



POSITION PAPER

Escaping the Paradox of Power-Sharing? The case of Catalonia

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ANALYSIS

I. Introduction

Catalonia's unilateral declaration of independence last October poses the question of which is the political structure that could accommodate Spanish and Catalan interests, as well as create a framework of coexistence for all Catalans. But in order to satisfactorily arrive to any conclusion, we must first review which are the claims that ought to be appeased or granted, and what contributed to the development of such claims.

The question of which is the political framework that ought to be pursued is not a normative one. On the contrary, this essay looks at the Catalan case in a more pragmatic sense, attempting to provide a framework that favours overall political and economic stability.

II. Catalan Nationalism: from ‘special consideration’ to ‘total victory’.

Both nationalism in general, and Catalan nationalism in particular, have been largely studied, as a vast amount of literature indicates (*cf.* Gellner, 1983; Anderson, 1991; Connor, 1994; Brubaker, 1996; Keating, 1996). Therefore, and because of the similarities found between Catalan nationalism and other Western nationalisms, I rather stand on the shoulders of giants in this respect. In particular, the dichotomy used by Snyder (2000:48) seems a tailor-made fit for the issue at hand: defining Catalan nationalism. He considers *institutions* and *ideas* as the effective tools used by *elites* in order to build up national identity and pursue its claim. And the Catalan case is no exception. However, before making any further remarks on the issue of Catalan nationalism, I consider of paramount importance a brief review of the Spanish territorial design.

Spain has often qualified as an example of federalism, or rather of a “quasi-federal or federalizing” nature, as defined by Moreno (1997:65). The word ‘federal’ is not in the Spanish Constitution, but the aim of achieving unity while respecting the existent diversity is unquestionable. Nevertheless, instead of a clear provision for a federal democracy, the constitutional text asserts a system of autonomous communities (State of Autonomies). Its purpose was to achieve “progressive federalization in line with the asymmetrical nature of its internal units and which serves the purpose of accommodating their diversity and plurality” (Moreno, 1997:65).

Paradoxically, it is precisely this asymmetry what evolved into nationalism in Catalonia. For rather than *cooperation* among regions, the State of Autonomies created a “frame for competition among territories and for the development of increasing demands for self-government” (Colomer, 2007:43). However, this is not only a consequence of constitutional ambiguity, but also the result of nationalism’s classic hallmarks, which brings us back to Snyder.

Catalonia has developed an *institutional* structure that has served a bidirectional purpose. It has echoed the nationalist claims already present at the same time that it has successfully impregnated nationalist ideas to new segments of society.

Institutions have played a crucial role in the Catalan *affaire*, but a well-designed mechanism is deemed barren unless it incorporates some content. And this content is the nationalist *idea*. An idea that has been unable to fully develop from cultural claims, given the notable improvement of it under democratic Spain, as compared with Francoist Spain. On the contrary, the cornerstone of the nationalist discourse has been the very same disparity that granted, in the first place, their particular status with respect to other regions.

However, Snyder's 'effective institutions' and 'unifying ideas' (2000:48-49) are somewhat useless tools without being operated by expert hands; the *elites*'. In that regard, Catalonia presents a particular case where bourgeois nationalism joined left-wing populism, as noted by Casals (2013:35). By accomplishing it, Catalan nationalism spread massively regardless of the right-left ideology's classic divide.

In other words, the combination of *institutions*, *ideas* and *elites* has created an enormous fault line in Spain. And what in 1978 was a 'special consideration' of Catalonia, it has now become an issue of 'total victory' —*i.e.*, its self-determination as a separate political entity. Thus, the question arises of which is the structure that can work better towards overall stability. To that end, various institutional designs ought to be tested for the Catalan case.

III. Testing institutional designs for the Catalan case

At the time this essay is being conceived, Catalonia is about to hold regional elections that will put in power in the Catalan Parliament either unionists or secessionists. However, whatever happens, the social fault line will remain. As a result, in a foreseeable future, Spain would find itself again at a crossroads.

Therefore, the importance of this essay remains intact, and the umbrella of possible outcomes too, as considered in Figure 1. These different outcomes are depicted as an area whose corners are the maximum expression of pushes towards unity or break-up from Spain

and Catalonia¹. They represent: (1) expulsion –an odd and extremely unlikely outcome–; (2) unity (3) ‘friendly’ break-up; and (4) secession –unilaterally adopted.

AREA OF POSSIBLE OUTCOMES

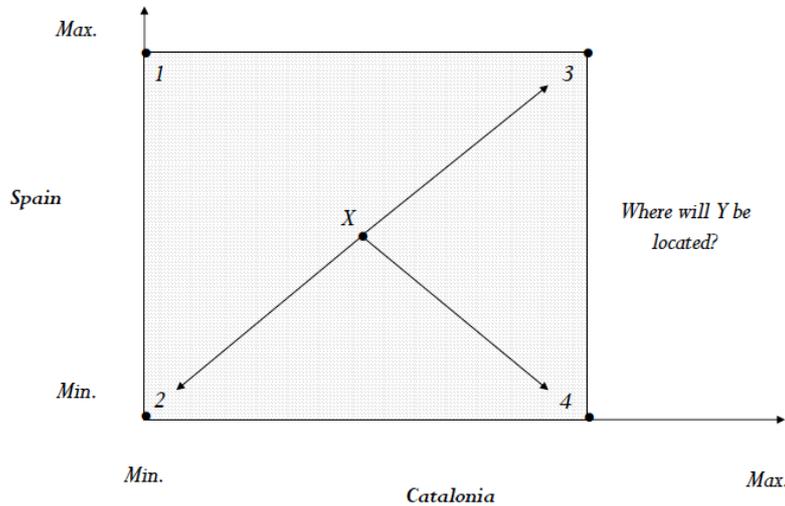


Figure 1. Area of possible outcomes of negotiation or unilateral decision-making from the Spanish government and Catalonia.

In Figure 1, the Constitution and the Catalan Statute of Autonomy would situate Catalonia’s current degree of autonomy in *X*. Thus, given the fact that *X* is no longer an option if civil and political unrest is to be avoided, where should the new Catalonia (*Y*) be located? That is the question that ought to be responded. However, before any further elaboration on where should *Y* be, we must turn to the various classifications of *territorial autonomy* that political science offers. And, amongst those, we must establish first what exactly *X* is.

As it has been mentioned before, Spain’s current design is that of a ‘quasi-federal’ state. And this responds to a constitutional ambiguity that has led some authors to consider Spain as a model of ‘non-institutional federalism’ (Colomer, 1998). That is, therefore, the framework under which Catalonia is currently located within Spain. That of a federal state in which there is a high degree of decentralization in a heterogeneous manner, since Catalonia has a privileged situation amongst the rest of the regions. Let us call the design of a federal state *C*. Therefore, $X = C$. However, given that *C* is not an option anymore, we

¹ When providing comparative decision-making processes, ‘Catalonia’ is considered in this essay as the bloc claiming for full political independence.

ought to consider other options that I call *A* or secession; *B* or confederation; and *D* or centralisation. These institutional designs can be displayed into a hierarchy of preferences for both Spain and Catalonia. In the case of Spain, keeping the *status quo* (*C*) would be the best-case scenario. From there, the Spanish government would be willing to grant some more autonomy to Catalonia by delegating some competencies leading to *B*. If that did not appease nationalist claims, punishment from the central government could be in order, moving to *D*. And, if none of the above were feasible, then secession (*A*) would have Madrid's 'blessing'.

As for Catalonia, the best-case scenario would be *A*, followed by achieving a higher degree of autonomy (*B*). And, if this could not be achieved, then maintaining the *status quo* would be better than *D*. Therefore, the preferences for both parties, from best to worst possible outcome are, for the Spanish government, *C*, *B*, *D* and *A*. And, for the secessionist bloc, *A*, *B*, *C* and *D*. Let us illustrate these different systems in Figure 2, which represents the preferences for the Catalan nationalists and the Spanish government.

INSTITUTIONAL DESIGNS & PREFERENCES

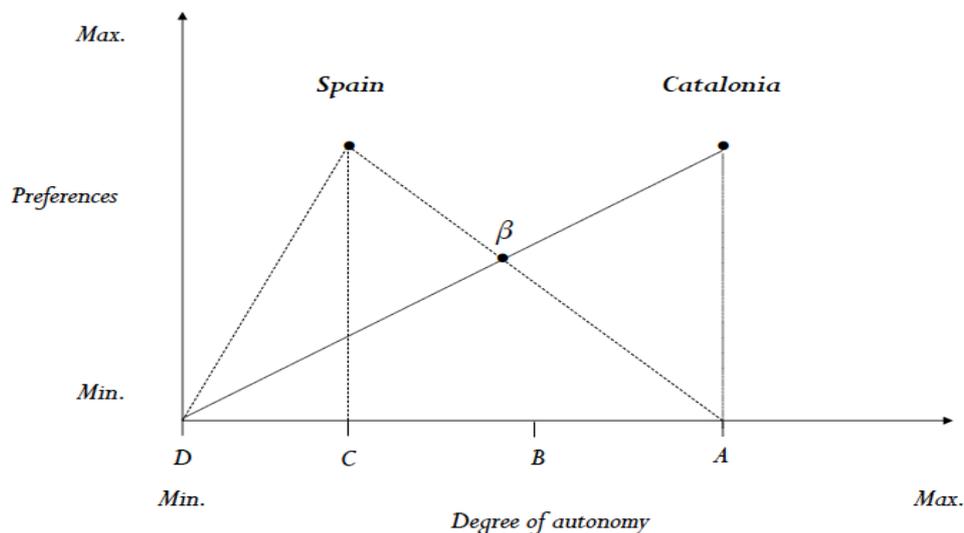


Figure 2. Different institutional designs for Catalonia in an increasing scale of autonomy and preferences from centralisation to secession².

² 'Secession' is obviously not an institutional design for Catalonia within Spain. However, for methodologic purposes, I have included this scenario to illustrate a more complete scope of autonomy.

As we can see in Figure 2, if Spanish and Catalan interests were to meet in the equilibrium (β), that would create a design closer to that of a confederate state. The ‘new Spain’ would be a political entity that would embrace a number of decentralized regions and another sovereign state –Catalonia– with which it would be linked for common purposes through a treaty. However, that is a very unlikely outcome and lack of empirical evidence suggests its rejection.

Therefore, C ought to be rejected as a feasible outcome and so should β . And that leaves us with segment $D-B$. Segment $D-C$ entails more centralization than today, which could only work as a temporary solution. It would not work, however, as a permanent institutional design, for it would create further heterogeneity in the territorial design of the country –a critique that also applies to the rejection of β). Besides, far from appeasing nationalist claims, it would ignite them, since nationalists would find themselves in a better position to make their case before the rest of Spain and the international community, as it would mean the forfeiture of their cultural autonomy.

Scholarly literature often present secession and centralization as the two only possibilities to secure political instability deeply divided societies (Dahl, 1971 and Horowitz, 1985). I intend, however, to resist the temptation of surrendering to what seems to be the fate of pluri-ethnic societies, and find a feasible option (Y) in segment $C-B$.

Segment $C-B$ is still within the boundaries of a ethnofederal state. But having already rejected the *status quo* as a possibility, as well as other territorial designs, Y must be characterized by *other* features. One possibility would be the transformation of the pseudo-federal state into an ethnic federation, where “each of society’s major ethnic groups is provided with its own homeland subunits” (Anderson, 2013:267). Spain, as an ethnic federation, would have four subunits –Galicia, Catalonia, the Basque Country and Castile– instead of seventeen. That would be a more respectful design with regards to ethnicity and could allow unity despite differences. It would however, create what Hale terms a ‘core ethnic region’ (2004:165) –a ‘homeland’ for the numerically dominant ethnic group– in the case of Castile, with all the problems it encompasses, as studied by Hale (2004). Therefore, this structure should be rejected as well.

It seems, then, that the new features can only result from Madrid's bargaining power. What is it, then, that Catalonia would gain if it were to give up *political independence*? In order to respond to this question, it must be first pointed out what is it that Catalan nationalists value the most. And, according to scholarly consensus (*cf.* De Blas, 1995 and Casals, 2013) three main elements should be highlighted: Political, cultural and economic independence. Needless to say, *political independence* would automatically grant the remaining two. However, it is precisely (i) which is off the table in any hypothetical conversation between Spain and Catalan nationalists.

With regards to *cultural independence*, it is already in place. And the removal of the current cultural independence would make the case for nationalists, which would find their argument legitimized by an oppressive Spanish government. As a result, (ii) is going to be in place regardless of whether *Y* falls closer to *C* or to *B*.

In other words, the only remaining element of the three is (iii). *Economic independence* is seen by nationalist as the road to greater *economic welfare*. However, it has been shown that Catalonia *out of Spain* would lose between 15 to 30 percent of its GDP (*cf.* Leal, 2017). Therefore, nationalists would be willing to consider more economic autonomy *within* Spain. That is the bargaining chip left for the Spanish government; the final trade-off, as represented in Figure 3.

THE 'COST' OF POLITICAL INDEPENDENCE

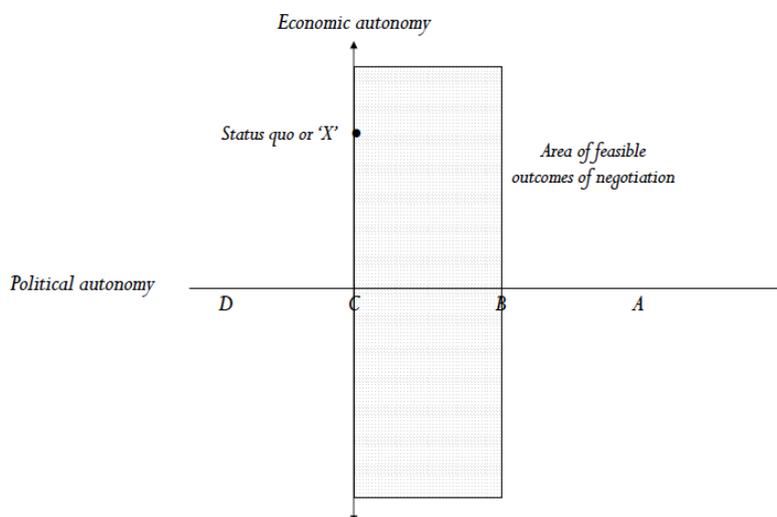


Figure 3. Trade-off between political autonomy and economic autonomy in Catalonia.

The price of political independence is simply too high to bear for nationalists. Therefore, they would see their *political claim* appeased provided that a higher degree of *economic autonomy* is granted.

This can only be achieved through straight-forward negotiation. To that end, Rajoy's government may grant a new regional financing model, trusting that it would persuade nationalists to stop their struggle. But this would lead not to the foresaw trade-off, but to a slide along the political line and a shift towards economic autonomy, as represented in Figure 4.

A FEASIBLE SOLUTION

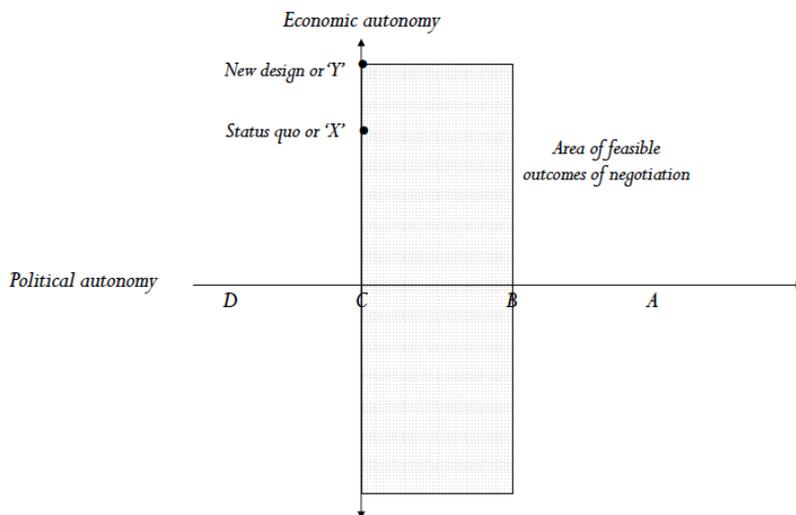


Figure 4. A new institutional design 'Y' that grants Catalonia greater economic autonomy.

That would improve the relationship of Catalonia *within* Spain. But it would not solve social unrest *within* Catalonia between Catalan unionists and nationalists. As seen above, the institutional territorial design of Spain is unlikely to change, remaining as a quasi-federal state. Therefore, if political territorial change is to be rejected, the only way out of the unsustainable *status quo* is to include some *institutional elements* within Catalonia. And scholarly literature points towards *consociational theory*, which therefore should be considered.

Consociational democracy is defined as that governed by “elite cartel designed to turn a democracy with a fragmented political culture into a stable democracy” (Lijphart,

1969:216). Therefore, such an institutional arrangement emphasizes the role of unionist and secessionist political *elites*.

According to consociational theory, there is a number of favourable conditions for the implementation of consociationalism (Lijphart, 1969:207-225). Among others, it is worth noting the use of proportional representation systems –as opposed to majoritarian mechanisms– at the elite level, which leads to “conflict resolution, institutionally anchored by inclusive coalitions” (Andeweg, 2000:512).

However, these conditions are not free from criticism. They cast such doubts that Lijphart himself stated in later works that they were “neither indispensable nor sufficient (...) to account for the success of consociational democracy” (Lijphart, 1977:54). As a result, some say that these “conditions may be present and absent, necessary and unnecessary, in short conditions or no conditions at all” (Van Schendelen, 1984:160).

Moreover, some suggest that consociationalism is poorly equipped to resolve social fault lines (*cf.* Lustick 1979 and 1997, Norris, 2008 and Selway and Templeman, 2012). According to Selway and Templeman, evidence “provides little support for consociationalist theory” (2012:1564) since, far from resolving conflict, consociationalism tends to fuel it. More specifically, they find three basic features that make consociationalism a dubious institutional choice: proportional systems; parliamentary systems; and the combination of consociationalist institutions.

Spain is a parliamentary democracy territorially organized as a pseudo-federal state and with an electoral system of proportional representation at the national and regional level. Therefore, the Catalan case does not fit the description of a ‘good patient’ for such treatment. Besides, to the factors highlighted, one more ought to be added: *elite cooperation* onto which consociationalism rests. For it is precisely *elite competition* what has spread throughout Catalonia. Therefore, Catalonia ought to be considered neither a *consociational* democracy nor a potential one, but a *centrifugal* one –a concept first outlined by Lijphart (1968:3-44). This is a *status quo* that ought to be rejected, since “a political system characterized by centrifugal drives (...) is hardly a viable system” (Sartori, 1977:124). We must, therefore, respond whether a centrifugal landscape like Catalonia may transform into

a consociational one, for “centrifugal democracies are definitely not doomed to break down” (Siaroff, 2000:325).

In Catalonia, understanding between political elites seems to be an extremely unlikely outcome, as exemplified, for instance, by the fact that some secessionist parties have declared that they will not participate in the Catalan Parliament if unionist were to win in the upcoming elections. As a result, the introduction of consociational mechanisms will not be a possibility any time soon. *Consociationalism* is thus not an option, but nor is *centrifugalism*. We must look for other instruments.

Opponents to consociationalism often suggest a higher degree of control from the central government as a viable option where consociational mechanisms cannot be successfully implemented. And it is often presented as a lesser evil insofar as:

“[I]n deeply divided societies, the effective subordination of a segment or segments by a superordinate segment may be preferable to the chaos and disorder that might accompany the failure of consociationalism” (Lustick, 1979:336).

Nevertheless, Madrid’s appropriation of competences—segment *D-C* of Figure 3—has been rejected above as viable for the territorial design, and the same reasons make it unfit for social ends.

The absence of possibilities suggests that the solution may not be found within Catalonia—in the form of consociationalism— or control from Madrid—, but in the Constitution, putting an end to constitutional ambiguity. For a reform of its text would not only appease nationalist claims in the long-term—as opposed to the fragile and temporary solution of greater economic autonomy— but it would also provide a framework that could be endorsed by elites of both blocs, satisfying secessionist and unionist alike and therefore appeasing the animosity toward one another.

IV. Conclusion: can stability trump over ideas?

The troubling future for defenders of Spanish territorial unity is that, as shown in Figure 4, there is a cost for unionists and nothing but gains for nationalists. At the same time, this deepens the autonomies' disparity and the heterogeneous character of the pseudo-federal structure.

Moreover, a greater degree of economic autonomy is very likely to exacerbate nationalist claims in the near future, fulfilling the paradox often found on federalism and other forms of decentralization. That is, that the spreading of competencies of responsibilities can exacerbate ethnic claims rather than accommodating self-rule (*cf.* Hale, 2004 and Erk and Anderson, 2009).

Such a measure is not a long-lasting solution but a clumsy tourniquet, especially if the issue of *elite competition* remains unsolved. Nationalist ideas can be temporarily silenced, but not completely appeased. And, next time, there might not be any bargaining chip left to use.

As Erk and Alain wrote, in Spain, historically, “[t]he allocation of competences has followed an inductive path in the process of federalization (...) but that flexibility will not remain a permanent feature of Spanish federalism” (2000:100). Last October, that transitory arrangement collapsed, and the need for a defined division of competences is vital. For the constitutional consensus of 1978 is today manifestly insufficient.

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