London: Sage Publications, p. 235.

¹¹¹ Moreno, Luis. (1995) "Multiple Ethnoterritorial Concurrence in Spain," Nationalism and Ethnic Politics, Vol. 1, No. 1, Spring 1995, p. 24.

region to achieve the constitutional and institutional recognition of its culture, identity, and language within a traditionally highly centralised state. It has also transcended institutional and political barriers to secure an influential role in national policy-making and in doing so, restricting the state's ability to retain its historic distinctness, competencies, and power. In essence, this system has allowed for the "institutionalisation of diversity"¹¹².

Acceptance of the State of Autonomies

The climate of political bargaining and continuing negotiations surrounding the consolidation of the State of Autonomies has had widespread effects on attitudes surrounding the so-called 'institutionalisation of diversity'. This is clearly reflected in the changing attitudes of Catalan society as outlined in Tables 4.1 and 4.2 which demonstrate one of the highest rates of acceptance (second only to Madrid) of the treatment received by the central government.

Table 4.1
Catalan perceptions of the central government's treatment of Catalonia

Question: Thinking about your own autonomous community, do you think that, in general, it receives worse treatment than the rest of the autonomous communities or in contrast, do you not think so?

	Percentage
Yes, it receives worse treatment	21
No, I don't think so	70
N/A	10

Source: CIS Survey 2,211, March 1996.

¹¹² Moreno, Luis (1997), p. 39.

Table 4.2**Perceptions of the central government's treatment of the autonomous communities**
(in percentages)

Question: Thinking about your own autonomous community, do you think that, in general, it receives worse treatment than the rest of the autonomous communities or in contrast, do you not think so?

	Andalucía	Canary Islands	Castilla -La Mancha	Castilla y León	Valencia	Galicia	Madrid	Basque Country
Yes, it receives worse treatment	50	44	32	59	33	61	19	33
No, I don't think so	35	42	58	29	59	29	73	60
N/A	16	15	10	12	8	9	9	7

Source: CIS Survey 2,211, March 1996.

Catalan perceptions of the territorial organisation of the Spanish state also demonstrate widespread acceptance of the constitutional arrangements as laid out by the 1978 Constitution and Catalan Statute of Autonomy, shown in Table 4.3.

Table 4.3**Catalan perceptions of the organisation of the state in Spain**

Question: I am going to present you now with some alternative forms of state organisation in Spain. Please tell me which ones you think you are most in agreement with.

Options	Percentage
A centralised state without autonomous communities	11
A state with autonomous communities as exists presently	47
A state with autonomous communities which possess greater autonomy than presently	18
A state where it would be possible for the autonomous communities to become independent	19
N/A	5

Source: CIS Opinion Survey 1, 1996

As described in Chapter 3, Catalans also display greater pride in being both Catalan and Spanish (see Table 4.4), clearly reinforcing the concept of dual

identity. The emotional loyalty directed towards one's regional identity is thus combined with a more general form of acceptance towards the political arrangements emerging from the process of decentralisation.

Table 4.4. Basque and Catalan comparisons on levels of pride

	---Proud to be Spanish-----			Proud to be a member of his/her country	
	Basque Country and Navarra	Catalonia	Spain	Basque Country and Navarra	Catalonia
Very proud	13	33	45	26	36
Significantly proud	31	40	40	43	46
Not very proud	19	15	8	15	11
Not proud at all	26	10	5	8	4
Don't know/no response	11	3	3	7	3

Source: Andrés Orizo, Francisco (Ed.) El Sistema de Valores dels Catalans published by the Institut Català d'Estudis Mediterranis, Generalitat de Catalunya 1991

Conclusion

The question of arriving at a constitutional solution by which ethnic or sub-national minorities or communities are incorporated within a unitary state has baffled politicians and researchers alike throughout the twentieth century. This chapter describes the constitutional framework within which Catalan nationalism has evolved and participated since 1975. It highlights the tensions between the historical centralising tendencies of the Spanish state and the process of decentralisation favoured by nationalist movements, and how the ongoing process of consolidation provides a framework from which present day demands for greater sub-national participation in the process of European integration have evolved.

An understanding of the conditions and circumstances surrounding the consolidation of the State of Autonomies in Spain is important in analyzing the process of modern state formation in Spain. The process of devolution was accelerated by the realisation by the Spanish leadership and democratic opposition during the Franco regime that democratisation and decentralisation were interconnected and compatible demands, mutually dependent on one another (Henders, 1997). At the end of the twentieth century, the effects of European integration have begun to be noticed in the Spanish political system, which will inevitably face formidable difficulties in adjusting its constitutional arrangements to this process while simultaneously respecting the cultural and political diversity within its own state.

The unique asymmetrical arrangements that make up the Spanish political structure lead to questions as to how it should be categorized. Whether this structure, once firmly established, will fall under the categories of federal, unitary, quasi-federal, decentralised, or regional remains to be seen. Does the current State of Autonomies or Autonomous State (*estado autonómico*) as it has been called imply a divided state? Is it moving towards a model of 'imperfect federalism' (Moreno, 1995) or 'concurrent federalism' (Moreno, 1997)? What lessons can be drawn from the Spanish experience? Despite the uncertainty, this unique system has ensured a relatively high degree of institutional stability which some have likened to federal entities in other European states (Letamendia, 1997). The flexibility of the Spanish system in which regions can voluntarily opt out of the devolution process, has seemed to be an unlimited decentralisation process which could feasibly allow regional governments to assume increasing levels of power with few limits imposed on them by the central government. Consequently, the federalist model in which a new central power is created to supervise and guide separate governmental units seems yet to be a distant goal for Spain, with its emphasis on the unitary character of the state. It remains as one of the options available for minorities, nationalist movements or sub-national authorities to be endowed with effective political instruments and autonomy to engage in the process of nation-building using the traditional instrument of the state (Leslie, 1996). What can be asserted is that Spain has been undergoing a gradual process of decentralisation and devolution of powers since 1975 characterised by an

absence of uniformity within its political and administrative structures. The Spanish case is therefore an interesting example of widespread decentralisation and the empowerment of regional and sub-national authorities without resorting to the adoption of a federal state.

An analysis of the Spanish case does however demonstrate that the unitary character of Spain has not been relinquished in favour of a complete shift towards a decentralised state unlike the comparable case of Belgium¹¹³. The Spanish constitutional arrangement provides a unique model of political decentralisation in which there is no identical model of autonomy for any of the regions. Each of the autonomous regions has chosen, with varying degrees of success, its own model with the inclusion or exclusion of competencies that it wishes to control. The process of the decentralisation of the Spanish state has not ceased with the drafting and eventual enactment of the 1978 Constitution. The process has been one of evolution, in which the regions have negotiated and re-negotiated their statutes and competencies with the central government; a series of “ongoing processes whereby central or federal governments and mobilised regional cultural communities continuously negotiate to maintain the latter’s acceptance of the legitimacy of the state’s claim to jurisdiction over them”¹¹⁴.

Throughout the Franco regime, most political forces in Catalonia agreed that the two principles of democracy and autonomy should go hand in hand. Historically, these principles have not been shared by the rest of the Spanish population and the transfer of power that ensued throughout the 1980s, from a centralised state to the State of Autonomies, represented a profound change in Spanish political culture. The creation of the State of Autonomies within Spain and the subsequent transfer of power occurred gradually, through the reorganisation of the Spanish state, rather than the regionalisation and polarisation of politics that had characterised the Second Republic. The unfinished process has allowed Catalan nationalists to

¹¹³ Debate in recent years has focused on the continuing disintegration and fragmentation of the Belgian state not as an effect of the process of European integration but as a result of failed attempts at constitutional reform which would ensure the unitary character of the state while recognising and respecting the pluralist nature of its composition and addressing demands for autonomy and devolution.

¹¹⁴ Henders (1997), p. 532.

continue the active pursuit of regionalist objectives within the constitutional framework, employing, as pointed out in Chapter 3, nationalist justifications. It has also led to a fundamental change in Spanish political culture with an institutionalised recognition of the cultural and linguistic diversity of the Spanish state, as well as a change in Catalan political culture with a generalized acceptance of post-1975 constitutional and political reform. Although the State of Autonomies provides a stable framework within which conflicting ideals of the structure of the Spanish state co-exist, it does not prescribe solutions to future conflicts such as that potentially posed by the process of European integration. It is the process of political negotiation among the leading parties and the political activity exercised both in Brussels and Madrid by Catalan nationalists which will be described in subsequent chapters.

Chapter 5

Policies on Europe in the Catalan Political Party System

Introduction

The purpose of this chapter is to analyse the concept of Europe as it is employed in the rhetoric of Catalan political parties. The pro-European component of the Catalan nationalist movement, as shall be argued, is a present-day terminological and ideological substitute for the traditional objectives of modernising and transforming the Spanish state inherent in the Catalan nationalist discourse. The consolidation of this pro-Europeanism within the Catalan nationalist ideology will be explored through the activities and discourse of Catalonia's key political parties. The process by which this pro-European dimension has developed at institutional and policy levels will be examined in future chapters and the emphasis here is to provide the appropriate ideological context.

A brief overlook at the political party structure in Catalonia is necessary to develop a more accurate picture of the Catalan nationalist movement in its entirety. Only parties that have managed to attain representation in the Catalan parliament over the last two decades will be described. The Catalan political party system is an important dimension in the relations between Catalan nationalists and the rest of Spain, playing a crucial role in the evolution of Catalan nationalism. Indeed, this brief overview will highlight the importance of viewing the Catalan political party structure not as a mere reflection of the Catalan nationalist movement by underlining the characteristics that differentiate each party. The question of determining to what degree each party differs from one another is beyond the scope of this thesis. However, a concise examination of the fundamental differences among the parties with regard to relations with the central government and European outlook is essential to draw a more accurate picture of the general objectives of the Catalan nationalist movement.

In addition, several general characteristics common to the nationalist party discourse will be highlighted to demonstrate the overall moderate nature of Catalan nationalism. Nevertheless, only two specific aspects of each party programme are examined in any detail. First, the party's position with regard to European integration and Catalonia's place at the European level is evaluated. Secondly, the party's position in relation to the Spanish state is examined. Assessing a party's strategy both at the European and national levels generates a greater understanding of the nationalist movement's and party's overall objectives.

Background to the Catalan political party system

As discussed in Chapter 2, one of the difficulties in describing the Catalan nationalist movement is in detailing the points of reference from which to develop the argument. As with other nationalist movements in Flanders, the Basque Country and Northern Ireland, the Catalan nationalist movement has been very divided in its political party representation and it would be wrong to refer to it as a unified movement. As described in Chapter 3, the Catalan nationalist movement remained fairly united during the Franco regime as a representative of the opposition seeking both democratisation and autonomy. This changed with the democratic transition. The process of democratisation of the Spanish state and the emergence of a distinct Catalan political system associated with the high levels of autonomy guaranteed by both its Statute and the 1978 Constitution have encouraged a fragmentation of the nationalist movement (Horowitz, 1985) (Newman, 1997). The traditional left-right bipolarity of Catalan politics has been losing force dramatically since 1975. After 1980, this bipolarity shifted towards a nationalist-centrist struggle, with each Catalan nationalist party and for that matter, Spanish political parties represented in Catalonia, being forced to choose between the two positions.

Nevertheless, the dual processes of state-building and democratisation in Spain described in Chapter 4 have led to the emergence of a relatively strong regional or autonomous community party system in Catalonia. Thus, the fact that few significant changes have occurred since the reinstatement of the *Generalitat*

within the Catalan political spectrum illustrates the endurance of the political party structure. The Catalan party system is a class example of a system of nationalist parties which tend to provide one of two functions: 1) persist as a constant reminder to traditional parties of the need to regard the interests and demands of ethnic or national minorities; and 2) as an ally within a cross-party coalition owing to the small number of seats held within the national parliament and thereby wielding a significant degree of leverage within the domestic political system. These two factors are crucial in understanding the motivation behind the political activity embarked on by the principal Catalan nationalist party.

Although inevitable comparisons have been drawn in recent years between the two, the Catalan nationalist movement differs from its Basque counterpart in one fundamental aspect: the comparative lack of debate between moderate and radical elements of the nationalist movement. In addition, the political spheres in Catalonia and the Basque country differ in that within the former, there is no single strong separatist party or movement capable of winning any significant amount of votes in an election. The Catalan nationalist party spectrum is noticeably less fragmented than the Basque nationalist party system which includes *Eusko Alkartasuna* (EA), a breakaway PNV party formed in 1984, *Euskal Herritarok* (EH)¹¹⁵, ETA's political arm, and the former *Euskadiko Esquerra* (EE), now integrated into the Basque branch of the PSOE. The Catalan political party system is dominated by the coalition of CiU. Both the Catalan nationalist movement and party system also enjoy greater widespread support among the electorate in their promotion of the concept of 'inclusive' (Conversi, 1997) (Hargreaves and García Ferrando, 1997) or dual identity rather than the 'exclusive' identity promoted by Basque nationalists. The fundamental difference between the two systems is not only reflected in the obvious absence of a significant terrorist movement¹¹⁶ but also in the absence of public debate on the question of independence and the relatively minor influence, in electoral terms (see Tables 5.1 and 5.2) of separatist parties such as *Esquerra Republicana* (ERC)

¹¹⁵ *Herri Batasuna*'s successor.

¹¹⁶ This absence of Catalan terrorist activity has endured throughout the post-Franco era with the notable exception of a brief period during the 1980s when *Terra Lliure*, a loosely organised left-wing terrorist group did manage to carry out various terrorist acts before disintegrating in the early 1990s.

and the newly formed *Partit per l'Independència* (PI)¹¹⁷. In addition, within the mainstream Catalan nationalist movement itself, cleavages exist along the degree to which Catalan identity and participation should be respectively protected and enhanced within the Spanish state, continuing the nineteenth century characterisation of 'nationalist ambivalence' (Marfany, 1995).

Table 5.1

Results of the 1980, 1984, 1988, 1992, 1995 and 1999 Catalan autonomous community elections (in percentages)

	1980	1984	1988	1992	1995	1999 ¹¹⁸
CiU	27,7	46,6	45,72	46,19	40,95	39,68
ERC	8,9	4,4	4,14	7,96	9,49	8,68
IC-EV			7,76	6,5	9,71	2,51
PSC-PSOE	22,3	30	29,78	27,77	24,88	37,88
AP (later PP)			5,31	5,97	13,08	9,51
PSUC	18,7				--	--
UCD	10,5		--	--	--	--
CDS			3,83			--

Sources: *Coordinació Electoral, Departament de Governació, Generalitat de Catalunya.*

¹¹⁷ The PI was formed in May 1997 following the defection from ERC of its leader, Angel Colom and one of its most public figures, the Deputy Mayor of Barcelona, Pilar Rahola. It disintegrated less than 2 years later.

¹¹⁸ Although the PSC won a greater share of the vote, CiU managed to obtain 4 more seats to the PSC's 52 seats. At the time of publication, the post-election governability pacts or coalitions remained undecided.

Table 5.2

Results of the 1977, 1979, 1982, 1986, 1989, 1993 and 1996 general elections (percentage of the overall Catalan vote)

	1977	1979	1982	1986	1989	1993	1996
CiU	16,8	15,80	22,48	32,04	32,68	31,82	29,60
ERC	4,5	3,86	4,02	2,67	2,68	5,10	4,18
IC-EV¹¹⁹				3,92	7,33	7,46	7,66
PSC-PSOE	21,3	30,31	45,84	40,98	35,59	34,87	39,30
AP (later PP)			14,65	11,42	10,64	17,04	17,97
PSUC¹²⁰		19,03	4,61	--			
CDS			1,99	4,13	4,32		
UCD		16,90	2,04				

Sources: *Coordinació Electoral, Departament de Governació, Generalitat de Catalunya. El País*, 5 March 1998 and *Boletín Oficial del Estado (BOE)* num. 75, 27 March 1998.

A simplified version of the Catalan political structure demonstrates that in reality there are only three ‘real’ Catalan nationalist parties whereas the others are merely regional ‘franchises’¹²¹ of mainstream Spanish parties (Newman, 1997). A brief summary of political life in the *Generalitat* starting from 1980 until the mid 1990s includes socialist and communist majorities in the municipalities, nationalist majority in the *Generalitat*, and socialist majority in the *Cortes* and in the European Parliament. These political discrepancies clearly reflect the volatile and pluralistic nature of the Catalan electorate, with voters choosing different parties at different levels of government, again reflecting the dual vote strategy. In elections to the Catalan parliament, the Catalan electorate votes for parties that it perceives as being more Catalan, while in general elections, voters elect party representatives perceived to be capable of influencing the central government. As

¹¹⁹ Prior to the 1989 general elections, *Iniciativa per Catalunya* had been known as *Unió de l’Esquerra Catalana*.

¹²⁰ Prior to the 1989 general elections, the PSUC became part of the IC coalition.

¹²¹ These parties are often condescendingly referred to as ‘*partidos sucurselistas*’ or branch parties (the Catalan branch of a Spanish party) by other nationalist parties.

can be seen from the tables, over the last two decades, the Catalan nationalist vote has fluctuated little at the national level. Overall, electoral patterns in Catalonia have maintained remarkably stable.

Convergència i Unió

The difficulties in situating nationalist parties within the traditional ideological spectrum with its left-right divide have been extensively detailed elsewhere (Ross, 1996) (Newman, 1997). In the case of the Catalan nationalist movement, these delineations are slightly blurred. CiU, for example, claims to represent a perceived disadvantaged minority on the one hand and protects the advantageous economic ties and interests with the state. For purposes of simplicity however, it has been generally agreed that CiU is situated at the centre-right of this ideological spectrum (Lynch, 1996).

Under the leadership of the charismatic Jordi Pujol, the coalition party¹²² of CiU has been able to employ an ideological platform loosely based upon liberal and Christian Democratic ideas by espousing moderate reforms founded upon traditional values and symbols. Thus, it has created a unique type of Catalan populism by incorporating traditionally non-nationalist members of the Catalan middle class and immigrant populations. Its ideological position has often been described as of a “moderate nationalist and Christian Democrat formation”¹²³. CiU has attempted to promote social integration by instilling both in Catalans and immigrants the notions of Catalan values and identity and adopting a number of assimilationist policies. The CiU has been able to penetrate the complicated framework of Catalan political associations without surrendering the overriding ambition of a continuous struggle towards further political autonomy within the Spanish state. In a sense, these policy orientations represent a strange dichotomy; a strong sense of self-determination but within the confines of the Spanish state. Thus, in a report published by *Convergència Democràtica de Catalunya* (CDC) in

¹²² CiU is a coalition composed of *Convergència Democràtica de Catalunya* (CDC) and *Unió Democràtica de Catalunya* (UDC) headed respectively by Jordi Pujol and Joan Rigol. The coalition first appeared in 1979 and entered the *Generalitat* almost immediately.

¹²³ Keating, M. (1996) Nations against the State: the New Politics of Nationalism in Quebec, Catalonia and Scotland, London: Macmillan, p. 121.

1989, the party argues that the “claim for sovereignty that Catalonia needs to become a full-fledged nation”¹²⁴. Again, the continual exchange and interplay of the concepts of ‘nation’ and ‘state’ when referring to Catalonia and Spain are visible in the Catalan nationalist discourse.

CiU has sought to mobilise electoral support on the basis of language, culture, and national identity rather than independence as means of expressing self-determination, often described as ‘cultural nationalism’ (Mar-Molinero, 1996). It has sought the transformation of the Spanish state as well as the emergence of a Europe of the Regions rather than full-fledged independence from Spain. Yet, despite the CiU’s efforts at portraying a unified and moderate version of Catalan nationalism, it has at times resorted to deliberate or accidental references to self-determination as objectives of the nationalist movement. This was clearly illustrated in December 1989 when the Catalan parliament passed a resolution declaring that the “observance of the Constitution does not imply the Catalan people’s renunciation of self-determination” in the wake of the fall of the Berlin wall and the emergence of the Baltic states. As recently as October 1998, CiU, together with the separatist parties ERC and the PI, reinvoked Catalonia’s right to self-determination without explicitly referring to any process of Constitutional reform (*El País*, 2 October 1998).

CiU hold approximately 80 percent of the nationalist vote which is why when references are made to the Catalan nationalists, this alludes to CiU. It has been described as the inheritor of the *Lliga Regionalista* (Ross, 1996) (Díez Medrano, 1994). It has without doubt been the driving force of the Catalan nationalist movement over the last two decades. “...the new brand of Catalan nationalism emerged as a response to opportunities presented by the party competition arena. On the other, in exploiting those opportunities it has re-focused the concept of Catalan nationhood on a single party and, above all, on the person of Pujol, to the extend that his eventual disappearance will pose considerable problems for

¹²⁴ Convergència Democràtica de Catalunya, *Partido para la Cataluña de los años 90, VII Congreso, 1989* (Party for Catalonia in the 1990s, Eighth Congress, 1989).

Catalan nationalism"¹²⁵. Like its predecessor, the *Lliga Regionalista*, CiU sees Catalonia and Spain as having mutual interests in the process of European integration. They are thereby dependent on one another. In a sense one could argue, that CiU views all three elements of the triangle (Spain, Catalonia and Europe) as mutually dependent; no piece can progress without the other. Progress is measured in terms of economic growth and political integration.

Since 1993, however, CiU has experienced a political situation that at best could be described as a double-edged sword. Its predominance in the Catalan parliament since 1980 and its consistent share of the vote at the national level has reinforced the Catalan nationalist movement. However, its electoral success has also allowed it to present itself as an unlikely coalition partner or voting ally for the ruling party. This was the case in 1993 with the PSOE and in 1996 with the PSOE's successor in power, the PP. CiU's participation in a governability pact presented the party with a solid opportunity to influence Spanish politics at a direct level and at the same time to further its own policy goals. On the other hand, the compromises which CiU was required to make did place it in an awkward position *vis-à-vis* its own voters. However, its electoral success and willingness to pact with other Spanish mainstream parties have allowed it to play a significant role at the state level. Thus, CiU has been successful in not falling into the traditional nationalist party 'mould.' It has been able to move beyond issues regarding autonomy or linguistic reform and concentrate on social and economic issues affecting both Catalonia and Spain. Nevertheless, its long-term outlook remains uncertain. Once the process of devolution has been concluded and CiU's task as the defender of Catalonia's 'national interest' has been concluded, the question remains whether this will reinforce or undermine CiU's political and electoral strength.

Pujolisme

According to Article 36.2 of the Catalan Statute of Autonomy, the "president of the *Generalitat* is the current representative of the State in Catalonia". In the case

¹²⁵ Ross, C. (1996) "Nationalism and Party Competition in the Basque Country and Catalonia" in

of Jordi Pujol, this job description has often been interpreted in highly literal terms. The personality and charisma of Jordi Pujol have often eclipsed analysis of not only CiU but also the mainstream Catalan nationalist movement. With descriptions such as “Jordi Pujol encompasses present-day Catalan nationalism, personifies its most powerful political expression and above all, its social influence”¹²⁶, it is difficult to separate the individual from the party, Catalan nationalism or even the office. Since 1980, the personality of Jordi Pujol has unquestionably dominated the Catalan political scene as the undisputed official representative of Catalonia and Catalan nationalism both within Spain and abroad. He personifies the nationalist challenge of interpreting the 1978 Constitution as broadly as possible and serves as one of the principle ideologues behind the moderate wing of Catalanism.

Pujol’s activities both as a member of the protest movement during the Franco regime and in his role as President of the Generalitat since 1980 have contributed significantly in the process of nation-building (*fer país*) so central to the Catalan nationalist movement (Llobera, 1996). The effect of *Pujolisme* (Pujolism) on both the current Catalan (and Spanish) political situation and the development of the Catalan nationalist movement is not to be underestimated. *Pujolisme* has been described as a genuine Catalan secularisation of national-Catholicism (Lorés, 1985). It upholds traditional conservative Catalan bourgeois values by emphasising economic development, social integration and the incorporation of the Catalan autonomous community within the Spanish state (Llobera, 1996). The ideology behind *Pujolisme* focuses on the search for alternative interpretations of the Spanish state with frequent allusions to ‘two nations, one state’ and the plurinational nature of the Spanish state.

With the decline in recent years of CiU’s share of the Catalan vote, there has been general speculation regarding both the question of Jordi Pujol’s successor and the effect of the *persona* on the actual nationalist movement. In other words, is the consolidation of Catalan nationalism dependent on the character and ability of one particular individual? Will the Catalan political culture which has emerged after

West European Politics, Vol. 19, No. 3, July 1996, p. 501.

two decades of CiU government control, Spanish democracy and *Pujolisme* disappear with the individual, regardless of the nationalist tradition in Catalonia? These questions will be addressed again in the final chapter of this thesis but remain important to bear in mind in an analysis of modern day Catalan nationalism.

Convergència i Unió's European position

The issue of European integration has been characterised by varying levels of interest, significance, and priority for nationalist parties throughout the EU. For CiU specifically, and the Catalan nationalist movement more generally, the process of European integration is seen as an important element along-side that of regionalisation in the process of transformation of the nation-state. The process of 'Europeanization' is equated with the process of 'modernisation' of the Spanish state, a concept, as noted in Chapter 3, inherited from the nineteenth century Catalan nationalist movement. As early as 1953, one of the Catalan nationalist's leading thinkers argued that the "ideal of Europe should never go against the normal existence of the nations that constitute it" and adding that national loyalties would never be substituted by an inexistent European loyalty"¹²⁷. During the Franco regime, Europe was seen as a goal and for Catalan nationalists in particular, a base of support and resistance (UDC, 1998, Art. 143).

Among other things, the 'modernisation' of the Spanish state involves the articulation of a plurinational and plurilinguistic consciousness with the admission that the nation-state is not the only path to modernity (Llobera, 1994) and that in today's day and age, the more common product is a multinational or plurinational state. In his writings, Pujol has outlined a vision of Europe in which member-states coexist with sub-national authorities on an equal level. This envisages a political union of member-states with substantial regional or sub-national decentralisation and the appropriate representative institutions. CiU's political

¹²⁶ Pi, Ramón, ed. (1996), p. 23.

¹²⁷ Quoted in Ehrlich, C. (1998), "Early twentieth-century Catalan regionalist theory: Lluís Duran i Ventosa, his times, and the influence of the Austrian Empire", *Nations and Nationalism*, Vol. 4, No. 2, April 1998, p. 209.

leadership has attempted to promote various political strategies to reconcile the diversity of both the Spanish state and the European Union by promoting the notion of 'inclusive' nationalism, a form of nationalism which does not threaten the integrity of the Spanish state (Hargreaves and García Ferrando, 1997). Throughout the period of CiU's dominance in the Catalan political scene, Pujol and other CiU political leaders have consistently mobilised support for the process of European integration and Catalonia's place within this process. An exception to CiU's pro-European platform was the Spanish referendum in 1986 on the continuation of NATO membership, which did question the international commitment and pro-Europeanism of CiU since the party did not instruct its rank and file to vote any particular way and permitted a free vote. By the following year however, CiU had seemingly retained its pro-European position. It fully supported Spanish membership in the EC despite not participating in the accession negotiations.

CiU's political leadership has been particularly successful in bringing the process of European integration to the fore of the Catalan nationalist movement not only by continued participation by its leadership within European institutions but also by adopting a pragmatic and international ideological position in its party platform. This position accepts many of the boundaries established by the Spanish state but questions the central government's interpretation of these boundaries and attempts to push forward demands for increased decentralisation and the transfer of competencies and powers. In essence, the moderate nature of the Catalan nationalist movement and the international position adopted by its leadership have solidified support for increased participation at the European level and growing levels of transregional co-operation. The frequent presence of its political leadership abroad in both private and public visits, participation in international organisations and institutions, and cultural and economic exchanges have served to promote the concept of Catalonia as a 'nation' rather than as a region or another Spanish autonomous community, a key distinction in Catalan nationalist discourse¹²⁸. In addition, participation in EU institutions such as the

¹²⁸ Jordi Pujol's speech at the London School of Economics in May 1996 was entitled "Two Nations, One State."

Committee of the Regions and European Parliament has encouraged its international and pro-European outlook.

CiU has consistently been committed to the 'deepening' of the EU rather than enlargement. Aside from the obvious economic reasons, it views the ongoing process of European integration as an opportunity to participate in the process of institutional reform by which regions of Europe would gain greater institutional recognition and a greater role for sub-national authorities in the European decision-making framework. This involves a sharing of sovereignty among the three levels of government: the supranational, national and sub-national, essentially promoting a flexible interpretation of sovereignty. The process of European integration is seen as contributing to this interpretation:

"the process of economic, cultural and social internationalisation and the practical disappearance of borders which it entails, suggests a weakening of the power of the State, which sees itself losing sovereignty over many of its traditional competencies"¹²⁹.

The end result of this process and specifically how this process will affect the nation-state remain to be seen as the process of European integration develops:

"it will constitute an inconsequential second way towards a more comfortable situation for Catalonia within the State and is not incompatible, rather it fulfils the definition of the new framework which we defend between Catalonia and Spain"¹³⁰.

Thus, Catalonia's position within the EU is viewed within the context of its position within the Spanish state and its relationship with the Spanish government.

Unlike its Scottish counterpart the SNP (Lynch, 1996), CiU has been able to reconcile its desire to achieve political and administrative autonomy within the Spanish state with its desire to participate fully in the process of European integration. It has enthusiastically supported Spain's participation in economic and monetary union as well as proposals for eventual political union and the idea of a 'European Spain' (Harvie, 1994). It has advocated the strengthening of the powers of the European Parliament with the extension yet simplification of the co-decision procedure as well as the power to vote on the President of the Commission and the formal ratification of Treaty revisions. CiU, along with many of its EU nationalist party counterparts, has pressed for the adoption of

¹²⁹ *Ponències, XX Congrés, Unió Democràtica de Catalunya*, Sitges, 7-8 December, 1996, p. 23.

regional electoral circumscriptions for European Parliamentary elections, the acceptance of which would clearly benefit the party. With regards to the Council of Ministers, CiU has advocated modifying the formal decision-making process with the gradual elimination of the unanimous voting procedure and the extension of Qualified Majority Voting (QMV).

Although as described above, CiU has consistently supported the current process of European integration, it has also at times questioned the institutional framework of the EU. Like its regionalist and nationalist counterparts elsewhere in the EU, it has sought the establishment of supranational structure encompassing national or regional communities rather than traditional nation-states. In its party platforms, CiU advocates a federalist Europe (UDC, 1998, Art. 147). The coalition sees the proposed enlargement as the opportunity for a Constitution to be developed for Europe and for a new political system to be devised (*El País*, 8 June 1999). It argues that in matters affecting Catalonia, the *Generalitat* should be the only valid interlocutor in the European Union. The matter of presenting cases before the European Court of Justice (ECJ) is one of its main objectives. This would allow the *Generalitat* to bypass the Constitutional Tribunal. In addition, CiU supports the presence of "sub-Commissioners" to represent the *Generalitat* in the European Commission as well as direct participation in the Council of Ministers. Furthermore, they propose the creation of various European agencies, which would entail the disappearance of Spanish state-controlled agencies such as the Renfe and the Spanish Ministry of the Environment's complete control over water works. If approved, this would allow the Catalan authorities to deal directly with Brussels in areas that have traditionally remained exclusive competencies of the state.

Like its Flemish counterpart, the *Volkswijde* (Lynch 1996), CiU has tended to view the process of European integration in economic and political terms rather than in linguistic or cultural terms. Still, the issue of the protection and preservation of Catalan language and culture through the institutional channels of the EU has been adopted by CiU. It has sought the recognition of Catalan by the Council of

¹³⁰ Ibid, p. 23.

Ministers as an official language of the EU specifically in the promotion of educational and cultural programmes sponsored by the EU. CiU argues that Catalan should become an official language of the European Union citing its widespread use as the seventh most used language within the European Union, before Swedish or Danish (*El País*, 12 June 1999).

From an economic and ideological standpoint, the pro-European position of CiU has almost seemed a natural progression for a party which has traditionally been supportive of activities of business pressure groups and free-market policies, viewed as having a positive impact on the Catalan economy. It sees Europe as the place where its economic and perhaps political future lies and it has encouraged the Spanish government to adopt similar positions. The emphasis placed on the perceived economic benefits of greater integration into the European process has led some authors to describe Catalan nationalism as 'bourgeois nationalism' (Harvie, 1994). This type of nationalism is by nature conservative but claiming to defend a distinct identity, culture and nation. Thus, CiU has focused a great amount of time and energy not only in defining Catalonia's place within the EU or promoting the perceived benefits of European integration but also on specific European issues such as the single currency and regional policy. By concentrating on these European issues, CiU has been able to further two objectives. First, it has generated broader support for the party and the Catalan nationalist movement more generally by elevating Catalonia's profile within the EU. Secondly, addressing these issues has allowed the CiU to appeal to its traditional support group, the centre-right moderately nationalist pro-business sector of Catalan society.

The degree of elite consensus within the party over international and European matters has been relatively high despite several public discrepancies within CiU's leadership. These discrepancies have mostly been related to Catalonia's position within the Spanish state and the CiU's electoral and political strategy within the Spanish political system. Nevertheless, the consistency of CiU's position on European matters has been considerable over the last two decades. It has not suffered from the inconsistencies of other nationalist parties such as the SNP and Plaid Cymru. These parties have at times called for both independence within

Europe and the increased regionalisation of Europe and have also questioned the potential benefits of European integration at other times. All in all, one of CiU's great political successes has been the relative absence of dissent over its pro-European approach and other issues of integration.

In addition, its relatively high degree of electoral success both domestically and in European elections has allowed it to reinforce its political credibility both within the Spanish and European political systems. The electoral and political strength demonstrated by CiU in the post-Franco era has given the Catalan nationalist movement significant opportunities to advance its case for greater Catalan autonomy and participation in the process of European integration. Its status as a partner in the 'governability' pact with the ruling PSOE and PP parties in 1993 and 1996 respectively allowed it to be one of the key actors behind the devolution process which has characterised the transformation and evolution of the modern Spanish state. Thus, CiU employ their governability pact with the PSOE and PP to enter Europe; then to impart their view of shared sovereignty and a new political culture (*El País*, 8 June 1999).

It is important to keep in mind however, that issues involving European integration have generally been little debated and enjoy a high degree of consensus across all parties both in Catalonia and in Spain. Furthermore, the subject of Spain's participation in the European project has been depoliticized to the point where it is questionable whether the opportunities presented by European integration have been as politically beneficial as originally viewed by the Catalan nationalist movement. Nevertheless, questions do rise regarding the long-term outlook and prospect of CiU's objectives in Europe. The issue of identity is an important concern in the future of the process of European integration. Will the emergence of a European identity undermine the long-term prospects for the perseverance of a Catalan identity which viewed from the nationalist point of view has taken decades to develop? Furthermore, the issue of post-*Pujolisme* and the survival of the often tense CiU coalition leaves the nationalist outlook on European integration uncertain. Has the charisma and notoriety of Jordi Pujol been the essential element in the drive to promote a European dimension to the Catalan nationalist movement? Will his replacement

or a change to the existing elite consensus generate a decline in the appeal for a European dimension in both the ideological position and pragmatic policies adopted by the Catalan nationalist movement? These questions remain unanswered for the time being but will be reconsidered in the concluding sections of this thesis.

Partit dels Socialistes de Catalunya

CiU's dominance of the Catalan political scene during the post-Franco era has been aided by the absence of a coherent nationalist leftist force in Catalonia. Leftist parties such as the PSOE and its Catalan counterpart, the *Partit dels Socialistes de Catalunya* (PSC), as well as the coalition of communist, green and feminist forces grouped under *Iniciativa per Catalunya* (IC), have been unable to consolidate themselves within the Catalan political framework. Internal divisions and factions within these parties have contributed to the public's perception of these parties, and specifically, the PSC, as the regional branches or 'franchises' of their national counterparts.

Throughout recent Catalan political history, the PSC party has remained fragile internally, being caught between loyalty to the centralised PSOE and the Catalan electorate. Thus, Catalan Socialists have often been described as having been nationalist and antinationalist at the same time (Calzada and Llorens, 1995). This dichotomy was most notable after the 1980 Catalan elections with the victory of CiU and the 1982 general election in which the PSOE captured the majority vote. Thereafter, the PSC was reluctantly forced to play the opposition role in Catalonia by its mother party. It opposed many of the *Generalitat's* demands for greater decentralisation reinforcing the perception of the PSC as a branch of the PSOE, rather than an autonomous Catalan socialist party. With the promulgation of the LOAPA in 1981, the PSC was put in a precarious position. Its internal divisions on the issue and its forced marginalisation from the issue by the PSOE, weakened its image as an alternative or 'second' nationalist party (Balcells, 1996) (Calzada and Llorens, 1995). It has even left critics accusing it of being a 'vote collector' for the PSOE (*El País*, 4 July 1998).

The political turmoil surrounding the LOAPA proved to be a turning point for the PSC. The situation was further aggravated during the PSOE's 14 year reign in Spanish politics. The PSC was forced to play a double role as both the central government's political representative in the *Generalitat* and as the party in opposition within the *Generalitat*. In other words, it was forced to defend the ruling PSOE and the Spanish state in the face of Catalan nationalist opposition. In essence, the PSC, more than any other Catalan party, has been subject to the tensions and contradictions inherent in the dual process of the establishment of the State of Autonomies and consolidation of Catalonia's position as an autonomous community within the Spanish state. As a result, it has been forced - in order to survive politically - to undergo a substantial process of transformation which left it increasingly isolated from the PSOE, remaining in a state of political turmoil and unable to challenge the powerful leadership of the PSOE.

The PSOE (founded in 1879) and its Catalan counterpart the PSC¹³¹, have historically supported the traditional conceptualisation of the nation-state. They have viewed nationalism as a tool employed by the bourgeois and capitalist sectors of society to further their own interests, a notion derived from liberal and republican nationalism emerging in the mid-nineteenth century (Hobsbawm, 1992). Yet the PSOE did support Catalonia's right to self-determination during the Second Republic, a demand which it only dropped in 1978. Again however, the issue of supporting self-determination has caused serious divisions within the party itself and tensions with the PSOE. This obvious dichotomy and 'nationalist ambivalence' has proven to be a historic handicap for the Catalan Socialists in their quest for the Catalan vote (Calzada and Llorens, 1995). Felipe González, during his rule as the PSOE's Secretary General and Spanish Prime Minister, has often criticised nationalism, even moderate nationalism, as exclusive (*El País*, 28 May 1998).

In the post-Franco era, the PSC has consistently attempted to promote a federal vision of Spain which would constitutionally guarantee Catalonia a high degree of autonomy and powers. This federal vision is an underlying element of the

relationship between the PSC and the PSOE. The PSC is in itself a Catalan party enjoying absolute sovereignty in determining its position on a particular issue within the Catalan political arena. At the same time, it pacts different agreements and united positions with the PSOE on issues within the Spanish political arena. Again, this has proved to be detrimental to the PSC within the Catalan political arena with a progressive decline in its share of the vote in the Catalan elections (see Table 5.1). Nevertheless, the dual vote characteristic of the Catalan electorate has benefited the PSC within the Spanish political scene. It has experienced a gradual increase of its share of the vote since the 1993 general elections partly due to voters disillusioned with CiU (see Table 5.2).

The issue of promoting a federal model for Spain, adopted by the PSC in its fifth Congress in 1987, has profoundly divided and to some extent damaged the PSC. The PSOE has seen the federal alternative as a means to consolidate Catalonia's position within the Spanish state and address the issues of Catalan identity and self-government. Despite these initiatives to attempt to address the Catalan problem, the PSC has been criticised for urging Catalans to accept the *café para todos* (coffee for everyone, i.e. the same arrangements for everyone) solution. According to Catalan nationalists, this would not address one of the Catalan nationalist movement's fundamental demands of widespread recognition of Catalonia's *hecho diferencial*. Furthermore, the PSC has remained ambiguous as to whether the 1978 Constitution should be reformed so as to achieve the proposed objective (*El País*, 9 September 1998).

Some observers have argued that both the process of fundamental transformation undertaken by the PSC and its precarious position within the Catalan political arena owing to its inextricable relationship with the PSOE have led to the *espanyolització* (Spanialisation) of the PSC (Calzada and Llorens, 1995). Over the last two decades, CiU has benefited from the PSOE's national shift towards the centre of the political spectrum as well as the right's lacklustre performance¹³² in

¹³¹ The PSC was founded in July 1978 composed by the Congress and Regrouping branches of the PSC and the Catalan Federation of the PSOE.

¹³² Until the 1995 Catalan autonomous elections, when the PP more than doubled its share of the vote (see Table 5.1).

the Catalan elections, by gathering votes along the way. Furthermore, CiU has managed to play on the sensibilities of many nationalists by portraying the PSC as the 'immigrant' party partly as a result of voting patterns indicating that the PSC possesses a large share of the so-called immigrant vote. This manipulation of the nationalist rhetoric has proved to be quite successful for CiU in its two decades in power. Nevertheless, with both parties, and to a lesser extent other parties constituting the Catalan political spectrum, adopting social integrationist policies to attract immigrant or 'Spanish' voters, the days when the PSC attracted large sectors of the Catalan working and immigrant classes are over. Both the PSC and CiU essentially attempt to attract moderate centrist Catalan voters with varying degrees of nationalist fervour. This pattern was reinforced following the PSOE's move to the centre during the last 1980s and early 1990s, when the economic and social positions of the PSC began to be almost indistinguishable from those of CiU. Thus, the only real difference remains the degree to which Catalonia should enjoy self-government within the State of Autonomies (Balcells, 1996).

The election in early 1998 of the charismatic populist and former Minister for Public Works, the Catalan Josep Borrell¹³³, as the PSOE's candidate for prime minister, reinforced the image of the PSC as a franchise party. In his open opposition to the 1997 Catalan linguistic law and his open support of the *Foro Babel*, Borrell clearly broke away from the PSC's position, which had supported the linguistic legislation. In addition, the candidacy of Pasqual Maragall for the presidency of the *Generalitat* in the Catalan elections in October 1999 has led to a fundamental transformation of the PSC's image in Catalonia. Maragall already proved a formidable rival to Pujol and CiU while Mayor of Barcelona by establishing a political and administrative network to counter the *Generalitat*¹³⁴. Maragall has the charisma and personality to match his CiU rival and may reverse the fortunes of the PSC both in its roles in the Catalan and Spanish political arenas and in the shaping of the future of the Catalan nationalist movement.

¹³³ Borrell subsequently resigned in May 1999 after a financial scandal involving his estranged wife and lack of support from the PSOE's Executive Committee.

¹³⁴ Indeed, the symbolic position of the two entities is rather ironic. Both the *Generalitat* and the City Hall of Barcelona face each other in the Plaça Sant Jaume in the heart of Barcelona with the presidential and mayoral balconies (where both the former Mayor and the President continuously

PSC's European position

Essentially, the PSC's position on the process of European integration and Catalonia's role within the process differs very little from CiU except for its federal orientation. The PSC's image abroad through its leadership has rivalled Jordi Pujol and the CiU. Pasqual Maragall's tenure as President of the Committee of the Regions, President of the Barcelona Olympic Organising Committee and active participant in many European urban and even regional initiatives has generated widespread media and public attention both within Spain and abroad. Even Maragall's political and ideological discourse has at times seemed to mirror Pujol's with frequent references to a Europe of the Cities rather than Pujol's Europe of the Regions. In an interview prior to the 1999 Catalan elections, Maragall proposed the "construction of a Catalan project with great respect towards Europe and the cities"¹³⁵. Yes he has also rejected the notion of defending Catalan nationalism in its purest form arguing that "nationalism is indefensible in Europe"¹³⁶.

Again, the schisms within the PSC are evident with the argument by some in the party that "like it or not, Catalonia is the most presentable [face of] nationalism in Europe"¹³⁷ and that Catalonia is continuing its process of nation-building within the integrative project of 'Europe'. Its officials argue that unlike the centralist nature of the previous PSOE government, a Catalan position on Europe is viable¹³⁸. The PSC has also extended its federal vision of the Spanish state to the relations among the three levels, Catalonia, Spain and the European Union. Nevertheless, it has repeatedly denied the need to address the issue of sovereignty arguing that the primary objective for Catalonia is "to strengthen and identify the political content of our [Catalan] self-government, specifically in view of the

attempted to outdo each other with the presentation to the public of various guests and celebrities) also facing each other.

¹³⁵ Interview with *El País*, 29 June 1998.

¹³⁶ Ibid, 29 June 1998.

¹³⁷ Fossas, E. "¿Socialista y Nacionalista?", *El País*, 7 July 1998.

¹³⁸ Interview with Javier Sanchez, PSC

European development’’¹³⁹. The PSC supports the strengthening of the CoR in transforming it into a second European chamber of territorial representation, a feature of its 'federal Catalanism'.

Partido Popular

The traditional right, embodied in *Alianza Popular* (AP), later in the *Partido Popular* (PP), remained unorganised and disoriented in Catalonia until the early 1990s, unable to find its own direction or political strategy, with poor results in municipal or Catalan elections. The eventual disappearance of the centrist political forces, from a 19% electoral high in 1979 with the *Centristes de Catalonia-UCD* coalition, down to 2% in 1982 was the most obvious example of the changing political scene of Catalan politics during the 1980s and early 1990s. The PP was able to take advantage of the disappearance of any electorally significant centrist party and was able to attract many conservative Catalan voters for whom economic policies were more important than assertion and protection of Catalan culture and identity.

The PP, as inheritor of Spain's rightist legacy, has traditionally opposed any measures of self-government, devolution or expressions of peripheral nationalism. By 1996, this position was forced to undergo a radical transformation when the PP entered into a governability pact with the Basque and Catalan nationalists. This agreement has often led it to support policies that fundamentally contradict its own ideological position, generating tensions and disagreements from within the party itself. Nevertheless, it has often returned to its traditional stance opposing any perceived excesses by nationalists. An example of this was in 1998 when the PP Presidents of the Autonomous Communities of Galicia and Valencia (areas which traditionally have been characterised by relatively high degrees of national sentiment) rejected CiU proposals for the reform of the Spanish Senate which would recognise the special treatment or *hecho diferencial* of the different 'nationalities' (Catalans, Basques and Galicians) within the Spanish state (*El País*, 3 June 1998). In addition, the president of PP's Catalan branch, Alberto

¹³⁹ PSC, *Per Catalunya. Ara, un nou federalisme*, 1998.

Fernández Díaz following his predecessor Aleix Vidal-Quadras, has often accused the Catalan nationalist movement of pursuing the 'extinction' of the Spanish state (*El País*, 20 July 1998).

The PP's European Position

The Catalan PP's position on Europe does not differ from that of the central PP. Thus, the PP continues to resist the participation of sub-national authorities in the Council of Ministers although it did support the establishment of the Committee of the Regions. As mentioned above, the Catalan PP remained in an uncomfortable political position in Catalonia due to the PP's governability pact with CiU. The pact forced the Catalan PP to accept CiU's demands for greater participation of the Spanish autonomous communities in the European decision-making process. The governability pact has also led to some internal dissent within the Catalan PP with some members reluctant to engage in any co-operative legislative activity with CiU. The substitution of Aleix Vidal-Quadras by Alberto Fernández Díaz has often been directly attributed by CiU demands as a condition of the 1996 pact. Unless electoral outcomes prove otherwise, the PP will continue to reign in its Catalan branch by denying it an independent voice in Catalan politics.

Esquerra Republicana de Catalunya

Esquerra Republicana de Catalunya (ERC) is the Catalan political party that has transformed itself the most during the twentieth century. Founded in 1931 by three different groups including ultranationalists led by Francesc Macià, Catalan liberal intellectuals and social reformists, it was the hegemonic party of Catalonia during the Second Republic. Following the approval of the Catalan Statute for Autonomy in 1932, ERC dominated the *Generalitat* and supported policies promoting Catalan language and culture but was undermined by the more radical hard-line nationalist elements within the party itself (Smith, 1996c). During the Franco regime, ERC maintained a Catalan government in exile headed by Josep Tarradellas who was invited back by Adolfo Suárez to head the *Generalitat*

during the transition. It abstained in the vote for the 1978 Constitution although it supported the 1979 Autonomy Statute.

The party saw its share of the vote drop from 8.9% in 1980 to 2.4% in 1987 in the Catalan elections, but made a steadfast recovery in the 1995 Catalan elections to gain 9,49% of the vote (see Table 5.1). It attempts to promote itself as a pragmatic and parliamentary party based upon the goal of total independence for Catalonia from Spain. Nevertheless, its image has been undermined by internal strife and frequently reported associations with a small separatist terrorist group relatively active until the late 1980s, *Terra Lliure*. In addition, during the 1980s and early 1990s, ERC alienated many Catalan conservative nationalist voters by refusing to accept the position adopted by the other two larger Catalan parties, the CiU and the PSC which primarily seek to foster greater autonomy for Catalonia within the Spanish state. In 1992, ERC dropped its outright demand for Catalan independence although it continued to secure the right to self-determination for Catalonia. For the November 1995 Catalan elections, ERC attempted to soften its image by emphasising sovereignty rather than independence to attract the CiU voter disillusioned with CiU's preoccupation with the Spanish political scene (Pallarés, Soler and Font, 1996). It has supported the adoption of a model of tolerance for Catalonia by promoting the concept of a double nationality to include all Spaniards and Catalans residing in Catalonia, again combining the notion of dual identity and social integration, so fundamental to the Catalan nationalist movement.

ERC's European position

Following the 1995 elections, ERC's leader Àngel Colom and a group of dissenting members, unhappy with the end of ERC's openly separatist position, broke away to form the *Partit per la Independència* (PI). Since then it has been led by Josep Lluís Carod-Rovira, who has toyed with concepts such as sovereignty and federalism, criticising the concepts of joint sovereignty or 'co-sovereignty' promoted by CiU arguing that "if we [Catalonia] are ready to share sovereignty, it is better to do it with Europe" (*El País*, 6 July 1998).

Despite its claims of self-determination for Catalonia, ERC has consistently supported the outward looking European perspective and the process of European integration. Both the ERC and the PI have adopted a position based on independence within the European Union. During the early 1990s, ERC frequently called for the transformation of a "Europe of the nation-states" to a "Europe of the Regions" to accommodate the demands of regionalism, nationalism and the process of European integration.

Nevertheless, in the late 1990s, ERC's position on Europe shifted considerably. For the 1999 European Parliament elections, ERC allied itself with the Basque PNV and EA parties as well as *Unió Mallorquina* from the Balearic Islands. For these parties, Europe is the key for the development of Basque and Catalan sovereignty. The party seems more pre-disposed to accepting Brussels rather than Madrid as interlocutor for the negotiation of the transfer of competencies. The concept of "Europa de los Pueblos" or "Europe of the Peoples" seems to be omnipresent rather than a "Europe of the Regions". They argue that the EU must be redesigned to become a federation in which both the Basque Country and Catalonia become 'political entities' equal to France and Italy (*El País*, 12 June 1999). They support the creation of a second chamber working alongside the European Parliament. This chamber would be a modified Senate where Europe's 'peoples' would be represented. The establishment of this second chamber would be guaranteed by a European Constitution which would include a Charter of European Peoples incorporating the right of self-determination for Europe's peoples. Furthermore, like other Catalan nationalist parties, the coalition supports EU enlargement but for different reasons: "The size and population of some of these nations is less than that of the Basque Country (and Catalonia) which is why the argument that the sparse population of our people to prevent them from exercising their collective rights can never be invoked"¹⁴⁰.

Despite their faith in the process of European integration, ERC remains convinced that this process continues to involve the European nation-states rather than its regions, nations or peoples. It criticises CiU for having monopolised Catalan

¹⁴⁰ PNV-EA-ERC-UM Joint Platform for European Parliament Elections, 1999.

participation in the process of integration and employing its cosy position with the central government to protect the interests of Catalan industrialists and business at the European level. The Catalan office in Brussels is seen by ERC as a personal fiefdom of CiU¹⁴¹. The initial hope that deeper integration would allow the Catalan government to bypass the nation-state in its dealings with the EU has faded. Again, a sense of disillusionment with what Europe can offer Europe's 'state-less nations' prevails.

Iniciativa per Catalunya

Like its Socialist counterparts, the coalition formed by former PSUC and PCC members, the Catalan Greens and other leftist forces in 1987 called *Iniciativa per Catalunya* (IC), has suffered from internal divisions over the issue of Catalonia's position within the Spanish state. Nevertheless, it has consistently supported the right of self-determination for both Basques and Catalans. This position diverges from the national leftist coalition, *Izquierda Unida* (IU), within which it is incorporated for general elections, which argues that the "principle of self-determination is nothing more than a useless reminiscence of the past, which does not respond to any of the present social issues"¹⁴². This reflects, like its leftist rival the PSC, the party's dilemma in supporting the right to self-determination. On the one hand, it reflects the party's recognition of the plurinational and multicultural reality of the Spanish state, faithful to the PSUC's 1936 pledge that "nationalisms are good if they aid the triumph of the revolution"¹⁴³ and the influence of leftist separatists from the *Entesa dels Nacionalistes d'Esquerra* (ENE) which form part of the coalition. On the other hand, by promoting the principle of self-determination, the party is faced with an ideological obstacle as to the unity of the State and has attempted to address the nationalist problem by promoting the idea of deepening existing self-government. In addition, the tension existing between IC's secretary general, Rafael Ribó and the IU's former secretary general, Julio Anguita, over the former's support of agreements with

¹⁴¹ Interview with ERC official, January 1999.

¹⁴² Carreras de, F. (1996). "Autodeterminació i subsidiarietat", in *Nous Horitzons*, Num. 142, Vol. 36, October 1996, p. 27 (author's translation).

CiU or ERC on certain issues again reflects the dilemma posed by the Catalan branch and the central coalition, similar to that continuous discrepancy suffered between the PSC and the PSOE. Accordingly, the party has opted for supported a federalist vision within which the right to self-determination would be inherent and optional. This would entail reform of the Senate and the elimination of the provinces of Catalonia. To this end, IC has joined forces with other leftist groups in the remaining so-called *Països Catalans* (Valencia and the Balearic Islands) to present a united pro-Catalan leftist front.

Iniciativa per Catalunya's European dimension

In ideological terms and as described above, IC has been faced by a dilemma as to whether or not to encourage the right of minorities to self-determination and the protection of the Spanish state. Accordingly, it has promoted the idea that while the principle of self-determination may be out of date and out of touch with modern society, the principle of subsidiarity and the ensuing necessary reforms to the organisation of the state is a modern concept which will encourage the “democratisation and extend the equality levels within the welfare state”¹⁴⁴. It argues that this principle should be applied to all levels of government, from the municipal to the European level, to achieve twin objectives, improved democratic participation and political and administrative efficiency. Thus, “today in Europe, especially the EU, self-determination doesn’t make any sense from the point of view of the forces of progress. In contrast, the principle of subsidiary, which is already inspiring the competencies of the European Union, maintains a large scope of useful virtues from the point of view of the left”¹⁴⁵.

Again, the moderate interpretation of nationalism is evident here. Specifically, IC views Catalonia’s participation in the process of European integration as a positive one, more for political than for economic reasons. Its proposed measures for Catalonia’s increased participation in the process of European integration are

¹⁴³ Calzada, A. and Llorens, C. (1995). *Reconstrucció Nacional*, Barcelona: Edicions Destino, p. 173 (author’s translation).

¹⁴⁴ Carreras de, F. (1996), p. 27.

¹⁴⁵ Ibid, p. 29.

closely linked to Catalonia's position within the Spanish state. Here IC differs from its national IU partners who are not against the EU but have criticised the institutional and economic system of the EU. They support a true European Constitution and argue that without it, the problem of the democratic deficit will continue. They argue that the Commission and Council of Ministers should equally share the legislative burden.

Yet, IC's leftist credentials often times overtake its nationalist leanings. It criticises both the institutional and economic system of the EU not only for not incorporating Catalan and other sub-national forms of participation but also for its free-market foundations. Nevertheless, its demands for a European Constitution, equality of the Commission and Council of Ministers in decision-making terms, and greater power for the European Parliament echo those voiced by other Catalan parties.

Partit per la Independència

The *Partit per la Independència* (PI) is a staunchly left-wing party with a hard-line separatist policy. Due its relatively recent establishment in May 1997¹⁴⁶, it is difficult to provide an accurate overview of its policies with regards to the current constitutional reality of Catalonia remaining within the Spanish state. Nevertheless, its position on Catalonia's participation in the EU is consistently viewed within the perspective of an independent Catalan state. Accordingly, Article 1 of the party's statute establishes "the Catalan Nation within its own State within the European framework". Like its Catalan separatist rival, ERC, and its Scottish and Welsh counterparts, the Scottish National Party (SNP) and Plaid Cymru, it has also launched an Independence in Europe campaign, reflecting its desire to remain a part of the process of European integration despite its pursuit of full-fledged independence. This is where the similarities with the other separatist parties end however. The PI has blamed Spanish negotiators for the perceived 'bad deal' which Catalonia received following Spanish accession to the European

¹⁴⁶ It auto-dissolved in early 1999.

Community¹⁴⁷. In addition, it has argued that Catalonia has been unable to benefit from EU regional policy and that contrary to popular belief, it is actually a net contributor. The PI also maintains its belief in the traditional structure and power of nation-state, arguing that Catalonia's participation in the EU is useless without the "voice and vote" of a member- state in its traditional form¹⁴⁸. It has accused supporters of the process of integration of treating the citizens of EU regions as second-class citizens¹⁴⁹. Nevertheless, the PI's poor results in the 1999 European Parliament and municipal elections where they were virtually wiped out reflect its failure to establish itself as the second largest separatist party in Catalonia.

Impact of European Integration on Identity

As discussed in Chapter 3, the multiple electoral strategy employed by many Catalan voters depending on the level of elections (municipal, regional, national and European) reflects the sense of dual identity inherent in the Catalan nationalist movement. At the European level, this voting pattern has become even more fragmented. Despite the fact that the single Spanish circumscription in the European Parliament elections prevents an analysis of voting patterns purely at the Catalan level, the overall picture does show a fragmentation of the vote. Unique circumscription or constituency forces nationalist parties, strong in one region, to enter into coalition with other nationalist parties. Thus, it is clear that the Spanish vote generally in EP elections has become more pluralized as indicated below in Figures 5.3 and 5.4:

¹⁴⁷ Partit per la Independència (1997) Economic Report, pp. 14-15.

¹⁴⁸ Interview with PI representative, No. 1, January 7, 1998.

¹⁴⁹ Ibid

Figure 5.3
European Parliament Elections 1994

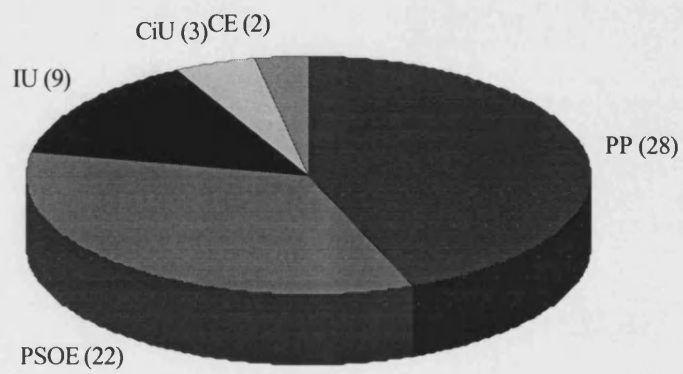


Figure 5.4
European Parliament Elections 1999

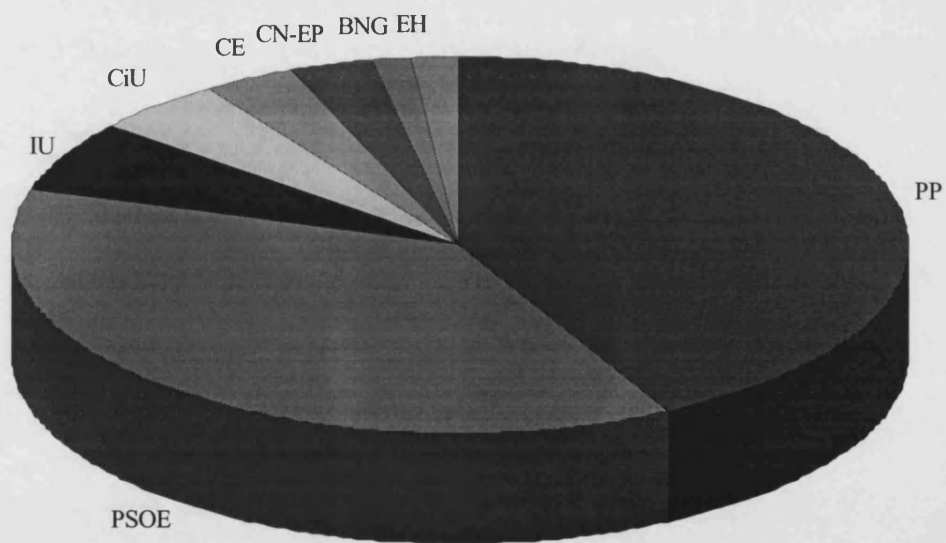


Figure 5.3 (seats are shown in parenthesis)	
Figure 5.4 Vote Breakdown	
PP	27 seats
PSOE	24 seats
IU	4 seats
CiU	3 seats
CE (Coalición Europea)^α	2 seats
CN-EP (Coalición Nacionalista – Europa de los Pueblos)^β	2 seats
BNG (Bloque Nacionalista Gallego)	1 seat
EH (Euskal Herriarok)	1 seat

^α CE is a coalition encompassing several regionalist parties including *Coalición Canaria* (CC), *Partido Aragonés* (Par), *Partido Andalucista* (PA) and *Unión Valenciana* (UV).

^β CN-EP is a coalition encompassing the Basque nationalist parties of PNV and *Eusko Alkartasuna* (EA) as well as ERC and *Unió Mallorquina* (UM).

Thus, the breakdown of regionalist/nationalist vs. centrist parties shows that the Spanish vote, at least in European elections, is moving away from a left-right divide to a centrist-regionalist/nationalist divide. These voting patterns also demonstrate a proliferation of the regionalist/nationalist vote in other areas of Spain, where traditionally this type of party has not had strong electoral results. Regionalist parties from Aragón, Andalucía, Valencia, Mallorca and the Canary Islands have joined forces with each other or with stronger nationalist formations to enter the European Parliament. According to this shift in voting patterns, Europe is seen from the voters' perspective as the appropriate institutional and political context within which nationalist objectives should be pursued or at least defended. Tables 5.5 and 5.6 reflect the importance given to Spanish and/or Catalan participation in the process of European integration. The view of Europe as the democratic prototype for Spain has historically prevailed and continues, albeit to a lesser degree, to dominate public opinion on Europe. In addition, Spain's membership in the EU has further fragmented the dual identity phenomenon in Catalonia.

Table 5.5

Question: Do you agree or disagree with the following statement: “The Spanish democracy has not reached the level of European democracies?” (in percentages)

	1995	1996
Agree	61	51
Disagree	26	31
Don’t know/no response	12	18

Data carried out 1990-1996 by the *Institut de Ciències Polítiques i Socials* at the Autonomous University of Barcelona

Table 5.6

Question: Do you feel more European or more Spanish?
1996 Data (in percentages)

Only Spanish	17
More Spanish than European	26
Equally Spanish and European	43
More European than Spanish	8
Only European	5
Don’t know	1
No response	2

Data carried out 1990-1996 by the *Institut de Ciències Polítiques i Socials* at the Autonomous University of Barcelona

Conclusion

As Chapter 3 has described, many of the objectives pursued by the Catalan nationalist movement have changed remarkably little or have remained static. The parties representing the most active sector of Catalan nationalism have employed a strategy focusing on a continuous campaign to ensure that the process

of competency devolution within the Spanish state remains alive. The debate among Catalan political parties is whether in the case of Catalonia, the process of devolution has gone far enough. Public debate has emerged within the Catalan nationalist movement and within the parties themselves on the degree to which claims of nationhood, statehood or even 'regionhood' should be asserted. Should Catalan objectives include a mere reformation of the statute of self-government? Or should a federalist model be adopted within the Spanish state, one which would ensure the uniformity of all regions? Whereas the federalist option has been viewed by other regionalist or nationalist movements within Europe as a solution, the federalist option has proven to be a Catch-22 in many aspects for the Catalan nationalist movement and remains controversial. CiU advocates a plurinational and multi-cultural framework within Spain, based on the Swiss confederate model. The objective, to a certain extent, is to achieve a modern form of independence or European-style separatism which does not necessarily entail the formation of a state.

Within this debate, the question of greater participation in Europe has been growing in importance in recent years. Until the mid 1990s, most Catalan parties agreed that Europe was a 'good thing' for Catalonia but were unable to go beyond rhetorical discourse. Today's Catalan parties have concrete proposals for Catalan participation in the process of European integration. Although there is generalised consensus as to the importance of Europe to the consolidation of the State of Autonomies and the economic and political future of Spain and Catalonia, the strategies among Catalan parties vary extensively. The main difference lies in the extent to which Europe is employed to further nationalist objectives. Parties such as ERC and the PI view Europe as the place where Catalonia can secure its independence. CiU on the other hand, prefers to view Europe as a place where state sovereignty can be bypassed in favour of the sub- and supra-national levels. The rhetoric for the nationalist parties seems to be that "Spain is bad and Europe is good". Critics argue that the efforts exerted by the nationalist-led Generalitat reflect a deep complex of '*país petit*' or small country. They argue that the Catalan nationalists' activity in the EU represents a deep concern for their own survival. Whatever the motivations, what is clear is that the efforts clearly reflect a desire for foreign recognition which goes beyond the acknowledgement by other

Europeans of a Catalan 'sub-culture' within Spain. As one party official succinctly put it, the "Catalan contribution to the EU is not to teach Catalan in Helsinki"¹⁵⁰.

The positive view of Europe however, has shifted considerably in recent years. Many nationalists argue that the process of European integration has not advanced enough to benefit Catalonia. A positive approach to European integration is important to nationalist parties so long as continued integration signifies lingering protection of minority rights. Some studies show however that the 'idea of Europe' has not been embraced as enthusiastically in Catalonia as it has been elsewhere in Spain. According to the European Values Study described by Andrés and Sánchez Fernández, the 'idea of Europe' is not seen so much as an ideological goal but as a "politically neutral space where Catalonia can enjoy some freedom of action"¹⁵¹. A further complaint by many Catalan nationalists is the perception that a *café para todos* mentality ingrained within Spanish political circles has extended to the establishment of institutions at the European level.

As this chapter has illustrated, independence does not seem to be a primary objective among most Catalan political parties (with the exception of the small separatist ERC and the PI). However, the concept of Catalonia as a nation and the principle of self-determination guaranteed within the European context continue to be employed in the mainstream nationalist movement as ideological if vague elements in nationalist discourse. These elements, buried in a climate of ambiguity are employed at times as a form of pressure on the Spanish state to achieve nationalist objectives. However, as we shall see in subsequent chapters, the European ideal is pursued through a distinctly regionalist strategy despite its ambiguous nationalist rhetoric. Thus, the Catalan nationalists' strategy is characterised by inherent ambiguity and contradictions, by both co-operating with and struggling against the central authorities and remaining very much embedded in its nationalist agenda. Participation in the process of European integration is a case in point.

¹⁵⁰ Interview with Javier Sanchez, PSC.

¹⁵¹ Keating (1997), p. 700.

Chapter 6

Participation at the EU level: Legal and Constitutional Implications

Introduction

The process of European integration has had uneven effects on the structure of each member-state. In cases where sub-national authorities or actors play a strong role, the effects are even more obvious. Analysing the institutions and actors involved - at all levels of government - in determining the state's position on EU matters is only one aspect of the effects of European integration on the state structure. It is equally important to examine the potential ramifications these changes may have on the legal and institutional structures of the individual member-states.

The dual processes of regionalisation and European integration have led, as some authors have argued, to an informal alliance particularly in the area of EU regional policy, between EU institutions and sub-national authorities. This alliance arguably weakens the nation-state by shifting competencies from the national level to the supranational and sub-national levels. According to this argument, a type of 'conspiracy' based on mutual self-interest and rational choice is emerging between the latter two levels based on a zero-sum approach. Nevertheless, the case of the Spanish autonomous communities clearly shows that competencies and authority are both shared and re-allocated giving "rise to joint decision-making rather than the domination of one level over the other"¹⁵². Thus, careful analysis is needed of the ever-changing relationship between sub-national authorities and the central government in the EU policy-making process. This allows for a more complete overview of the impact of European integration on both the sum (the balance of power among the entities) and the parts (the nature and position of each entity within the political system).

The case of Catalonia will demonstrate that the process of European integration has not led to a strengthening or weakening of the state based on a zero-sum game. Instead, this process has led to a fundamental transformation of the domestic structures of the Spanish nation-state. This transformation highlights the importance of institutions and constitutional measures in the equation. The process of European integration has led to an increase in the interdependent interaction of national, sub-national and supranational actors. In the Spanish case, this growing interaction has had considerable legal and constitutional implications within the process of consolidation of the State of Autonomies. This chapter will focus on three issues. First, a comparative approach between the roles of the German *Länder* and the Spanish autonomous communities at the European level is outlined. Secondly, an analysis of the implications of the process of European integration on the Spanish state's legal and constitutional arrangements will highlight the problems facing both the Spanish state and the autonomous communities in legal and constitutional terms. Third, the issue of national economic planning will be examined briefly as the starting point from which regional authorities began to demand institutionalised participation in EU matters. The comparative approach and analysis of the legal and constitutional implications will illustrate the development of an ongoing process of transformation of state structures in Spain

The German *Länder* and the Spanish Autonomous Communities: A Comparative Approach

At first glance, it may seem as if the process of European integration may have weakened the power of the regions or sub-national authorities *vis-à-vis* the state. Many of the competencies held by regional authorities with a high degree of self-government are gradually being transferred to the European level. Eventually, this loss of authority would be felt within the domestic political system where sub-national authorities would no longer need to participate in negotiations or legislation with the central government in those areas where competencies have been transferred to the EU level. Clearly, a process involving the 'Europeanising'

152 Börzel (1997), p. 105.

of exclusive competencies¹⁵³ has developed. This loss of competencies seems to confirm the view held by some that the process of European integration in fact strengthens the state *vis-à-vis* sub-national entities. Notwithstanding this, more analysis appears to demonstrate that in fact the opposite occurs. The case of Germany, as outlined below, will illustrate how its sub-national authorities, the *Länder*, have increasingly managed to keep the balance of power in constant flux.

A brief look at the case of the German *Länder* is important in tracing the rise in participation and influence of sub-national authorities in the EU decision-making process. The case is useful as a model for Catalonia since the German *Länder* have often been described, along with the Belgian regions and more recently the Austrian *Länder*, as the best examples of sub-national authorities which are influential at the preliminary stages of the process of EU decision-making (Hooghe, 1995) (Jeffery, 1996b). Unlike the Spanish case, where accession to the EC in 1986 coincided with the recent transition to democracy and consolidation of the State of Autonomies, the *Länder* in Germany demanded full participatory rights in the negotiation processes with European institutions from the very inception of the EEC. The *Länder* even enjoyed observer status in the German negotiations over the Treaty of Rome in 1957 even though they did not participate as full members of the negotiations committee. Although the *Länder's* influence over the European decision-making process was marginal at first, the German federal government did respond to demands for greater participation by allowing the *Bundesrat* to issue non-binding recommendations. Despite the fact that the *Länder* did not have a direct input into the basic treaty draft, over time they were able to secure increasing measures of influence in the EU legislation process (Börzel, 1997). Initially however, this influence was limited to implementing and administering European directives which in constitutional and Treaty terms did not allow for a great deal of manoeuvre.

153 By 'Europeanized', I would use the definition as presented by Peter John in describing the local government which has been 'Europeanized', the characteristics of which include participation in joint projects and networks of other European authorities, in receipt of European funding either through structural funds or otherwise, representation through an office in Brussels, and the integration of EU activities in all administrative departments or divisions. John, Peter (1994).

One of the questions deriving from the participation of sub-national authorities in EU matters is how disruptive this participation would be. In other words, will the introduction of more actors and institutions in the policy-making process complicate this process even further, increasing the chances for more conflict and less effective decision-making? The case of Germany and its 1969 "Joint Task" of Regional Development between the federal government and the *Länder* is a good example. This combined effort in the EU regional policy-making process has led some authors to describe this type of participation as a joint decision trap with little capacity to adapt (Benz and Eberlein, 1998). However, the German case is useful in tracing the effects of European integration on the policy-making process of one of the most decentralized member-states of the EU. Its position as one of the EU's founding members allows for a more detailed analysis on the evolution of participatory arrangements for its *Länder*.

1986 marked a turning point for German federal government and *Länder* relations over European matters when the latter began to use "their veto power on the domestic ratification of major treaty reforms to press for more influence on the resources of initiative and information"¹⁵⁴. During the ratification process of the SEA, the *Länder* reiterated many of their demands including that of "securing binding participatory rights in European matters and changing Art. 24 (1) of the Basic Law to make the transfer of national competencies to the EC subject to the consent of the *Bundesrat* (BR-Drs. 50/86, 21.2.1986)"¹⁵⁵. Owing to overwhelming German approval of the SEA and the unpopularity of the *Länder*'s demands, the *Länder* were ultimately unable to secure these demands (Börzel, 1997). Despite its refusal to grant full participatory rights, the German federal government did formalize some of the existing informal information and consultation procedures.

Much has been written on the direct influence exerted by the German *Länder* both in Germany's negotiations with the EU and directly on European institutions through increased contact by setting up offices in Brussels and establishing both formal and informal links with the European Commission and Parliament (Jeffery,

¹⁵⁴ Börzel, (1997) p. 97.

1995). Through these initiatives, the *Länder* have been able to collect and disseminate information to increase their knowledge of certain issues in order to formulate positions on specific policy matters. The *Länderbeobachter* (Observer), position created by 1988 legislation, also collects substantial amounts of information for the *Länder*. Similarly, the German federal government has been required by law since 1979 to submit all relevant European documentation including reports and other confidential information to the *Bundesrat*.

In the run-up to the 1991 Intergovernmental Conference (IGC) leading to the Maastricht Treaty, the *Länder* pressured the German federal government with their demands for greater participation. Later, these demands would be reiterated by both the Catalan and Basque governments in Spain and included:

1. the inclusion of the principle of subsidiarity in the EU Treaty;
2. the creation of a regional body at the European level (equivalent to the recognition of the regions as a 'third level' of the European Union);
3. the right of the regions to defend themselves before the European Court Justice against violations of their jurisdiction by the EU;
4. the direct participation of regional representatives in the Council of Ministers;
and
5. the participation of the *Länder* in the Intergovernmental Conference.

With these demands, the *Länder* set a precedent for other regions to follow. This list of demands was copied by other sub-national authorities in their proposal for greater regional participation in EU matters. With the creation of the Committee of the Regions (CoR), the *Länder* again played an important role by supporting proposals for institutional and treaty in the run-up to the 1996 IGC through the so-called Pujol report released by the CoR.

The *Länder* were able to participate in all negotiations on the Maastricht Treaty except for the final European Council meeting as well as the domestic negotiations on the formulation of Germany's position. Ultimately, the German federal government relented in light of the continued threats by the *Länder* of vetoing the ratification of the Maastricht Treaty in the *Bundesrat* (Börzel, 1997).

155 Ibid, pp. 97-98.

The *Länder* scored another success when two of their five demands were met in the drafting of the Maastricht Treaty. By 1992, representatives from the various *Länder* participated in over 250 EU committees and the amount of Bundesrat recommendations addressed by the federal government increased substantially¹⁵⁶. The *Länder* also enjoy the presence of a *Länderbeobachter* or regional observer in the German delegation. The German federal government has also significantly extended the amount of European level information made available to the *Länder* allowing them to develop more informed and articulated positions on EU matters.

There were several reasons for the *Länder's* success. Firstly, the *Länder's* strategy had shifted considerably over the past decade (Börzel, 1997). Up to 1985, the *Länder* insisted on defending their competencies from being transferred to the European level. However, from 1985 onwards, the *Länder* implemented a strategy demanding greater levels of participation in the EU decision-making process both within European institutions and in the formulation of the German position in the legislative process. Secondly, the political climate had changed to a more favourable one towards the *Länder*. Pan-European regional associations had taken hold and had increasingly become more influential. The idea of a 'Europe of the Regions' in order to promote pan-European regional solidarity had spread. Nevertheless, the success of the *Länder* was not so much attributable to an ideological shift by the federal government favouring the *Länder's* position but the persistent threat by the latter of vetoing the ratification of the Maastricht Treaty in the *Bundesrat*.

In 1992 the informal level of the *Länder's* influence changed with modifications to the Basic Law which required the federal government to present all modifications to European treaties to the *Bundesrat* as well as the transfer of national competencies, thereby granting the *Länder* a substantial role in European matters. The *Länder* were also successful in gaining an institutional channel of interests and demands at the European level with the creation of the Committee of the Regions. At the domestic level, the modifications to the Basic Law meant that *Länder* representation in the formulation of the German position in European

¹⁵⁶ Ibid, p.99.

policy matters was guaranteed. This representation was even extended in cases where the *Länder*'s jurisdiction, interests or competencies were directly affected. The *Europakammer* or European Chamber, a committee entrusted with the EU matters, was created and granted significant decision-making powers in adopting resolutions discussed later in the *Bundesrat*. Changes to Article 23 of the Basic Law in 1991 secured *Länder* representation in the Council by a Land minister nominated by the *Bundesrat*. These changes allowed the *Länder* to formulate recommendations on all EU proposals, including imposing these recommendations when *Länder* interests or jurisdictions are involved.

The October 1993 Federal-*Länder* Agreement also officially recognises the existence and function of the *Länder* offices – without diplomatic status - in Brussels. Like the 1994 Constitutional Tribunal decision in Spain and its repercussions for the Spanish autonomous communities, this official recognition allowed the *Länder* to formalize their links with EU institutions without the German federal government feeling threatened. The 1993 legislation also confirms the *Bundesrat*'s status as the institution where EU matters are discussed among the *Länder* and the federal government. It reinforces the *Bundesrat*'s power of opinion as elementary to the policy-making process in EU matters. Essentially, the *Länder* have secured substantial changes in the domestic bargaining and ratification processes of EU matters. This process of change has fundamentally altered the balance between the power and influence of the German state and the *Länder*. This became evident in various situations including the ratification process of the 1996-1997 IGC outcome when the *Länder* threatened to employ their veto prerogative if the principle of subsidiarity, one of their most reiterated demands, was not revised (Börzel, 1997).

Nevertheless, since the ratification of the Maastricht Treaty, it appears as if the *Länder* are no longer as assertive and united in their demands for greater participatory rights. Particularly in the case of transferring greater levels of authority and competencies to the Committee of the Regions (CoR), the *Länder* have been divided, most notably with respect to the doubts expressed by the Eastern *Länder* (Christiansen, 1997) (Jeffery, 1996a). As will be discussed in the following chapter, the Spanish autonomous communities have echoed the

Länder's disappointment with the weak consultative functions of the CoR. In addition, varying opinions on competency allocation among the various levels of government have weakened the position of the *Länder* with regards to their European aspirations. Nonetheless, the German federal government has continued to press its claims within the EU legislative process for a greater role for European regions in its attempts to address *Länder* demands.

Generally, several conclusions can be drawn from the German case. The *Länder* have been successful in achieving and exerting considerable levels of influence both within the German political process on European issues, jurisdiction and competencies, and directly at the European level. The case of Germany serves as a model for analysing the impact of both European integration and the growing levels of authority and influence by sub-national entities upon the state. By using the German case, the structural changes the state is undergoing can be examined without resorting to a zero-sum game approach. As Börzel argues, “rather than strengthening or weakening the central state level, Europeanization has reinforced the patterns and structures of power sharing and joint decision-making on which the German system of interlocking politics (*Politikverflechtung*) is based”¹⁵⁷. This system of continuous bargaining between the three actors which has led to significant changes to structures, institutions and balances of power is useful in examining other case studies. The approach is useful despite its emphasis on a conflict-minimising style of bargaining very much more characteristic of the German rather than the Spanish case, as the following chapter will illustrate.

Nevertheless, the case of Germany as examined above is ideal for a comparative perspective with Spain. In both countries, sub-national authorities have articulated many of the same demands including securing greater participatory rights in EU matters both domestically and at the European level. A comparative approach using the German case provides greater insight into the relationship between sub-national, national and European authorities. The German case also addresses the question of sovereignty, an important element in the study of the evolving political arrangements of the Spanish state. The modifications to

¹⁵⁷ Ibid, p. 104.

Articles 23 and 24 of the Basic Law establish the role of the *Länder* within the European policy-making process. In sum, the new provisions bind “national and European sovereignty into an identical legal frame work [sic]” and presuppose the “disappearance of the notion of sovereignty in the traditional sense”¹⁵⁸. Like the German case, the Spanish case demonstrates a two-fold process of evolution leading to a state of ‘shared sovereignty’. On the one hand, increasing measures of devolution of competencies and authority have led to changes in the institutional and political structures of the state as well as a continuous reassessment of the balance of power between the state and the regions. On the other, consolidation and participation in the process of European integration has exposed the Spanish state and its primary decision-makers to a process of socialisation and changed the nature of the political systems both at the domestic and European levels. Thus, the balance of power has merely been shifted and rearranged among the actors in the political system rather than each actor gaining or losing a set amount, a function of a zero-sum game (Hooghe and Keating, 1994) (Hesse and Wright, 1996).

Despite the attractions of using Germany as a comparison, the German state has often described as a ‘unitary federal state’ (Scharpf, 1996) resulting in a series of drawbacks for comparative purposes. First, the *Länder* have managed to secure greater decision-making powers at both the European and federal levels by sacrificing their own autonomy. In other words, the *Länder* have managed to attain a position within the federal decision-making system wherein they collectively act as a set of checks and balances in exchange for individuality and the protection of regional autonomy and diversity. This shift in priorities and influence has been explained by the essentially uniform nature of many German *Länder* with a common history and political culture. The present forms of the German *Länder*¹⁵⁹ do not represent in any way the historical territories or even the distinct cultural communities associated with the territorial formations of the

¹⁵⁸ Leonardy, U. (1996) “The Political Dimension, German Practice, and the European Perspective” in Hesse, J. and Wright, V. (eds.) Federalizing Europe? The Costs, Benefits and Preconditions of Federal Political Systems, Oxford: Oxford University Press, p. 94.

¹⁵⁹ The present territorial boundaries of the German *Länder* are a product of the divisions imposed by the occupation forces in the immediate post-Second World War era. See Hesse and Wright, (1996).

Spanish state. In addition, Germany has lacked the traditional nationalist or ethnic strife emanating from its regions which has characterised Spanish modern history. German politics has also been characterised by a higher degree of consensus and compromise between the federal and *Länder* levels than that experienced in the relations between the Spanish central government and the autonomous communities (Hesse and Wright, 1996). The German system of *Politikverflechtung* does not apply to the Spanish case in the area of EU matters, specifically with regard to the role of consensual agreements. The idiosyncrasies of the Spanish political system specifically relate to the pluralist nature and composition of the Spanish state and therefore need special consideration.

Nevertheless, the German *Länder* are not as similar as would seem at face value. Despite their identical constitutional frameworks, each *Land* has its own strategy at the European level. The cases of Lower Saxony and Bavaria (Jeffery, 1998) illustrate these disparities between a seemingly uniform strategy among all the German *Länder* and the nationalist rhetoric behind Bavaria's demands for greater participation in EU matters. This nationalist rhetoric could perhaps be described as a German form of the *hecho diferencial*. Indeed, in the Spanish case, nationalist rhetoric has provided the additional impetus for the autonomous communities to demand greater participatory rights in EU matters from the Spanish state. Furthermore, the Spanish autonomous communities have not shown signs of resisting the transfer of their competencies to the EU level as their German counterparts did before 1985.

Another difference between the two cases is the degree to which sub-national authorities are permitted to participate in the EU decision-making process. In the case of the *Länder* in Germany, through their 'observer' status in the negotiation process they are able to exert some direct influence particularly in areas where their interests or competencies would be directly affected (Börzel, 1997). Until recently, and as will be described in the following chapter, the participation of the Spanish autonomous communities in EU matters was limited to representation in the Sectoral Conference of the European Union established in 1988 by the Ministry of Public Administration. In contrast, the constitutional federal system of the German state already allows for significant participation by the *Länder* in

domestic politics in the form of federal institutional arrangements such as the *Bundesrat*. Thus, the system allows the *Länder* to demand the right to participate in the EU policy-making process as compensation for losing competencies to Brussels (Börzel, 1997). This ‘compensation through participation’ is an inherent feature of the German political system and has prevented the balance of power shifting permanently towards either side.

Quite the opposite is true in Spain. As outlined in Chapter 4, the ongoing process of devolution has not yet established the competency boundaries between sub-national and central authorities. Furthermore, the balance of power within the Spanish political system remains highly dependent on electoral outcomes, as the governability pacts following the 1993 and 1996 general elections demonstrate. Nevertheless, the German case is useful for comparative purposes as a precedent for the Spanish autonomous communities to follow. The legal and constitutional implications in the German case do have relevance on the Spanish case, as the following section will outline.

Legal and constitutional implications on the Spanish autonomous communities

As described above, the German *Länder* enjoy a recognised and influential political institution, the *Bundesrat*, through which to channel their interests and organise their demands in their dealings with the federal government. Two important features of the structure of the Spanish state limit the capacity of the autonomous communities (CCAAs) to collectively channel their demands and articulate their interests on EU matters to the central government. First, the nature of the Senate, the weaker of the two parliamentary institutions, does not allow for effective or influential decision-making. Second, the asymmetrical nature of the Spanish State of Autonomies means that power is unevenly distributed throughout the autonomous communities.

According to Article 94 of the Spanish Constitution, the central government is required to convey to the Senate all information concerning international treaties or agreements it has entered. As the territorial representative chamber, reinforced

by the 1994 Senate reform, this obligation would grant the Senate the same status as its German counterpart, the *Bundesrat*. Theoretically, it would mean that the autonomous communities would be able to discuss and formulate recommendations on EU matters within the Senate. In practice however, the inherent weaknesses of the Senate have prevented it from playing a more decisive role in securing greater participatory rights for the autonomous communities in the EU decision-making process. Article 95 provides both chambers the right to present motions to the Constitutional Tribunal against specific international agreements entered into by the government. Theoretically, this would provide the Senate with some power in EU matters by opposing these agreements. Nevertheless, this constitutional provision merely reinforces potential conflict between the central government and the autonomous communities by institutionalising judicial sentences rather than political channels of co-operation.

The inherent weaknesses of the Senate demonstrate the lack of a clear legal and constitutional framework within which collaborative efforts between the central and sub-national authorities can be exercised. As will be discussed in the following chapter, the Sectoral Conferences and bilateral negotiations have taken over the exercise of functions theoretically belonging to the Senate. At face value, the Senate would be the logical venue for discussion of EU matters. Catalan officials and political party representatives interviewed by the author concurred in describing the Senate as a centre of EU information dissemination rather than as a proper governing chamber. They argue that if the structure and function of the Senate remains unchanged, the state will always be the intermediary in EU matters, seriously limiting the participation of the CCAAs in EU matters. Despite the fact that CiU has occupied the vice-presidency of the Senate through Joan Rigol, the presence of Catalan nationalists in the higher echelons of Spain's second chamber has not led to the necessary reforms. As discussed in Chapter 4, the Senate's true function does not correspond to its constitutional function as a territorially representative chamber. Instead, one could argue that the plethora of existing Sectoral Conferences on all matters has led to a Sectoral Conference Constitution for the State of Autonomies.

Spain's accession to the EC in 1986 could have arguably eroded the powers of the autonomous communities since the nature of the European decision-making power involves functions and powers exclusively reserved by the state (Scharpf, 1996). Decisions taken at the EU level by the Spanish state are judged to be international obligations falling under the jurisdiction of international law under Article 149 Section 1.3 of the Spanish Constitution. As a result of the legal stipulations, it would seem that the autonomous communities are excluded from the right to implement EU treaties and legislation. Instead, the state bears full responsibility. Consequently, the redistribution of powers and competencies as stipulated by the various European treaties and ongoing legislation has resulted in powers being shifted to the supra-national level. This would imply a territorial redistribution of powers within the Spanish state. In itself, this would not prove to be a problem provided that legislative or constitutional reform involved compensating the autonomous communities with additional powers (Solozábal, 1996).

Nevertheless, the argument that European integration has led to the curbing or limitation of powers exercised by the respective autonomous communities does not hold true in the Spanish case. Firstly, efforts have been made to correct this redistribution of powers. A Constitutional Tribunal decision (Decision 252 of 1988) held that collaborative efforts should be sustained between the central government and the autonomous communities in all matters referring to the implementation of European legislation within the limits and boundaries established by the Constitution and the individual Statutes of Autonomy. The balance of power between the two sides however, is tilted in favour of the central government, which retains a constitutional guarantee of control to ensure the uniformity of the implementation of EU treaties and legislation.

One of the proposed solutions to tilting the balance in favour of the CCAAs has been to institutionalise the right to petition contained in Article 77 of the Spanish Constitution (Pérez Calvo, 1993). This would mean that CCAAs with objections to certain positions adopted by the central government in EU matters could exercise their right of petition to the Spanish Cortes. However, putting this measure into practice would create an avalanche of petitions to the Cortes taking

up valuable time and resources and further accentuating the legal uncertainty generated by this stop and go measure. Furthermore, it does not address the problem of institutionalising the mechanisms by which the CCAAs can participate in the formulation of the Spanish position in EU matters. At the EU level, the problem is similar. As shall be seen in the following chapter, one of the demands made by Catalan nationalists is for the right for the CCAAs to present a case before the European Court of Justice (ECJ)¹⁶⁰. The current agreement stipulates that in cases where the competencies of a specific CCAA are affected, the regional authorities may assign advisors to represent them in the working groups of the Spanish legal delegation. Again, the time and resources involved in this collaborative effort have prompted supporters of independent judicial actions by the regional authorities in the ECJ to press their case.

From a brief examination of the legal and constitutional framework surrounding the rights and competencies of the central government and the autonomous communities in EU matters, contradictions emerge involving the harmonisation of EU directives and norms. As discussed previously, from a legal standpoint EU treaties and agreements are regarded as international obligations and accordingly pertain to the Spanish state's exclusive jurisdiction or area of competency. A conflict of interpretation arises however, when one considers the limits to state control as outlined in the 1978 Constitution and the respective Statutes of Autonomy and their delineation of the distribution of powers. If for example the EU issues a directive in the area of education which under the Catalan Statute of Autonomy falls under the direct jurisdiction of the *Generalitat*, the *Generalitat*'s claims would enter into direct conflict with the state's claim to exclusive control over the implementation of international agreements¹⁶¹. The Constitutional Tribunal has dictated that the central government is the *only interlocutor* in the

¹⁶⁰ At present, only member-states governments can present or defend cases in front of the European Court of Justice. The issue of whether or not sub-national authorities, in this case the German *Länder*, was brought up by the German federal government in negotiations leading up to the Maastricht Treaty but a decision on the matter was not reached. Both the German *Länder* and the Spanish autonomous communities, particularly Catalonia and the Basque country, have fiercely lobbied their governments to include this issue in the 2000 IGC.

¹⁶¹ The present Catalan Statute of Autonomy lacks a provision stipulated by the Catalan Statute of 1932 approved during the Second Republic which entitled the central government of the Republic to intervene in all matters relating to international treaties or agreements where the *Generalitat* did not exercise its powers (Solozábal, 1996).

implementation of EU directives (Constitutional Tribunal Sentence 252/1988 of December 20, 1988). The same sentence however, mandates the co-operation between national and sub-national authorities respecting the internal rules of delimitation of competencies. Thus, the legal framework within which these boundaries are established on authority and competencies remains vague and ambiguous. The conflict of interest arising from this legal ambiguity increases the possibility of inherent political strife and reinforces the need for constitutional reform. As the process of European integration intensifies and more competencies are shifted to the supra-national level, the debate within Spain over the authority and jurisdiction involved in the implementation of EU legislation is likely to escalate unless a satisfactory solution is found.

The conflict generated by the ambiguous nature of the constitutional framework is exacerbated by the principle of subsidiarity as enshrined in its own terms in the Spanish Constitution (Article 149). It again questions the jurisdiction of the state vs. the autonomous communities in EU matters. Similarly, in Germany the distinctions between the state's role in international obligations and the *Länder's* jurisdiction in competencies such as education and culture have not been defined in constitutional terms as has occurred in the US's federal system. Like its Spanish counterpart, the German Constitutional Court developed a decision based on the principle of mutual harmonious recognition (*bundesfreundliches Verhalten*) by which each side must respect the jurisdiction and exercise of powers of the other. This decision was taken in response to the recognition that with the process of European integration the boundaries of policy areas and competencies would grow increasingly blurred. The absence of a similar decision in the Spanish legal system is merely delaying the resolution of a growing conflict between central and sub-national authorities in the implementation of EU policies and in the delimitation of jurisdictions.

The application of Community law to Spanish law also provides an instrument for Catalan nationalists and other regionalists to secure greater participatory rights. Article 146 of the Maastricht Treaty provides for the participation of sub-national authorities in the Council of Ministers in the form of observers, specifically with regard to competencies directly affecting these entities. For Catalan nationalists

and other regionalists, the very nature of Article 146 implies institutional and constitutional reform including the fundamental transformation of the Senate. This interpretation extends to the Sectoral Conferences which in view of the nationalists are not sufficient to guarantee this participation. The lack of clear participatory mechanisms within the constitutional framework for regions with high levels of self-government such as Catalonia and the Basque Country will aggravate the ill feelings harboured between the central and sub-national authorities on competency allocation and jurisdiction.

The Statutes of Autonomy in themselves contain little and varied information as to the participation of the CCAAs in the central government's position in international matters. The Statutes of those CCAAs which do refer to CCAA initiatives in international matters are concerned with specific issues such as the protection of regional languages and Spanish emigrants abroad. EU matters are not affected. The only exception to this is the case of Aragón whose Statute does contain a general provision allowing the regional government to petition the central government for international agreements in "areas of interest for Aragón"¹⁶². With regards to the central government's obligation to inform CCAAs of its intentions on a specific position, only a few Statutes include this provision¹⁶³. With the exception of the Statute of the Canary Islands, the Statutes in question do not detail the CCAAs' right of response to this information. Indeed, it is this omission of specific measures of response and co-operation which has led to a high degree of conflict between the CCAAs and the central government. What has occurred in the Spanish case is the Statutes' lack of foresight which, when drafted, did not contemplate participatory measures for the CCAAs in Spain's position in EU matters. Furthermore, with the publication and wide dissemination of EU directives and legislation, the central government's obligation of informing the CCAAs on EU matters seems outdated and unnecessary. The process of devolution and transfer of competencies to regional authorities in itself carries a regular exchange of information within which the discussion of EU matters can be carried out. The reciprocal *duty* of exchange of information between the CCAAs and central government is enshrined in a

¹⁶² Article 40.1 of Aragón's Statute of Autonomy.

Constitutional Tribunal ruling (Constitutional Tribunal Sentence 76/1983, August 5, 1983) again illustrating the important role carried out by the judicial system in establishing the rules and regulations in the process of devolution.

Several Constitutional Tribunal rulings¹⁶⁴ since then have confirmed the CCAAs' right to respond to specific policy measures affecting shared competencies or even competencies of exclusive state control. Again, it is the omission of provisions detailing the right of response to information in EU matters that prevents the development of an institutionalised mechanism of participation. In legal and constitutional terms, the asymmetry of the Statute of Autonomy provides an ambiguous and varied series of dispositions which does not define the participation of the CCAAs in the process of European integration. The potential for conflict between the central and sub-national authorities is clear.

Participation of the autonomous communities in national economic planning

The constitutional measures set out for the participation of the autonomous communities in national economic planning provided the legal and constitutional springboard from which the CCAAs could begin to demand greater participation in EU matters. Under Article 131 of the Constitution, the central government is responsible for the overall planning of economic activity. However, it draws up its economic plans in accordance with the forecasts supplied to it by the CCAAs. Under Article 149, the Constitution grants the central government the power of co-ordination of general economic planning, thereby enabling the CCAAs which have accepted the appropriate competence to develop such legislation further. The autonomous communities receive financial assistance from both the Interregional Compensation Fund (ICF), provided for by the Spanish Constitution and the European Regional Development Fund (ERDF) provided for by the EU. Participation in the ICF established by law in 1984 and designed to reduce regional disparities as well as the CCAAs' constitutional provisions for

¹⁶³ Statute of Autonomy of the Basque Country, Article 20.5; of Catalonia, Article 27.5, etc.

¹⁶⁴ Constitutional Tribunal Sentence 84/1983, 24 October 1983 involving a dispute between the Generalitat and the central government in the area of culture and Sentence 13/1988, 4 February 1988 involving a dispute over the characterisation of fairs and exhibitions as 'international'.

participation in national economic planning provided a series of institutional mechanisms favouring increased co-operation between national and regional authorities. With Spain's accession to the EC, the need to harmonise the ICF with EU funds became painfully obvious (Borrás, Font and Gomez, 1997). Contacts among national and regional authorities became even more frequent as did those with the European Commission.

The *Generalitat* realised early on that the process of European integration would have serious effects on the Spanish state's control over national economic planning. Along with the process of devolution initiated with the establishment of the State of Autonomies less than a decade before, the transfer of competencies to the European level would involve some loss of sovereignty. This was clearly in the following text published before Spanish accession to the European Community:

"Obviously, by joining the EEC, the Spanish State will have to adjust to this process of loss of sovereignty. But, at the same time, because of the Spanish Constitution approved in 1978, the state will also be subject to another process constituting what has been called the construction of the State of Autonomies"¹⁶⁵.

The *Generalitat* also began to see the potential loss of competencies and sovereignty that it would have to undergo with Spain's accession to the EC:

"Catalonia's Statute, approved in 1979, contains the areas taken on by the Generalitat substituting the power exercised by the central administration. Thus, in this context, Catalonia, equipped with certain measures of self-government, will also see itself immersed in this process of surrendering sovereignty implied by any act of economic integration"¹⁶⁶.

In public, the nationalist-led *Generalitat* embraced rhetoric declaring the end of the nation-state and Europe as a point where 'nations' could bypass the state. Less vocally however, the *Generalitat* continued to accept the fact that in areas such as regional policy and funding, the Spanish State was still needed to channel regional demands:

"Within the framework of territorial politics and given the fact that the Generalitat has been given the ability to forge its own regional policy, the effects could be determined by the applications made by the autonomous government

¹⁶⁵ Generalitat de Catalunya (1982). "Catalunya i la Comunitat Econòmica Europea", Institut d'Investigacions Econòmiques, Barcelona, p. 553, [author's translation].

¹⁶⁶ Ibid, p. 553.

of Catalonia for regional development projects, *via the Spanish state as an intermediary*, before the appropriate Community entities"¹⁶⁷.

Soon it became clear who the 'winners' and 'losers' were in the process of distribution of power in the area of national economic planning. As outlined in Chapter 4, the asymmetric nature of the division of competencies among the various autonomous communities within the Spanish state has led to a heterogeneous distribution of administrative and institutional relations, resources and human capital. Thus, so-called 'stronger' autonomous communities such as Catalonia enjoy a disproportionately high degree of expertise and allocation of resources in their day-to-day institutionalised relations with central government authorities. The co-ordination surrounding the planning and implementation of the ICF and ERDF led to the reinforcement of existing institutional co-operative arrangements as well as the emergence of new networks. The context within which greater participation in EU matters, on a decision-making level rather than merely on a policy implementation level, had been established.

Conclusion

With Spain's accession to the EC in 1986 and the relatively young age of the State of Autonomies - less than a decade - the introduction of an additional level of governance caused concern among Spain's central administration. These concerns did not refer to questions on competency allocation and authority but to the potential problems of overburdening and inefficiency on an archaic bureaucracy. By 1986, the process of devolution was only beginning to take hold and a sense of 'business as usual' with the decentralised administrative arrangements had not begun to emerge. The introduction of an additional level of governance - the EU level - seemed to emphasise the lack of consensus on the functions exercised by each level of government in the new State of Autonomies. Unlike the German case with its system of inter-governmental relations, the relative newness of the Spanish system and the existing centralised political culture made it hard to avoid conflict and competition among the various actors involved.

¹⁶⁷ Ibid, p. 554.

The German example demonstrates a case in which sub-national entities do not attempt to overtake the state. Instead they form part of the nation-state, generating a policy-making process in EU matters with overlapping and complementary components. The Spanish case is not as clearly defined. The inherent ambiguity of the legal and constitutional framework has raised a series of potential sources of conflict which have until recently remained outside the realm of public debate. However, one must look beyond the legal and constitutional provisions stipulated by the Spanish Constitution and respective Autonomy Statutes to gain a clearer picture of the CCAA participation in EU matters. The establishment of the system of the Sectoral Conferences and the consolidation of bilateral negotiations following the 1996 general elections have led to a gradual transformation of the nature of Catalonia's participation in EU matters. The issue at hand reflects a dilemma: the logic behind the State of Autonomies vs. the EU logic. A future political European Union of nation-states will have to contend with a similar dilemma. Each nation-state will have to resolve this problem in its own way.

Thus, the process of European integration continues to pose a challenge to the distribution of powers within a given state affecting the overlapping of powers and competencies among the different levels of government. The boundaries must be clearly defined as well as the resolution of conflicts between the various levels of government without their having to habitually resort to the judiciary system. This would be achieved by designing a distinct legal and constitutional framework rather than a series of regulations and directives based on court decisions. If the EU is to continue its process of integration and more specifically, its process of political integration, it must face these challenges in light of the particularities of each system.

Chapter 7

The Participation of the Autonomous Communities in Process of European Integration

Introduction

Keating (1997) argues that one of the pre-conditions to ensure the success of a given nationalist movement, is its ability to project itself effectively in the international arena. This ability does not necessarily entail exercising exclusive authority over such areas as foreign policy and diplomacy traditionally competencies pertaining exclusively to the state. Therefore, new forms of international co-operation have been pursued to ensure this non-territorial form of public recognition.

Even before Spain's accession to the European Community in 1986, the *Generalitat*, realised the importance the process of European integration would have on Catalonia. This was particularly evident in the area of regional policy where Spanish regions would benefit substantially from EC funding and where regional governments would have to play a role in the implementation of various EC funded programmes. The *Generalitat* viewed this latter element of policy implementation as one which would find the most resistance by the central government. As early as 1982, it acknowledged that the "main difficulty in articulating an effective regional policy at Community level is found in the resistance of the member-states to lose political control over a subject which could have economic, social, political and electoral consequences of a great scale"¹⁶⁸. In other words, the *Generalitat* realised that the process of European integration and its potential transfers of competencies would be resisted by the Spanish central government as had the process of devolution initiated with the 1978 Constitution.

¹⁶⁸ Generalitat de Catalunya (1982), p. 491.

However, the *Generalitat* was also very aware that European integration could pose a similar threat to the hard won levels of self-government Catalonia attained with the 1980 Autonomy Statute and subsequent measures of devolution. Nevertheless, the traditional pro-European vocation of Catalan nationalism prevailed. As outlined in Chapter 5, most Catalan political parties - with the exception of separatists - view the process of European integration as complementary to the consolidation of the State of Autonomies in Spain. Rarely, if ever, has it been viewed in the last 15 years as a threat to Catalan sovereignty and self-government. Instead, it is seen as providing a catalyst for change in the Spanish policy-making process involving the 17 autonomous communities (CCAAAs). Participation in the process of European integration has also provided an opportunity for Catalonia to project a modern image abroad and an area in which sub-national entities like Catalonia are able to secure a greater role in the EU decision-making process.

To this end, Catalonia has its own pressure groups lobbying European officials in Brussels and has actively participated in the framework established to institutionalise various forms of regional co-operation at the European level. Whether or not these initiatives were intended to displace traditional forms of diplomacy or foreign policy, it is clear that their success has led to changes to traditional political structures, entities and ideals.

Towards a 'direct route'

The Spanish CCAAs have demanded participatory rights in EU matters since Spain's accession to the Community in 1986. From 1988 until 1992, negotiations between the government and the CCAAs remained paralysed as a result of the refusal of the latter - particularly from Catalonia and the Basque Country - to accept the central government's offer. The strategy of transregional co-operation initiated by the *Generalitat* at the end of the 1980s and beginning of the 1990s was part of a concerted effort to establish a more important political and economic role within the EU. When that proved to be insufficient, the *Generalitat* turned back towards the central government and using its advantageous electoral

position, demanded greater participatory rights in the heart of the EU decision-making process.

This turnaround occurred following the March 1996 general elections when the winning PP coalition was forced to seek coalition partners in the mainstream Basque and Catalan nationalist parties (the PNV and CiU). Each party had its own set of demands but one of the key measures demanded by both was the improvement of the Basque Country's and Catalonia's representation in the EU. In its political platforms CiU has always demanded *vía directa* or a 'direct route' to Europe because "as nationalists, we believe that our nation has the same right as other European nations to be represented in Europe"¹⁶⁹. Although achieving a 'direct route' to Europe was highly unlikely in light of the resistance of Spanish mainstream parties, CiU did manage to extract a promise from the PP to grant Catalonia its 'own voice' in Europe. The concession was part of an extensive governability pact between the PP and CiU. Thus, in comparison to other concessions made by the PP to the Catalan nationalists, the promise to secure greater representation for Catalonia in EU matters was a minor one. Furthermore, the agreed provision stipulated that the PP government would be expected to guarantee the participation of all CCAAs in EU matters affecting them. It is likely that the PP thereby hoped that Catalan demands would be diluted if grouped with the other autonomous communities.

The legislation regulating some of the participatory measures granted to the CCAAs in EU matters (Law 2/1997) was approved by the *Cortes* less than a year after the 1996 general election. These measures allowed for the reinforcement of the existing *Conferencia para Asuntos Relacionados con las Comunidades Europeas* (hereafter, Sectoral Conference) which had been institutionalised in October 1992 following their informal creation in 1988. The decision to create this body followed an agreement relating to the participation of the autonomous communities in cases involving Spain presented to the European Court of Justice with regards to the implementation of the EU's competition policy directives. The Sectoral Conference is not limited to EU matters but extends to all

¹⁶⁹ "El Compromís de Convergència" (CDC publication), 20 March 1998.

competencies where the CCAA have exclusive or shared competencies. Nevertheless, the Sectoral Conference Relating To EU matters can arguably be said to have lost its sectoral character. With its institutionalisation in 1992 and the channeling of CCAA participation in EU matters, it has devised a *modus operandi* for each policy-making area. While the Sectoral Conference Relating To EU matters discusses general EU affairs, the other areas of competency where the three (EU, national and sub-national) levels of government are involved, are allocated to specific Sectoral Conferences (see Table 1). Again, the 1992 reform meant that the Sectoral Conference Relating to EU Matters no longer remained as a mere instrument of co-operation between the central government and the CCAAs. Instead, the Sectoral Conference became a proper institution where the CCAAs are able to forge a common position and negotiate with the central government. The November 1994 agreement consolidated this move by formalising several internal decision-making procedures allowing the Sectoral Conference to move away from merely generating a common strategy.

Table 1

EU Policies	EU Council of Ministers where decisions are taken	Sectoral Conference
Institutional and General Affairs	General Affairs	Relating To EU Matters
Single Market	Single Market	Relating To EU Matters
Agriculture	Agriculture	Agriculture
Fisheries	Fisheries	Fisheries
Economic policies affecting CCAA competencies	ECOFIN	Council of Fiscal and Financial Policies
Transport	Transport	National Conference for Transport
Social policy	Social Policy	Social Policy/Employment Policy
Education, Vocational Training and Youth	Education	Education
Environment	Environment	Environment
Industrial Competition	Industry	Industry and Energy
Research and Development	Research	General Council of Science and Technology
Trans-European Networks	--	Territorial Infrastructure and Management
Public Health	Health	Inter-territorial Council of the National Health Service
Culture	Culture	Culture
Consumer	Consumer	Consumer
Energy	Energy	Industry and Energy
Civil protection	Civil protection	National Commission for Civil Protection
Tourism	Tourism	Tourism
Telecommunication	Telecommunication	Advisory Council for Telecommunications

The Sectoral Conference Relating To EU Affairs, presided by the Minister of Public Administration, along with the participation of the Secretary of State of Foreign Affairs and for the EU as well as the Secretary of State for Territorial Administrations, was established as a consultative organ between the central government and the CCAAs. Its main consultative tasks lie in the area of information dissemination and the formulation of common CCAA positions on EU matters. Meeting on a minimum twice-yearly basis, it also sets co-operative measures to enhance CCAA participation in the implementation, management and monitoring of EU policies. It seeks to clarify technical procedures and to resolve any problems arising from the implementation of EU policies and directives. However, the Sectoral Conference primarily serves as a forum where the CCAAs can adopt common positions on EU matters and where co-operation among the

various representatives is crucial. It is in this area where differences arise. Officials from the *Generalitat* accuse their Basque counterparts of undermining the Sectoral Conference by not granting it the attention it deserves. Others criticise an apparent lack of debate within the Conference itself. Nevertheless, the *Generalitat* has assumed a constructive attitude towards being grouped with other CCAAs in the Sectoral Conference rather than attempt to emphasise Catalonia's singularity or *hecho diferencial* as a 'historic' community.

The Catalan government - following CiU's agreement to support the PSOE government in 1993 - was able to extract greater concessions over regional representation in Spain's delegation within the EU. In May 1994, a Mixed Commission for the European Union was created combining deputies and senators from both chambers to discuss EU Matters. Furthermore, a bilateral commission was established to inform the autonomous communities of Spain's position on EU matters and conversely, to gather information on the positions of the governments of the autonomous communities. This bilateral commission would remain in constant contact with each of the CCAA parliamentary committees on EU affairs. From the beginning of Spain's EC membership, most CCAAs had formed parliamentary committees of a permanent nature whose principal task was to monitor European activities and inform their respective legislature of any developments.

Most importantly however, the Sectoral Conference allows for the establishment of bilateral co-operative mechanisms in the case of participation in EU matters directly affecting one particular CCAA. It is this clause of the 1997 legislation which has provided particularly Catalonia and the Basque Country with the opportunity to establish an institutionalized bilateral relationship with the central government as an alternative to the Sectoral Conference which groups these two communities with the remainder of Spain's CCAA.

The bilateral commission established between the *Generalitat* and the central government in June 1998 provides for the institutionalisation of several key figures of the *Generalitat* in the latter's quest for securing greater participation in EU matters. These figures include the Advisor for European Matters to the

Generalitat's President, the Executive Director of the *Patronat* and the *Generalitat's* Director General for External Relations. The *Generalitat* has thus managed to secure a bilateral consultative mechanism by which it can negotiate directly with both the Ministry of Public Administration and the central government's Foreign and EU Relations cabinet. Although at this point it is too early to reach any conclusions as to its effectiveness or impact, the establishment of the bilateral commission serves a high symbolic function and allows the *Generalitat* to pursue its own agenda on specific EU matters away from the other CCAA in the Sectoral Conference. The bilateral commission's scope of activities includes the adoption of preventative measures to avoid conflicts between the two administrations within the framework of an institutionalised mechanism of co-operation. Catalan officials insist however, that the bilateral commission is not a substitute for the Sectoral Conference but in light of Catalonia's unique position within the constitutional framework of competencies, a necessary complement. They insist that the bilateral commission is not intended to substitute the Sectoral Conference. Instead, the *Generalitat* admits that the Catalan 'reality' differs from that of other CCAAs and that this entitles the *Generalitat* to seek alternative measures of participation. Thus, although there is no 'direct route' as such, the *Generalitat* has managed to secure a 'voice' within the central government to articulate its demands on EU matters.

Participation in the formulation of Spain's position on EU matters

The participation of the CCAAs in formulating Spain's position on specific EU matters is divided into 2 spheres. The first sphere involves all policy areas falling under the exclusive competency of the CCAAs. From the very beginning, the CCAAs are involved in negotiations with the central government to arrive at a common position on EU matters such as regional policy and Common Agricultural Policy. The second sphere involves policy areas under exclusive central government control but which affect the CCAAs and in which the central government must take into account the opinions of the CCAAs. Within the second sphere, most common CCAA-central government positions are negotiated in the Sectoral Conference. For obvious reasons, many more policy areas affecting Catalonia and the Basque Country fall under the first sphere making

bilateral relations a crucial element of the policy-making process. It is the policy areas encompassed in the second sphere however, which have been the most conflictive. With the *Generalitat*'s continued struggle to attain increasing levels of competencies deriving from the Catalan Statute of Autonomy, the policies in the second sphere have increasingly become more of a grey area. Furthermore, as more and more competencies are transferred to the European decision-making framework, the battle to retain control over existing competencies will intensify.

This struggle is all the more apparent at the EU level. The September 1994 Senate motion establishes the right for the CCAAs to be integrated into the Spanish delegation negotiating issues directly affecting competencies under exclusive CCAA control. The on-going process of devolution of competencies initiated with the 1978 Constitution complicates the categorisation of policies under spheres of mixed or exclusive control. In addition, Article 146 of the Maastricht Treaty stipulates that in areas of exclusive control by sub-national authorities, these may be represented by a ministerial figure in the Council of Ministers. This provision has so far only been employed by Belgian, German and Austrian representatives as stipulated by their respective federal arrangements. Again, the areas under which competencies are of an exclusive or shared nature remain ambivalent. This is aggravated by the varying levels of autonomy enjoyed by each of Spain's 17 CCAAs. For those CCAAs enjoying high levels of autonomy, the Sectoral Conference is not a sufficient substitution. However, a common agreement as to the powers and nature of the ministerial delegate representing the CCAAs has yet to be reached. The potential conflict generated by this situation can only worsen in light of increasing transfers of powers and competencies to the supranational and sub-national levels.

Within Catalonia itself, the arrangements made by the *Generalitat* to institutionalise its relations on EU matters with central government have met with widespread criticism from the opposition. The Catalan Parliament receives advice and recommendations from a parliamentary committee exclusively dedicated to EU matters. This committee is entitled *Commissió de Seguiment dels Procés d'Integració de l'Estat espanyol a les Comunitats Europees*. The committee's emphasis has clearly been on recommending motions on specific EU policies

affecting Catalonia in areas such as structural funds and transregional initiatives¹⁷⁰. It has however adopted a resolution (Resolution 611/V, 4 June 1998), supported by both CiU and the PSC to promote the presence of Catalan and other regional parliaments in EU institutions either through a participatory or consultative role. Nevertheless, opposition parties such as the PSC, ERC and IC accuse the CiU-led *Generalitat* of obstructing any form of debate in the Catalan parliament on EU matters. They criticise what they perceive is the Presidency's monopoly on dealing with EU matters with its participation, through the Office of the Presidency, in both the Sectoral Conference and bilateral commission.

Catalan participation within the Committee of the Regions

As one of the stronger regions both within Spain and the EU, Catalonia has achieved significant levels of influence in the EU decision-making process. Stronger regions possess the resources needed to effectively convey their interests and demands at the European level (Hooghe, 1995) (Sutcliffe, 1997). With a high degree of self-government, Catalonia has more to lose in terms of transfer of competencies from the national to the supranational levels. It places great emphasis in channelling its resources towards securing a greater institutional role within the European legislative process. This is achieved through informal links such as the establishment of contacts through academic and institutional conferences on regional and nationalist issues as well as regional networks. Formal links are secured by opening regional offices in Brussels and participating in institutions such as the Committee of the Regions.

In comparison with more unitary and centralised member-states such as the United Kingdom and France¹⁷¹, Spain's CCAAs enjoy significantly more representation within the Committee of the Regions (CoR) with seventeen representatives from the autonomous communities and four representatives from Spain's large cities. This means that Catalonia's representation within the Spanish

¹⁷⁰ See Catalan Parliament Resolutions 1f/I, 52/I, 165/II, 181/II, 72/V, 142/V and 864/V.

¹⁷¹ Within these member-states, the central government plays an enormous role in selecting regional and local representatives with not all sub-national entities represented.

delegation - with no institutional distinctions- is one of many. This situation has been a source of dispute between the central government and the *Generalitat*. Many Catalan nationalists view Catalonia's status as a 'historic community' as being undermined by its grouping with other autonomous communities both at the national and European levels¹⁷². In addition, the perception that the CoR has become a 'Committee of Member State Representatives' (Christiansen, 1995) has contributed to the Catalan disenchantment with the CoR as a true representative body of regional interests within the EU decision-making process. This perception is limited to the Catalan nationalists however. Catalan parties such as the PSC with strong links with their Spanish counterparts do not view the CoR in the same light as other Catalan nationalist parties. Instead, they view the central government as being the more appropriate vehicle to represent Catalan interests in the EU decision-making process¹⁷³.

The inclusion of local/municipal representatives in the CoR has angered Catalan nationalists and particularly Jordi Pujol for several reasons. First, the combination of local and regional interests is viewed as undermining the uniformity of demands of each group. For this reason, Pujol has often demanded the separation of both groups and in recent years has concentrated his efforts in the Assembly of European Regions rather than the CoR. Second, political motives fuel this resentment owing to the tension and rivalry between the two personalities of Jordi Pujol and Pasqual Maragall, as President of the *Generalitat* and former Mayor of Barcelona respectively¹⁷⁴. Finally, Pujol has often angered his fellow Spanish CoR representatives, particularly those from less active autonomous communities in his demands for the inclusion of the CoR as an equal partner in the EU's decision-making process through Article 4. Among other EU institutions and despite Pujol's image as an influential and enthusiastic political leader, the Catalan representation within the CoR remains as 'one of the many' despite its aggressive strategy to distinguish its role from others.

¹⁷² Interviews Nos. 1, 2, 4, 5, 6, 7, 8, 9 and 11.

¹⁷³ Interview No. 10.

¹⁷⁴ Although Joan Clos took over the post of Mayor of Barcelona from Pasqual Maragall in 1997, the latter remains an important member of the PSC and is engaged in a tense standoff with Jordi Pujol in the run-up to the October 1999 Catalan elections as the PSC candidate for the Presidency of the *Generalitat*.

Surprisingly, Catalonia's influence in the CoR can at best be considered erratic. It has evolved from a massive initial enthusiasm to the present state of barely disguised boredom. Pasqual Maragall, mayor of Barcelona until 1997 served as Vice-Chairman of the CoR's Special Commission for Institutional Affairs and for which Jordi Pujol, President of Catalonia was asked to draw up a report on the CoR's views on institutional reform. This was done in preparation of the IGC which would prepare many of the proposals incorporated into the 1997 Treaty of Amsterdam. The report was overwhelmingly approved by the CoR in its Resolution of 21 April 1995 despite intense debate on issues such as the right to bring actions to the European Court of Justice.

Both Maragall and Pujol have been active in the European regionalist movement. Pasqual Maragall was elected President of the CoR on March 20, 1996, a post held until January 1998. He was also elected President of the Council of European Municipalities and Regions (CEMR) from December 1991 until 1997, preceding Jordi Pujol's election as President of the AER in 1992. Both the CEMR and the AER have been active promoters of regional and local authority participation in European affairs by carrying out extensive lobbying activities at the European level. In 1990, the AER passed a resolution which called for (1) regional representation in the Council of Ministers in matters directly affecting sub-national interests and (2) the creation of an institution which would channel sub-national interests in the EU decision-making process¹⁷⁵. The CEMR and AER participated in the European Summit of the Regions and Cities held in Amsterdam in May 1997 prior to the signing of the Treaty of Amsterdam the following month. This action represented a deliberate attempt to articulate demands as a single voice away from the CoR. It is interesting to note that the Catalan presidencies of the CEMR, AER and CoR during the 1990s may have contributed to the dual strategy envisaged by Christiansen (1997) needed for sub-national authorities to secure direct influence within the EU decision-making process without insisting on full-

¹⁷⁵ Assembly of European Regions (1990) "Resolution of the Assembly of European Regions on the Institutional Participation of the Regional Level in the Decision-making Process of the European Community", Strasbourg.

fledged institutional reform and recognition. Instead, this influence would be directed *sotto voce* by redirecting lobbying efforts and consultative functions.

The institutional idiosyncrasies of the CoR have also suited the personality-driven approach of Catalonia's EU strategy. Within the CoR itself, the President enjoys considerable influence over the agenda. This was particularly evident during the presidency of Pasqual Maragall when the amount of CoR Opinions doubled. It is debatable whether this proliferation of Opinions and highly concentrated authority is the result of the individual style of the President or as the result of the organisational and procedural structure of the CoR. From the amount of Opinions and work generated during both the Catalan presidency of the CoR and the Spanish presidency of the EU in 1995, it is clear however that the Catalan government played an important role in promoting institutional reform of the CoR.

During the Spanish presidency of the European Council in 1995, much work was carried out on institutional reform by the Catalan government. Jordi Pujol, as rapporteur of the CoR presented a draft resolution of the CoR's role in the institutional framework of the EU and the Council. In addition, Pujol presented various reports underlining the need for institutional reform by dividing the CoR into two chambers with regional and local authorities represented separately. The recommendation was not taken up by the CoR. Despite the Catalan nationalists' disappointment with the weak consultative functions of the CoR, they have remained, in the form of their leader, powerful and active promoters of the role of sub-national authorities in the process of European integration.

While Catalonia benefited from significant influence with Jordi Pujol as rapporteur from 1995 onwards, in 1998 it was left without any representative in the CoR's Bureau or its Commissions. Instead, Eduardo Zaplana (PP), President of the Autonomous Community of Valencia, represented the Spanish CCAAs at the commission level. Jordi Pujol vacated his position as special rapporteur of the Commission on Institutional Affairs in the CoR's March 1998 plenary session. In the Opinions taken during the CoR's plenary session in March 1998, not one rapporteur was a Catalan representative or for that matter, a Spanish

representative. In 1997, the Spanish participation rate of its full members fell drastically from 31.4% in 1996 to 19% in 1997 compared Ireland's 97.8% attendance rate in 1996¹⁷⁶. From the interviews conducted between 1997-1999 with Catalan political party representatives, MEPs and *Generalitat* officials, interest in this institution has decidedly waned for several reasons.

First, research on the nationalities of the rapporteurs of individual opinions demonstrates that paradoxically, traditionally centralised member states such as the UK seem to be over-represented (Farrows and McCarthy, 1997). This seems to support the view held by many Catalan nationalists that the *café para todos* syndrome they perceive to be inherent in the Spanish political system has permeated the Committee of the Regions. They argue that at some point the CoR will have to come to terms with the differential nature of its representatives. This would mean that sub-national authorities with high degrees of self-government would be granted special treatment to recognise their inherent differentiation. Occasional references to those regions as 'nations' or 'historic nationalities' are employed to justify the special treatment but more often, the justification lies with the high degree of self-government enjoyed by the specific region. In other words, the view is that special treatment should be granted to regions enjoying high levels of autonomy.

Some Catalan nationalists have even accused the CoR of advocating the regionalisation of the EU without taking into account the specific characteristics distinguishing each region. Thus, they accuse the CoR of promoting "regionalism without nationalism"¹⁷⁷. To Catalan nationalists, creating an institution with the objective of regionalising the EU cannot succeed without taking into account the special features - language, culture and history - which distinguish one region from the next. How can one compare the authority enjoyed by Jordi Pujol, President of the *Generalitat* of Catalonia with a member of Oldham Metropolitan Borough Council in the UK, both full CoR representatives? Thus, Catalan nationalists fear that their objectives might be diluted in an institution where

¹⁷⁶ Committee of the Regions' Annual Report 1997.

¹⁷⁷ Quote from Interview No. 12.

representatives stem from regions or sub-national authorities with substantial differences in power and self-government.

The decline in Catalan and for that matter Spanish participation in terms of rapporteurs and representation in the various Committees is difficult to explain. Does this reflect the political culture of respective sub-national authorities in that rather than participating through committees and as rapporteurs, participation and influence is concentrated at the presidential level? Or does this reflect a progressive decline in interest in participating in the CoR? The relative youthfulness of the CoR makes these questions difficult to answer. The context within which the CoR was created has changed dramatically. Towards the late 1990s, the EU was generally plagued by widespread disenchantment with the introduction of the single currency, the persistent problem of unemployment, the democratic deficit and the lack of legitimacy of EU institutions. These factors have contributed to a change in attitude towards EU institutions in general, a change very much echoed by Catalan nationalists. It is clear from interviews with Catalan officials and political party representatives that there is a generalised feeling of disappointment in the CoR.

In the Basque Country, similar feelings of frustration have emerged among the PNV-led government and nationalist party officials (Muñoa, 1996). Likewise, the German *Länder*'s interest in the CoR has declined in the wake of the Maastricht Treaty. This is perhaps attributable to the generalised disenchantment felt with the performance and structure of the CoR and changes within the German political system allowing for a greater role for the *Länder* at the federal level (Christiansen, 1997). The decline in interest in the CoR by the Catalan government, on the other hand, reflects its increasing preoccupation with political events occurring within the Spanish state. These include the change in government in 1996, the loss of the CiU's absolute majority in the Catalan parliament in 1995, the obligations imposed by the 1996 governability pact and the Basque peace process initiated in September 1998. A more plausible explanation is the growing realisation by Catalan officials that their influence in the EU policy-making level is felt more within their own state than directly at the European level.

Nevertheless, the participation in the CoR of two influential Catalan political leaders in their capacities of President of Catalonia and Mayor of Barcelona are important for several reasons. First, their presence is important symbolically for both the Catalan nationalist movement and representatives of other European regional or nationalist movements. Secondly, their continued access to actors and institutions within the EU decision-making process has allowed them to develop close inter-personal relations with many EU officials. This gives them a definite advantage over other regional leaders. These inter-personal relations have allowed them to become effective lobbyists to further their own objectives in the European arena. These objectives include urban renewal projects and employment initiatives for the Socialist Mayor of Barcelona, Pasqual Maragall. For the CiU President of Catalonia, Jordi Pujol, these objectives have included the protection of Europe's cultural and linguistic minorities, meeting the convergence criteria for EMU, funding for Objective 2 areas and a greater role for sub-national authorities in the EU decision-making process. In essence, participation in the CoR by holding its presidency and drafting influential reports have allowed Catalan leaders to gain a certain measure of authority and legitimacy with other actors at the EU level. The *Generalitat's* representatives in the CoR have also tried to present a united front along with Spain's other CCAA representatives. For example, in the run-up to the signing of the Treaty of Amsterdam the Spanish autonomous communities displayed a significant degree of solidarity and agreement (Reilly, 1997).

Regional and nationalist networks

The links among regional and nationalist parties within the EU, both at the formal and informal levels, have led to a convergence of views and goals including that of working together towards the regionalisation of Europe. This has ensured that CiU has co-operated with a variety of European nationalist parties including the Scottish Nationalist Party, Flanders' Volksunie and the Welsh Plaid Cymru to enhance the regions' common pursuit of interests. The PNV, Eusko Alkartasuna (EA), ERC and Unió Mallorquina (UM) joined forces with the Nationalist Coalition Europe of the People to create a parliamentary group of Stateless Nations within the European Parliament for the June 1999 elections. From no

seats in the 1994 elections to 2 seats in the 1999 elections, the PNV left the European Popular Group in which it has remained along with CiU since Spain's accession to the EC. Despite the fact that the PNV signed the Barcelona Declaration, described below, along with CiU, the two parties did not enter into a coalition for the 1999 European Parliament elections. In part, this was due to the radicalisation of the PNV's policies on the EU resulting from its governability pact with EH, HB's (ETA's political arm) successor (*El País*, 6 May 1999).

The Barcelona Declaration and Gasteiz Agreement signed in July and September 1998 respectively by the Bloque Nacional Gallego (BNG), the PNV and CiU agreed the following points on participation at the EU level:

1. Full participation in the Council of Ministers and COREPER.
2. Recognition of Basque, Galician and Catalan as official languages of the EU.
3. The right to bring motions to the European Court of Justice in cases where the competencies of the CCAAs are directly related including in cases where EU institutions or other member-states act against the interest of Basques, Catalans and Galicians within the EU's legal framework¹⁷⁸.
4. Establishment of national circumscriptions for European elections
5. Establishment of official links between the European Parliament and the three CCAA parliaments in questions
6. The presence of the 'nationalities' in the Spanish delegation in IGCs negotiating EU constitutional reform
7. Direct participation in EU working committees dealing with issues directly affecting CCAA competencies
8. CCAA governments will directly receive structural and cohesion funds from the appropriate EU institutions for the implementation of EU regional policy
9. Greater co-ordination among MEPs from 'state-less nations'
10. The reform of EU legislation in that when it refers to a specific competency, it names the 'nationality' involved according to the internal

¹⁷⁸ As described in the previous chapter (see footnote 160), at present, only member-states governments can present or defend cases in front of the European Court of Justice, a form of indirect representation for sub-national authorities.

distribution of powers within each state.

11. The establishment of participatory measures for the CCAAs in international agreements where CCAA competencies will be affected.

The issue of Basque and Catalan collaboration in the area of participation in the process of European integration has not been described in great detail in this study. The complexities of the relationship are beyond the scope of this study. What is important to note however, is that the strategies of each autonomous community vary dramatically. The Basque Country, in contrast to Catalonia, has adopted a strategy based more on conflict and veiled threats of non-cooperation in the political arena, accusing their Catalan counterparts of “burying” the objectives of the Barcelona Declaration (*El País*, 25 September 1999). Unlike Catalonia, the Basque Country has not taken the same opportunities in pursuing transregional networks or co-operative measures with other Spanish autonomous communities. However, the differences end there. Both autonomous communities have exerted considerable effort to reinforce the perception both within Spain and the EU that they are considerably different from other Spanish autonomous communities.

Considerable amounts of research have been conducted in recent years (Borrás, 1993) (Smyrl, 1995) (Letamendia 1997) regarding intraregional and transregional forms of co-operation. European integration has promoted these forms of co-operation specifically in areas traditionally reserved to the state. Growing problems such as immigration, crime and terrorism have encouraged many sub-national authorities to work together across borders and in areas traditionally managed by the state. Attitudes of traditional highly centralised states have changed towards intraregional and transregional forms of co-operation allowing sub-national authorities to engage in (albeit limited) external relations (Letamendia 1997). Catalonia has been a key supporter of transregional networks as alternative channels through which it can secure international recognition and promote its economic and political links abroad. Since 1991, Catalonia has entered into several intraregional and transregional bilateral agreements outside of the sphere of influence of the central government. These include agreements with the State of Illinois in the United States, the Buenos Aires Provincial government and Wales, as well as joining the Arc Méditerranée made up of other regions

within the EU including Languedoc-Roussillon, Midi-Pyrénées, Provence-Côte d'Azur, Liguria, Piedmont, Lombardia, and Valencia. Thus, the Catalan government has encouraged the development of various sub-national activities among other regions within the EU. In addition, it has enjoyed bilateral and multilateral relations with other regions in Belgium and Italy, as well as joint activities with Sweden, Japan and the United States. It has also exchanges with international organisations such as the UNESCO and the Council of Europe.

Since 1988, Catalonia belongs to a transregional network of developed regions entitled "Four Motors of Europe" along with Baden-Württemberg, Rhône-Alpes and Lombardy. The Four Motors is an attempt to integrate several activities in common to the four regions. These activities include the exchange of information and technology, the promotion of R&D, urban co-operation and the environment. Together the four regions share information and business development abroad. Other efforts by the *Generalitat* to promote transregional integration in the areas of culture, sport, tourism vocational education and research. Besides encouraging political and administrative co-operation, the agreement's objectives include growing economic exchange and the proclamation of this particular area of the Mediterranean as one of the cores of Europe. Indeed, Catalan nationalists have often referred to Barcelona as the capital of that part of the Mediterranean. These activities have been a consistent phenomenon throughout the 1990s. The collaborative efforts and exchanges have both a symbolic and functional value to Catalan nationalists. They promote Catalonia's image in an international context as an equal to other strong regions of Europe both in economic and political term distinguishing them from other Spanish CCAAs and European regions.

Patronat Català Pro Europa

Representative offices in Brussels are another channel through which sub-national entities have channelled their resources towards greater involvement in the EU decision-making process. Catalonia has set up nine Trade Bureaus within the EU and established a powerful lobbying network in Brussels. The *Patronat Català Pro Europa* is a semi-public institution created in July 1982 by the *Generalitat* and a group of institutions both in the public and private sectors including

universities, local administrations, chambers of commerce and building societies. Its primary objectives are to educate and inform the Catalan public of the changes and activities occurring at the European level. Over the years however, it has gradually extended its activities to include monitoring EU initiatives affecting Catalan interests from an institutional, economic and socio-cultural perspective. The *Patronat* seeks to aggregate a range of social, economic, cultural and political interests in Catalonia and communicate these to the appropriate institutions in Brussels. As such, it serves to communicate many of Catalonia's conditions and needs to the appropriate EU decision-makers and acts as an informal forum for representatives of business, labour and other interest groups to discuss EU- and Catalonia-related events.

The *Patronat* also seeks to disseminate information on the process of European integration. The *Patronat* has offices in Brussels as well as in the capitals of all four Catalan provinces which has allowed it to develop an extensive co-operative network with both local and regional authorities. The *Patronat* could be described as a quango (quasi autonomous non-governmental organisation) with its nominated (not elected) board and its semi-autonomous internal operations yet reliant on the Generalitat for funding and specific objectives. Despite its semi-public status, the *Patronat* has often been described as a 'quasi-embassy' representing Catalan interests. Its peculiar status reinforces the argument that regions which are the "most politically entrenched, most ethnically distinct, and richest" have the greatest level of representation¹⁷⁹. Not only is this the case *vis-à-vis* other regions within the EU but also within Spain itself, with wealthier CCAAs such as Catalonia having access to a greater amount of resources.

The *Patronat* is governed by a board presided by the President of the *Generalitat* and is composed of representatives of all the entities representing the *Patronat*¹⁸⁰. In addition, the *Patronat* is advised by a Consultative Council composed of

¹⁷⁹ Hooghe and Marks, (1995) p. 16.

¹⁸⁰ These include the *Generalitat*, *Federació de Caixes d'Estalvi de Catalunya*, *Cambra Oficial de Comerç, Indústria i Navegació de Barcelona*, *Universitat de Barcelona*, *Universitat Autònoma de Barcelona*, *Universitat Oberta de Catalunya*, *Universitat Politècnica de Catalunya*, *Universitat Pompeu Fabra*, *Universitat Ramon Llull*, *Escola Superior d'Administració i Direcció d'Empreses (ESADE)*, *Institut d'Estudis Superiors d'Empresa (IESE)*, *Associació Catalana de Municipis*,

experts in European affairs and nominated by the board. The Consultative Council assesses the *Patronat* and guides it in carrying out its general objectives in an attempt to maintain close links with the interests of the Catalan public. The Consultative Council is in itself composed of four sections: (1) a parliamentary section in which all political parties represented in the Catalan parliament are represented; (2) an academic section with academics from major Catalan universities; (3) a socio-economic section made up representatives from business organisations, trade unions and professional associations; and (4) a section of local entities to ensure local authority representation.

Essentially, the composition of the *Patronat* is an attempt to reflect all sections of Catalan society. Rather than remaining as a Catalan chamber of commerce or tourist board, the *Patronat* is an institution combining a variety of functions and objectives. The most important characteristic of the *Patronat* is that it is intrinsically Catalan-oriented in nature. It focuses solely on advancing Catalan interests. Its public awareness campaigns highlight the effects of specific EU legislation on Catalonia as for example of the campaign "Catalunya i l'Euro 1997-1998" (Catalonia and the Euro 1997-1998).

Despite the enthusiasm surrounding the creation of the *Patronat* in 1986, opinions on its performance and composition vary considerably among Catalonia's political parties. Catalan political party representatives from the PSC, IC, ERC and the PI interviewed between 1997 and 1999¹⁸¹ expressed their discontent with the *Patronat*'s limited powers. Many expressed their desire to see the *Patronat* converted into a foreign policy arm of the *Generalitat*. Instead, many argue, this institution has merely served the interests of Jordi Pujol's party (CDC) with the position of the *Patronat*'s Secretary General occupied by a CDC Member of the European Parliament. Nevertheless, the presence of an MEP with thorough knowledge of EU policies and institutions can serve to reinforce the *Patronat*'s leverage and scope of activity in the EU decision-making process. Similarly, the alternate member to the Catalan CoR representative is presently also a CDC MEP

Federació de Municipis de Catalunya and the Ajuntament de Barcelona.

¹⁸¹ Interviews Nos. 1, 5, 10 and 13.

strengthening the link between the CoR and the European Parliament and co-ordinating Catalan strategy in both institutions.

The other perceived weakness of the *Patronat* is the result of a set-back originated by the Constitutional Tribunal's May 1994 sentence against the Basque government's decision to create a government institution empowered with establishing direct relations with EU institutions. The 1994 Sentence did, however, provide a legal recognition of the CCAA delegations in Brussels. The *Patronat*'s office in Brussels, established in 1986, was one of the first regional offices set up in Brussels. Its establishment more than 10 years ago, along with its Basque counterpart, is viewed by many Catalan political representatives as a test case to observe how sub-national authorities can participate in the complex web of the EU legislative process. The *Patronat*'s Brussels experience has allowed the *Generalitat* to familiarise itself with the reality of European integration and integrate these experiences into its legislative and executive functions. Relations with other European sub-national or regional authorities, particularly the German *Länder*, among the respective Brussels offices and in the CoR, have led many Catalan politicians and government officials to seek similar rights to participation for Spanish CCAAs. Catalan political representatives view the March 1993 Federal government/*Länder* law guaranteeing the right of the German *Länder* to maintain direct relations with EU institutions as an example for the Spanish CCAAs to follow. They support the German legislation as an example to follow despite the fact that it does limit the potential authority enjoyed by the *Länder* offices in Brussels by underlining the non-diplomatic character of these institutions.

At the same time, most Catalan nationalists would like to see the *Patronat*'s primary duty as implementing the *Generalitat*'s EU policy. Nevertheless, in interviews¹⁸², *Generalitat* and *Patronat* representatives vehemently denied the latter's intention of being or ever having been Catalonia's diplomatic representation in the EU. When asked, however, whether the *Patronat* would ever become the Catalan's 'embassy' in Brussels however, many did not reject the

¹⁸² Interviews Nos. 2, 8, 9, 11 and 14.

possibility. Thus, there seems to be some sort of confusion or ambivalence about the *Patronat*'s true function and future objectives. On the one hand, both *Patronat* and *Generalitat* officials painstakingly point out the information dissemination, educational, consultative and lobbying functions of the former both in Brussels and around Catalonia. On the other hand, there are continual references both in documentation and in discourse on the institutional and political dimension of the *Patronat* and its role in promoting Catalonia's participation in the process of European integration. The symbolic importance of the *Patronat* should not be underestimated however. Its offices in Brussels and Barcelona for example, display the flags of Catalonia and the European Union but interestingly, not the Spanish flag¹⁸³.

Furthermore, the *Patronat*'s now almost tenured experience in Brussels has led to a point where many Catalan politicians across the spectrum see the need to empower the *Patronat* with new challenges and objectives in the ever-changing legislative and institutional landscape of the EU. Although the *Patronat*'s statutes explicitly avoid any reference to Catalan participation in the process of European integration or any institutionalised form of diplomatic representation, over the years the scope of activity of the *Patronat* has clearly expanded. Its improvement in relations with the Spanish permanent delegation in Brussels and the highly praised public information campaigns it has conducted in Catalonia on EU policies and institutions have given it more latitude in creating a quasi-policy network in Brussels. The central government, despite its refusal to allow the CCAAs to establish direct relations of a permanent representative form with EU institutions, has accepted the presence of regional offices in Brussels. Along with Germany, Spain was one of the primary supporters of the creation of the CoR. In interviews¹⁸⁴, *Generalitat* and political party officials acknowledged the central government's change in attitude and its realisation, if often forced politically, of the need to diffuse adequate levels of information to the CCAAs on changing EU policies and directives.

¹⁸³ Similarly, both the European and Catalan flags are prominently displayed in the lobbies of the Catalan nationalist party headquarters but with no sign of the Spanish flag.

¹⁸⁴ Interviews Nos. 2, 3, 4, 7, 8, 9, 11, 13, and 14

Reform following the March 1996 General Election

With the creation of the post of *delegado autonómico* (autonomous community delegate) in September 1996 as a result of the CiU/PNV and PP governability pact, the Spanish permanent delegation in Brussels now has an autonomous community delegate, one of 50 other delegates. The *delegado* or *agregado autonómico*'s function is primarily to disseminate information to the respective CCAA offices in Brussels. Although Catalan officials generally seemed pleased with the progress achieved and the creation of this post, there is also concern that access to information on EU matters requires formal institutional and political representation. Thus, the general view held among many Catalan nationalists and government officials is that "information without participation limits the capacity for action of the autonomous communities, but the participation without information would relegate the autonomous communities to a superfluous role" (Dalmau, 1997). The *delegado autonómico* is also seen by Catalan officials as providing a symbolic rather than truly representative role. They acknowledge however that the creation of the post represents the beginning of a process of institutionalisation of CCAA interests at the EU level.

The official occupying the post is a Spanish diplomat accountable to the central government, rather than the individual CCAAs. Clearly the official nature of the relationship between the delegate and the CCAAs is one-sided in that the former provides information rather than direct representation. However, the relationship between the delegate and the CCAAs has evolved in such a way that the delegate also transmits many of the CCAAs' petitions to the appropriate areas of the Spanish permanent delegation. Nevertheless, Catalan nationalists see the creation of this post as the implicit state recognition of regionalist rather than nationalist demands. They argue that the central government has recognised the potential benefits of policy implementation by sub-national authorities without recognising the singularity or *hecho diferencial* of the CCAAs involved. Furthermore, the *delegado*'s consultative and informative role does not allow the CCAAs direct access to the Council of Ministers.

Although the 1994 sentence was a set-back for those CCAAs like Catalonia and the Basque Country, which saw the 'direct way' to EU institutions as the only way to secure their place in the process of European integration, the 1996 governability pact between CiU/PNV and the PP reignited the demands for greater participation. Moreover, the consolidation of the State of Autonomies and a changing political culture among Spain's political elite has led to a fundamental transformation in the central government's attitudes towards CCAA participation and representation both in Brussels and in the formulation of Spain's position in EU matters. Spain's own experiences after more than a decade as an EU member-state have also served to weaken long-standing fears of sub-national mobilisations and a widely held view that all external activities fall under the exclusive realm of the Ministry of Foreign Affairs. Collaboration with federal or decentralised states such as Germany and Italy has clearly shaped new attitudes among Spain's political elite working within EU institutions. On a more practical level, new forms of co-operation with sub-national entities have become more the norm across EU member-states and the Spanish government has supported this trend by consolidating its institutional and administrative relations with the CCAAs in many areas of EU policy.

The *Generalitat*'s strategy towards enhancing CCAA participation in the process of European integration has also evolved over the years. On the one hand, this strategy relies on continual references to Catalonia's 'right' as a nation or region to participate in the Europeanisation of Spanish politics. Catalan nationalists point out the internal participatory mechanisms granted to regions or sub-national authorities in other EU member-states following the wave of external representative activities developing in the early and mid 1990s. In the case of Spain, the *Generalitat* argues, while CCAAs have been able to establish representative offices in Brussels and increase their participation in the implementation and monitoring of EU policies, the internal participatory mechanisms have not been sufficient to overcome the discrepancy.

On the other hand, the *Generalitat* has adopted a pragmatic strategy intertwining the concepts of subsidiarity and the partnership principle to persuade the central government of the benefits surrounding increased sub-national participation in the

formulation, implementation and monitoring stages of various EU policies. The concept of subsidiarity has met with great scepticism by the Spanish central government which argues that in itself its practical application is limited. The devolution of competencies and the varying degrees of self-government stipulated by the 1978 Constitution and Statutes of Autonomy serve as point of reference by the *Generalitat* to justify its actions in policy areas where Catalonia and other CCAAs enjoy a high degree of responsibility. The *Generalitat* has also taken great care in highlighting the complementary nature of Catalan activities in Brussels. It argues that by defending Catalan interests or by Galicians defending Galician interests, the CCAAs are in fact defending Spanish interests. This pragmatic strategy serves its own interests, however, by using the central government as an intermediary to attain its objectives at the EU level. With the awareness that it does not possess the necessary resources or political influences to persuade other member-states of its own objectives, the *Generalitat* employs its influence in the central government to develop its own EU policy strategies.

The *Generalitat* is also very aware that efficient access to the information and opportunities at the EU level is highly dependent on the level of organisation and resource allocation of each regional representative office. It has thereby invested a great deal in reinforcing the *Patronat*'s management structure. The number of staff it employs to deal directly with EU issues is extensive. In comparison to the Scottish regional council of Strathclyde with a population of 2,296,300 which employs 3 employees in its European Unit (Sutcliffe, 1997), the *Patronat* employs approximately 16 persons including lawyers and economists to analyse and interpret EU legislative proposals and initiatives in its Brussels office, with many more staff in its 4 home offices. It attempts to place as many Catalan officials in Council and Commission working groups in Brussels as possible. Due to their experience and access to resources, both Catalonia and the Basque Country have more access to working groups than the rest of Spain's CCAA generating a substantial discrepancy among the varying origins and loyalties. The enormous differences in access to resources do demonstrate the varying levels of political presence and influence among sub-national authorities within the EU.

In retrospect, the creation of the CCAA delegate position in the Spanish permanent delegation in Brussels was a compromise solution for the negotiating factions in the 1996 governability pact. The pact also stipulated that the CCAAs would be allowed to participate in the working groups of the European Commission, not to be extended to the Council of Ministers. Full representation of the CCAAs in the Spanish delegation assisting the Council of Ministers in the EU presented a series of both practical problems and constitutional ramifications which seemed too complicated at the time to deal with. However, the creation of the post represented a first step towards the institutionalised recognition of the effects that the process of EU integration might have on the CCAAs. This step was taken within the constitutional framework of the Spanish political system, an ongoing process requiring greater initiatives to address the interests, concerns and differences of all seventeen Spanish autonomous communities.

The Basque nationalists including EA and PNV have been more vocal in demanding the direct representation of the CCAAs in the Spanish permanent delegation in Brussels. Taking the German and Belgian examples, in February 1998 the Basques demanded full participation of the CCAAs in all those ministerial councils discussing issues affecting CCAA competencies, including the powerful Councils of ECOFIN and General Affairs. This measure, if approved, would mean that Spanish sub-national authorities would follow one of the measures established by federal systems: sub-national or regional presence in the Council of Ministers, the ultimate decision-making power within the EU. In the Belgian cases, sub-national representatives are accountable to their respective parliaments. The legislative overload following the 1993 constitutional reforms led to a substantial delay in parliamentary instructions for these delegates, often up to two years (*El País*, 4 March 1998). As discussed in the preceding chapter, the German case offers a more clear-cut constitutional delineation of competencies. The German *Länder* representative not only represents the individual *Länder* but also represents the German state as a whole. Transferring this model to the Spanish case presents a series of difficulties. Appointing the CCAA delegate proved to be such a contentious issue in 1996 among the various CCAAs, that the Foreign Affairs Ministry took matters into its own hands by proposing a candidate, subsequently accepted by all parties. The second problem

with applying this model to the Spanish case is that of legitimacy. Again, the structural weaknesses of the Senate discussed in the preceding chapter are obvious. In the German case, the *Bundesrat* is the institution within which each sub-national authority is able to put forth its recommendation and position on a certain issue. This is not the case in Spain, where the CCAAs' bargaining position is undermined by the lack of a strong institution capable of channelling the varying interests and concerns.

In March 1998, the Mixed Congress-Senate Commission for EU matters agreed to the proposal with the support of the PSOE which had modified its original position on CCAA participation in EU matters. The proposal stipulated the creation of a CCAA representative in the Spanish delegation participating in those meetings of the Council of Ministers dealing with matters where the CCAAs have exclusive competencies. The position of the CCAA representative would rotate regularly. However, the success of these new measures is highly dependent on continued collaboration among the various CCAAs. It is here where problems arise. If the system is to succeed, with bilateral commissions established between the central government and the 'historic' autonomous communities, then this arrangement must be accepted by all the CCAAs.

National Rhetoric within a Regionalist Strategy

Although nationalist rhetoric on the process of European integration has already been analysed in Chapter 5, the influence of Catalan nationalism is clearly illustrated in many of the *Generalitat*'s activities in securing greater participation at the EU level. Many of these activities may have a strong pragmatic element but many purely reflect a desire to protect Catalan identity and self-government. The concept of "Spain is bad, Europe is good" seems to shadow many of the *Generalitat*'s initiatives. Thus, it seems ironic that with the process of European integration intensifying and the ensuing transfer of competencies and powers to Brussels, the *Generalitat* maintains a firm conviction that anything related to Europe entails something positive even if this means surrendering hard fought powers.

Why all the effort then? Harvie (1994) describes the ever-increasing scope of activities by sub-national authorities as a new type of 'subjective and aggressive' regionalism. Catalan officials describe their activities as a reflection of Catalonia's "complexity as a small nation" and obtaining foreign recognition of the "sense of being a small nation" as the only viable option¹⁸⁵. Catalan officials also defend Catalonia's activities abroad by citing reasons of "internal survival" or "preventing the manipulation of Catalonia's image abroad"¹⁸⁶. They argue that they are setting a precedent for other nationalist parties who will eventually have to follow suit. Catalan nationalist rhetoric supports a defence of Europe's collective identities as a motivating factor behind Catalan efforts to shape EU policies and secure their own participation. They argue that the final objective is not to achieve a federalist European state which would lead to the 'melting pot' syndrome often described as characterising American society. They promote the concept of 'unity in diversity' arguing that the recognition of the *hecho diferencial* within the EU's decision-making framework would not represent a threat of fragmentation or the spread of separatism.

Nationalist undertones are clear in the direction taken by the *Generalitat* in many of its policy initiatives at the EU level. Many of these initiatives focus primarily on the protection and promotion of minority languages and culture. These include the failed effort in the European Parliament in the early 1990s to secure the use of Catalan as an official EU language. Another example is the Socrates programme, set up in early 1995, which combines the earlier Erasmus and Lingua education programmes promoting the exchange and diversification of education and foreign language programmes. Securing Catalan representation in the committee proved to be particularly satisfactory to Catalan nationalists since the exclusion several years earlier of the Catalan language from the Lingua programme by the Council of Ministers.

The issue of the Catalan language and its protection and institutionalised recognition has preoccupied Catalan nationalists particularly in the European Parliament (EP). In 1988, both the Catalan Parliament (Petition 113/88) and the

¹⁸⁵ Quotes are from Interview Nos. 5 and 10.

Parliament of the Balearic Islands (Petition 161/88) petitioned that Catalan be declared by the EP as an official language. Although the move failed, the EP did recommend in 1990 that the EU's treaties and basic texts be published in Catalan. It also approved the inclusion of Catalan in Commission programmes for learning EU languages and recommended the use of Catalan by the Commission's offices in its written and oral dealings with the public in the regions in question. Before that, CiU MEPs joined forces with the IC MEP, Antoni Gutiérrez Díaz to draft a series of motions on the obstacles to the use of Catalan in the universities and on television (Doc. B 2-1323/86), the use of Catalan in certain activities of EU institutions (Doc. B 2-247/87) and on the publication of basic EU texts in Galician, Basque and Catalan (Doc. B 2-1327/87). In addition, Catalan MEPs have worked diligently stressing the use of Catalan in everyday life, even in everyday EU life. These efforts include a motion to change the use of place-names to Catalan in official documents (Doc. 97/C 373/109)

The protection and promotion of Catalan culture has also been the object of nationalist strategy abroad. The *Generalitat* has also sought representation in UNESCO and in all foreign cultural forums including the official Spanish cultural institute, the Cervantes Institute. Participation in these organisations is theoretically reserved to the Spanish state. The argument for participation according to Catalan nationalists is that “the tradition of Catalan nationalism contains a cultural basis the expression of which is language”(El País, 23 January 1998). It offers as a precedent the cases of Canada, Belgium and Germany. Belgium has three Culture Ministers, one from each community (Flemish, Walloon and German). In the German case, the *Länder* representative is chosen by the *Länder* to represent them in UNESCO gatherings. The Catalan proposal would be an intermediate solution, with a representative chosen by the *Generalitat* but continuing to form part of the Spanish delegation.

Some Catalan political representatives prefer to shy away from the historic differentiations and the references to ‘nation’ and ‘nationality’ and focus instead on the importance of the regionalisation of Europe. They contend that for

¹⁸⁶ Quotes are from Interview Nos. 8 and 9.

pragmatic reasons, the regionalisation of the EU will generate more efficient policy implementation and monitoring, arguing that the most dynamic sectors of EU politics and economies are those which are the most decentralised. As for the singularity of Catalonia or its unique status, they argue that the *hecho diferencial* must not be imposed on either Catalan society or on the EU's decision-making process.

Another issue is the change in discourse. The concept of the 'Europe of the Regions' has been much debated in recent years, particularly in the aftermath of the Single European Act and its successor, the Maastricht Treaty. The concept itself generates a great deal of confusion and misinterpretation. For those resenting the rising influence of the regions and possibly the advent of a European federal state, the concept has inspired warnings of the demise of the nation-state. It has also led to dire predictions of the subjugation of European states by the regions and an increasingly authoritative supranational state. The concept has often been re-evaluated and renamed as 'Europe with the Regions' so as to eliminate any negative connotations (Leonardy, 1996). In the Catalan case, the use of the concept of a 'Europe of the Regions' seems to have waned in recent years. Instead, within Catalan nationalist discourse, references to a 'Europe of state-less nations' or a 'Europe of the people' seem to have become more common place. The concept of a 'Europe of the people' refers to sub-national authorities being the level of government – with the exception of local authorities – closest to the people and therefore, more capable to articulate citizens' interests. Thus, the ambivalence between regionalism and nationalism both in practice and discourse remains an unresolved issue.

Conclusion

Formal representation for the autonomous communities in the process of European integration has only recently been approved in Spain (1997) after repeated demands by many of the autonomous communities, particularly Catalonia and the Basque Country. Before this time, particularly during the late 1980s and early 1990s, most CCAAs seemed less concerned about the apparent loss of competencies that EU membership would bring. Rather than battling out

these potential conflicts with the central government either through the Senate, bilateral negotiations, the Sectoral Conferences or even the Constitutional Tribunal, many CCAAs preferred to compensate this loss by establishing an official or unofficial presence in Brussels. The nationalist led *Generalitat* place a high degree of confidence in the so-called 'third way' through alternative institutions such as the Committee of the Regions. What is clear, however, is that this strategy has largely been abandoned and there has been a shift towards the reformulation of domestic policy-making mechanisms in securing greater participatory rights in EU matters.

The mechanisms established during the 1990s to promote greater Catalan participation in the process of European integration have had mixed results. The Committee of the Regions, after an initial burst of activity by the *Generalitat* has been left to one side for a variety of reasons. These reasons include the Committee's limited powers, the inherent differences between highly centralised and decentralised member-states and the regional-municipal divide. Instead, the *Generalitat*'s EU strategy has focused on seeking greater participatory rights in the Spanish permanent delegation, the Council of Ministers and various working groups. Within Spain itself, the *Generalitat* has also pursued a dual strategy of co-operation through the Sectoral Conference and bilateral relations with the central government through the bilateral commission. Although the 1996 governability pact has certainly helped the ruling CiU coalition to push through many of its demands, sufficient progress has been made to prevent any future retreat on policy developments should a new government come to power. Despite varying opinions on the degree to which the *Generalitat* should directly be involved in EU matters, there is a consensus among Catalan parties on the importance of Catalonia's participation in EU policies¹⁸⁷. The shared pro-European vision has prevailed in the *Generalitat*'s initiatives over the last decade in EU-related matters and has allowed it to pursue its strategy of international recognition.

¹⁸⁷ Catalan Parliament Resolution 611/V.

There are substantial disparities among sub-national authorities within the EU with regards to access to channels of European decision-making in terms of funding, representation and organisation (Hooghe and Marks, 1995). Catalonia has benefited from its privileged position within Spain's State of Autonomies and from a regional government dominated by a pro-European nationalist party since the *Generalitat's* re-emergence in 1980. The result of this has been that Catalonia has evolved into one of the more prominent sub-national actors within the European decision-making process. Lynch (1996) argues that the goals and objectives of nationalist and regionalist parties have been significantly Europeanized as a result of the process of European integration. In the case of Catalonia, it is perhaps not the goals that have become Europeanized. Rather, Catalonia provides an ideal example where a nationalist-led government has adopted a regionalist strategy to secure greater participation in EU matters both by independent and co-operative means.

It has been argued that the opportunities and institutions provided by the EU are at present the sole means through which the democratic rights of minority groups can be addressed *vis-à-vis* the power and influence exerted by the majority (Leonardy, 1996). This is obviously not the case for Catalonia which has been able to provide itself with several channels through which it can pursue its objectives. These channels include institutional arrangements within which Catalonia can provide the leadership for other sub-national authorities seeking similar forms of representation and promote the regionalisation of politics and public policy. These channels include the Committee of the Regions and the Sectoral Conference. Its own bilateral relations instituted with the central government through the bilateral commission and governability pact as well as an established policy network in Brussels allow it to pursue its own objectives, more nationalist in tone.

Nevertheless, Catalonia faces certain challenges to its dual strategy. Although most Catalan parties share CiU's pro-European vision, parties such as the PP, PSC and IC will be more likely to rely on the central government to pursue their European objectives. The Sectoral Conference is most likely to remain a consultative forum. If Senate reform is pursued to convert this parliamentary

chamber into a true territorially representative institution, Catalonia's efforts to rely on bilateral relations with the central government and its singularity may be undermined. At the EU level, the nationalist objective of transforming the Committee of the Regions into a Senate of the Regions or Regional Chamber has already seen several frustrated attempts. Catalan efforts to divide Spain's one-constituency arrangements for European Parliament elections have met with significant resistance. Nevertheless, if the eventual aim of the EU is political union in accordance with federal arrangements, it will have to address regional and sub-national demands by distributing legislative powers to the varying levels of the political system. Similarly, as the process of European integration intensifies, Catalonia will be forced to decide how willing it is to relinquish its hard fought competencies to Brussels and whether its present participatory arrangements in the EU decision-making process will suffice.

Chapter 8

Conclusion

The aftermath of the Maastricht Treaty and the shift in attention to sub-national entities with talk of a 'Europe of the Regions' or the possible erosion of the traditional nation-state led to a surge in research on the subject. This thesis is an attempt to contribute to this research by presenting the case study of a region with a strong nationalist movement and a high degree of self-government. Space limitations have prevented a comparative analysis with other regions in Europe. Thus, comparisons with weaker regions, even within Spain itself, are inherently limited by the particularities of the Catalan case. Nevertheless, some parallels can be drawn from the Catalan case. This is especially true in examining the broader question of the transformation of the nation-state.

Europeanisation and regionalisation

As illustrated throughout this thesis, it has often seemed as if the core or the symbols of the nation-state have undergone a process of consistent erosion. The twin processes of regionalisation and Europeanisation have de-coupled the nation-state. What the nation-state is and where it is going is central to an understanding of how political systems in Western Europe – at all levels – will evolve. The state, however, continues to play an important role in the European system of governance. As the Treaty of Westphalia showed in 1648, the rise of the modern state has depended on international agreements (Hirst and Thompson, 1995). Arguably, the same can be said for the future of the modern nation-state. How political integration at the EU level and how the internal distribution of power are forged, will determine how the nation-state will evolve.

Thus, many of the concepts used to define the nation-state must be re-evaluated. The application of concepts such as legitimacy or sovereignty needs to be qualified in light of this process of change. As the Catalan case illustrates, national sovereignty has been re-constituted as a result of the regionalisation and

Europeanisation of the Spanish political system. Within the context of the internal distribution of power, a mutual recognition of this re-constituted sovereignty reinforces a stable constitutional and political arrangement. Through constant negotiations such as the ones conducted on the State of Autonomies and the process of European integration, an agreement can be reached on the degree of sovereignty to be shared.

This thesis has attempted to demonstrate how the effects of European integration and devolution in the Spanish case also encompass changes at the sub-national level. The progress made towards European integration has changed the nature of Catalan nationalism. Wilson and Smith (1993) have argued that this progress towards integration has led to the birth of new ideas and concepts about regional culture, ethnic identities, and nationhood. Besides 'Europeanising' the Catalan nationalist movement, the process of European integration has also been a key motivating factor in moves towards institutional change. The relationship between the actors in this process has been highlighted in this thesis as well as the recomposition of governance in the Spanish political system. Thus, the Catalan case has demonstrated that as new processes evolve, these have thrown traditional methods of policy formulation and implementation into disarray. These processes include decentralisation (central government to regional government), centralisation (central government to the European Commission), principles of subsidiarity (European Commission to regional government), and supra-national institutional building.

Europeanisation of Catalan nationalism

A substantial part of this thesis has focused on the European strategies embraced by the Catalan nationalist movement and particularly, that of CiU. This thesis has attempted to shed light on how the pro-European dimension of mainstream Catalan nationalism has evolved over time. In the 1990s, disappointment in the performance of the Committee of the Regions may have temporarily diverted attention elsewhere as did the negotiations between CiU and the PP following the 1996 elections. Nevertheless, the advent of Spain's participation in the single currency, opposition to enlargement and continued exposure to the process of

European integration have led CiU to refocus its energies towards building Catalonia's profile within the EU and securing its position within the Spanish political system. It has continued to make progress and has attempted to discover innovative methods of securing a greater role for sub-national authorities within the EU's institutional framework. CiU's leverage within the Spanish political system has also allowed it to perform an agenda-setting role in developing Spain's position on European matters. The extent to which this has occurred is difficult to measure in quantitative terms but clearly, Catalonia's contribution has been beyond that of many of the other autonomous communities in Spain.

Unlike the Scottish Nationalist Party (Lynch, 1996), CiU has been an active rather than reactive participant in the process of European integration. The substantial degree of popular support for European matters has facilitated CiU's activities and allowed it to wield considerable leverage in dictating its terms to the ruling party. This in turn has allowed it to shape both the domestic and European political agendas. Nevertheless, there are potential obstacles that could hinder the success achieved by CiU in securing greater participatory rights for itself and other autonomous communities in the EU decision-making process. These might include:

- 1) the emergence of an anti-European movement within Catalan society concerned with Catalonia's loss of influence in the process of European integration and the ongoing crises within the EU itself (e.g. the resignation of all 20 EU Commissioners in early 1999);
- 2) the failure of EMU;
- 3) a substantial electoral change eliminating CiU's possibility of wielding power at the domestic political level;
- 4) the breakup of CiU's coalition;
- 5) the replacement of CiU's political leadership with actors unwilling to commit fully to the present EU strategy;
- 6) increased Europeanisation which has not been met by a parallel process of devolution or regionalisation in Spain;
- 7) a return to fundamentalist nationalist objectives, rejecting the moderate nature of the Catalan nationalist movement and embracing a more aggressive and less co-operative strategy.

Despite these potential pitfalls, much progress has been made since Spain's entry into the European Community in 1986. Attitudes towards the participation of sub-national authorities in the process of European integration have changed and nowhere is this more clear than in Spain. Through the years, direct contact with the rest of the EU has not only strengthened the Catalan nationalist movement itself but also changed Spanish political culture. This changing political culture has favoured changing the existing system of limited participatory measures for sub-national authorities in the EU's policy-making process.

Like its counterpart in the Basque Country, the PNV, CiU has supported European integration insofar as it would erode the traditional strength of the nation-state with greater emphasis on minority nationalist rights (Letamendia, 1997). Concepts such as subsidiarity in EU parlance have been subject to wide interpretation among sub-national authorities. On the one hand, the concept benefits regions immensely, by theoretically allowing regional governments to claim more power. The development of the principle of subsidiarity meant that the welfare of the regions was no longer an issue to be dealt with exclusively by the member-states themselves. Thus, subsidiarity remains one of the guiding principles of the 1992 Maastricht Treaty. Basque and Catalan nationalist parties such as the PNV and CiU believe that they can reshape the structure and attitudes of the EU so as to benefit them individually as regions. These parties have used the principle of subsidiarity as a defence for the greater distribution of powers at both the European and national levels. As this thesis has tried to explain, the Catalan government has sought to increase existing levels of self-government and to deepen the process of the devolution of competencies not only within the framework of the Spanish state, but also within an association of various member-states that is the EU.

In addition, the Catalan government and specifically CiU, with much of its economic ideology based on principles of free trade and the adoption of a single market, have adopted the position that as greater European economic integration evolves, economic interdependence between Catalonia and the rest of Spain will diminish (Díez Medrano, 1995). For Catalonia, the EU has offered the benefits of

a large single market and generous regional subsidies. In addition, by reinforcing democratic practices and the rules of the free market doctrine, EU membership has helped secure economic reform not only at the regional level, but also within other regions of Spain. EU membership has forced Spain to adopt an enormous amount of competition rules and market regulations, compelling it to embark in much-needed structural reform, the results of which have clearly benefited Catalonia. Furthermore, joining the EU has compelled Spain to pass the political tests of democracy and to respect the minority cultures within its borders.

Regional Policy

The issue of EU regional policy is one that has not been considered at any length in this thesis due to space limitations. Its relevance to the issues discussed should not be underestimated, however. The greatest problem that the regions have faced with regards to EU regional policy seems not necessarily the amount of funding available. Instead, most sub-national authorities benefiting from EU regional subsidies are not provided with sufficient financial autonomy in order to ensure the most efficient and equitable distribution of public resources. In addition, regional interests are often underrepresented in the European Community's decision-making process. Although in principle the European Parliament would be the ideal institution to channel regional interests since it is directly elected, its weakness *vis à vis* the more powerful Council of Ministers prevents it from adequately representing the EU's sub-national authorities. In the case of Spain, the additional shortcoming is that Spain is considered a single political unit, thereby undermining the potential electoral strength of regional political parties. Another persistent problem until recently has been the fact that regional policy was only considered important insofar that regional disparities could slow down the integration process. Finally, policies emanating from Brussels were not considered to be as important as those stemming from central governments. Until recently, regions did not feel the impact of EU policies and therefore did not take these policies too seriously. Nevertheless, increased allocations from the EU general budget do represent a greater emphasis on regional policy, rather than area specific policies directed towards individual member-states. The EU's regional budget increased from 75 million ECUs in 1975 (1.5% of the total budget) to

4,704 million ECUs in 1990 (10.1% of the total budget). Despite the growing influence of sub-national authorities in EU regional policy, the primary decision-makers have continued to be the member-states, most notably through the Council of Ministers, through national policies and legislative institutions (Conzelman, 1995). Institutions such as the AER or the CoR were created to appease the increasing pressure exerted by the regions demanding a greater role in regional policy formulation.

The Europeanisation of sub-national politics

What the case of regional policy demonstrates is that, as the process of European integration has intensified, sub-national authorities have become more aware of the potential benefits reaped from the transfer of competencies to the EU level. Most of the literature on the empowering of sub-national authorities in the process of European integration has focused on the example of regional policy. This thesis has deliberately avoided broaching the subject in order to analyse the process by which sub-national authorities in Spain have secured more participatory rights in the process of European integration. As outlined in this thesis, this process involves a re-think of how the concept of sovereignty is applied in describing political systems increasingly being subject to pressures from above and below.

As the Catalan case has illustrated, the issue of sovereignty has been a cause of considerable debate within Catalan political circles. Although the early 1990s were marked by increasing manifestations against the continued loss of sovereignty by member-states, issues of integration are treated separately within the Catalan nationalist movement from those of sovereignty. For the Catalan nationalist movement, much more important issues to contend with include those of cultural and national identity, rather than the debate on the potential loss of national sovereignty, highlighting the cultural determinism inherent in the Catalan nationalist discourse. From a cultural pluralist approach, this would lead to the conclusion that the Catalan nationalist movement has been intent on defeating state-influenced centralist tendencies, both within the confines of the Spanish state and at the supranational level, by encouraging the development of multi-cultural

or even multi-national states. Thus, identity is used as a political resource to combat the inherent demand imposed by the nation-state, the confirmation of a single identity. This does not constitute the destruction of the nation-state but entails a fundamental reinterpretation of the concept. According to this rationale, continued administrative decentralisation and the strengthening of regional political institutions may divert attention away from national governments and bring Europe “closer to its people” as the Committee of the Regions has tried to emphasise. Integration has had such an impact on the decision-making and policy implementation processes that there has been a move away from the static centralised administrative structures and a move towards the development of regional administrative institutions. Thus, nationalist movements such as CiU are moving away from the traditional concepts of political sovereignty and prefer to focus on economic sovereignty, controlling the public purse strings, and gaining more control in areas such as health and education.

Regions with strong nationalist movements such as Catalonia and the Basque country are unlikely to see integration as a threat to their development. In recent years, Catalonia in particular has attempted to alter the protectionist tendencies of its neighbours in Spain. For the Catalan nationalist movement, European integration will lead to an increase in economic interdependence. Catalan nationalists see the increasing free market tendencies as benefiting the region's economy, particularly if the EU is willing to subsidise development and modernisation projects. In the past, CiU has tended to be more pro-European than its other Northern European counterparts by realising that without access to European regional funds, Catalonia will suffer from restricted economic development, budget constraints, and lacklustre foreign investment.

Perhaps more so than its Basque counterpart, the Catalan nationalist movement has accepted the high degree of economic interdependence existing between Catalonia and the rest of Spain. By acknowledging this, parties such as CiU now seek to achieve political interdependence. To a great extent, this has already been achieved through full participation in the Spanish political process. Greater interdependence is seen as a political advantage because it would allow Catalan nationalists to gain greater political control over economic development. In a

sense, the rationale behind this strategy is similar to that behind the European integration movement itself: first, set out to achieve control over the economic sphere, then proceed with political integration. As a result, the Catalan nationalist movement has embraced European integration by supporting political integration into the European Union and seeking political autonomy within their own states at the same time.

This pro-European strategy has allowed the Catalan nationalist movement to use the EU as a forum to define its national and international identities. This has contributed to the further transformation of the concept of the nation-state among researchers as well as a functional reinterpretation of the concept of sovereignty. The shift towards European integration “not only threatens the state’s sovereignty, it strengthens the EC’s role as arbiter of international and inter-regional integration, further calling into question the degree to which joining the EC has transformed or reduced national and/or governmental sovereignty”¹⁸⁸. In essence, the EU has proved to be a support system for regions seeking greater autonomy. The Commission's support for increased contact with sub-national authorities in areas such as regional policy merely reinforces the legitimacy of regionalism. By doing so and in its efforts to find its own identity, the process of European integration has challenged state sovereignty.

The question remains however, whether the EU will manage to construct its own trademark sovereignty, something that has never been successfully attempted. While interpretations of sovereignty are being re-constituted, sub-national authorities have still not managed to secure a powerful role in the EU decision-making framework. In its search for a definition of its own identity as a supra-national organisation, the EU has not allowed regions to defend their own identity as well as establishing a new role for themselves in the EU decision-making framework (Balcells, 1996). Instead of seeking support from the regions, the EU has favoured the interests of small member-states *vis-à-vis* larger member-states, further hindering European integration. Nationalist rhetoric advocates the destruction of the traditional concept of nation-state and that states must be

created based on historical territories and languages, leading to a greater sense of European unity. The rationale behind this is that “priority must be given to the cultural values of territorial communities with a language of their own over the expansionist, authoritarian values of State nationalism which cannot serve as a foundation for politically united Europe”¹⁸⁹. Balcells proposes an alternative framework by suggesting the establishment in the EU of the Swiss model of confederation in which various communities are assimilated, despite territorial, cultural and linguistic differences.

Cultural pluralism

The centrality of cultural and linguistic factors within the Catalan nationalist strategy has been highlighted throughout the thesis. By linking the past and future of Catalan society and culture, the Catalan nationalist movement has successfully established itself as a major player in the Spanish political system. Indeed, it is this link between past and future achievements, a sense of historic consciousness and continuity inherent in the moderate nature of the movement, which has characterised the success of the Catalan nationalist movement. The key to the ongoing success has been the multifaceted approach towards Catalan identity, through dual or multiple identity, which has been able to incorporate traditionally isolated sections of Catalan society. Catalan identity has remained open to a loose interpretation of common values and ideals continuously subject to change over time. It has done so by rejecting any serious aspirations to self-determination or state-formation. Within the boundaries of its territory, the Catalan nationalist movement has remained inclusive and has demonstrated flexibility by encouraging others to adapt. It has also demonstrated the capacity to adapt to the demands and constraints posed by the globalisation of the economy (Keating, 1997).

¹⁸⁸ Wilson, T. and Smith, M. (1993). Cultural Change and the New Europe, Boulder: Westview Press, Inc., pp. 13-14.

¹⁸⁹ Balcells, A. (1996). Catalan Nationalism, (ed.) Geoffrey J. Walker, London: MacMillan Press Ltd., p. 198.

Thus, the concept of national identity remains an inclusive one, both in policy and ideological terms. Catalan nationalist discourse emphasises the notion that “anyone who lives in Catalonia and wishes to belong is Catalan.” This has been particularly important in view of the traditionally high immigration levels in Catalonia. Moderate nationalist ideology which has encouraged the integration of newcomers has led to some authors to describe Catalan nationalism as pragmatic nationalism or integrationist regionalism (Conversi, 1997). As highlighted in Chapters 3 and 5, Catalan culture and language are the two central components of Catalan identity¹⁹⁰ although the issue of language and specifically linguistic policy has proved to be increasingly divisive in recent years. Opposition parties such as the PSC and PP have been able to capitalise on the feelings of discontent and discrimination among many sectors of Catalan society. Specifically, the PSC and its presidential candidate Pasqual Maragall have promoted an alternative vision of Catalan nationalism or Catalanism which does not have language as its central axis (*El País*, 9 September 1998). Thus, the controversy surrounding Catalan linguistic policy could mark a turning point for the electoral success and relative consensus enjoyed by the Catalan nationalist movement in the first two decades of the transition.

Despite these potential setbacks, the Catalan nationalist movement has continued to develop its nation-building project. Although Keating (1997) argues that a successful nationalist movement is one which has recognised the limits of sovereignty, the Catalan nationalist movement has on the one hand progressively secured its authority within its own territorial and society base. On the other hand, it has also secured greater authority within the Spanish state by pushing the limits of and encouraging new interpretations of sovereignty. This has been a characteristic of regionalisation and European integration within Western Europe itself. In part, this has been attributable to astute political negotiations by its leadership in recent years by engaging in pacts with mainstream parties in power including a pact with the PSOE in 1993 and with the PP in 1996. By extracting concessions from the state and building its reputation and in the European Union, the Catalan nationalist movement has successfully maintained the rhythm of the

¹⁹⁰ As stressed by Jordi Pujol, the “identity of Catalonia is in great part linguistic and cultural.”

process of nation-building. In addition, it has managed to secure the legitimacy of its policy goals both at home and abroad. Accordingly, one of the common strategies among Catalan parties, both nationalist and regional branches of Spanish parties, is “competition for control of the State and that State is Spain”¹⁹¹. Again, the moderate nature of the Catalan nationalist movement is represented by these parties within a stable system, striving to attain policy outputs both at the state and European levels. Although the strategies may differ, the objectives of protection of Catalan identity, language and culture and the encouragement of greater economic relations both within the Spanish state and at the European level are shared among all the parties.

Nevertheless, parties such as the PSC, ERC, IC and the PI have increasingly distanced themselves from the EU strategy adopted by CiU. Various reasons account for this move. First, CiU has managed to secure its presence in many of the institutions involved in EU matters, such as the Patronat and the Committee of the Regions, much to the dislike of other Catalan parties. The transformation of the PSC and the influential presence of Pasqual Maragall has resolved many of the traditional problems faced by Catalan socialists such as reconciling Catalanism and leftist political ideology. This change has allowed it to gain greater confidence in participating in the nationalist debate. More importantly, there is an underlying ideological ambiguity within nationalist rhetoric leading to a general sense of confusion as to the true reasons behind CiU’s strategy. In other words, does this strategy contribute to the regionalisation of Europe or Catalonia’s own nation-building process? The ‘nationalist ambivalence’ which characterised late nineteenth and early twentieth century Catalan nationalism seems to have persisted with discrepancies within the movement itself on the question of Catalonia as a ‘nation’ or a ‘region’(see Table 8.1).

(See Pi, R., ed., 1996, p. 176.)

¹⁹¹ Marfany, J. (1995) La Cultura del Catalanisme, Editorial Empúries: Barcelona, p.102.

Table 8.1**A Region or a Nation?**

Question: What term do you prefer to use when referring to Catalonia? Is it a region or a nation?

Concept	Percentage
A region	59
A nation	36
N/A	5

Source: CIS Opinion Survey 1, 1996

Despite the continued persistence of this ‘nationalist ambivalence’, what is clear is the consolidation of several key concepts employed by the Catalan nationalist movement in the Catalan consciousness. Issues such as identity, a sense of differentiation and the importance of the role of Catalonia within Spain, although not necessarily universally agreed upon, have enshrined themselves in Catalan society. This core element of the Catalan nationalist ideology, and one employed in nationalist mobilisation, is the continual emphasis on the perception of Catalonia as a nation different from other regions or ‘historic nationalities’ which make up the plurinational state of Spain. This element is shared by other nationalist parties in Spain¹⁹² for which nationalist ideology is based on the defence of a distinctive identity. Consequently, “self-awareness of their own *differential origin* is a permanent incentive for the Basque Country, Catalonia and Galicia to maintain their institutional distinctiveness with relation to the rest of the Spanish regions”¹⁹³.

Although employed in Catalan nationalist discourse, these ideals do not necessarily translate to the strategic level of policy-making as the example of the EU strategy illustrates. Thus, if the demand of greater autonomy within the state and the EU [a regionalist objective] is combined with the potential goal of

¹⁹² Examples of nationalist parties employing notions of historic differentiation and a distinctive identity include the obvious Basque and Galician parties including the *Bloque Nacional Gallego* (BNG), *Eusko Alkartasuna* (EA), PNV, and *Herri Batasuna* (HB); as well as the less obvious examples of the *Coalición Canaria* (CC) and *Unión del Pueblo Navarro* respectively representing the Canary Islands and Navarra.

¹⁹³ Moreno, L. (1995) p. 25.

independence [a nationalist objective], the logical consequence is that there is a constant demand for an increasing number of competencies. Following this line of reasoning, the logical conclusion of this process is when there are no remaining competencies to adopt and all the functions of the state have been transferred to the European level. If resources and efforts are directed towards the continuity of this process, one could only assume that independence is the final objective. However, this objective clearly does not seem to be the case in the Catalan case. Over the years, Catalan nationalism has consistently reiterated its desire to integrate both the Catalan and Spanish economies into the global economy and to appease a majority of Catalan society by rejecting any secessionist aspirations. On the basis of this analysis, the present prospects for an independent Catalonia remain distant.

Catalan nationalism and European integration

Yet, as the State of Autonomies consolidates and the process of European integration intensifies it is not clear if the mainstream Catalan nationalist movement will remain as cohesive as under the leadership of Jordi Pujol. The importance attached to the legacy left by his leadership when he is out of office may be disputed. Perhaps his role will remain of secondary importance, if such considerations play a role at all in an analysis of the development of the Catalan nationalist movement. This raises the question of to what extent political personalities have played a role in the Catalan case to pursue the Catalan nationalists' strategy of securing greater participatory rights in the process of European integration. As Chapter 5 highlighted, the growing divergence of opinions expressed by Catalan government and party officials on an appropriate EU strategy for Catalonia clearly reflects significant discrepancies on the importance attached to Catalan participation in the process of European integration. Ironically, the fact that European integration presupposes the increasing transfer of competencies from both the sub-national and national to the supra-national level seemingly does not give rise to concern within Catalan political circles.

Nevertheless, Catalonia has been able to compensate for the loss of sovereignty derived from the supranationalisation of competencies, at least in some measure. This has been achieved through the establishment of informal and formal participatory measures in the process of European integration. Nevertheless, it is clear that as the process of European integration intensifies and more competencies are transferred to the EU level, Catalonia and other Spanish autonomous communities will in some way want to be compensated. This compensation will have to come in the form of greater participation in EU matters. The justification for this compensation can be made in terms of nationalist rhetoric. However, a more logical explanation can be derived from the issue of administrative and bureaucratic efficiency. If the process of European integration is to maintain a certain standard of efficiency, this will depend to a great extent to the measures used to incorporate the interests and experiences of those responsible for policy implementation, as is the case of sub-national authorities.

The Catalan nationalist movement's EU strategy has become more moderate in practice. While nationalist rhetoric emphasises the recognition of Catalonia as a "nation" within Europe, in practice this strategy is distinctly more regionalist in nature. The demands for increased participation in EU matters have focused on improving institutionalised mechanisms of co-operation through both the Sectoral Conferences and bilateral relations. Accordingly the measures demanded include:

- 1) full co-operation and increased two-way flow of information in Community processes;
- 2) co-responsibility in the decision-making processes;
- 3) the presence of the autonomous communities in the Spanish delegations, EU institutions and the COREPER;
- 4) institutional recognition of the existing plurinational character and *hecho diferencial* within the European framework;
- 5) recognition of the right of the autonomous communities to maintain a foreign policy of a cultural and commercial nature;
- 6) the establishment of mechanisms for the active participation of the autonomous communities in the composition, demand and distribution of structural and cohesion funds.

The achievements in addressing the issue of participatory rights for Catalonia and the other Spanish autonomous communities in EU matters have not yet resolved the conflict between: 1) those who argue that only the central government can represent the Spanish state in its entirety in EU matters and 2) those that who believe that only sub-national authorities can represent the differing cultures and nationalities co-existing within the Spanish state. Nevertheless, the achievements have certainly helped overcome some of the obstacles. Like the process of European integration, the process of consolidating sub-national participation will require a constant search for consensus. Otherwise, the Spanish position in Brussels may find itself weakened by the constant conflict within the Spanish state. If the Spanish state's representation abroad is not to be undermined, it is crucial that the autonomous communities participate in elaborating the position of the Spanish government in the EU and in applying EU legislation. By institutionalising the participatory rights of the autonomous communities, both in practical and constitutional terms, the key role of sub-national authorities in the Spanish state will be recognised.

Europe *à la carte* and Autonomy *à la carte*

This thesis has attempted to highlight the importance that the processes of regionalisation and European integration have had on the nature of nation-state. The case of Catalonia illustrates that sub-national authorities are unlikely to form an alternative to the nation-state. Catalonia relies on the same sources of law, the international economic order and collective security relied upon by the Spanish state. However, what is occurring is a shift away from the nation-state as a central unit of analysis when describing political systems in Western Europe. There is a growing recognition of the weaknesses of the nation-state while it is acknowledged that the state will not disappear. In functional terms, its role as a mediator or filter continues to be important. Nevertheless, it will need to adapt to the pluralism of modern society be it from below or from above.

The Catalan case clearly demonstrates how these twin processes have evolved simultaneously. This thesis has attempted to underline the legal-constitutional,

political and sociological implications of this transformation. Examples of policy areas in which the Catalan government has effectively asserted its objectives at a European level by succeeding in bypassing the national level, have begun to emerge¹⁹⁴.

Specifically however, the Catalan case has generated some interesting conclusions. Most importantly, the Catalan nationalist movement has employed a regionalist strategy for nationalist objectives in the area of European integration. After a period of initial enthusiasm in the late 1980s and first half of the 1990s, Catalan nationalists have opted for a dual strategy, co-operating with the central government while maintaining active participation in EU institutions. This policy has been aided by the pragmatic nature of the nationalist movement, with roots in a tradition of modernising the political and economic structures of the Spanish state. This tradition is also reflected in the movement's participation within the Spanish State of Autonomies. As the conceptual framework of this thesis has attempted to highlight, the impact of the process of European integration on sub-national politics must be taken into account within the broader context of democratic consolidation, economic modernisation and the institutionalisation of new types of political structures and frameworks. It is therefore important to contextualise European integration as one of several variables and particularly, its evolving nature.

The consolidation of the Spanish State of Autonomies is occurring simultaneously with process of European integration. The Europeanisation of the Catalan nationalist movement has developed exposed by these two processes. Recent years, however, have seen growing divisions within the Catalan political party system on the question of Europe, specifically with regards to Catalonia's role in it. Since the respective 1993 and 1996 governability pacts with the PSOE and PP governments, Catalan nationalists have turned away from the Committee of the

¹⁹⁴ One example would be the Catalan government's successful attempt in November 1997 at persuading the Commission to initiate legislation regarding the labelling of products in the other 'co-official' languages of Spain: Catalan, Basque and Galician. Along the same lines and coinciding with the Commission's consideration of the *Generalitat's* initiative, the controversial law of the Catalan language was being debated in the European Parliament, a move initiated by the Spanish government (See *El País*, November 7, 1997).

Regions as a viable institution within which their demands at the European level can be articulated. Indeed, they have managed to establish a direct line of communication to Madrid and from there to Brussels while maintaining a myriad of links with other Spanish and EU sub-national authorities. Where this strategy will lead is difficult to determine but nonetheless raises the importance of the issues of regionalisation and European integration as part of a new political agenda within Catalonia, Spain, and the European Union. From a normative point of view, there is clear need to develop new conceptual frameworks to explain the concurrent development of supranationalism and new forms of nationalism, adjusting to new institutional and constitutional frameworks. This type of nationalism no longer requires the construction of a nation-state to obtain autonomy and instead seeks to promote a new form of non-territorial form of public recognition in new boundary-free multicultural space at the supranational level. This thesis is a first attempt to construct this alternative conceptual framework.

Appendix I

Catalan Nationalism: Chronology of Events

1137	Marriage of Ramón Berenguer IV and Petronila of Aragón created the Kingdom of Catalonia and Aragón, a type of confederation
1214	Creation of the first Catalan <i>Corts</i>
1492	Union of the Crowns of Castille and Aragón
1516	Crowns are joined to form Kingdom of Spain
1640	Battle of <i>Els Segadors</i>
1659	Peace treaty signed between Kings Louis XIV and Felipe IV leading to the loss of Catalan territories of present-day France
1714	Abolition of the <i>Generalitat</i>
1716	Decree of <i>Nova Planta</i>
1859	Restoration of the <i>Joc Florals</i>
1868	<i>Club dels Federalistes</i> is established and a federalist movement begins to spread around Catalonia
1869	Federal Pact of Tortosa
1873	Failed attempt to declared a Catalan State in Barcelona
1877	Publication of <u>Las Nacionalidades</u> by Francesc Pi i Margall
1880	First <i>Congrés Catalanista</i> is held
1882	<i>Centre Català</i> is established by Valentí Almirall
1885	<i>Memorial de Greuges</i> is presented to King Alfonso XII
1886	Publication of <u>Lo Catalanisme</u> by Valentí Almirall
1887	<i>Lliga de Catalunya</i> is established
1892	Publication of <u>La tradició catalana</u> by Jose Torras i Bages <i>Unió Catalanista</i> is established <i>Bases de Manresa</i> are approved
1899	<i>Centre Nacional Català</i> is established
1901	<i>Lliga Regionalista</i> is established
1906	<i>Solidaritat Catalana</i> is established Publication of <u>La Nacionalitat Catalana</u> by Enric Prat de la Riba <i>Centre Nacionalista Republicà</i> is established
1907	<i>Institut d'Estudis Catalans</i> is established
1909	Events of the Tragic Week unfold
1910	<i>Unió Federal Nacionalista Republicana</i> is established
1914	Constitution of the <i>Mancomunitat</i> of Catalonia is approved
1917	<i>Partit Republicà Català</i> is established
1918	A campaign demanded a statute of autonomy for Catalonia develops
1922	<i>Acció Catalana</i> and <i>Estat Català</i> are established
1923	<i>Unió Socialista de Catalunya</i> is established General Primo de Rivera carries out coup, dictatorship begins
1925	The <i>Mancomunitat</i> is dismantled by the Primo de Rivera regime
1928	<i>Assemblea Constituent del Separatisme Català</i> is held in Havana
1930	Publication of <u>Per la concòrdia</u> by Francesc Cambó Publication of <u>L'altra concòrdia</u> by Jaume Bofill i Mates
1931	<i>Esquerra Republicana de Catalunya</i> is established Francesc Macià proclaims the Catalan Republic <i>Generalitat</i> is re-established in Catalonia with Macià as President <i>Unió Democràtica de Catalunya</i> is established

1932	Referendum takes place on the <i>Estatut de Núria</i> Catalan Statute of Autonomy is approved Catalan Parliament is established <i>Partit Nacionalista Català</i> is established
1934	Lluís Companys is elected President of the <i>Generalitat</i> Lluís Companys declares a Catalan State within a Federal Republic of Spain Catalan Autonomy Statute is suspended
1936	<i>Generalitat</i> returns Outbreak of the Spanish Civil War <i>Partit Socialista Unificat de Catalunya</i> (PSUC) is established
1938	Catalan Autonomy Statute is repealed
1939	Government of the <i>Generalitat</i> goes into exile <i>Front Nacional de Catalunya</i> is established
1940	<i>Generalitat</i> President Lluís Companys is executed
1945	<i>Moviment Socialista de Catalunya</i> and <i>Consell Nacional de la Democràcia Catalana</i> are established
1953	<i>Consell Nacional Català</i> is established in exile
1954	Josep Tarradellas is declared President of the <i>Generalitat</i> in exile
1971	<i>Assemblea de Catalunya</i> is established
1974	<i>Convergència Democràtica de Catalunya</i> is established
1975	<i>Congrés de Cultural Catalana</i> is held Death of General Francisco Franco <i>Consell de Forces Polítiques de Catalunya</i> is established
1976	<i>Partit Socialista de Catalunya</i> is established Opposition forces around Spain under a joint platform as <i>Coordinación Democrática</i> Adolfo Suárez is designated President Celebrations of the <i>Diada</i> (September 11) take place in several areas of Catalonia
1977	First democratic general elections held in Spain since the Second Republic The <i>Diada</i> is celebrated officially for the first time since the Second Republic with more than 1½ million people demonstrating in Barcelona Return of Josep Tarradellas and the reinstatement of the <i>Generalitat</i>
1978	<i>Partit dels Socialistes de Catalunya</i> is established Referendum on the Spanish Constitution approved
1979	Catalan and Basque Statutes of Autonomy are approved <i>Nacionalistes d'Esquerra</i> and <i>Indepentistes dels Països Catalans</i> are established Constitutional Tribunal is established
1980	Catalan Parliament is elected with Jordi Pujol as President of the <i>Generalitat</i> in the first Catalan elections since the Second Republic Terrorist group <i>Terra Lliure</i> is formed
1981	<i>Crida a la Solidaritat</i> is created Attempted coup by Colonel Tejero Legislation approved by the Spanish <i>Cortes</i> regulating the use and representations of the flags and symbols of the state and the autonomous communities
1982	PSOE wins general elections and Felipe González is elected Spanish Prime Minister

1983	<i>Llei de Normalització Lingüística</i> is approved by the Catalan Parliament
1984	Jordi Pujol is reelected President of the <i>Generalitat</i>
1986	Spain joins the European Community
1987	European Parliament elections held
1988	The Catalan Millenium is celebrated Jordi Pujol is reelected President of the <i>Generalitat</i>
1992	Barcelona Summer Olympic Games take place Jordi Pujol is reelected President of the <i>Generalitat</i>
1993	Governability pact is signed between <i>Convergència i Unió</i> (CiU) and the ruling PSOE
1995	Jordi Pujol is reelected President of the <i>Generalitat</i>
1996	General elections held Governability pact is signed between CiU and the <i>Partido Popular</i> (PP) Jose María Aznar of the PP is sworn in as Spain's Prime Minister
1997	<i>Llei del Català</i> is approved by the Catalan Parliament
1998	Ceasefire declared in the Basque Country by ETA on September 16
1999	European Parliament elections held in June 1999 Elections in Catalonia held in October 1999

Appendix II

Interviews

Interview Number	Name and Position	Date
1	Ferran Poudevida Director, International Committee Partit per l'Independència	7 January 1998
2	Casimir Dalmau Director, Patronat Català Pro Europa	14 December, 1998
3	Antoni Bayona Director, Institut d'Estudis Autonomics	16 December, 1998
4	Salvador Sedo Secretary, International Relations Unió Democràtica de Catalunya	16 December, 1998
5	Jesus Maestro Political Secretary, Esquerra Republicana de Catalunya	18 December, 1998
6	Nicolau González Head, International Division Centre Internacional Escarré per les Minories Etniques i les Nacions (CIEMEN)	19 December, 1998
7	Joan Vallve, Member of the European Parliament Convergència Democràtica de Catalunya	21 December, 1998

8	Montserrat Riba, Head, European Affairs Section Directorate General for Foreign Relations Generalitat de Catalunya	21 December, 1998
9	Dr Pau Puig i Scotoni Adviser Directorate General for Foreign Relations Generalitat de Catalunya	21 December, 1998
10	Javier Sanchez National Delegate for the Sectoral Conference for Europe and Abroad [Delegado Nacional de la Comisión Sectoral de Europa e Internacional] Partit Socialista de Catalunya	23 December, 1998
11	Carlos Gasòliba i Böhm Member of the European Parliament, Convergència Democràtica de Catalunya, Secretary General, Patronat Català Pro Europa	23 December, 1998
12	Aureli Argemi General Secretary Centre Internacional Escarré per les Minories Etniques i les Nacions (CIEMEN)	23 December, 1998
13	Antoni Gutierrez Díaz Member of the European Parliament Iniciativa per Catalunya	24 December, 1998
14	Imma Buldú Director, Patronat Català Pro Europa Brussels Delegation	12 January, 1999
15	Artizone Delegate for the Autonomous Communities in the Spanish Permanent Delegation in the EU [Consejero Autonómico de la Delegación Permanente ante la UE]	12 January, 1999

Appendix III Tables

Table 1

Question: According to the following scale, where would you place yourself?

	1990	1991	1992	1993	1994	1995	1996
Only Spanish	12	11	12	12	13	12	13
More Spanish than Catalan	6	6	6	6	6	6	6
Equal	43	47	44	39	44	40	47
More Catalan than Spanish	22	21	23	22	23	23	20
Only Catalan	15	14	13	19	13	16	13
NS/NC	1	1	2	2	2	2	2

Table 2

Question: With regard to the Spanish state, which to you think Catalonia should be?

	1991	1992	1993	1994	1995	1996
A region of Spain	17	19	15	21	13	10
An autonomous community of Spain	47	40	39	43	45	55
A state within a federal Spain	14	17	19	16	15	14
An independent state	19	18	23	17	22	16
Other	0	1	0	0	0	0
Don't know	3	4	3	2	4	4
No response	1	1	1	1	0	1

Table 3

Question: With regard to the Spanish state, which to you think Catalonia should be?

	1990	1991	1992	1993	1994	1995	1996
Autonomous	24	20	21	28	20	26	24
General	36	41	44	38	45	37	43
Municipal	12	13	10	8	7	12	11
European	8	5	6	7	7	5	5
All equal	14	15	13	14	15	15	14
None	5	4	3	3	4	3	4
Don't know/no response	1	3	3	2	2	2	0

Table 4

Question: Do you agree or disagree with the following concepts: Nationalism

	1991	1992	1993	1994	1995	1996
Agree	41	38	41	43	44	41
Disagree	30	36	31	32	27	34
Don't care	22	17	18	19	19	16
Don't know/No response	6	8	10	6	9	9

Table 5

Question: Do you agree or disagree with the following concepts: Independence for Catalonia

	1991	1992	1993	1994	1995	1996
Agree	35	31	37	35	36	29
Disagree	50	53	50	49	52	56
Don't care	11	11	9	14	10	11
Don't know/No response	4	5	5	3	3	4

Table 6

Question: Do you agree or disagree with the following concepts: Autonomy for Catalonia

	1991	1992	1993	1994	1995	1996
Agree	78	71	78	72	80	80
Disagree	13	19	13	17	11	11
Don't care	8	6	6	8	6	7
Don't know/No response	2	4	3	2	3	2

Table 7

Question: Do you agree or disagree with the following concepts: Federalism

	1991
Agree	31
Disagree	31
Don't care	15
Don't know/No response	23

Table 8

Question: Do you agree or disagree with the following statement: "The Spanish democracy has not reached the level of European democracies?"

	1995	1996
Agree	61	51
Disagree	26	31
Don't know/no response	12	18

Table 9

Question: Do you feel more European or more Spanish?

	1995
More European	23
More Spanish	62
Equal	12
Don't know	3
No response	1

Table 10

Question: Do you feel more European or more Spanish? 1996

Only Spanish	17
More Spanish than European	26
Equally Spanish and European	43
More European than Spanish	8
Only European	5
Don't know	1
No response	2

Data carried out 1990-1996 by the Institut de Ciències Polítiques i Socials at the Autonomous University of Barcelona

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