THE DOMAIN OF SPAIN

How Likely Is Catalan Independence?

Xavier Vilà Carrera

A specter is haunting Spain. It comes from a promise made on November 13, 2003, by José Luis Rodríguez Zapatero, then secretary general of Spain's Socialist Party and a candidate for prime minister. "I will support any reform of the Catalan Statute of Autonomy approved by the Catalan Parliament," he told twenty thousand people gathered in Barcelona's Palau Sant Jordi, referring to the law that oversees the government of Catalonia. Then, to the delight of an astonished audience, he went on to recite, in Catalan, a verse by the beloved poet Miquel Martí i Pol. Zapatero's words resonated strongly among the left-wing establishment poised to make history in the Catalan election three days later.

Since 1980, Jordi Pujol, the charismatic leader of the moderate, right-wing Catalan nationalists' party Convergence and Union (CIU), had been the only democratically elected Catalan president after the end of Francisco Franco's forty-year military dictatorship, which was particularly oppressive to the Catalans. But Pujol was not on the ballot in 2003, and his party had to yield power to a coalition of Catalan progressives—made up of the Catalan socialists (PSC), the left-wing pro-independence Republican Left of Catalonia party (ERC), the Green party, and former communists—

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riding on the wave of Zapatero's promise. Socialist Pasqual Maragall became the president of Catalonia seventy-five years after his renowned grandfather, the poet Joan Maragall, wrote the ode "Spain, listen to us," which today is on the tips of Catalans' tongues as much as when it was first written. Zapatero became prime minister of Spain the following year.

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In Maragall's 1929 poem, Spain is asked to listen to a "son who talks to you in a language other than Castilian." The verses reflected the feeling of a group of intellectuals who believed that an oppressive and centralized Spanish state no longer made sense after the loss of its colonies, especially Cuba and the Philippines back in 1898. While the Spanish imperial mind-set still animated central government bureaucrats, a new generation of Spaniards joined Joan Maragall in demanding modernization, focusing on Europe and leaving the epic battles of the empire behind.

That feeling of distrust already had deep roots in Catalonia, which had its own political, legal, and cultural structures long before Spain conquered the New World. It was around the year 900 when Wilfred the Hairy broke away from the Frankish kings and began the House of Barcelona. *Homilies d'Organyà*, the first known text written in the Catalan language, dates back to the twelfth century, when the Catalan-Aragonese confederacy ruled the land. The Catalan Parliament, first assembled in 1283, dates from this time as well.

Things changed, however, in 1410, when the House of Barcelona came to an end with the death of Martin the Humane, and the scepter passed to the grandfather of Ferdinand II of Aragon. When Ferdinand later married Isabella I of Castile, in 1469, the Catalan-Aragonese and Castile kingdoms came together as part of the kingdom of Spain. Each branch was to retain its distinct identities, but the Castilians soon got the upper hand. In the so-called Reapers' War of 1640—caused when Catalan peasants were forced to house Castilian troops fighting against France—Catalonia

rebelled against Spain and became a republic protected by the French. In 1701, Archduke Charles of Austria lay claim to the Spanish crown, which had fallen to Philip V after the death of King Charles II the previous year. In the ensuing War of the Spanish Succession, Catalonia backed the losing Habsburg side. Barcelona fell on September 11, 1714, a date that eventually would be annually observed as the Catalan National Day. That capitulation certified the loss of Catalonia's political freedom. Two years later, Catalan language and institutions were banned altogether, and Barcelona, always the default capital of Catalonia, became subordinate to Madrid.

September 11, 2014, will mark the three-hundredth anniversary of the Catalan defeat. With that date in mind, the Catalan Parliament approved a motion on September 27, 2012, to formally request Madrid to authorize a self-determination vote in Catalonia. The chamber has also made plans to set the exact date for the vote, the wording of the referendum, and the legal process it would authorize.

Despite the sixty-five percent approval in the Catalan Parliament for Catalans to have the right to decide their own fate, Madrid considers the referendum a basic challenge to the Spanish rule of law—specifically Article 8 of the Spanish Constitution, which proclaims the "indissoluble unity of the Spanish nation" and grants power to the nation's armed forces to guarantee such unity. The Spanish government has not yet officially responded to the Catalan request, but it has appeared consistently reluctant to affirm the legitimacy of the vote, a reluctance shared widely throughout the Spanish political establishment.

After Zapatero opened the floodgates in his 2003 speech, it took less than two years for ninety percent of the Catalan Parliament to agree on a reformed Statute of Autonomy defining Catalonia as a nation. In 2005, the Catalan Parliament passed the new Statute of Autonomy, approved by nearly three-quarters of the voters. Facing conservative opposition after the statute went to the Spanish Congress in late 2005, however, Prime Minister Zapatero offered to amend several parts of it, entering into quiet talks with the head of the moderate-right opposition in Catalonia, the CIU's Artur Mas. In early 2006, the two leaders came to an agreement, importantly deciding to defang the word "nation" by removing it from an article of the statute and placing it in the preamble instead. The deal

helped Zapatero avoid a dangerous precedent, one that would allow other territories, like the Basque Country, to claim the same recognition, while allowing Mas to present himself as the only viable Catalan interlocutor with Spain. It was yet another victory for the legendary "pactism"—the use by Catalan leaders of a tactic combing resistance and negotiation to secure concessions—that has defined the political relationship between Madrid and Barcelona for many years. Yet the maneuvering worked, and the new statute, including the word "nation" but holding off on mentions of self-determination or independence (former Spanish Vice President Alfonso Guerra dismissively called the final version "polished"), became law in August 2006. In the meantime, the center-right People's Party (PP) called the new statute a dagger aimed at the heart of the Constitution, and appealed the statute to the Spanish Constitutional Court, whose justices annulled several of its articles in 2010.

The court's decision was a tipping point among Catalans, especially the new breed of moderate, right-wing nationalists, heirs of the Jordi Pujol dynasty, who had crossed the Rubicon and embraced separatism. Abandoning the go-along, get-along principles of pactism that had defined their approach to Spain for a generation, they rallied behind the independence movement and in the process changed the political dynamics of the CIU, the largest and most dominant Catalan political party of the democratic era. Using pactism as a principle to deal with any Spanish government willing to invest in Catalonia, Pujol ruled Catalonia almost without opposition during the 1990s (his second decade in power). But this was the period during which Spain benefited the most from its European Union membership and used massive EU financial support to modernize the country's infrastructure. Catalonia's privileged position in the Spanish geography and history allowed it to ride the updrafts of this boom. But even as they benefitted from these tailwinds, Catalan nationalists still bristled over what they regarded as unfair economic treatment by Spain and turned economic distrust into a political tool.

The pro-independence forces claim that Catalonia's fiscal imbalance with Spain's national budget amounts to $20 billion (US dollars) per year, according to figures from the Catalan government's finance minister. This office claims that Catalonia—origin of a quarter of Spain's exports—suffers an insufficient investment and financial disadvantage since it generates nineteen percent of Spain's GDP and receives back eleven percent in expenditure from the central government. Indeed, with a population of

7.5 million out of 46 million, Catalonia is, after Madrid, the second-wealthiest of Spain's seventeen so-called autonomous communities, as stated in the last available Spanish government's National Statistics Institute account, which excludes the Basque Country and Navarre because they benefit from a special fiscal regime due to their historic "foral" tradition. However, Catalonia is also the most indebted autonomous community among the communities.

Madrid responds to Catalan complaints by claiming that Catalonia receives special assistance from the Spanish government, outside of money from the national budget, in the form of ad hoc loans to make payments not previously planned for. (The central government is in fact its only lender, since Spanish law blocks access by the autonomous communities to shop for loans on international markets.) Spain also insists that solidarity must be at the core of relations among its regional governments. But this has proven a double-edged sword since the separatists claim that Catalonia is discriminated against within this community, noting that Spanish investment in Catalonia (i.e., annual government budgeting for the region) will drop twenty-five percent compared to an average decrease of 7.2 percent for the nation as a whole during the current belt-tightening effort to stop the country's economic free fall. Catalan nationalists refer to this imbalance as "plunder."

The volatile elements of nation, language, and economy—combined with a twenty-three percent unemployment rate in Catalonia—have given the rising separatist sentiment its distinctive character. If the vote were held today, according to a poll by the nonpartisan Catalan Opinion Studies Center, a referendum to secede from Spain would narrowly pass—fifty-one percent for independence. However, that figure drops almost twenty points when improved financial treatment in the form of a higher operating budget devoted to Catalonia by the central government—often mentioned as a way of buying off the separatists—is part of the poll.

No such compromise has been announced yet, and Madrid has asserted that it will use "the empire of law," not the backroom reality of political trade-offs, to deal with this issue. The official Spanish rejection of self-determination comes with a consistent rejection of such legal separations in its foreign policy. Spain has not yet recognized Kosovo, for exam-

ple. It has also hinted that it would vote against Scotland as a new member of the European Union, should the Scots vote to secede from the United Kingdom in their 2014 referendum. Unlike British Prime Minister David Cameron, who has committed the UK to accept whatever result comes out of the Scottish ballot box, his Spanish counterpart, Mariano Rajoy of the PP, keeps referring to the Spanish Constitution as the ultimate authority that trumps populist trends and ties his hands.

Since the Constitution assumes Spanish territorial integrity as an unalterable given, the Catalan independence movement, as far as Madrid is concerned, can head only in one direction—toward a political dead end. Well aware of this situation, during the past three years civil society movements, such as the Catalan Assembly—a grassroots organization calling itself an "association of citizens"—have organized large independence demonstrations seeking to create national sympathy for their movement. Hundreds of thousands took to the streets of Barcelona in July 2010 to oppose the compromised 2006 Statute of Autonomy, which nodded toward separatism but denied Catalonia status as a "nation." Two years later, on September 11, 2012, according to some accounts, a million and a half people—or one-fifth of the Catalan population—marched under a banner that read "Catalonia, a new European state." A year later, another human wave crisscrossed Catalonia in what was called the "Catalan Way," where people held hands to connect the land from the Pyrenees in the north to the Ebro River delta in the south, emulating the "Baltic Way" independence rally in Latvia, Lithuania, and Estonia in 1989, during the closing days of Soviet rule. It was the largest demonstration in Spain since the end of Francoism and the restoration of democracy. Something has also changed. The Catalan flags of 2010, made up of thick red and yellow stripes, have been largely eclipsed in 2013 by the Estelada, the Catalan independence emblem, which adds to the official flag a white star at one end sitting in a large blue triangle.

The people power of Catalan separatism has not, however, moved Madrid, which merely noted that, however impressive these outpourings of support might have appeared, it defends the "silent majority" who stayed away from those Catalan demonstrations. And so the battle lines are drawn. The Spanish Constitutional Court is expected to deny Catalonia the right to hold a referendum to decide its future, and Artur Mas, now the Catalan president, has not ruled out the adoption, in the event of such a ruling, of a unilateral declaration of independence. Mas has stated that Catalonia

would follow that declaration with a call for international recognition, a move Spain argues would collide with the principles of sovereignty and territorial integrity that undergird the international system of states.

What would Europe and the rest of the world do? Up to this point, the issue of Catalonian independence has been given the silent treatment by international organizations, which have made it clear that they regard this as an internal Spanish affair. José Manuel Durão Barroso, president of the European Commission, has expressed the opinion that, based on the rules of the EU governing treaty, any newly formed European state will be obliged to apply and negotiate for EU membership. Catalonia would need the vote of all current member states, Spain included, to gain a place in this select club, which makes Catalan aspirations seem remote.

What about the United Nations? Even if the Security Council recommended membership, Catalonia would still need the votes of two-thirds of the General Assembly's one hundred and ninety-three countries to become a member. Both outcomes seem unlikely, although the world body did allow Palestine to become a non-member observer state through a simple majority at the General Assembly in 2012. And the fact that such a scenario was assessed in a paper released by Spain's UN mission in September 2013 shows that Madrid takes the possibility seriously.

Unlike Zapatero ten years ago, Spanish Prime Minister Mariano Rajoy will probably never show unbridled zeal for further reforms to the Statute of Autonomy. Nor is he likely to recite Catalan poetry to delight a crowd in Barcelona. But he surely sees the facts on the ground, and he must know that this rising separatist movement may present an even greater challenge than the economic problems that have already made his country one of the sick men of Europe.