Catalonia in Spain. For Democratic Coexistence
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For Democratic Coexistence
Spain is now facing unconstitutional projects that pretend to bring about substantial changes in the model of state and the secession of some of its nationalities and regions.

In response to any argument in favour of these projects, or in the face of any interest in what they are about (in an official or informal meeting, seminar, question from the media, etc.), it is essential to follow the following lines of argument.

I. Dialogue

The government understands that political differences are resolved through dialogue, a dialogue that “has no expiry date”. Dialogue and the search for an agreement are the backbone of democracy.

II. The Rule of Law and loyalty to the institutions

This dialogue should be exercised:

- With respect for the common legal framework: this is the will of rule of law anywhere

  Our Constitution establishes that the nation is indivisible: the problems of democracy are resolved with more democracy and, hence, what we have decided in full democracy must be dealt with in full democracy and not in a deficient democracy. The greater the right to participate, the greater the rule of law will be.

  This Constitution is not an idol or a mystery that we worship superstitiously, but the embodiment of the best that we have done together: the popular ratification of the Spanish Constitution in a referendum reached 92% of the suffrage in Catalonia. We cannot act disloyally, i.e., against the law, compromising the aspiration to harmony and the word given by the immense majority of Catalans. There is only one outright “no” from the majority of the political and social forces in Spain and that is to the question “are we really so different that we cannot continue to find anything in common with the rest of the Spaniards freely and democratically?” That majority trustingly and resolutely said “no” to that question 35 years ago and reaffirms that decision today, in the face of those, such as the secessionists, who say “yes, we are so different that we cannot find any common ground freely and democratically.”

  A study of the constitutional law of other states, even federal states, proves that this principle is common to Constitutions in effect generally. The norms that govern the political life of the Spaniards are analogous to the norms that govern the political life of any country in the world.
A constitutional reform that entails a substantial change in the model of state must be the product of a decision taken by the Spanish people, where national sovereignty resides, and in accordance with the procedures set forth in the Constitution itself. Nobody denies the possibility of amending the Constitution: only a few nationalists and secessionists deny it, because they deny that right to the citizenry as a whole, demanding that only a few be entitled to exercise it. All citizens are entitled to participate in political affairs, not just some of them.

The concept of the democratic principle is accompanied by the adjective “democratic” to appear unassailable. What is true is that democracy is essentially dialogue, pact, and agreement. When a unilateral political action is proposed that pursues an end to the pact, the agreement, in short, to coexistence, it is improper to talk of a democratic principle.

**With respect for International Law**

If respect for the Constitution is respect for the will for harmony and pact, respect for international law is also respect for a law for the world community, for a law that is drawn up in the service of mankind.

The final aim of both these laws, internal and international, is the person and its moral and political rationale derives from that prime attention to human dignity, which should also guide all governments.

Loyalty to the citizens thus obliges us to remember how the superior good of national unity is also preserved by contemporary international law, which rests on the principle of the obligation to respect the territorial integrity of existing sovereign states, and how the exact circumstances in which international law recognises the right to self-determination are not applicable to Spain, as they are not to so many other democratic states that are experiencing separatist movements.

**With institutional loyalty, another principle that is analogous to that of any democratic nation**

### III. General interest

The objective of the government is to attend to the general interest of all Spaniards and, for this reason, that of all Catalans.

1. This general interest is what should preside over the negotiation of a better financing model, something that many Autonomies demand.

   • This is an important element, but only one, of the daily debate that is the public life of any nation or of the process of construction of the European Union, for instance.
• What is the financing of the autonomous communities? It is what is established in a law enacted by parliament after negotiating with all the autonomous communities. In the case of Catalonia, the financing system has always had the support of the Catalan government, and the financing system currently in effect was designed with special attention to the interests of that autonomous community.

• When discussing Catalonia’s “fiscal balance”, the starting point is that the very concept of fiscal balance is arguable: citizens pay taxes, not territories.

• There are several methods for calculating the fiscal balance, not just one, all of them equally valid and the results vary enormously depending on the method chosen: Thus, for Catalonia the result for 2010 varies from a deficit of €16.543 bn. to a deficit of only €774m.

• On the other hand, fiscal balances vary from one year to another. In the years of prosperity, with high fiscal revenues, the richest regions, like Madrid and Catalonia, have a higher “fiscal deficit”. In the years of crisis, these are lower, or they can even become a “fiscal surplus” (as was the case in Catalonia in 2009). If we take the five year period, 2006-2010, the Catalan “fiscal balance” would give an average deficit of €6.91 bn.

• In conclusion, one cannot claim that there has been any fiscal plundering unless one accepts highly unreliable calculations. There is a contribution to solidarity, provided for in the Constitution which affects many other autonomous communities.

• Each autonomous community is increasingly responsible for its economic management.

• It is precisely because they have a large degree of self-government, that the economic results of different autonomous communities differ slightly, even among those that are analogous in terms of fiscal balance.

• These explanations by no means contest the fact that since the autonomic financing system was put in place several decades ago, Catalonia has shown solidarity in its contribution to the territorial balance of Spain.

• One can legitimately draw conclusions from all these data: the financing model is the result of a pact, so there is no discrimination towards Catalonia – as it has supported this pact year after year –; several autonomous communities also feel fiscally neglected or offended by the state, which is proof that none of them is discriminated against in a singular fashion and it is also proof that the state healthily exercises the role of the meeting point of national interests.

• Against this background, to pretend that the only solution it to put an end to this debate, to wreck life in common, by promoting a project aimed at breaking away from one another is a political and economic step backwards.

• But it is essentially a moral step backwards, as it renounces an exemplary effort of universal value, whereby part of society (national, European, international) wants to
make a contribution to the welfare of those who cannot manage it by themselves. Remember that the ethical foundation of solidarity consists of considering the beneficiary as an equal, albeit in difficulties. Logically, it is only possible to put an end to this solidarity on the foundation of considering the beneficiary of this solidarity as different, an attitude of clear moral abandonment.

• In summary, the cry that “Spain is robbing us” is not only unsustainable in strictly economic terms; it also has a boomerang effect on those who shout it as it tarnishes an estimable path trodden in terms of solidarity, in this case by Catalan society.

2. By attending to this general interest, the government reaffirms its stance on:

• Its profound affection for Catalan society as a whole
• Institutional respect for La Generalitat de Cataluña and the expectation of reciprocal loyalty

All this forces us to pose the political, economic and historic debates with intellectual solvency and probity, fleeing from manipulations.

On the other hand, this loyalty means that all behaviour that seeks to disqualify Spain as a framework of coexistence and as a state of social and democratic rule of law have to be rejected, together with all behaviour that seeks to disqualify its citizens.

It is regrettable that, when promoting certain political projects, some public powers in Catalonia and some secessionist sectors show scorn for the ethical principles and conduct that the citizenry demand of their representatives and public powers. Faced with these actions, aimed to condemn the social and democratic rule of law and one’s fellow citizens, it is essential to ask why the principles of objectivity, neutrality, impartiality, responsibility or institutional loyalty are being violated. These are principles that should guide public powers and representatives. We must ask ourselves whether or not these actions respect the ethics of the institutions. In short, one must examine to what extent this behaviour deviates from a pursuit of the common good; why are the principles of respect for individuals and for the citizenry as a whole, which bind all of us, being infringed?

As this is an evident truth – the truth of the democratic plenitude of the rule of law in Spain – certain separatists need to deny it, by fraudulently attempting to present the fiction of a totalitarian and colonising state as reality. Only if they can be seen as the victims of violence and colonialism – the secessionists feel – will they attain the solidarity of all the others.

Spain has managed to project the image of a politically stable, legally secure country, open to the world and firmly committed to the fundamental values that inspire peaceful relations within the international community, especially the values of human dignity, freedom, the rule of law, human rights, solidarity, fostering peace, respect for international law and a commitment to multilateralism. These ends and these means are what confer dignity on all Spaniards and, therefore, on all Catalans. And the secessionists will not divert us from this path, however degrading their means may be.
IV. Developments deriving from these principles and objectives

1) The government is convinced that “together, we all gain and divided, we all lose”

2) Together, we all gain:

- Because our history shows that democratic coexistence has given Spaniards the most fertile and longest-lasting period of freedom, justice, solidarity, human dignity and welfare. We have a duty to demand the benefits of democratic coexistence within the Constitution and the law, as is the will of any state in the world with the rule of law.

- Because maintaining the spirit of harmony and reconciliation that presided over the drafting of the Constitution of 1978 is a guarantee of progress and life in freedom. It is the Constitution of freedoms and harmony, the Constitution of Spain as a social and democratic state with rule of law, which recognises and guarantees the right to autonomy of the nationalities and regions that comprise it. This Magna Carta was the result of what is known as the Spanish transition, an extraordinary moment of moral tension that brought the best out of the Spaniards, a model of behaviour that has inspired and continues to inspire processes of transition on several continents. In summary, the constitutional pact, the work of all and for all, enabled us to seal our reconciliation and it is a triumph of harmony and integration. This spirit has been the foundation of the modernisation and transformation of Spain in recent decades. In this context, secessionism is especially virulent these days and the natural question that many people ask is: How can you defend a secession that entails the extinction of that life in common and the end of that historic triumph of harmony over discord?

- Because that same history teaches us the serious consequences of any political project based on a will not to coexist. Spain is one of the oldest nations on earth and its history, like that of so many nations, is a complex secular process of rights and wrongs, of vacillations and utopias, but also of illusions of common ways of life, of desires and common memories. As in many countries, Spain has suffered the terrible experience of civil war and authoritarian regimes. In this complex past, the articulation of the plurality and territorial diversity of Spain has been a constant motive for discord and distancing. This succession of conflicts and agreements, of taking steps forward and backwards in the fight for freedom, welfare and peace are analogous of those of any other national history. There is no continent, no region in the world that has not experienced the problems of internal crisis, or integration and coexistence. Aware of this past, the Spaniards decided to re-establish freedom and democracy and adopted the 1978 Constitution by an ample majority, the result of the broadest consensus ever reached amongst Spaniards.

- Because the preamble of our Constitution proclaims the will to protect all Spaniards and people of Spain in the exercise of human rights, their cultures and traditions, languages and institutions. The autonomous communities, 17 in number, were born on the basis of the Constitution recognising their autonomy. Their Statutes specify how
they exercise their right to self-government and as the founding legal instrument of the Autonomous Community. Catalonia has its own legislative and executive powers, exercised over a broad number of competences.

- Because the right to self-government consecrated in the Statute of Autonomy of Catalonia has led to Catalonia attaining the recognition of its vocation to govern itself and of its personality, which has one of its most pronounced traits in the Catalan language and culture. And the result has been that Catalonia has never in its democratic history attained a greater degree of self-government in all political, economic and cultural areas, and the Catalan language and culture has never enjoyed such extensive vitality, educational extension, magnitude of speakers, political, institutional and legal backing and such budgetary resources as it has since the day on which Catalonia fully and finally recovered its institutions of self-government by virtue of the Constitution and the Statute.

- Because we know that all this reality accepted by society as a whole in Spain, derives from the common Constitution.

- Because we have the right to amend everything, except for the common good of our free and plural coexistence.

- Because we are all aware that in any period in the history of Spain, in the history of Catalonia, there has always been – and there will always be – a strictly Catalan option of harmony and coexistence, an option preferred by the majority of men and women of Catalonia. Although Catalonia has never been an independent kingdom, it is distinguished by its “will to be one”, which has always been compatible with the idea of Spain. Since the transition, Spain as a whole has fulfilled a task of moral progress, consisting of compromises, commitments and sacrifices, of a will for harmony, which has marginalised the opposing will, the will not to coexist. And Catalonia participated resolutely in that achievement. The truly plural Spain, the one we all desire, is the one that is built on a conviction: that human and social flowering requires diversity to be fertile. And that certainty owes a lot to the pedagogy conducted by Catalan spirits. The secessionist movement resorts to a historical genealogy that weakens its demands: while it may be true that there have been separatist attitudes for centuries that seek division and secession, the majority of Catalans have always opted for harmony and coexistence. The choice of opting for coexistence means that one can explore all its aspects, economic, cultural, political, religious, journalistic, without leaving Catalonia, finding that most Catalans have rejected the idea of turning their backs on the rest of Spain.

- Because the exercise of the so-called right to decide hides a political and civilly ethical step backwards. The question of this alleged right is posed in terms of: what do I want to be? Or what do I want to do? But that is not the question that is required by the high moral standards of our times; the question that our past and present are crying out for is: what do I want to build jointly with you? If our answer to that question is: “Nothing, I do not want to build anything with you”, then the question of the so-called right to decide is superfluous, because the will not to coexist has already triumphed. The truth is that this proclaims: “I am not interested in any option involving living together”. That
is why it is only legitimate to answer the first question first. First answer about what options we prefer for our democratic coexistence, not about its irreversible end.

- Because, then the so-called right to decide is not just another initiative within the framework of our common search for the public good; Instead it breaks the historical sequence and the right to decide means only one thing: “the will not to coexist”. The aim of “breaking away from the others” constitutes an ethical, political and historical step backwards in any democratic society in the world, one that, in this case, betrays the best that Catalonia, and Spain as a whole too, has thought and felt historically, especially during the most fertile years of the transition.

- Because our agreement does not exclude discrepancy.

- Because, while any political project in favour of coexistence, harmony, has the support of all the citizenry, the option of secession is the only one that excludes some.

- Because there are no social values on which to rest the argument that it is preferable to put an end to the primacy of harmony, dialogue and words; that it is preferable to exclude than to welcome.

3) The government is persuaded that “divided, we all lose”, because breaking the bonds has harmful consequences for all.

- Catalonia’s European vocation would be truncated: European Union legislation is explicit, clear and conclusive with regard to a unilateral declaration of independence, as Brussels points out: independence entails leaving the European Union.

- Together with the legal provisions, it is also legitimate to point out that secession is contrary to the political spirit that drives the project of European construction: how can someone who wants to break away from another, much older and more effective project of union and solidarity opt for a project of union and solidarity – the European project?

- But they also lose European ideals, to wit, “unity, solidarity and harmony among its peoples” (Preamble of the Treaty on European Union – TEU) and they lose the project of “creating an ever-closer Union among the peoples of Europe” (Art. 1 TEU).

- Because by cancelling a community of peoples affected, the will not to coexist means primarily that any secessionist project in the free world entails an historic, political, socio-economic, cultural and ethical regression that cannot be encouraged out of respect for European ideals.

- Because secession does not pose options of coexistence, explaining the anxiety of many Catalans, faced with a horizon where the people are not invited to choose between options of political life (left, centre, right), but instead, to vote for the extinction of that very life in common.

- Because, since the full and final recovery of its freedoms, Catalan society has never
had to suffer episodes of tearing apart, social fracture and the risk of confrontation like today. The government and the main political and social forces defend their best option for Spanish life: the option of remaining together.

- Because if in supreme cases of the realisation of free and democratic life – the United Kingdom or Canada - one sees the phenomenon of break-away forces, that means mathematically that the leading cause of the movements that propose separation in the free world, is not a cause that has anything to do with perfecting our model of coexistence. Is it credible that such states do not have sufficient democratic guarantees to prevent any of their parts from feeling obliged to seek greater democracy in separation? The separatist project does not offer any options of coexistence from which to decide. The so-called right to decide is a right that repeals something shared, in this case, life in common.

- Because secession entails certain economic impoverishment. A rupture in the market would create an obstacle to the free movement of goods and capital; the new state would have to pay duties when selling, both in the amputated Spain and in all the other countries of the EU. This would trigger a fall in Catalan exports and GDP. The refinancing and payment of the Catalan debt – of over €50 bn. – would be impossible, except with measures that would generate an enormous tax burden on the population. The enterprises of an independent Catalonia would not benefit from a top flight financial system and there would be de-locations and a loss of human capital.

- Because the separatist option causes uncertainty and consternation among Spanish society as a whole, including much of Catalan society. Spanish society as a whole feels wary, as it understands that the whole, with the decisive participation of Catalan society, has triumphed resolutely in the historic project of winning a free and democratic coexistence, it has triumphed in its aspiration to build a model of state that protects all Spaniards and peoples of Spain in the exercise of their cultures and traditions, languages and institutions, irrespective of the imperfections of any political work. They feel confused, as this Spanish life, in the face of any disagreement, keeps the integrity alive of the spirit of harmony that gave rise to this new model of state. They feel perturbed when they hear how certain separatist sectors radically disqualify both this social and democratic rule of law and their fellow citizens, thus facilitating social fracture and tears.

- Because the separatist option is just one of many political options possible, but it is the only one that has no wish whatsoever to accept any option involving life in common, hence, thwarting the willingness for dialogue of Spanish society as a whole.

- Because there is no form of emancipation in considering that the fact of turning your fellow citizen into a foreigner is the solution to his welfare at this moment in the 21st century, as the separatists do.

- Because Spanish society confides fully in the civic conscience of Catalan life, where the majority has always preferred the will for harmony over the will not to coexist.
V. For all the above, the government, but the people too, understands that “we must work on strengthening those bonds” and “flee from confrontations”
Appendix

This appendix is divided into nine chapters that, while maintaining full coherence, can be read in any order and even independently of each other. For precisely this reason, some considerations and certain textual quotes of statements or publications are repeated in more than one chapter, giving each one of them full sense.
1

Political and Constitutional Aspects
“With a view to building that basic consensus aimed at establishing a lasting democratic framework, all the fathers of the Constitution made important sacrifices to the point even of renouncing positions they had long defended over the years, to seek common ground to overcome old, endemic conflicts.”
Text adopted by all the parliamentary groups of the Constitutional Commission of the Spanish Congress of Deputies, 20 November 2002.

“The Autonomous Communities of Spain [are] more powerful than any other sub-national government structure in Europe.”
Richard Gunther, José Ramón Montero, Joan Botella in Democracy in Modern Spain, Yale University Press, 2004

“What amazes me the most is that apparently sensible people maintain that the separation of Catalonia will occur in a cordial fashion and without trauma, and they almost all seem to believe that the situation could not possibly degenerate into violence. Good God, haven’t we even learned that nothing is impossible in history and that major changes have almost always come about through blood and fire? Have we become so stupid and cowardly again that we are incapable of finding a civilised way out of this mess?
Javier Cercas, writer, El País, 28 October 2012

1.1  The origin of the current political situation in Spain

“This book studies the articulation of Spain as a nation. It aims to be a non-essentialist view of the formation of Spain as such, while at the same time offering a non-nationalist view of the problem of nationalities and nationalisms in Spain. Part of a dual situation: 1) Spain, along with France and England, was one of the first national entities in Europe. Thus, I understand that around 1500, the essential steps for constituting Spain, France and England as nations and integral states had already been taken: but also that it would still be a long time, centuries, for the states to become a single unit in these three cases, and for the feelings of modern nationality to take form; 2) it was precisely because of the transformation of the Hispanic monarchy into a modern national state in the 16th and 17th centuries that the problem of the territorial organisation of the state - and above all of the appearance of peripheral nationalisms, which, it is worth mentioning right from the start, is an extraordinarily complex problem - really became evident and, over time, capital.”
Juan Pablo Fusi, Professor of Modern History, in his work, España, la evolución de la identidad nacional, 2000.

“The claim that Spain was the perpetrator of aggressions against Catalonia is an unfortunate manipulation of the past that deliberately forgets that the Catalans, like the rest of the Spanish population, were divided between the two sides, as in all conflicts and civil wars involving the whole country.”
From the manifesto of 2 November 2012, signed by authors Mario Vargas Llosa, Félix
Spain is one of the oldest nations in the world and its history, like that of so many nations, is a complex secular process of rights and wrongs, of vacillations and utopias, but also of illusions, of common ways of life, of desires and of memories in common too. Like so many other countries, Spain has suffered the terrible experience of civil war and authoritarian regimes.

Articulating the territorial plurality and diversity of Spain in this complex past has been a common cause of discord and separation.

The succession of conflicts and agreements, of advances and reversals in the fight for freedom, welfare and peace are interchangeable with those of any other national history.

There is no continent or region of the world that has not suffered problems of internal crisis, integration and caring coexistence.

Aware of this past, the Spaniards decided to re-establish freedom and democracy and adopted the 1978 Constitution by a large majority. This Constitution was the result of the broadest consensus ever reached among Spaniards. It is the Constitution of freedoms and harmony, of Spain as a social, democratic state governed by the rule of law, which recognises and guarantees the different nationalities and regions that comprise Spain the right to autonomy. This Magna Carta was the result of what is known as the Spanish transition, an extraordinary moment of moral tension that brought the best out of the Spanish people, a model of behaviour that has inspired, and continues to inspire transition processes on several continents.

In short, the constitutional pact, the work of all for all, made reconciliation possible and it was a triumph of harmony and integration. That spirit has been the foundation of Spain’s modernisation and transformation in recent decades.

In this context, separatism is especially virulent, and the natural question that many people ask is: How is it possible to defend a separation that entails the extinction of this life in common and of that historic triumph of harmony?

“The Spanish Transition has won the admiration of the whole world. An exciting and instructive experience that I have seen from close quarters and sometimes even from within.”

Mario Vargas Llosa, 2010

“The 1978 Constitution, rightly known by all as the Constitution of Harmony, attempted to put an end to a tragic past of civil confrontation among Spaniards. Civil wars, military uprisings, dictatorships, in short, political regimes or systems based on the violent imposition of ideologies or forms of government, had, until that time, been the
bleak balance suffered by the immense majority of the Spanish people, as if our historic sign were one of collective failure. That sad lament of poet Machado “Little Spaniard coming into the world, May God save you. One of the two Spains must freeze your heart” is a true reflection of the dramatic reality of the life of the Spanish nation. But, fortunately, in 1978, a generation of Spaniards, remembering the lament of that other great Spaniard, Manuel Azaña when, overcome by the magnitude of the civil tragedy, proclaimed those dramatic words, unfortunately now widely forgotten: “Peace, mercy, pardon”, decided not to make the same old mistakes again, but instead to look forward and opt for a new democratic system, with a generous drive for reconciliation, so that never again would there be two Spains in a constant state of unyielding confrontation. The spokespersons of the main political groups left conclusive testimonies in the constituent parliament of that spirit of national concord, which is well worth remembering at this time. The current Spanish Constitution is impregnated with that will for harmonious coexistence. All the founding fathers, in the interest of that basic consensus aimed at establishing a lasting democratic framework, made important sacrifices, even renouncing positions that had been long defended over the years, to find common ground to overcome old, endemic conflicts [...] The Congress of Deputies reiterates that it would be advisable for our democratic coexistence to maintain the spirit of harmony and reconciliation that presided over the drafting of the 1978 Constitution and which facilitated the pacific transit from dictatorship to democracy.”

Text adopted by all the parliamentary groups of the Constitutional Commission, Congress of Deputies, 20 November 2002.

“Those of us who believe that language is the supreme gift of Mankind, see in this constant dialogue that replaces battle with debate, that overcomes discrepancy for agreement, the highest form of political life.”
Adolfo Suárez, President of the Government, in the Congress of Deputies, in the constitutional debate, 31 October 1978

“The Spanish people do not wish to be condemned to repeating their history and that is why we have all been given this mandate to put an end to the sad tradition of the pendulum swinging backwards and forwards, of the puerile insistence on re-writing history at every step, something that has been a pathetic constant in our history over the last two centuries and which has made our civil coexistence a bitter tale of uncivil discord. And that same people have given us the mandate to draw up a common and long-lasting fundamental order, without tension and irritations, with no place for irreconcilable feelings, overwhelming us at all times with their inexhaustible testimony of maturity and moderation.”
José Pedro Pérez-Llorca, Deputy of the Unión de Centro Democrático Group in Congress, in the constitutional debate, 31 October 1978.

This political vision was backed by all the parliamentary groups without exception, including the Catalan ones:

“So, today, the Spaniards – both those of the right and those of the left – have learned the bloody lesson of the last civil war, when half of Spain thought that they could save the other half by plunging it into fratricidal combat. Today, despite the profound differences that separate us, we have arrived, for that very reason, at an agreement, at an
acceptance of our adversaries, who are no longer our enemies. That is why the Constitution is merely the legal expression of a social contract, of a collective consensus; with the Constitution, at last, the war is over.”


In the world of academe, we find assertions on which to rest this political vision:

“Forget the tragedy that we have lived without forgetting its lessons.”
Pere Bosch Gimpera (Barcelona, 1891 – Mexico, 1971), Catalan historian, in La España de todos

“[the first free and democratic elections after the death of Franco, on 15 October 1977 were] the victory of Spain in harmony over all those who wished – or who continue wishing – to go back to the past.”
Julián Marías, España en nuestras manos, 1978

1.2 Territorial diversity in Spain

Articulating Spain has constituted one of the most recurrent problems in its modern history, as in the history of other countries:

“Two contradictory trends appeared in Europe, between 1850 and 1920 […] On the one hand there is a trend towards unity and, on the other, an increase in separatism […] From that moment, nationalisms would not cease to divide public opinion and political forces and even today, nationalism is still the most serious problem that Spanish democracy has to face.”
Joseph Pérez, lecturer at the University of Bordeaux, Histoire de L’Espagne, Paris 1996

There can be no doubt that the transition that commenced on the death of Franco and the grand pact of the 1978 Constitution signified the majority will to leave behind a dramatic past, where, among other things, authoritarian and dictatorial regimes had imposed rules and politics that repressed the singularities of the nationalities and regions of Spain:

“Franco [immediately] revoked the Statutes of Autonomy granted by the Republic to Catalonia and the Basque Country. The use of Catalan and Basque in schools was prohibited and all manifestations of regional culture – other than harmless folklore – suppressed […] Catalan culture, rooted in a living modern language, was too dynamic and rich to disappear.”
Raymond Carr and Juan Pablo Fusi, Spain, Dictatorship to Democracy, London, 1979

“Weighing up the balance of linguistic legislation – without the required nuances as space prevents - it could be said that up until 1936, it was the enlightened, liberals and
working class organisations that defended the linguistic community in Spanish, sometimes proposing the eradication of other languages. This explains the appearance of rules, sometimes delirious, to limit or liquidate multilingualism [...] Contrary to popular belief, a multi-lingual Spain has never been a target of our ultra-conservative creed, or of the national-catholic movement. It was a project that was mistreated in the civil war by its own supporters. In the heat of the Nazi-fascist airs of the moment, they raised a Spain in which only Spanish was spoken, which at the time was the language of the Race, of the Fatherland, of the Empire. This explains the vicious and arbitrary persecution of other languages (and of speakers of any of the other Spanish languages, which was more serious) as reprehensible symbols of hostility.”

Juan Manuel Lodares, lecturer of Spanish Language at the Autonomous University of Madrid, El País, 20 May 2001

Protests at these repressive measures abounded not only in the towns and villages directly affected, but also in the nation as a whole.

Hence, in the face of the measures adopted by the military council, during the dictatorship of Primo de Rivera (1923-1930), the reaction of solidarity with the Catalan language and culture brought together the leading Spanish language authors:

“Language is the most intimate and characteristic expression of the spirituality of a people and we, in the face of the fear that these provisions may have hurt the sensitivities of the Catalan people, becoming in the future, the cause of insurmountable malice, wish to declare with a gesture to the writers of Catalonia the security of our admiration and of our respect for our brother language. The simple biological fact of the existence of a language, an admirable work of human nature and culture, is something always worthy of the respect and the sympathy of all cultivated spirits.”

Azorín Federico García Lorca, José Ortega y Gasset, Gregorio Marañón, Ángel Herrera, Ramón Menéndez Pidal, Pedro Sainz Rodríguez, Concha Espina, Miguel Herrero, Luís Jiménez de Asúa, Gabriel Maura, Mercedes Gaibrois de Ballesteros, Fernando de los Ríos, Melchior Fernández Almagro, Ramón Gómez de la Serna, José Gutiérrez Solana, Manuel Azaña, Claudio Sánchez Albornoz, Ramón Pérez de Ayala (and many more), in the manifesto of the Castilian Spanish writers to Primo de Rivero’s Military Council in defence of the Catalan language, March 1924

Several years later, in 1930, there was another manifestation of solidarity with the Catalan language and culture:

“Castilian cultural elements of all tendencies, after holding an unforgettable act of fraternity with the Catalans, urge the Government in the strongest possible terms and as we consider it fair [...] to repeal all the provisions of the dictatorship that have repressed and offended the language and freedom of Catalonia.”

Telegram signed by many of the authors of the previous manifesto and addressed to the President of the Spanish Government in March 1930.

“When languages and jurisdictions put on their mourning dress, it is because there is something deeper that is being tarnished: civil liberty and to fight against this, we have to ask for the help of the young so that when problems of a general nature and large
dimensions arise, they can provide their collaboration.”
Fernando de los Ríos, 25 March 1930, in the act of confraternity of Catalan and Castilian intellectuals

“What can the agreement that has flourished among us consist of? In that there is a coincidence that does not exclude discrepancy, because we have the luxury of including it, just as a landscape encompasses the greatest variety, just as the sky and the sea appear united on the horizon and as the torso of the earth bears this gigantic anecdote of the mountains.”
José Ortega y Gasset, 25 March 1930, in the act of confraternity of Catalan and Castilian intellectuals

“In moments of sadness for you, we Castilians were by your side and I am totally sure that you would have done the same in the opposite case, and in the event that the phenomenon were repeated, and this is not improbable, one must have faith in one’s heart.”
Ángel Ossorio y Gallardo, 25 March 1930, in the act of confraternity of Catalan and Castilian intellectuals

Another example, on this occasion under the Franco dictatorship (1939-1975), philosopher Julián Marías, disciple of Ortega y Gasset, half a century ago, in a book dedicated to Catalonia, celebrated the singularity of Catalonia, whilst at the same time denouncing the attempts to eradicate it.

“It is true that the state has frequently been an oppressor, and not only of this or that region, but of the entire country, and its headlines have often come from the periphery; I mean that the pressures, even to the extent that these have been “central” in nature, have not been from one region over others, but from the State as such over several or all of them, and Castile has not been the least oppressed, even though the oppression has been exercised “from” her [...] There is nothing more anti-Catalan that an attempt to strip Catalonia of its roots [...] The weakening of Catalonia, forgetting its history, the attenuation of its vigour and its relief, the impoverishment or constraint of its language, the attempt to wipe out the signs and symbols with which a glorious history has been forged, the wish for it to enter a grey line of uniform provinces, that the Plaza San Jaime become any old square and not the expression of a splendid historic personality, all these are essential, irreparable, unacceptable mutilations of Spain.”

The awareness that it was essential to start a new political life, especially with regard to Catalonia, was very firm in the transition government, scarcely a year after the death of Franco, even before knowing the feelings of the Spanish people, of the people of Catalonia, which would be expressed later on in the 1977 elections:

“It is with deep satisfaction that I address the people of Catalonia for the first time today. I do so as the president of a government of a king that only two months ago said in the Tinell Lounge: “I would like to reaffirm to you today, the exceptional importance that I attribute to Catalonia and to the Catalan personality in the lands of Spain as a whole.” And I do so as the president of a government that clearly pointed out in its pro-
gramme “the importance of regional differences” and the recognition of “the diversity of peoples integrated in the indissoluble unity of Spain.” Both these circumstances are a clear indication of my presence in Barcelona. That is why we are attending an act of profound political dimension, inscribed in the framework of the new constitutional saga that is announced for Spain [...] With these considerations as a starting point, the Government considers Catalonia an issue of capital importance: the fact of a nation with its own, well-defined personality, the fact of a community resulting from an historic process that confers it its own character and nature within the harmony of the unity of Spain. That is why the fact of Catalonia, because it has never ceased to exist, cohabits here as a simple routine. The feeling of Catalonia as a distinct unit is not something that we are inventing or improvising. That would perhaps, be too elemental to say in Catalonia, but we have to do so in an attempt to find solutions and dialogue in parallel with that recognition. Our time imposes the obligation on us to seek what is historically true, what has solid roots and, therefore, potential for tomorrow; what is testimony and not just formula.”

Adolfo Suárez, President of the Government, 20 December 1976, speech to the Barcelona Provincial Council

It was precisely this general awareness that, among many other things, moved Spanish society as a whole forty years ago, to recover their freedoms and to agree on a radically different model of coexistence, based on justice, freedom and the will to “protect all Spaniards and peoples of Spain in the exercise of human rights, their cultures and traditions, languages and institutions” (Preamble of the Spanish Constitution).

As all the parliamentary groups declared in Parliament (and therefore, all the Catalan Deputies) in 2002:

“Fortunately, in 1978, remembering the lament of that other great Spaniard Manuel Azaña, when overwhelmed by the magnitude of the civil tragedy, pronounced those dramatic words that have unfortunately been widely forgotten: “Peace, mercy, pardon”, a generation of Spaniards decided not to commit the same old mistakes again, instead looking forward and opting, with a generous drive for reconciliation, for a new democratic system so that there would never again be two Spains in a constant state of unyielding confrontation. The spokespersons of the main political groups left conclusive testimony of this spirit of national harmony in the constituent parliament, which is worth remembering at this time. The present Spanish Constitution is impregnated with this will for harmonious coexistence.”

Test adopted by all the parliamentary groups of the Constitutional Commission, Congress of Deputies, 20 November 2002

Or, more recently, when, on the fiftieth anniversary of the Munich Security Conference, the Parliamentary Joint Committee for the European Union unanimously adopted an institutional declaration that, among other things, stated:

“The Parliament, through its Joint Committee for the European Union, in which all parliamentary groups are represented, wishes to remember this event and pay tribute to those Spaniards who managed to overcome the differences that separated them with their foresight, helping to establish the system of freedoms that we currently enjoy. In
this sense, we would also like to highlight the enormous courage of their democratic struggle, by remembering the difficulties and persecutions suffered by all the participants in Munich."

(21 de mayo de 2012).

That is why a historian like Juan Pablo Fusi Aizpurúa can claim:

“The major problems that have shattered harmonious coexistence during our history – the military, agrarian, social and religious problems – have either disappeared or they are not so radical or relevant, or they have become mere technical and administrative issues. Even the regional problem, which remains a formidable problem of state, as it affects no less that the very territorial and historical idea of Spain, appears to be decidedly on the right track. The state of the autonomous regions has worked less poorly than feared.”

El País, 27 October 1989

Other opinions:

“In the face of the double fact (...) – an Hispanic reality and a Catalan reality – there are three possible solutions; two, clear and final, and one, sterile and transitory: consider the two facts incompatible, setting them one against the other; (...) consider them compatible and harmonisable (...) or the current solution, of constant resentment, that has lasted so many years, with neither a final peace, nor open war. This third solution, apart from the disadvantage of debilitating everybody, is also sterile, because it will inevitably end up as one of the two states indicated.

Frances Cambó, Por la Concordia, 1927

“I am sure that the broad civic conscience of Catalan society does not want to renounce the very best and the very highest that it has thought and felt, it does not wish to tear itself apart or tear Spain apart, and it will reject a neo-independence movement that appears unrecognisable in its intelligence, empty of all sense and exempt of any shared illusion or appetite for harmony.”

José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation, “¿Dar la espalda al que tiende la mano?”, El Periódico de Catalunya, 4 November 2012

“Spain was the first European nation in the modern sense of the word, inventor of the nation as a political and social form, as a unit projecting harmonious coexistence, different from all the medieval nations. The decisive fact that the Muslim invasion of 711 was interpreted by Christians as “the loss of Spain”, that the re-conquest was that of “the lost Spain” – not the re-conquest of kingdoms or countries, which did not exist and were the partial results of the re-conquest of Spain as such – was a decisive factor, and one that is usually ignored. That is why the real unity of Spain was highly advanced at the end of the 15th century, when the unity of other European nations was still remote – in some cases it would take several more centuries. It is curious that secessionist attempts or movements are sometimes furnished in the 17th century; in other nations, these could not occur because unification had not been attained, and the elements that had to be integrated remained in a state of partition or division.”

Julián Marías. ABC, 13 July 1990
In summary, these days, the ones putting the wish for harmony at risk are those that foster a political project that does not wish to work with the other, but to do without it, a project that does not intend to maintain the good points of coexistence, but which instead pursues separation, thus linking up with the gravest moments of our recent history.

1.3 The reestablishment of La Generalitat de Cataluña (Catalan Regional Government)

“We realise that this Government, now a PP Government, but previously with others, does not accept Catalonia as it is; they want us on our knees; always obedient; without discussing what the rest of the state wants and to give up our language.”
Artur Mas, President of La Generalitat de Cataluña, 29 September 2013

“The audiences that filled Lluís Llach concerts in Madrid or Granada in the seventies were as enthusiastic as those that had acclaimed Lorca in Barcelona. Long before the flags of Andalusia became normal, Catalan flags were waved in those theatres and banners identical to the Barcelona ones: “Freedom”, “Amnesty”, “Statute of Autonomy” […] The records of Lluís Llach, or Raimon or Pi de la Sierra, or of that angelical Jaume Sisa de Qualsevol, “Nit pot sortir el sol” were sold in (all of) Spain as they were in Catalonia. And audiences could be found throughout Spain that were totally won over by the great independent Catalan theatre.”
Antonio Muñoz Molina, author, El País, 22 September 2012

Before there was a new Constitution, the central government fully and finally re-established La Generalitat de Cataluña in 1977, in the person of Josep Tarradellas, audaciously and generously and fully accepting the fair aspirations of the Catalan people:

“Catalonia is celebrating. Catalonia recovers its longest-standing institution. Today, Catalonia inaugurates a promising future of harmony for Spain. That is why it is a future of hope in the rest of Spain; because the inauguration of the President of the re-established Generalitat provides evidence that the time has come for the peoples of Spain – albeit with transitory formulas from a pre-constitutional stage - the time for self-government. And that is why, without wishing to use a cliché, it must be said that today is an historic day for Catalonia and for Spain. This noble land, as I have just said, has recovered its maximum institution. But something else must be said. For the first time for centuries, the Catalan situation has been tackled by the government of the Monarchy and by Catalonia, without passions, without confrontations, without violence, without considering faits accomplis a priori or acts of force. When we are all leading players in the collective commitment to consolidating a democracy, Catalonia is once again testimony to and guarantee of the efficiency of the process. If respect is the essence of democracy, the negotiators of La Generalitat have constantly shown this. If democracy involves understanding, understanding has been the great permanent factor of three months of dialogue. If democracy assumes serenity and a will to reach an agreement, these have been the constant values of a process that today closes
one of its major chapters with this inauguration. I am obliged to say that an autonomy that is born in these circumstances cannot fail. The guarantee that the stage we are inaugurating today remains forever in the channels of political reason and realism lies in maintaining it [...] Mr President, all the people of Catalonia: Congratulations.”

Adolfo Suárez, President of the Government, 24 November 1977, at the inauguration of the President of La Generalitat de Catalunya

Since then, in the inauguration programme of the presidents of the government, throughout the entire autonomic process, there has always been an explicit commitment to the development of the autonomies, irrespective of their political ideology. Some examples will suffice:

“The great challenge that our Constitution poses is to politically institutionalise the real diversity of Spain by means of a territorial distribution of state power [...] Spain as an historic and present reality, is a nation whose backbone is a real diversity of peoples. Accepting this reality, accepting Spain as it really is, constitutes the first element of an appropriate approach [...] We are trying to face an historic problem, a political problem and a functional problem, all at the same time; problems that do not have either a magic or an immediate solution. In the Constitution, we have set the starting point of a long road and we have drawn up a feasible scheme we will have to operate within.”

Adolfo Suárez, President of the Government 1976-1981, in his inaugural address, 30 March 1979

“I wish to say that I fully and resolutely accept the autonomic option of the Constitution. Unión de Centro Democrático has helped decisively to have the principle of autonomy inscribed in our Constitution as the basic principle of the organisation of the state and it has been later translated into operative realities. It is very uncommon for a state with the complexity and historic structure of the Spanish state to embark on such an exciting and difficult path.”

Leopoldo Calvo-Sotelo, President of the Government 1981-1982, in his inaugural address, 18 February 1981

“That task of reform and reorganisation, essential for attaining all the other objectives, must be articulated with the culmination of the autonomic process, by enacting the statutes of the four remaining autonomous communities as soon as possible. In this aspect, in which the objective of the regulation is to vitalise plurality within the integrating unit, I affirm our commitment to the maximum constitutional ceiling in the competences set by the respective statutes. With the Autonomic Agreements, and once the outstanding statutes are enacted, we will have laid the foundations for the autonomic process to occur in an orderly, objective and solidary fashion. There is one major task outstanding however: it is not sufficient just to transfer competences, civil servants and resources; during the up-coming legislation, the most pressing need will be to culminate the construction of the state of the autonomies, mainly by means of the legislative development of article 149.1 of the Constitution. Thus, we enter a kind of second phase of the autonomic process, in which the positive development of each autonomous region must be conciliated with the positive construction of the state for all.”

Felipe González, President of the Government 1982-1996, in his inaugural address, 30 November 1982
“From the adoption of the first statutes, the Catalan and Basque ones, to the recent inclusion in the autonomic map of the cities of Ceuta and Melilla, the whole development of the State of the Autonomies has been carried out by means of extremely broad political agreements, a prolongation of the constitutional consensus itself. Preserving this consensus; under the consideration that these matters form part of the very “heart of constitutionality”, will be a permanent guideline for the actions of the Government, if I win the confidence of the House. As far as autonomic development is concerned, consensus is not a method, it is a requisite. And in this legislature, we have to provide new drive to this task.”
José María Aznar, President of the Government 1996-2002, in his inaugural address, 3 May 1996

1.4 The attitude of the rest of Spain towards the Catalan demands for the Statute of Autonomy

These autonomist demands of the Catalan movements were historically accepted with the same audacity, completeness and generosity of the transition governments, by many other non-Catalan political forces, which also took up the autonomist flag:

“Songs in Catalan move us as much as songs in English, and they also had the quality of hymns […] There was a time when the call for Catalan and a statute of autonomy for Catalonia formed part of a single progressive project.”
Antonio Muñoz-Molina, author, El País, 22 September 2012

“Every time I say something about Catalonia, I get insults, they call me “bellotari”, and Spanish nationalist, fascist and I don’t know what else. I am not a Spanish nationalist, neither am I in favour of central government […] Who was misleading us back in the 60s and 70s, when we used to shout all that about “freedom, amnesty and statute of autonomy” at the concerts of Lluis Llach, Raimon, María del Mar Bonet and Serrat? The ETA terrorists who came out of Spanish jails wanted blood, not peace. We were mistaken when they were given amnesty. It would appear that the nationalists weren’t asking for autonomy either. We were wrong too, because they wanted independence. Both mislead us. Of course, the Catalan left for us, all the other Spanish progressive democrats, was the mirror in which to see ourselves. What a mistake, seeing as what has happened!”
Juan Carlos Rodríguez Ibarra, former President of the Junta de Extremadura (Extremadura Regional Government), El Confidencial, 14 September 2013
1.5 The regime of autonomies

“The peculiar structure of the compound state, or state of the autonomies, seeks a balance between the whole (Spain, the Spanish nation) and its parts: the nationalities and regions.”

Francisco Tomás y Valiente, legal expert and politician, Speech at the Course on Spanish Constitutionalism 1812-1978, held in the Chair of Hispanic Studies of the Chaminade House of Residence in Madrid, 1985

“We are faced with a clearly democratic Constitution. The founding fathers, with laudable wisdom, wanted to take certain “fundamental political decisions” based on certain historic experiences and with a will to respect the historic structure and articulation of Spain.”

Francisco Tomás y Valiente, legal expert and politician. Speech at the Course on Spanish Constitutionalism 1812-1978, held in the Chair of Hispanic Studies of the Chaminade House of Residence in Madrid, 1985

Article 2
The Constitution is based on the indissoluble unity of the Spanish nation, the common and indivisible homeland of all Spaniards, and recognises and guarantees the right to autonomy of the nationalities and regions which comprise it and solidarity among all of them.

Spanish Constitution of 1978

Article 137
The State is organised territorially into municipalities, provinces and the Autonomous Communities which may be constituted. All these entities enjoy autonomy in the management of their respective interests.

Spanish Constitution of 1978

“Article 2 of the Spanish Constitution has three equally fundamental aspects that are built on the rational and complex balance that would disappear if any one of them is abolished. First aspect; Nation Spain whose unity is vigorously affirmed; second aspect; Spain composed of Communities, with respect to which the right to autonomy is preached; third aspect; the necessary solidarity among all nationalities and regions.”

Gregorio Peces-Barba, Constituent Parliament 1977

The Autonomous Communities, 17 in number, were born on the foundation of Constitutional recognition of autonomy. The Statutes specify the exercise of the right to self-government and act as the foundational regulating instrument of the Autonomous Community. They also determine its institutions and form of government, organisation and competences, as well as the relations with its citizens, the State and other institutions.

Catalonia has its own legislative power and executive power, exercised over a large number of competences. Catalonia has managed to win recognition for its vocation for self-government and its personality, which has one of its most pronounced traits in the Catalan language and culture.
Despite the insistent declarations of a certain nationalism in the opposite sense, it can be said with full historic rigour, that Catalonia has never attained a higher degree of self-government in its democratic history, in all political, economic and cultural areas, and the Catalan language and culture have never enjoyed such vitality, educational magnitude, demographic dimension, political, institutional and legal backing and such ample budget resources as the day on which Catalonia fully and finally recovered its institutions of self-government by virtue of the Constitution and the Statute.

As for the principle of autonomy, Catalonia, as one of the nationalities referred to in article 2 of the Constitution, is constituted as an Autonomous Community, in accordance with its Statute of Autonomy, and it exercises self-government in accordance with the Constitution and the Statute, which, in the terms of article 147.1 of the Constitution, is its basic institutional legislation. Article 152.1 of the Constitution sets forth the autonomic institutional organisation for those autonomous communities that, as in the case of the Autonomous Community of Catalonia, have gained autonomy through the procedure provided for in article 151.

1.6 The institutional organisation of the Catalan autonomous community

This institutional organisation is based on a Legislative Assembly, elected by universal suffrage; a Government Council with executive and administrative functions and a President, elected by the Assembly from among its members, who is tasked with presiding over the Government Council, the supreme representation of the Community and the ordinary representation of the State in that Community. It also establishes that the President and the members of the Government Council shall be politically responsible to the Assembly. A Higher Court of Justice, notwithstanding the jurisdiction corresponding to the Supreme Court, shall culminate the judicial organisation in the territorial scope of the Autonomous Community.

The Parliament of Catalonia

The Parliament of Catalonia, like all the autonomic parliaments, is made up of a single house. It has the classical parliamentary functions: legislative, budgetary and control of the government.

The President of La Generalitat, the Government and the Administration of La Generalitat de Cataluña

The President of the Generalitat is the highest representative of the Generalitat and directs the actions of the Government. He also bears the ordinary representation of the State in Catalonia. So he plays a leading role in the executive.

The President of the Generalitat is elected by the Parliament from among its members, and appointed by the King. As for his functions, on the one hand, he exercises the highest representation of the Generalitat and the ordinary representation of the State in Catalonia. Within the framework of this representative function, he is responsible for maintaining relations with the
other institutions of the state and with the other autonomous communities, for calling elections to the Catalan Parliament and for appointing the senior offices determined by the law. As the ordinary representative of the state in Catalonia, he enacts laws in Catalonia on behalf of the King.

The Government, made up of the President, the First Minister, if any, and the Ministers, is the highest collegiate body that directs political action and the Administration of the Generalitat. It exercises the executive function and the regulatory authority pursuant to the current Statute and the law.

The Judiciary in Catalonia

Pursuant to article 149.1.5 CE, judicial administration is the exclusive competence of the state and, therefore, the autonomous communities cannot exercise jurisdictional functions. For this reason, the Statute of Autonomy of Catalonia talks of the judiciary in Catalonia and not the judiciary of Catalonia as, unlike the legislative and executive powers, which are autonomic institutions, the judiciary is a state institution. Pursuant to the present Statute of Autonomy enacted by Organic Law 6/2006, of 19 July, it holds competence in matters of justice through what is known as the subrogatory clause that assumes competences over the material and personal means that this administration rests on and needs, rather than on the administration of justice.

1.7 Las competencias de la comunidad autónoma catalana

"With the regime of the autonomies and the organisation of power in Catalonia, you have possibilities of action that many regions, in other places in Europe envy."
Jacques Delors, former President of the European Commission, in Barcelona, 1998

List of matters taken on by the Autonomous Community of Catalonia:

Agriculture, livestock and forestry, water and hydraulic works, associations and foundations, hunting, fishing, maritime activities and fishery-sector planning, Savings Banks, trade and trade fairs, popular consultations, consumer affairs, co-operatives and the social economy, public bodies, publicly owned enterprises and qualified professions, credit, banking, insurance and mutual insurance companies that do not form part of the social security system, culture, geographic and quality denominations and indications, civil law, procedural law, education, emergencies and civil defence, energy and mines, sports and leisure, statistics, the public function and the personnel working for the Catalan public administrations, housing, immigration, industry, handicrafts, metrological control and contrast of metals, transport and communications infrastructure, gambling and shows, youth, Catalan language, environment, natural spaces and meteorology, stock exchange and securities markets, social communication media and audio-visual content services, notaries public and public registries, public works, territorial and landscape planning, the shoreline and town planning, the organisation of the Administration of the Generalitat, territorial organisation, planning and promotion of economic activity, gender policy, promotion and defence of competition, intellectual and industrial property, protection of personal
data, advertising, Technological research, development and innovation, legal regime, procedure, procurement, expropriation and liability in the Catalan public administrations, local regime, relations with religious entities, health, public health, pharmaceutical planning and pharmaceutical products, private security, public safety, social security, social services, volunteer movement, minors and family promotion, symbols of Catalonia, penitentiary system, transport, work and labour relations, tourism, universities, video surveillance and control of noise and recordings.

(The above information is a summary taken from the web site of the Congress of Deputies)

This is the magnitude of Catalonia’s self-government pursuant to the 2006 Statute.

“Let’s see if you have the deference to answer this question for me, do you think that Catalonia has ever had greater autonomous power that it has at this time?”
Alfonso Guerra, former Vice President of the Government of Spain (1982-1991), talking to his interviewer, in El Periódico de Catalunya, 2 June 2013

1.8 The budget and personnel of the Autonomous Community of Catalonia

Title VIII of the Constitution recognises and guarantees the autonomous communities’ autonomy in managing their interests and in particular, their financial interests. This financial autonomy means, among other aspects, the capacity of the autonomous communities to regulate their budget particularities through their own regulations.

Within this constitutional framework, the autonomous communities are the competent authorities for drawing up and adopting their budgets in accordance with the principles of co-ordination with the state tax authorities and solidarity among all Spaniards.

To provide the services included in the competences taken on, and to manage their interests, the autonomous communities can act through the bodies of their own Administration, create independent public entities or through the private entities (trading companies and foundations) that are controlled or in which the autonomic administration hold a majority stake, either directly or indirectly, that constitute the Autonomic Public Sector.

The local administration in Catalonia has 86,657 employees and the universities, 25,091 people.

All these figures are from January 2013 (Statistical Gazette of the personnel in the service of the public administrations, January 2013)

For 2012, in turn, the total consolidated budget of Catalonia amounted to €37.024 bn.
The opinion of the university and academic world with regard to the autonomic regime in Spain

We have already seen the institutional organisation of Catalonia, its competences, and the human and budgetary resources it has for its self-government.

For the radical nationalists, all of this is insufficient, so it is unusual to find a single word in their balance of this autonomy that recognises the historic magnitude of self-government achieved by Catalonia, by virtue of the common legal framework.

It is for this reason that the most reliable source for rating the degree of devolution in Spain are academic studies. Below are a range of texts by experts in political sciences on the State of the Autonomies in Spain, a state that everybody describes as federal and which they consider the most advanced in Europe in matters of devolution:

“But neither can the territorial structure be regarded as a simple process of regional decentralisation. Decentralisation processes in other European countries have not come close to the profound transformation of the political, fiscal and administrative structures and processes that has taken place in Spain. The Comunidades Autónomas (CCAA) can establish laws that have the same force as those of the Spanish State, and their respective administrations are not subordinate to central control. The existence in many CCAA of regional police forces and television networks and full jurisdiction in all of them over such important policy areas as education or health make the Autonomous Communities of Spain more powerful than any other sub-national government structure in Europe. At the same time, however, while the regions are endowed with an impressive array of powers, this decentralisation process is held within the limits of national unity proclaimed by the Constitution (as in article 2, which unequivocally states that Spain is indissoluble). This asymmetric mix of characteristics has been variously described as “federo-regional” (Trujillo 1979), a “federal system with differentiating features” (Aja 1999, 36-39), “multi-national federalist” (Linz 1999), “non-institutional federalism” (Colomer 1999), or as “incomplete federalism” (Grau 2000a).”

Richard Gunther, José Ramón Montero, Joan Botella, in Democracy in modern Spain, Yale University Press, 2004

“As the estado de las autonomías (state made up of autonomies) unfolds in the workings of Spanish politics and government, federal arrangements continually emerge. The Spanish form of regional governance has intertwined federalism with other forces in constructing democratic constitutionalism […] Spain as one of a set of states (including Belgium, Ethiopia, Russia and South Africa) that appear to be meeting the challenges of regime transformation, ethnic and regional diversity, and problems of social and economic justice through federal evolution. As an early member of this group, Spain may offer some important lessons regarding the paradigm shift to federalism.”

“L’État espagnol est donc bien, tout à la fois, unitaire et fédéral.”

“In Spain, the Statutes of autonomy, apart from being the basic fundamental norm of the Autonomous Communities, perform a constitutional function, by indirectly delimiting the powers of the central government. So, although according to the Spanish Constitution the central government has exclusive competence over international relations, including treaty-making, and the sub-state level lacks powers to sign international agreements or treaties, different statutes of autonomy have nonetheless included special provisions on the foreign promotion of culture or vernacular languages, international contacts with overseas migrant communities and foreign aid.”

“They ask for independence because, as the President of the Generalitat said, Catalonia needs “structures of state”. But, do they not already have them? Let’s list them: Government, Parliament, constitutional guarantee body, Ombudsman, representation overseas; police, penitentiaries, their own local regime, educational system set out with full freedom. Moreover, the Catalan police wear a uniform that is unique in Spain, which does not happen in Germany, where by the way, each “land” has its own police, but the uniform is the same for all of them. Catalonia even has a Civil Code, the old privilege of the European nations. No German “land”, no Swiss canton has a civil code; they renounced their private laws a long time ago, to allow national civil codes to be adopted.”
Leopoldo Calvo-Sotelo Ibáñez-Martín, Professor of the Business Institute, ABC, 20 November 2012

1.10 Attitudes towards the Catalan Statute of Autonomy in Catalonia

On Monday 12 August 1979, the Constitutional Commission of the Congress of Deputies adopted the text of the Statute of Autonomy of Catalonia in an extraordinary session. All deputies voted in favour, except one, Blas Piñar, of the mixed parliamentary group, who voted against, and two who abstained: Alejandro Rojas Marcos, of the Andalucista Group, and Heribert Barrera, of the parliamentary group of Esquerra Republicana de Cataluña. It was eleven o’clock in the evening.

It is worth remembering how the Catalan political forces rated the 1979 Statute, whereby Catalonia fully and finally recovered its institutions of self-government:

“That is why those words of an editorial in the prestigious newspaper “El Sol”, of the 13 December 1918, sound like a prophecy, when responding to a speech by Maura, when
he, in turn, was answering a famous intervention by Cambó, saying: “To date, when Catalonia has stood up to ask for autonomy, it has tripped over the policy of our dead age. But there is another, better Spain, and Catalonia needs to address it. That is why we said that it was necessary to hand over the Catalan problem to another Parliament in which the very best of Spain held seats. There are many millions of Spaniards – said the editorial – that are willing to resolve the problem of the autonomies: “those whose voice has still not been heard.” Today, I am delighted to be able to say that I think that that voice has finally been heard.”

Miquel Roca i Junyent, spokesperson of the Minoría Catalana parliamentary group, Congress of Deputies, 5 May 1978

“Today, we are living one of those exceptional, historic occasions that we hope will have a law from now on; a situation in which “Viva España” (Long Live Spain) means democracy, freedom; and here, today’s novelty: autonomy for Catalonia. It is not difficult to distinguish the new, profound meaning of the word Spain in this new situation. That is why, here, today, I want to shout out for the first time and without contradiction “Viva Cataluña” (Long Live Catalonia in Spanish), “Visca España” (Long Live Spain in Catalan).

Joan Reventós Carner, of the Socialistes de Catalunya parliamentary group, 13 August 1979

““As far as the Catalan socialists are concerned, my honourable friends and Members of Parliament, Spain can now and forever more count on the full solidarity of Catalonia. Thank you very much.”

Eduardo Martín Toval, Socialistes de Catalunya parliamentary group, 13 August 1979

“I would like to conclude by saying that nobody should be deceived, nor should they try to believe that we Catalans are going to turn in on ourselves with this operation, that is, I would say that we are going to focus exclusively on the reconstruction of Catalonia. It is precisely this operation that breaks this vice of getting too absorbed in ourselves to help with all our strength, not only to ensure that the Generalitat works, but also that Spain as a whole works as a state.”

Miquel Roca i Junyent, of the Minoría Catalana parliamentary group, 13 August 1979

“Allow me now to say, in closing, that I like to be brief and be so: ““ara si, Catalans, ens podem sentir orgullosos de esser espanyols i poder cridar ¡Visca Espanya! Y, ahora sí, españoles, todos podemos sentirnos orgullosos de ser españoles y gritar ¡Visca Catalunya!” (Catalans, now we can all feel proud to be Spaniards and shout “Long Live Spain!” – in Catalan – and Spaniards, now we can all feel proud to be Spaniards and shout “Long Live Catalonia” – in Spanish)

Antonio Senillosa Cros, of Coalición Democrática, 13 August 1979
1.11 Attitudes towards the Catalan Statute of Autonomy among the other Spanish political forces

The other Spanish political forces were also delighted with the Statute of Autonomy of Catalonia:

“We should all be delighted, Catalan politicians and all Spanish politicians, the Catalan people and the Spanish people, because if the issue of Catalonia, the Catalan question belongs to everybody, we are also sure, at this joyous moment, that a good and positive solution for Catalonia will make a definitive contribution to consolidating this difficult state of autonomies, which has to be attained in freedom.”
Rodolfo Martín Villa, of União de Centro Democrático, 13 August 1979

“Very briefly; On behalf of the Socialist Group, I would like to express the satisfaction of the socialists of the whole of Spain and our recognition to all those who made possible this historic moment that we are experiencing with the adoption of the Statute of Autonomy or Catalonia […] to all the Catalan people, who for so many years have not been able to shout “Visca Catalunya” (Long Live Catalonia, in Catalan)
Alfonso Guerra, of the Socialist Group, 13 August 1979

“I would also like to express the enormous satisfaction that we Basque socialists feel, as we did a few days ago when this Commission adopted the Statute of Guernica, for the one attained today for Catalonia, in the hope and the certainty that this Statute will help the Catalan people to satisfy their just aspirations of self-government and freedom and based on this, a free, progressive autonomous Catalonia can be built that shows solidarity with all the peoples of Spain.”
José María Benegas Haddad, Basque Socialist Group, Congress of Deputies, 13 August 1979

“That is why, for all Spanish communists, Catalan and non-Catalan, today is a day of festivities […] But obviously today, and with this term, Mr President and my fellow Deputies, a new light of hope is revealed for one of the Communities that has contributed the most to make Spain a modern nation and one that can help to make her a hardworking nation in peace. That is all Mr President.”
Ramón Tamames, of the communist group, 13 August 1979

“It is up to me, on behalf of the Andalucista Group, to congratulate the Catalan people, as we congratulated the Basque people at the time. It is the end of a long fight for the self-government of this nation. In these congratulations, we are coherent, as nationalists, with what we ask for the people of Andalusia and with the solidarity that we demand of other peoples.”
Alejandro Rojas-Marcos de la Viesca Andalucista Group, 13 August 1979
Scarcely a year and a half after adopting the Statute of Catalonia, a key man in Catalonia’s recovery of its self-government, claimed the following:

“We see that those responsible [for the Generalitat de Cataluña] are using a well-known and highly discredited trick, i.e., of becoming the prey, the victim, and we have been able to read in certain declarations that Spain is after us, that they are boycotting us, they are cutting back the Statute, they look down on us, they are carried away by aversion to us, they are hurt and regret that they have recognised our rights and they even went as far as to claim, a few days ago, that the whole anti-Catalan campaign is aimed at expelling us from political life.”

Josep Tarradellas, Deputy for Esquerra Republicana de Cataluña in the II Republic, President of the Generalitat de Cataluña in exile and the first President of the Generalitat after it was re-established during the transition, in a letter to the editor of La Vanguardia, 4 April 1981.

Certain nationalism, whose ideological raison d’être – as Fernando Savater points out – “is to manage dissatisfaction [...] never intends to feel comfortable”, chooses, almost from the very beginning, to take charge of self-government with an attitude of reticence and suspicion:

“Churchill assured that an elemental rule of political etiquette prohibited the use of “I told you so” when historic events prove one right. So I will just ask myself what else should those of us who are devoted to these things have said, intellectuals or whatever we are called, to warn of what was happening in Catalonia and to warn against what is already happening now. It is not easy to establish, because, traditionally in this country – especially among those who consider themselves progressive – it is considered that saying, or even worse, doing something with total clarity against the nationalisms of a separatist tendency was only to make things worse. If one argued against the fallacies of the historic or fiscal affronts, against thousand-year-old identities, against the linguistic immersion that violates the right to choose to be educated in the common language, etc. ... there was always some solemn ass to advise us that we were “turning out independence supporters”. If one followed the current to independence, posing only an occasional venial difficulty here and there to minimise the damage, the already-manufactured independence supporters used us as an argument in their favour and they encouraged us to take the final step, by passing over to their side. In other words, either way, the result inevitably seemed to be more separatism. Odds or evens, the bank always wins when the dice are loaded.”

Fernando Savater, El País, 18 November 2012

A procedure that has been a constant, as is denounced today and yesterday too, once again from Catalonia itself:

“There is a simple manipulation of feelings; anything goes. Nothing has changed among the Catalan nationalists in thirty years: they do not want bridges, they want to complain. For them, autonomy is not an end, but a stage, a mere step towards indepen-
dence. But they are in no hurry to reach their goal, they prefer to build up power and enjoy it without anybody bothering them. We are now at the stage of them showing their “mistrust of Spain” in which they say that to date “they had trusted so much”. Do not believe them, it is pure hypocrisy, it is what is best for them to say for strategic reasons. How many times have we heard this already in thirty years? You build bridges, it is your way, but do not expect any thanks.”

Francesc de Carreras, Catalan jurist, in the Barcelona newspaper La Vanguardia, 1 October 2011 (“A Ramón Jáuregui”)

“Seeking from the first moment, with true determination and loving propaganda, the greatest number of collaborations in the rest of Spain and we didn’t do either one thing or another, but rather the complete opposite.”

Gaziel on the historic period immediately prior to the civil war

This has not prevented a range of different Catalan political forces from providing their parliamentary support over the course of the last few decades, in several legislatures, to programmes of the Government of Spain, and vice versa.

“With whatever limitations that can be attributed to it, it would be an anachronism to compare nationalisms like the Catalan with the violent nationalisms that have proliferated in the recent decades of European life, in the same manner as it would be unfair to ignore the modernising role that Catalan nationalism has played, and we hope will continue to play, on more than one occasion in Spain as a whole.”

Vicente Cacho Viu, El nacionalismo Catalán como factor de modernización, 1998

In its democratic history, Catalonia has attained its greatest degree of self-government in all political, economic and cultural areas, since the day on which, by virtue of the Constitution and the Statute, Catalonia fully and finally recovered its institutions of self-government. Since then, the Catalan language and culture, in turn, have enjoyed vitality, an educational magnitude, demographic dimension, political, institutional and legal backing and budgetary resources that has never been matched in the past.

1.13 The Catalan Parliament’s declaration of sovereignty and right to decide, of the 23 January 2013 and the response of the Government

The Parliament of Catalonia adopted two motions in favour of what is known as the “right to decide”: one on 23 January and the other on 13 March 2013.

The text agreed upon by CiU, ERC and ICV-EUiA was adopted on 23 January (with PP, PSC and Cs voting against), recognising Catalonia as “a sovereign political and legal subject”, which said literally: “The Parliament of Catalonia agrees to initiate the process to effectively exercise the right to decide so that the citizens of Catalonia can decide their collective political future.”
On 1 March 2013, the Council of Ministers adopted an agreement that considered contesting provisions without the force of law and resolutions of the Autonomous Communities, provided for in article 161.2 of the Constitution, concerning the Resolution of the Catalan Parliament of the 23 January adopting the “Declaration of sovereignty and the right to decide of the people of Catalonia, in the Constitutional Court.

Later on, on 13 March 2013, it adopted a motion put forward by the PSC that called on the Government of Artur Mas to initiate a dialogue with the Spanish Government to agree on holding a consultation in which the Catalans could decide their political future.

It is worth remembering that a mere few months ago, nothing outside of separatism could be the cause for this: the Government of Spain did not reject but instead opted for harmonious coexistence – and continues to do so. The President of the Government proclaimed his faith in the value of dialogue and the word, rather than unilateral decisions; and the core of Spanish political life placed its trust, and places its trust in solidarity. That is the exact timeline of events. This open attitude remains in effect in its entirety.

“Based on that profound conviction, the President of the Government has reiterated his willingness to move forwards in a frank and loyal collaboration in the form of a dialogue that is sensitive to the diversity of Catalonia and of Spain and which respects the legal framework, the first requisite for action of any governor.”

Communiqué about the meeting of the President of the Government with the President of the Generalitat de Cataluña (Catalan Autonomous Government), La Moncloa, Madrid, Thursday 20 September 2012

“With the favourable opinion of the Council of State, the Government understands that the Resolution of the Parliament of Catalonia is unconstitutional as it violates articles 1.2; 2; 9.1 and 23 of the Constitution in relation to article 168 of said Constitution. The Resolution, insofar as it declares the sovereignty of the Catalan people and agrees to initiate a procedure to make this effective, is not compatible with the attribution of national sovereignty to the Spanish people set forth in article 1.2 of the Constitution, and with the constitutional guarantee of the “indissoluble unity of the Spanish nation, common and indivisible homeland of all Spaniards” established in article 2 thereof […] By the same token, the right to political participation of the citizens resident in the rest of the country is also violated, contravening article 23 of the Constitution.”

Reference of the Council of Ministers of 1 March 2013

In the face of this attitude of dialogue and respect for the rule of law, the Generalitat de Cataluña presented this other one:

“If it can be done with a referendum, because the Spanish Government authorises it, so much the better. If the government turns its back on it and does not authorise any kind of referendum or consultation, then it will have to be done anyway.”

Artur Mas, President of the Generalitat de Cataluña, in the Debate on General Policy held in the Parliament of Catalonia on 25 September 2012.

A response that has attracted retorts from very different sectors:
“I believe, and I believe with respect, that Artur Mas has made a mistake, and a serious, very serious mistake, because he is making a proposal that is not feasible, feasible in the profound sense of the term [...] Mas is the highest representative of the State in Catalonia within the structure we have. Of course, the fact that the highest representative of the State, legitimately elected by the ballot box, says that he is going to do what he is going to do whether the law allows it or not, that he doesn't care... confuses democracy with a part of democracy, the number of votes and not with another fundamental of democracy, legitimacy, in accordance with the established game rules.”
Felipe González, former President of the Government, in declarations to Cadena Ser, 15 November 2012

“Fifth false idea: the belief in the irresistible popular will, the idea that no institutional rule can stand up to victory in a referendum. It is a highly Robespierre-like view to believe that democracy is merely universal suffrage. In reality, ever since Montesquieu, we know that the democratic process imposes a respect for the suffrage at the same time as the acceptance of the rules of law. A referendum won by a few points over the majority cannot eliminate the limits established by the Spanish Constitution, the veto of more than a few member states, the reticence of Brussels...”

“But the most surprising thing is that some non-nationalists propose accepting the possible pro-independence result of a referendum held only in Catalonia as a show of good faith, which, it would appear, would force us to reconsider the Spanish state. If this discrentional power is granted to part of the country, then it is already considered independent de facto: otherwise, it would obviously be all the citizens of the country who would be consulted on such a transcendental issue. It is not just a question of asking the Catalans if they wish to cease being Spaniards as well. We also have to ask the Spaniards if they wish to renounce being Catalan too, because self-mutilation and its consequences affects the rights of all, rather than just a few. Forgetting something as elemental as the right to decide on independence unilaterally is independence and therefore the resignation of the existing state is per se more pathetic and damaging than the possible result of the referendum itself:”
Fernando Savater, El País, 13 November 2013

Voices are raised in Catalan society itself that denounce the breach of legality entailed in this declaration by the Catalan Parliament:

“The referendum goes against the Spanish Constitution. But it also goes against the Estatut de Catalunya in effect. It is a breach of Spanish law and of Catalan law. There is not a sufficient majority of two thirds to reform the 2006 Estatut. I understand that we are faced with a break from Spain. But we also face a break from the Catalan democratic norms voted in referendum.”
Lluis Foix, Catalan journalist, former editor of La Vanguardia, in an article “Una doble ruptura política”, published in this Catalan newspaper, 20 December 2012

“It is a clear instigation to the citizens for them to violate the constitutional system” [in reference to this declaration]
Francesc de Carreras, Catalan jurist, Professor of Constitutional Law in the Autonomous University of Barcelona, in an article published by the Catalan newspaper La Vanguardia, 6 February 2013

“It is surprising that, in the midst of such a socially unjust crisis, the demand for the right to decide has been transformed into the last word in democratic radicalness. It is paradoxical because such a right, the right to unilateral secession, does not exist in any democracy in the world, or in international law either.”

Joaquím Coll, lecturer at the University of Barcelona, El País, 2 May 2013

1.14 The Rule of Law

Dialogue and the search for a consensus only have one limit that we all – and especially the representatives of the citizens – should not only respect, but also defend: and that line is the rule of law and, above all, the Constitution that we gave ourselves here in Spain, in 1978.

A constitutional reform that entails a substantial change to the model of state must be the result of a decision taken by the Spanish people, holders of the national sovereignty, and in accordance with the procedures set forth in the Constitution itself in article 168.

Consequently, the recognition of a new sovereign subject in the Catalan people first requires a constituent decision, politically attributable to the constitutional sovereign, that is, the Spanish people (art. 1.2 of the Spanish Constitution), and channelled through the procedure established in article 168.

Finally, the resolution of the Catalan Parliament breaches its constitutional duty as the public power set forth in article 9.1, which establishes that “The citizens and public powers are subject to the Constitution and the legal order”, which is also applicable to the Parliament of Catalonia.

“That commitment to dialogue takes on its real sense on the basis of the required institutional loyalty and respect for the legal framework that protects us all and binds us all, especially those of us who exercise responsibilities of government. As far as I am concerned, dialogue has no expiry date when it is a question of dealing with the general interests of the Spaniards and therefore, of all the Catalans. In this sense, I consider that the best service to the democratic legitimacy that you invoke is, precisely to respect that legal framework in which governments find their foundation and legitimacy and where the citizens find the guarantee of democratic coexistence and harmony.”

Letter from the President of the Government, Mariano Rajoy, to the President of the Generalitat de Cataluña, Artur Mas, 14 September 2013

“As for the right to self-determination, which is what you are raising, I will give you my opinion: I do not agree; I can disagree. I cannot conceive of a Catalonia without Spain, or a Spain without Catalonia. I do not want to deprive the Catalans of their condition of Spaniards, of their history, their future, of their membership of the European Union. I do not believe in
that. But you are perfectly entitled to believe the complete opposite and, moreover, the law has instruments for considering reforms. Do not call on me, I am not even a member of the Senate, I am just another member of the Congress of Deputies. Take the decisions that you are entitled to take and consider this issue, in the General Parliament if you wish, but do not call on me. The only thing that I am saying to you is that when this is brought up, I will say that things have gone well for Catalonia over the last thirty years, the welfare and progress of its citizens has increased, Catalonia has had more self-government than ever, far more than ever and there are far more things that unite us than divide us. We are united by history, we are united by people, we are united by our relations, trade, Europe and, above all, we are united by the future. That is my opinion, that was your opinion too, and I suppose that many of you will continue to maintain that opinion today.”

Mariano Rajoy, President of the Government, in answer to a senator of GPCiU, 9 April 2013

“The transition from dictatorship to democracy was conducted from the law to the law, via the law. Now, paradoxically, the independence movement proposes violating the law of democracy to carry their so-called national transition forward, a law made by and for all, with the purpose of bringing forth a new law, made only by those who feel called on without counting on the rest.”

From the manifesto of 2 November 2012, whose signatories included authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina; film makers Pedro Almodóvar, José Luis García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Sampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguilar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga; university professors Javier Pérez Royo and Francisco Rubio Llorente; and singer Miguel Ríos.

“If Catalonia or the Basque Country is tempted to separate, then I have part of my identity amputated. And what I say is that if somebody wants to do so, they must listen to my opinion. I feel Spanish, I cannot conceive of Spain without Catalonia, and I would like to be asked.”

Felipe González, former President of the Government, 29 November 2012

“The issue as it has been raised is very serious, because such a proposal breaches respect for the law, the Constitution and the rules of the game. From our point of view, in the face of this challenge, one can only respond by defending the Constitution and the limits set forth therein.”

José María Benegas Haddad and Francisco Fernández Marugán, “Si nos dividimos, sucumbimos”, El País, 22 November 2012

“The question here is the illegality announced. A unilateral break that does not respect the procedures of the legality in effect to revise the Constitution […] A decision in which judgment precedes the trial, which was how Gabriel Naudé – Cardinal Mazarino’s librarian – defined the coup d’état. […] With the Transition, moving “from the law to the law”, instead of stamping on it, we thought we had freed ourselves of that curse.”

José Varela Ortega, Chairman of the Ortega y Gasset Foundation, El Imparcial, 14 January 2013
Faced with this attitude of respect for the law and the rule of law, we have already seen how certain declarations by senior members of the Generalitat questioned the primacy of the rule of law:

“If it can be done by means of a referendum, because the Spanish government authorises it, so much the better. If the government turns its back and does not authorise any kind of referendum or consultation, then it has to be done anyway.”

Artur Mas, President of the Generalitat de Cataluña, in the General Policy Debate held in the Parliament of Catalonia on 25 September 2012

“I only have one thing to say to you, there may be times; in the future, when there is a discussion, that I am convinced will be a democratic, peaceful political debate, in which there are people that wish to counter a juridical legality with a democratic legality, placing pressure on the legality, in the strict sense from the point of view of law, the legitimacy of the decisions of a people or some institutions. That frame of mind is where I am convinced that the corps (police) that you represent will, as always, be at the service of the country (Catalonia) and its institutions. For all these reasons, I wish to say to you that it is obvious that these changes affect us within security as such, just as they also obviously affect security from the perspective of the changes in the country (Catalonia).”

Felip Puig, Minister of the Interior of the Generalitat de Cataluña, to the officers of the autonomous police force, Mossos d’Esquadra, 18 October 2012

1.15 The defence focussed on the values of the Constitution

When the people achieve something extraordinary thanks to a consensus, by virtue of a pact and an agreement, it is obvious that they wish to preserve that value, to explore it in greater depth and to keep it safe from the vicissitudes of political and social life in times of crisis, tension and discrepancy.

All countries establish an immutable core in their respective constitutions, as they consider that the most perfect values are embodied within these limits, those that guarantee the dignity of the person and the common good. In this sense, the French Constitutions from the first to the fifth Republic mention that “France is an indivisible Republic” (Constitutions of 1958, 1948, 1948, 1799, 1795 and 1771).

This core is so protected in all constitutions that they even protect against occasional majorities, as they know, we know, that certain things are constant: human rights, the social state and the rule of law, freedom, equality, and the unity of the nation.

“There is no political discourse that can confront what the rule of law establishes.”

Alberto Ruiz-Gallardón, Minister of Justice, 9 May 2013

“The usual way of protesting in democracy is in the elections and to have our representatives, who are the legitimate representatives of the citizens, debate on our behalf –
“this is the trust they are given through the elections – in the Parliament of the people, but always within the framework of the Constitution.”
Eugení Gay, Catalan jurist, former judge of the Constitutional Court, on Catalunya Radio, 26 June 2013

“For me, Catalonia is something more than a part of Spain. It is one of the best ways of understanding Spain, because Spain is an old nation and a young democracy resting on the common wish of different cultures and identities that added the pact for Freedom and Democracy to their historic unity in 1978.”
José Luís Rodríguez Zapatero, former President of the Government, El Mundo, 18 November 2012

“We want to make clear our loyalty to the 1978 Constitution, a cornerstone in the construction of our democracy, one of the happiest political events of our recent history. Its validity over the last 34 years has constituted, and continues to constitute, the guarantee of the longest period of democratic coexistence that we have had in Spain.”
From the manifesto of 2 November 2012, whose signatories included authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina; film makers Pedro Almodóvar, José Luís García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Sampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguilard, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga; university professors Javier Pérez Royo and Francisco Rubio Llorente; and singer Miguel Ríos.

“The claim that Spain is organised in a rule of law is not only the claim that it should be a state that acts in accordance with the law, but also, as has already been said, a state that is willing to guarantee the coexistence of liberties, even coercively […] Because we believe in the democratic state, we believe in the sovereign supremacy of the Constitution over the bodies created by it, because we believe in the democratic state, we have opposed, and we will oppose, the attempts of the so-called democratic deepening, capable of dissolving the state itself, because a valid state democracy is a representative democracy […] Because we believe in the organised nation, we consider that the technique of the referendum should not be abused, an institution whose only utility is arbitrational, and we are not in favour of leaving its initiative to a necessarily small and easy-to-handle fraction of the electorate.”
Miguel Herrero y Rodríguez de Miñón, constitutional speaker, Congress of Deputies, 5 May 1978

“It is perhaps, the first European Constitution that clearly declares a coherent and articulated set of concessions in that sense. And that coherent and articulated set of concessions was sometimes called the consensus of the process. Those concessions that some of us have made to others, are not weaknesses; if you look carefully, deep down, they are acts of generosity; generosities that can only have one motive for all, a single, unique cause: the desire for democracy to flourish, for the nation to recover its stability, for it to take its place in a widespread fruitful position for all its members, and that we do not, under any circumstances return to the ills of the past.”
Enrique Tierno Galván, Deputy and founder of the Partido Socialista Popular, in the Congress of Deputies, 21 July 1978

“Our agreement with the Constitution starts because we consider it a valid Constitution for all Spaniards, a Constitution of reconciliation, a Constitution that draws a line under a past of civil struggles, with the past of division that our country has lived.”
Santiago Carrillo, spokesman of the Communist Group in the Congress of Deputies, 31 October 1978

1.16 Amending the Constitution

Title X of the Constitution is called, precisely, “Constitutional Amendment” and its four articles establish how to exercise this initiative.

In any event, it is worth remembering the general principle of any constitutional reform: what is decided in full democracy is dealt with in full democracy.

Nobody denies the possibility of all of us amending the constitution: only some nationalists and the secessionists deny it, because they deny it to the citizenry as a whole, demanding that only some of them can exercise this right.

Although it is obviously possible to amend the Constitution, amending that magna accord, the manner of doing so in any country is complex; as it is in the case of Spain.

“But you are perfectly entitled to believe the complete opposite and, moreover, the law has instruments for considering reforms. Do not call on me, I am not even a member of the Senate, I am just another member of the Congress of Deputies. Take the decisions that you are entitled to take and consider this issue, in the General Parliament if you wish, but do not call on me.”
Mariano Rajoy, President of the Government, in answer to a senator of GPCiU, 9 April 2013

1.17 Support for the historic Constitutional pact in Catalonia

The Constitution is not an idol or a mystery that we worship superstitiously, it embodies all the best that we have done together and it is worth remembering one eloquent fact: the popular ratification of the Spanish Constitution in a referendum won 91.9% of the votes in Catalonia, with a turnout of 68%.

The people of Catalonia have never exceeded that turnout and that degree of support for any
other law. The referendum to adopt the Statute of Autonomy if 1979, won 88.62% of the votes, with a 59.6% turnout, and the referendum to adopt the 2006 Statute won 73.9% of the votes, with a turnout of 49.41%.

What that political transition really did was to support civil society’s wish for change, which had taken ownership of political and moral plurality. Spanish society not only tolerated things that were different, it wanted to see this recognition and respect for others consecrated in its constitution. And when it came to accepting that tolerance the pedagogy of many Catalans was decisive.

Catalan support for the Constitution is made explicit in the following texts:

“Spanish constitutional history is the very history of all Spaniards in search of the stable exercise of their public freedoms [...] We accept the responsibility for the things they got right and for their mistakes because their history is ours, it is the history of long-awaited freedom, of the justice that has always been demanded, of progress and democracy.”
Miquel Roca i Junyent, spokesman for the Minoría Catalana parliamentary group, Congress of Deputies, 5 May 1978

“Right honourable Members, by adopting article 2 of the Constitution, recognising and guaranteeing the right of the nationalities and regions to autonomy and solidarity among all of them, you have not only laid the best democratic foundation for the Spanish State, you have also shown, as nobody has to date, your solidarity with the cause of all the nationalities and regions of Spain, and we, as Catalans and as socialists, and on behalf of our Group, thank you in everything that serves the cause of Catalonia and the cause of Spain [...] I would like to close, Honourable Members, and my final words can only be addressed to our people of Catalonia, for whom historic justice has been served with this Constitution. We say to our people, from here, that we will vote “yes” in the constitutional referendum.”
Joan Reventós i Carner, Deputy of the Socialistes de Catalunya Group, Congress of Deputies, 21 July 1978

“It is evident that different cultures, languages and attitudes coexist in Spain and, moreover, they are not just different, they are all essential in our country, so you cannot say that this is the only interpretation that exists, because it is a compound state that fortunately, the Constitution opened up absolutely to the most absolute debate and it was agreed in a manner that all the political forces should respect.”
Eugeni Gay, Catalan jurist, former judge of the Constitutional Court, on Catalunya Radio, 26 June 2013

In order to distance themselves from these irrefutable data, the separatists argue that most of the current Catalan population (like the population of the rest of Spain) has not voted for the Constitution, for the mere biological fact that in 1978, either they had not been born, or they were not old enough to vote. This chronological argument would serve to invalidate most of the Constitutions of the world, such as the U.S. Constitution, which was ratified at the end of the 18th century.
Many Catalans are now greatly saddened when they see attempts made in their society to promote the opposite attitude: the one that wants to break from, turn their back on the other.

1.18 Catalonia’s decisive contribution to the Transition

Much of what has been done in Spain in the last thirty-five years has been done by seeking to accommodate and for the good of Catalonia (and the Basque Country), the recognition of their identity and culture and of the Catalan language, as this way, we were acting in the best interests of Spain at the same time, of the greater Spain. And the majority of Catalan society made a decisive contribution to that purpose.

What is more, it is legitimate to claim that the configuration of the state pursuant to the 1978 Constitution means the triumph of the conception of Spain defended by a political tradition of Catalan origin.

Since the transition, Spain as a whole has fulfilled a work of moral progress, made up of compromises and sacrifices, of a wish for harmony, which has confined the wish not to coexist to the margins of society. And Catalonia participated resolutely in that achievement.

The truly plural Spain, the one that all of us have loved, is the one that was built on a conviction: human and social flowering requires diversity to be fertile. And that fact owes much to the pedagogical work done by many people from Catalonia.

That decisive contribution of the Catalans to national harmony has been recognised by many sectors:

“If some now renounce the more cordial and friendly path; we will accept it and demand it. The central core of Spanish political life does not go back on its constitutional commitment.”
José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation, “¿Dar la espalda al que tiende la mano?”, El Periódico de Catalunya, 4 November 2012

“We consider that Catalonia has taken ownership of the esteem and the solidarity of the rest of Spain. Nobody should forget its important contribution to the process of modernisation of our country and the welcome it has offered to thousands of workers from other parts of Spain.”
From the manifesto of 2 November 2012, whose signatories included authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina; film makers Pedro Almodóvar, José Luís García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Sampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguilar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga; university professors Javier Pérez Royo and Francisco Rubio Llorente; and singer Miguel Ríos.
“There are few more pro-Hispanic foreigners that I and, among them, even fewer who are as convinced as I am that Catalonia has been the stimulus of Spain. A stimulus in matters of democratic values, enterprising spirit, of opening up to the world, of cultural dynamism... That explains my lack of understanding and my sorrow about the fatal error that can be glimpsed on the horizon [...] What is that fatal error? A decision, often taken in times of crisis, that is irreversible by nature and the consequences of which are incalculable. The independence of Catalonia would undoubtedly fit that definition.”

Alain Minc, French writer, in an article, “Error fatal”, published in the Catalan newspaper La Vanguardia, 11 January 2013

1.19 Respect for what the Catalans have decided

If we relive the images of Parliament 35 years ago, we will remember the expression of enthusiasm and fulfilment on the faces of all its members, of the fifty-something Catalan deputies at that time for having written into the Constitution the moral and political references of a plural Spain in harmony and freedom, with the right to reform everything, except for the common good of its plural, free coexistence.

That private satisfaction, that genuine fiesta of the entire democracy, also comes from having proceeded loyally, all of them, all the deputies, that is, “pursuant to the law”, which is what loyalty means etymologically.

But now, it is no longer possible to see expressions of common joy in that Parliament, in the face of the declaration of the 23 January 2013, but instead, faces, some of satisfaction, but others of disorientation, of sorrow and concern, from perceiving a horizon that some want to design against their wish to cancel coexistence and, at times, disloyally, that is, in violation of the law, pretending to abolish the desire for harmony and the word given by the majority of Catalans since the day that they voted the Constitution and during later, general, autonomic and European elections.

“Like the rest of Spain, Catalonia closed the last political year under the sign of the grave economic, political and social crisis that is affecting the whole of Europe. But it starts the new year with another crisis that is added to and amplifies all the previous ones: with the deliberate rupture of Catalan civil unity by the governing nationalists; a rupture that was made official in the exhibition of strength of the independence movement on 11 September, and whose dynamics of exclusion and confrontation have continued to grow in intensity since then.”

Juan Antonio Cordero and Félix Ovejero, Catalan university students, in “La fractura catalana”, 2012

“The right to decide is exercised in Catalonia every four years, and then the parties have the chance to put into their programmes clearly and unequivocally whether what they want is for us to decide on this issue in their electoral programmes. [...] Referen-
dums have always struck me as being a bit dangerous in democracy. Referendums, if they are not constituent, are not the usual way of stating one’s opinion. Instead, they have been a form of protest during dictatorships and in totalitarian regimes. The results do not normally reflect the sociological reality of the country. That is what used to occur in times of Franco, in the Soviet age, in all totalitarian regimes.”
Eugeni Gay, Catalan jurist, former judge of the Constitutional Court, on Catalunya Radio, 26 June 2013

“The Nationalists have not ceased to govern, on their own or as part of the Government of the Generalitat since 1980. The votes of the Catalans have been decisive in forming all the governments of Spain since the establishment of democracy. Catalonia has constantly exercised its right to decide. There is, therefore no continuity between the autonomist demands articulated by Catalan society since the beginning of the 20th century and the current secessionism.”
Fernando García de Cortázar, Director of the Dos de Mayo, Nación y Libertad Foundation, ABC, 29th April 2013

1.20 The so-called democratic principle

“It is obvious to say that, after five hundred years of life together, none of the nations that form part of the Spanish State can invoke an independent political existence during longer or more fertile periods; and far less if self-government refers to a territory that more or less coincides with that which is currently occupied by any of the Autonomous Communities. Although the democratic principle can be used as a fundament of self-determination and segregation, if any, a referendum of all the citizens that make up that state pronouncing on their future would have greater democratic justification. In this case, not only the aforesaid general principle is at stake, which is included in the Constitution, but constitutional legality itself, which imposes this path as necessary for any reform that shatters the aforesaid, centuries-old unity.”
Santiago Muñoz Machado, Informe sobre España, 2012

The concept of democratic principle uses the adjective “democratic” to present itself as unassailable. The truth is that democracy, essentially, is dialogue, pact, and agreement.

When a political action is proposed that seeks the end of the pact, of the agreement, which is what coexistence consists of, it is improper to talk of a democratic principle.

The one that denies a democratic principle, therefore, is not the Government of Spain; the one denying it is separatism, which denies the principle of harmony and coexistence, which is the backbone of democracy. The Government of Spain opts for co-existence, rather than rejecting it. It is the secessionists who reject. It believes in the value of dialogue and the word, and not in the value of unilateral decisions. The central core of Spanish political life fosters solidarity, compared with the lack of solidarity of separatism.
There is only an outright “no” from most political and social forces in Spain when faced with the question “are we really so different that we cannot find anything in common with the rest of the Spaniards, freely and democratically?”

That majority resolutely and trustingly said “no” to that question 35 years ago and reaffirms its decision today to those, such as the separatists, who answer “yes, we are so different that we cannot find common ground freely and democratically.”

“We call for respect for the democratic channels in any attempt at a solution that is posed to resolve the current political problems: to observe and respect the laws, caring for coexistence and respect for the procedures provided for in the legal order. We are not willing to witness the failure of a democratic order in an attempt to tackle the solution to problems that can only be aggravated by resorting to traumatic statements of secession.”

From the manifesto of 2 November 2012, whose signatories included authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina; film makers Pedro Almodóvar, José Luís García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Sampietro and Aïtana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguilar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga; university professors Javier Pérez Royo and Francisco Rubio Llorente; and singer Miguel Ríos.

“Thus, if in the face of certain proclamations, what the laws in effect that the citizens of this country have enacted say (it goes without saying that this includes the Catalans like all the rest), the nationalists will reproach them, saying that they are “threatening” them. Threatening them with what, with enforcing the law? Would it not be more threatening to say that one is willing to break the law or that they will forget about enforcing it if this is in the interests of a few?”

Fernando Savater, El País, 13 November 2012

Self-determination; but can’t you see that the social, cultural, economic fabric, etc. of Spain is so dense, mixed, interdependent, inter-connected, that any partial “self-determination” would make no sense and would be unjust because it would cause irreparable tears in a body that is now common to all? Self-determination? Fine “but self-determination for all”. Let’s imagine the hypothesis of a referendum on self-determination that approves a territorial secession. “Can we rip off a member from a body and a breath from a soul “without previously counting” on the rest of the body and soul? Shouldn’t we even “consult” our descendants, that is, guess what they would say one day if they found themselves with a diminished country, because of us, in a moment of obsfuscation?

Alfonso de la Serna, Spanish Ambassador, ABC, 4 April 1990

“Must the occasional decision of a referendum have more consistency than that of centuries and generations by chance, counting, of course on the present generation and the present century, where the overwhelmingly majority option leaves no room for doubt? […] I am not, my Honourable Colleagues, going to fall into the trap of discussing the unity or the plurality of the peoples of Spain. On the grounds of the reiterated
opinions so often stated in this House from the most varied angles and by the most varied sectors, it is enough to proclaim our demanding belief – and when I say “our”, I am not only referring to our Group, but rather to the entire House – our demanding belief, as I was saying, in the absolute solidarity of the Spaniards in the face of life and its vicissitudes. And it is the emerging will of that absolute solidarity that is important to highlight here at this time.”
Miguel Herrero y Rodríguez de Miñón, Deputy of the Unión de Centro Democrático Group, Congress of Deputies, 21 July 1978

The ruling of the Canadian Supreme Court on the secession of Quebec, of 20 August 1998, establishes that the democratic principle is not an absolute value, it has to be channelled through the legally established channels; otherwise, there is no legitimacy.

1.21 But, by chance is there or is there not a radical “no” from the “Spanish State” to the demands of Catalonia, as the Catalan Parliament’s declaration of the 23 January states?

The declaration of the Catalan Parliament of 23 January 2013 states that: “The difficulties and negatives from the institutions of the Spanish State, including the Judgment of the Constitutional Court, 31/2010, entail a radical “no” to the democratic evolution of the collective wills of the Catalan people within the Spanish State and lay the foundations for a reversal of self-government, which is expressed with total clarity today in the political, competent, financial, social, cultural and linguistic aspects.”

There is no confrontation between the “Spanish State” and Catalonia, but rather the usual discrepancy of political life, as occurs in any other democracy. What does exist is a deliberate move by many separatists to choose to see themselves as victims.

In Spain as a whole, the parallel movement to secession, i.e. the movement that does not wish to live in coexistence either, is the expulsionist movement: the movement of those who wish to break away from Catalonia, to expel it from Spain. Unfortunately, this too is a movement on the rise and also an impoverishing and regressive movement that defends the right not to coexist. It also deforms reality and presents unfounded accusations against Spanish and Catalan life. Both movements, which are not followed by Spanish society as a whole, are minority feelings, fortunately. The majority opt for harmony.

“Our open attitude is not the cause for the pretensions of those who want independence. If the neo-independence movement looks in the mirror of Spanish society as a whole, it will see the face of someone who wants to break away from Catalonia, to expel it from Spain: that is the terrible symmetry. Both movements consider the constitutional consensus dead and buried and they feed on each other, in a game that is full of risks, that we dislike and which we are resolutely opposed to, because of our unbreakable affection for Catalonia.”
José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation ¿Dar la espalda al que tiende la mano?, El Periódico de Catalunya, 4 November 2012

“Those advocating independence make their particular idea of Spain the scapegoat for all their ills. Hence they fertilise the ground for the exiguous minority that proposes doing the same from the rest of Spain with their particular idea of Catalonia.”

From the manifesto of 2 November 2012, whose signatories included authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina; film makers Pedro Almodóvar, José Luis García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Sampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguilar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga; university professors Javier Pérez Royo and Francisco Rubio Llorente; and singer Miguel Ríos.

“The problem is that, in this matter, anything we can say would be used against us. That is why the pretence of looking for legislative changes to ensure that the Catalans “are comfortable” in Spain is puerile. Non-nationalist Catalans are extremely comfortable in Spain, they negotiate with it, they travel around it as if they were at home (which they are), they share its sporting triumphs and its music, etc., they criticise it and they praise it quite naturally. The same is even true of many nationalists. Others, on the other hand, are neither comfortable nor do they intend to be in the near future because their ideological raison d’être consists of managing such dissatisfaction. Changing things just to please those who have no intention of feeling satisfied ever while they continue to form part of it makes many uneasy and does not make the rest happy.”

Fernando Savater, El País, 13 November 2012

Of course there are difficulties, as in any management of general interests; that is a feature of democratic life. But there can be no confusion: the hand of government is extended to all Spaniards, to all Catalans. That extended hand, for decades, is not, under any circumstances, the cause of the pretentions of the separatists. And it is not just the government; it is also the central core of Spanish political life, on a national scale, that has not betrayed its constitutional commitment, or its bet on coexistence.

This central core of Spanish political life does not renege on its constitutional commitment, or on its bet on coexistence, neither does it have anything in common with a disillusioned view of what we have built together.

“Fes que siguin segurs els ponts del diàleg/ Make the bridges of dialogue secure.”
Salvador Espriu, Poema XLVI

“Based on that profound conviction, the President of the Government has reiterated his willingness to move forward in a frank and loyal collaboration, by means of a dialogue that is sensitive to the diversity of Catalonia and of Spain and respectful of the legal framework, the first requisite of action of any governor.”

Communiqué on the meeting of the President of the Government with the President of the Generalitat de Cataluña, La Moncloa, Madrid, Thursday 20 September 2012
1.22 The so-called right to decide, but to decide only one thing, and by some

The Government has contested the declaration made by the Parliament of Catalonia concerning the so-called right to decide as it understands, with the backing of its legal services and of the Council of State, that it is not in line with the Constitution.

In the same manner, an Autonomous Community can challenge the laws of Parliament when it esteems that they are not in line with the Constitution because they invade statutory competences.

That is institutional normality: to June 2013, for example, the Government of the Generalitat de Cataluña maintains 20 conflicts over competence brought before the aforementioned Constitutional Court. The total number of conflicts raised by the Catalan Government over norms of the Spanish Government in recent decades is far higher.

It is essential to remember that from a historical perspective, the articulation of territorial diversity has been a cause of discord.

We Spaniards, aware of this past, decided to re-establish harmony, freedom and democracy, and we agreed to live under a written pact: the Constitution of 1978, which is neither an idol nor a mystery that we worship superstitiously, but precisely the very best of what we have done together, a way of coexisting by means of the pact.

Against this background, the background of a desire to coexist, for decades, the following dialogue has occurred: What can we do in good faith – asks the majority feeling of Spanish and Catalan society – to improve general coexistence and, in particular, the coexistence of Catalonia in Spain as a whole? And the inventory of agreements is endless, with the ups and downs of any management of different interests. But today, faced with this same question, always a valid one, some neo-separatists in Catalonia reply: “We want the right to decide”. And they raise the question of this so-called right in these terms: what do I want to be? Or what do I want to do? But that is not the question that is required by the high moral standards of our times, or the question that is demanded by our past and our present, but rather, what do I want to build jointly with you? If our answer to this question is: “Nothing, I don’t want to do anything with you”, then the question of the so-called right to decide is superfluous, because the will that repudiates life in common has already triumphed. There are no longer any matters to decide upon therefore. That is why it is only legitimate to answer first things first about the options we prefer for our democratic coexistence, not about its irreversible end.

In other words, when the Government and the central core of political life ask: “But I insist, is there nothing else that we can continue to agree on to perfect our model of a life in common? And if the answer to that question is “no, only the right to decide”, it means that this so-called right is not that as such, as it presents no options of coexistence to decide on. A right that extinguishes something shared, in this case, a life in common, is not in itself a right; what it really proclaims is: “I am not interested in any option that involves living together.” Then, the right to decide is not just another initiative in the context of our common search for the public good;
instead, it breaks the historic sequence and the right to decide only means one thing: “the will to not live together.”

That is why it is incongruent to accuse the government, the political forces, of not having any will to enter into dialogue with those who, in essence, promote a project that wishes to put an end to that dialogue. The separatist movement will not accept any option of a life in common from this constitutional majority that is always open to dialogue.

In the final instance, whoever asks “do I not have the right to decide?” is really asking “do I not by chance, have the right to say no to all proposals of coexistence, of life in common, one after another, until we attain the extinction of a centuries-old community?”

If this right really wanted to give the Catalans the capacity to decide, it should pose alternatives. But we are faced with a right to a single thing, to unilaterally break up. And that explains the anxiety of many, faced with a horizon on which they are not invited to choose between different options of political life (left, centre, right), but to vote for closing down that same life in common. Many Catalans rise up against this sleight of hand which falsely promises a right that isn’t such a right.

Perhaps many, having thus revealed the terrible ethical sacrifice that nests in that pretended right to decide, do not dare to demand this consideration again.

It is curious that, out in the open, this farcical operation shows the veracity of the analysis of secessionism beyond our shores, in Canada or in the United Kingdom (see section 3 International Legal Framework), to wit, that it does not seek the good of all, or to perfect democracy.

The democratic principle – and jurisprudence says as much, including, that of the Canadian Supreme Court – is limited by the respect for the rule of law.

“The right to decide is often invoked. And in the abstract, it is not easy to oppose it. But, as with any rights, this can only be exercised if it is recognised by democratic laws. There is no room for an alternative use of the Constitution, of the rule of law.”

José Luis Rodríguez Zapatero, former President of the Government, El Mundo, 18 November 2012

“In a democracy, the right to decide is as intrinsic to the citizens as a fish’s right to swim. The separatists avail themselves of it to sell their damaged goods: Who will want to renounce their “right to decide”? But why demand something so obvious with the emphasis of someone who aspires to conquest, as if there were citizens in this country at any latitude that did not have this right? Simply because what the separatists are asking for is not the right to decide, which they already have, but to annul the right to decide that the rest have. What they are demanding is not the right of the Catalans to decide about Catalonia, or of the Basques about the Basque Country, but that the rest of the Spaniards not be allowed to decide, as they do, about that part of their own country. In other words, they provisionally accept the mutilation of their sovereignty until this is imposed on them definitively.”

Fernando Savater, in an article published by the newspaper El País, 23 April 2013
“The project presented to us by the programme specifically recognises Spain as such a nation and that, in our opinion, is a principle that cannot be renounced: and, by attributing the national sovereignty to the Spanish people as a whole – and there lies the importance of the term – it excludes any possibility of legal separatism, given that it recognises a single subject of self-determination. But, alongside this principle of self-determination, the Constitution recognises the principle of self-identification of those differences with an awareness of their own, irreplaceable and uncompromising personality. This self-identification is, in our opinion what is referred to by the expression of “nationalities” that appears in article 2 of the Constitution, and the Spain that emerges from this articulation will, as Prat de la Riba used to say many decades ago, be the living and vigorous result of all the Spanish peoples.”

Miguel Herrero y Rodríguez de Miñón, Congress of Deputies, 5 May 1978.

Voices from Catalan society itself can be heard expressing the same opinion:

“It is raised in a somewhat deceptive fashion. Who is against people wanting to decide, as a personal and collective autonomy? The difference is whether this has limits or not. Individual freedom has a limit that is the freedom of others and that freedom is guaranteed by the laws. The group should be this way too. If you want to do without laws, others can do the same. One must distinguish between democratic principles and the discussion about whether Catalunya, as well as a political subject, is sovereign. A country is sovereign not because it says so, but because everybody else recognises it as such. Moreover, sovereignty cannot be seen with the eyes of the 20th or even 19th centuries. The Spanish State is not sovereign in everything and receives demands from Brussels that it must accept. It is very difficult to talk about sovereignty in Europe in 2013, as it is very difficult to talk about unilateral secession. That would show ignorance of international law. There is no place for it.”

José Montilla, former President of the Generalitat de Cataluña, in an interview in the Spanish newspaper Expansión, 30 January 2013, when asked about the right to decide

“The Constitution allows for consultation [about independence] in certain conditions. Article 92 contains the referendum, which is for the body that holds sovereignty, and sovereignty is held by the Spanish people as a whole, not part of the Spanish people, or part of an Autonomous Community. There are aspects that affect the structure of the state, and these are [the legal authority] of all Spaniards because sovereignty lies with the people, which is who voted for the Constitution at the time and who agreed upon it.”

Eugení Gay, Catalan jurist, former judge of the Constitutional Court, on Catalunya Radio, 26 June 2013

“The right to decide is exercised in Catalunya every four years, when the parties have the chance to include in their programmes, clearly and unequivocally whether they want us to decide on this issue within their electoral programmes […] Referendums have always struck me as being a bit dangerous in democracy. Referendums, if they are not constituent, are not the usual way of protesting. They have always been forms of protest in dictatorships and in totalitarian regimes. The results do not normally reflect the sociological reality of the country. That is what used to happen in times of Franco,
in Soviet times, in all totalitarian regimes."
Eugení Gay, Catalan jurist, former judge of the Constitutional Court, on Catalunya Radio, 26 June 2013
In the Face of Globalisation
Any political strategy requires a profound knowledge of the time and space in which it must be applied. In our case, it requires a precise diagnosis of what it means to live in a globalised world. Any decision about the political and economic status of Catalonia must rest on a stringent analysis of the reality of the world of the 21st century. This is a century characterised by the integration of the old Nation-States in regional organisations and by a greater protagonism of multi-national agencies. The challenges that these new times have brought cannot be resolved by any classical State, whatever its size. The fit of sub-state entities in States with a completely different function to the one they had a few years ago is a complex question that can only be resolved after serious reflection.

### 2.1 What is globalisation?

“Globalisation can be defined as the intensification of world-wide social relations which link distant localities in such a way that even minor local events are comprised of events that occur many kilometres away and vice-versa.”

*Anthony Giddens.*

“Globalisation is a concept that refers both to the comprehension of the world and to the consciousness that the world as a whole is no more than a single thing.”

*Roland Robertson.*

“Globalisation is a process that encompasses the causes, course and consequences of transnational and transcultural integration of human and non-human activities.”

*Dr. Nayef R.F. Al-Rodhan.*

Globalisation is a revolutionary phenomenon that differs from the international phenomena of the past. The current globalisation has translated into an intensification and an acceleration of social exchanges and the activities of man that, in turn, have propitiated a substantial change in the international order and the definition of internal political relations.

The three definitions above highlight the fact that globalisation has major consequences on all orders of life: on the conception of basic rights and freedoms, the relative role of individual and collective responsibility, the conception of the right to ownership, the way trade works, the role of civil society or the survival of cultural diversity, among others.

If we stick just to its economic dimension, globalisation can be defined in the following terms:

“A process of growing interdependence that results from the concurrence of three factors: the increase in volume and in the variety of cross-border transactions of goods or services; a dizzying increase in international capital flows and the accelerated and generalised dissemination of technology.”

*IMF.*

This definition is a narrow one because current globalisation is different from the previous pro-
cesses of internationalisation of the economy. What characterises the current process compared with the previous ones is not the increase in the exchanges of goods and the movements of capitals between different countries. In the period before the First World War, international exchanges of merchandise came to represent almost 12% of the GDP of the industrialised countries; a percentage that would not be reached again until 1970. Nothing new there. What characterises the process that we are experiencing now in comparison with previous ones is the possibility that multi-national groups have to move around the length and breadth of the planet in very little time. And that did not used to happen, or at least, it did not occur at the same speed.

“The crisis that we are experiencing would not have happened if it had been a local crisis, if it were not for the fact that we live in a globalised world. Loans were “securitised” and they spread throughout all markets. When interest rates started to rise and real estate assets started to fall, the problems started (...). But it would be a mistake to think that the crisis has been a crisis of the financial markets. The bursting real estate bubble has merely been the symptom of an illness that was incubating for a long time because of the concurrence of the following factors: there has been an excess of liquidity because many exporting countries – above all the oil producers – have found themselves with a lot of money that they have placed in western markets.”
José Manuel García-Margallo. Cartas desde tres Parlamentos.

2.2 The characteristics of globalisation that distinguish it from previous processes of globalisation

There are three characteristics that make globalisation a revolutionary process, different from the processes of internationalisation of the past:

1) The power of the multi-national groups

The main characteristic of globalisation in its economic aspect is the diversification of the processes of production and the division of labour within the multi-national groups, which can locate their companies practically “ad libitum” in any country in the world.

This phenomenon has brought out a set of economic players capable of taking “para-political” decisions that are imposed on states and determine the way they act. The proof is that 87 of the 150 largest economies of the world are multi-nationals and the remaining 63 are Nation-States. The turnover of Wal-Mart Stores is greater than the GDP of Austria, Denmark, Poland, Ireland or Hungary ... just to refer to countries of the European Union.

2) The technological revolution

Globalisation is based on an unprecedented technological revolution. In 1965, Gordon Moore, founder of INTEL, claimed that the speed of computers doubled every two years. A few years later, he reduced this period to 18 months. Since then, the Information Society has accelerated even more.
The economic literature agrees that 80% of the increase in wealth in the developed countries that has happened in recent years is due to technological progress and to a lesser extent, that of labour and capital. The differences between the European Union and the United States come, to a large extent, from the fact that the effort made in research is very much greater there.

"Information and knowledge technologies are becoming determining factors in the productivity and competitiveness of businesses and countries."

XVII Latin American Summit, Chile 2007

3) The speed of change

Last century saw accelerated social, political and economic change. Governments and regimes came one after another at an unprecedented rate. The Manchu dynasty disappeared in China in 1912. In 1917 the Bolshevik Revolution triumphed in Russia. In 1918, the Austro-Hungarian Empire and the Ottoman Empire disappeared, leaving a power vacuum in the Balkans and in the Middle East that continues today. In the first fifty years of the 20th century; the European, Japanese and American Empires reach their height.

The end of the Second World War coincided with the start of the Cold War and the dismantling of the colonial order. 1989 is the year that the Soviet Union was dismantled and the beginning of the new world order that seemed to be eternal (Fukiyama, the End of History). The China of Den Xiao Ping succumbed to the charms of capitalism.

On 11 September 2001, Islamist terrorism struck New York and Washington. It is the first aggression suffered by the United States on its own territory since the Japanese bombed Pearl Harbour in 1941. China and Russia have consolidated their positions as emerging powers. The European Union is the largest trading block in the world, the largest donor in the world in international co-operation and humanitarian aid. New centres of economic power emerge, with the BRICS (Brazil, Russia, India, China and South Africa) as the flagship. The world starts to become multi-polar.

If we limit our study to the terrain of economics, what characterises the current process of internationalisation is the dizzying pace of events. The world of the end of the 20th century has very little in common with the world of the beginning of that century.

The speed of change accelerates, especially if we look at the purely economic aspects of globalisation. In the 19th century, the United Kingdom took 155 years to double its GDP. In the 20th century, Germany and the United States took 60 years. In the 21st century, China and India double their GDP every 10 years.

2.3 The changes that globalisation has brought about

Globalisation has produced radical changes that are described below.
1) Mobility of people

The speed of communications has translated into a growing mobility of people. Mass tourism, migrations, movements of executives and workers and business de-location are phenomena that had never reached the intensity that we are seeing now.

It is well-known that this mobility requires a network of diplomatic representations that conducts a varied and extensive range of support functions:

Tourism. Support is provided in all kinds of situations through consular assistance. In the reverse sense, the tourist that visits us needs and expects to obtain the same kind of assistance from the diplomatic representation of his/her country.

“When they travel, people in Scotland have access to UK consular representation in over 144 countries (…) delivering a comprehensive service to British citizens who find themselves in difficulties overseas (…). Citizens of an independent Scottish state would be dependent on other countries for consular assistance.”

Business needs the support of embassies to facilitate setting up and the success of its activities; It also needs the assistance of foreign embassies accredited in our country.

“The UK works internationally to promote and protect the economic interests of businesses based in Scotland –for example defending Scotch whisky against counterfeits, discriminatory or excessive taxation, trade barriers and other restrictions (…). Businesses in an independent Scottish state would lose active support of the UK”.

Spain is represented in the 193 countries recognised by the United Nations. It has 98 bilateral embassies, 10 multi-lateral embassies and 98 consulates. 5,650 people work in our overseas service.

All the internationally recognised countries are also represented in Spain. 127 ambassadors reside in Spain and there are 46 non-resident ambassadors that represent their countries in Spain.

An independent Catalonia would have to negotiate and finance the establishment of embassies and consulates in third countries, with the consequent economic cost. In turn, the countries that make up the International Community would find themselves in a position of having to decide whether or not to open embassies in Spain.

“The UK diplomatic global network represents Scotland worldwide (…) The costs of developing an international Scottish diplomatic network to replicate the quality of the representation currently provided by the UK, as the Scottish Government has stated it intends to do, would be a significant burden to the Scottish taxpayer without replacing the reach and access currently provided by the UK.”
2) International migrations

There have always been international migrations, but they have never reached the level of the current ones. Migrations prior to the II World War were led by Europeans who went in search of a new life in the New World, of empty spaces to be colonised. Today’s, on the other hand, are led by an enormous mass fleeing from the poorest countries to earn a living in very mature societies that are traditionally reluctant to accept social changes.

In these years of crisis, the brain drain has started to acquire a growing importance, talent seeking more adequate environments for its development in countries with high potential for growth.

The agreements to facilitate their entry in these countries, the recognition of qualifications, counselling about job niches and the continual assistance take the shape of memorandums of understanding that an independent Catalan state would have to negotiate ex novo.

3) The agricultural issue

Agriculture has traditionally been a protected sector, but things are quickly starting to change. There are no longer any international meetings where the representatives of the emerging countries do not call for the dismantling of duty and non-duty barriers that impede the access of their agricultural produce to the markets of the industrialised countries. In the Bali Conference, timid progress was made on these issues, although there is still a long way to go. European agriculture will have to search for quality and more environmentally-friendly crops as an alternative to increasing imports from third countries.

4) The competition of the emerging countries

Before, the industrialised countries imported low value-added products from the emerging economies and exported manufactured products that required high degrees of manufacture.

This equation is changing. In 1995, Chinese exports of sophisticated goods only accounted for 7% of the total, in 2007, 33%. This trend will only increase in coming years, because China is the leading country in developing applications of industrial design and the second in number of registered patents and brands.

The countries that will advance the most in the next thirty years will be China, India, Philippines, Malaysia and Bangladesh in Asia; Uzbekistan, Kazakhstan and Turkmenistan in Central Asia; Peru and Ecuador in Latin America and Egypt in Africa. All emerging countries (HSBC, The World in 2050)

5) The emigration of western companies

A large part of the success of the emerging countries is due to western companies that move their production to these countries to pay lower wages and taxes, put up with less strict environmental criteria and also to take positions in markets that will grow enormously in the coming years. In China, eight of the largest ten export companies are foreign.
Spanish companies have not been left out of this process of internationalisation and there are many of them that have been competing in technologically advanced sectors and in mature markets for a long time. Spanish companies are leaders in renewable energies, infrastructure management, high speed trains, bio-technologies, banking services and tourism.

Spanish diplomacy considers attention to our businesses overseas one of its top priorities. These tasks are carried out with the support of the network of 108 embassies and 98 consulates, already mentioned, plus the 98 economic and trade offices and 16 business centres distributed over the five continents (each year, ICEX answers over 90,000 enquiries about overseas trade and organises over 2,000 trade activities around the world).

“The global reach of its diplomatic networks allows the UK to benefit from a greater understanding of the situation on the ground across the globe, and allows the UK to help respond to changes and alleviate potential threats at source before they reach the UK”.


6) The de-location of services

The services sector follows the same patterns of behaviour as manufactured goods. Know-how has also started to move at high speed to the developing countries. The boom in electronic commerce and internet services are generating a real revolution in the fields of information, financial services and professional services, which will have consequences that we can still not calibrate exactly, but which will undoubtedly impact employment.

“Any service, any call centre, any business support operation and any task related to information technologies that can be digitalised .... is contracted out in any country on the planet to the cheapest, fastest or most efficient administrator.”

Friedman. The Earth is Flat

“We have such a technological revolution going on at this moment, this will destroy employment. We have to make sure that the jobs destroyed are replaced by better jobs and that’s not happening at the moment.”


An independent Catalan state, outside of the European Union too, would find it very difficult to face these challenges efficiently.

7) The leading role of the financial economy

The financial economy has taken more of a leading role than the real economy. Enormous quantities of money pursue short term returns all over the world. Volatility has become the norm and, precisely for that reason, the key to the system is confidence.

Access to the capital markets is key for companies, especially big companies. Small and medium-sized companies depend more on bank financing because the possibilities of them financing themselves in the capital markets are more limited. In any event, the existence and smooth operation of a financial system is essential for economic development.
The financial crisis has shown that a financial system depends on the Treasury behind it, because, in the end, it is the National Treasury that responds when times are difficult. Precisely for this reason, the first financial systems to fall were those of Iceland, Ireland and Cyprus. A useful thought when one is promoting the construction of new states of a size that is far from adequate for the times we live in.

“An independent Scottish state (…) would be unable to resolve a significant banking crisis without severe fiscal consequences. Furthermore, the size of the banking sector could adversely affect market perceptions of the vulnerability of both sovereign and sector, and consequently their ability to borrow cheaply”.

HM Government. Scotland analysis: Financial services and banking. May 2013

8) The shift of direct investors

The growing importance of the emerging countries has been possible, in part, thanks to the fact that they have had sufficient financial resources to build up their businesses. Investments were only directed towards the developed countries. Now they have progressively moved towards the emerging countries, off-setting in many cases insufficient domestic savings.

Foreign investments in China have grown from $34.8 bn. in 2000 to $111.7 bn. in 2012. Foreign investment in the ten ASEAN countries (Association of South East Asian Nations) reached $116.5 bn. in 2011.

Foreign investments in Spain and Spanish investments overseas are highly significant.

“The contribution of foreign investment to the volume of the total business of the industrial, trade and services sectors is 37.2%, 21.4% and 17.4% respectively. The percentage of employment of foreign subsidiaries in the same sectors (industry, trade and services) reaches 20.9%, 11.1% and 9.6% respectively of the total number of workers in each sector.”

“At the end of 2011, in terms of stock, Spain was the 9th country in the world by foreign direct investment received ($634.532 bn.).”

Spain Brand, 2014

In such a competitive context it is highly doubtful that foreign investors would put their money into states born of a unilateral declaration of independence. Even if they do win international recognition, there would still be exchange risks that would make it advisable for foreign investors to put their money in safer hands.

9) The fight for scarce natural resources

The development of the emerging countries has also meant greater pressure on natural resources. The growing demand for water or energy is one of the causes that could accelerate climate change, with irreparable consequences for the future of the entire planet. The struggle for water and energy has only just begun and it could generate serious conflicts in the mid-term.

“These days, most of the Chinese foreign missions go to talk about ensuring energy...”
supply while most foreign missions come to Beijing to talk about environmental impact. It is a paradoxical diplomacy.”
Pen Yue.

Spanish diplomacy in recent years has made a determined effort to reinforce relations with those countries that Spain depends on for energy. These relations have taken the form of international agreements of different kinds.

2.4 The new world order

History teaches us that changes in economic structures determine changes in political superstructures, it would seem obvious that the transformations that the world has experienced are about to give rise to a new world order.

Let’s look at the most significant changes; but first of all, remember the obvious: the state, however strong it is, and the smaller and weaker it is, the worse off it is, cannot face the challenges of globalisation on its own. Only by integrating in higher, either multilateral or regional organisations, and by giving up the corresponding quota of sovereignty, can it survive in today’s world.

“Over the past 50 years, groups of countries have gone to great lengths to reinforce their economic integration with one another in order to support economic growth and stability. This can be seen in Europe, starting with the creation of the European Economic Community in 1957 and continuing in the expansion of the European Union today; in South America, with the creation of Mercosur; in South East Asia, with the creation of ASEAN; and in North America with the signature of NAFTA. The euro area countries continue to integrate further with a fiscal compact and a banking union. In June 2013 the European Commission and the United States announced that they would start negotiating a Transatlantic trade and investment agreement”.

“A (...) benefit of integration is that it helps create larger and more diverse markets. Economies that are part of a larger market are less susceptible to economic shocks”.

How does this new order become tangible?

1) Changes in the United Nations system. The fall of the USSR gave rise to the mirage of a unipolar world governed by a single power. The attack on the Twin Towers and what followed (Iraq and Afghanistan) shattered the mirage. The world is not unipolar, it is multipolar. The emerging countries are claiming a more leading role and demand the new situation be institutionalised.
2) Changes in the monetary order. The exchange rate of Chinese currency and the US dollar benefit the exports of both. The risks of a manipulation of exchange rates will only disappear when a quasi-fixed exchange system is established based on the dollar, the euro, the Yuan and the yen.

3) Changes in the trade order. In recent times there has been a proliferation of duty and non-duty barriers (technical, labour, tax and environmental) that distort trade and international investment; distortions that in turn, trigger a proliferation of restrictions on international movements, which also hinder international relations.

Trade agreements, agreements to promote and protect investors and double taxation agreements between sovereign states or between regional organisations are signed to off-set this disorder. Attempts are also made to define a new trade order that guarantees a balance between the parties. The Ministerial Conference of the WTO (Bali, 3 – 7 December 2013) is a step in the right direction.

All the internationally recognised states and most of the regional organisations that these belong to take part in defining this world order, but obviously, the more important a country is, the greater its capacity to influence others. That is why the fragmentation of the current states will necessarily translate into a loss of importance that does not benefit anyone.

“Smaller countries tend to be more volatile as a result of greater exposure to international markets”.
HM Government. Scotland analysis: Macroeconomic and fiscal performance. September 2013

2.5 A response to globalisation. The European Union integration project

“Europe must choose between being a museum or a laboratory”
Moises Naim

“It is possible that the path to Ithaca is long, full of adventures, full of knowledge, but arriving there is your fate.”
Constatino Cavafis.

“Globalisation is... de-territorialisation or... the growth of supra-territorial relations between people.”
Pavel V. Nikitin and John E. Elliott. 2000.

The Europeans have responded to the need to get together to face the challenges posed by globalisation with the European Union. The European Union has its own identity and it is perceived as a success story by those who look in on us from outside. The European Union is at this time, in a process of re-founding itself.
1) The European identity rests on five pillars that cannot be ignored when designing political programmes, especially if these programmes are resolved with the dissolution of the states that now comprise the European Union.

- Greek philosophy: the Greeks were the first to replace myth and magic with reason. The first to obey laws and not kings. Submission to law, starting with the constitutional Treaties.

- Roman law: The Greeks could see no further than the “polis”, the city, their localism was the seed of their perdition. The Romans provided the idea of the universality of the construction of Europe.

> “It was the progress of law driven by Rome that originated the final step that took mankind out of tribalism. The West will experience this advance at the same time as the advance of Greek civility. The East will ignore it.”
> Philippe Nemo, What is West?

- The Bible. Judeo-Christian morals contribute an element of solidarity to the Roman idea of justice. The Good Samaritan is given water not because he is entitled to it, but precisely because he isn’t.

> “I believe that the Judeo-Christian morals of love or compassion, by providing an unusual sensitivity to human suffering, a spirit of rebellion against the idea of the normality of evil, gave the first push to the dynamics of historic progress.”
> Philippe Nemo

- The Papal Revolution (11th – 13th Centuries). Ecclesiastical philosophy consecrates the theory of the limitation of power. Each level of government can only act within the framework of its competences.

> “Each community made pacts and honourable and profitable agreements with its own Lord and they never gave absolute power over themselves to anyone.”
> Eiximenis.

- The Renaissance and the Enlightenment. The greatest conquests of the Renaissance and the Enlightenment are the suppression of trade obstacles and barriers, the repeal of feudal privileges, the consecration of man’s rights and the establishment of representative democracy.

2) These days, it has become fashionable to highlight the deficiencies of the project of European construction. Although these deficiencies exist, it is also true that the European project remains an extraordinarily attractive project. A project that one cannot desert without impunity.

A document, “The Importance of Europe”, drawn up by the Ministry of Foreign Affairs of Japan in 2013 describes the potential of the European Union.

- Soft power. The European Union is a bridge to other areas. (54 members of the Commonwealth, 31 French-speaking countries, 21 members of the Ibero-American Commu-
nity of Nations). It is key for setting agendas and designing norms. European culture, technology and academe are amongst the most influential in the world.

- Weight in the world economy. The European Union represents 25% of world wealth and 20% of world trade. More than the United States.

- Presence in international forums. The European Union has 2 Permanent Members on the United Nations Security Council and 5 members in the G8. The concerted action of its member states gives the 28-member European Union enormous negotiating power.

- Network of International Agreements. The European Union has signed international agreements with the entire world.

- Solid ties with the United States. The ties between the European Union and the USA are very close in matters of security (NATO, OSCE), as they are too in trade and investment and they will be even closer with the signing of the Trans-Atlantic Trade and Investment Partnership, currently under negotiation.

3) The European Union is currently attempting to leave the crisis behind by means of three lines of action:

- Consolidation of the Banking Union, which will complete monetary union. Uniform regulation, single supervision, common crisis resolution mechanism and final backing by European mechanisms will give rise to a new banking species: genuinely European banks that will have access to the financing mechanisms of the European Central Bank (ECB) and will be able to fully participate in the European payment and clearing system (target 2).

- Institutionalisation of bail-out mechanisms. The mission of the European Stability Mechanism (ESM) is to ensure the financing of the countries that are expelled from the debt markets and also, to “bail out” financial entities in difficulties.

- Strengthening of mechanisms of solidarity. The “contractual agreements” entered into between European institutions and the member states intend to provide financial support for reforms that favour growth, investment and employment, and hence move towards economic convergence.

It is obvious that an independent Catalonia would be excluded for all these facilities. The banks operating there would not have access to the ECB as the lender of last resort, or to the European payment system. Neither could they resort to the ESM if they were expelled from the capital markets. Finally, they would not be able to enter into contractual agreements with the European institutions designed to modernise their economy.

“The European Stability Mechanism (ESM) was inaugurated on 8 October 2012 as a permanent mechanism providing financial assistance to euro area Member States.”

“The European Investment Bank (EIB) is the EU’s long term lending institution and
lends to projects which further the EU’s policy goals. (...) Around 90% of EIB lending is to EU countries. As part of the UK, Scotland is eligible for this EU lending, and benefits significantly from it. Between 2008 and 2012 finance contracts worth 1,4 billion euros were signed in Scotland”.


4) The European Union has concentrated almost exclusively on preventing the ship from sinking and has forgotten to tackle the outstanding challenges.

- The most significant one is the loss of competiveness. A problem that dates back to before the fall of Lehman Brothers. For every job lost as a consequence of de-location, the United States created 1.2 jobs, and the European Union, 0.8.

“Given the fall in its population, it is possible that Europe, at least a considerable part of it, becomes a theme park, a kind of sophisticated Disneyland for rich tourists from India or China.”


- The second problem is the one arising from the ageing population.

“In 1960 five people worked for every old-age pensioner, now, there are only three. In 2030, when our children sit here, for every two people in a job, there will be one pensioner. On top of this, we have to add the fact that pensioners enjoy their income for twice as long as in 1960. And life expectancy continually increases.”

Gerhard Schroeder, German Chancellor

- The third challenge facing the Union is to establish a true economic government, which acts as a counter weight to the European Central Bank and allows us to reduce the excessive differences between member states that make their pacific coexistence difficult.

- Improving the capacity for internal (internal market, Economic and Monetary Union, social cohesion, Justice and Interior) and external action (Exterior Policy, Security and Defence Policy) of the institutions of the European Union.

- Accentuate the democratic legitimacy of the institutions of the Union to overcome the indifference that citizens show for the European project as we know it today.

2.6 And in these circumstances, amidst the triumph of large dimensions without borders, is the Nation-State still a necessary institution?

The starting point of the nationalist tale is an original sovereignty of Catalonia, conquered when the Catalan Counts claimed independence from the Kings of the Franks, which continued over
the centuries until it disappeared when the Bourbons were crowned in 1714. Thus the recovery of sovereignty became the vital task for the secessionists of that generation.

Irrespective of the fragility of this tale, what matters now is to whether sovereignty is a concept that makes sense in an ever-more integrated world.

“Globalization –however the word is understood- implies the weakening of state sovereignty and state structures”.  

“Is national sovereignty undermined in the formulation of policies due to globalisation?... In short, globalisation does not reduce national sovereignty. It creates strong incentives for countries to apply correct economic policies. It should also create incentives for the private sector to carefully assess the risks. However, short term investment flows can be excessively unstable.”
Prepared by the staff of the IMF Globalisation: Threat or Opportunity? April 2000

“The autonomy of the political power of states should be cultivated like a precious plant, but to this end, it is essential that the state lose and that takes it, in an exciting paradox, to win at the same time (...) That is why shared and convergent sovereignty does not reduce the sovereignty of the particular states, it promotes it. To solve national problems, we insist, “de-nationalisation” is essential. In this sense, trans-national states are the best states, the ones that do their homework the best.”
Francisco Sosa Wagner and Igor Sosa Mayor. El Estado Fragmentado, 2006

Sacralising competences is a concept that makes even less sense in the case of the States forming part of the European Union; a European Union that works with difficulties with 28 member states; difficulties that would be greater in the event of the fragmentation of the present States.

““The European Union, with more than 500 million people, could have more than 60 or 70 or maybe 75 states. And why could Catalonia not be one of these states?”
Artur Mas, President of the Generalitat de Cataluña, Brussels, 7 November 2012

“... From this situation, one must conclude that the Community constitutes a new legal order of International Law, in benefit of which states have limited, even if only in restricted matters, their sovereign rights, and whose subjects are not only the Member States, but also their nationals (...).”
Court of Justice of the European Communities. Van Gend and Loos Ruling

Picking up again on the globalisation discourse, it is timely to reiterate that in the growing process of interdependence and integration in which globalisation is resolved, geographic, economic, social and cultural borders of the classical Nation-States are eliminated.

In this world without any defined borders, new players – multinational companies, investment funds – take “semi-political” decisions that they impose on Nation-States. If someone should ignore them, the consequence would be that these new players would emigrate to more comprehensive countries.
“The most convenient world for the multi-national giants is a world populated by dwarf states or without any state”
Eric Hobsbawn

To offset this relative vulnerability, Nation-States give up part of their sovereignty to multinational bodies or to regional bodies that they form part of. The decisions of these bind the Member States and restrict their capacity of action. Once again, the smaller you are and the fewer resources you have, the more vulnerable you are.

The above restrictions are far more serious in the case of the European Union and even more so in the Economic and Monetary Union (EMU). The rules that govern the single market, the Economic and Monetary Union, social cohesion, the rules in affairs of Justice and Interior, exterior policy and defence increasingly determine the policies of the Member States.

The above restrictions have led the Nation-State to lose many of its former functions – to lose part of its sovereignty – but also to win others.

It is the States that take the decisions, implement them and defend national interests there.

In the internal order, they continue to have important functions like providing basic services, maintaining social cohesion and establishing an attractive framework for international investors.

“The State maintains functions that are highly traditional: it expropriates and defines the limits of ownership, it directs, organises and provides major public services – health is an important one (...) – although the management of some of them is led by regional or local political entities. Such public services, the very foundation of the welfare state, act for an objective that is another way of ensuring the pax publica: to guarantee access for everyone to those basic benefits without which it is impossible to conceive of life in society, especially if we bear in mind that part of this population, for economic or geographic reasons, depends on cheap services guaranteed by the public powers (...). The state collects taxes (...). The state recruits and ensures that the bureaucracy works. They ensure that the social mechanisms mesh harmoniously (...) so it is obliged to play a role that stimulates private activities (...).”
Francisco Sosa Wagner and Igor Sosa Mayor. El Estado Fragmentado, 2006

2.7 Final thoughts

A policy with the sole aim of dismantling existing states is suicide in a world in which new challenges overwhelm national borders. Far more suicidal if we are talking about countries that form part of the European Union.

Without strong national states, the world will appear increasingly like a giant hypermarket without any political control. It is precisely for this reason that the leading role of the national
The recovery of the idea of Spain as a collective illusion and also as the only way of surviving in a civilised world should be the idea-strength of any political discourse that wishes to be adopted these days.

The state emerging from the Spanish Constitution is a complex state in which the Autonomous Communities have the political power par excellence for managing the competences mandated to them, with the power to enact formal laws and therefore, they can set out their own policies with the broadest amplitude.

“Autonomy cannot be understood (...) if we do not free ourselves of a concern: that the regions, after gaining their autonomy, are not foreign: they are part of Spain, as much Spain as they are today. And, furthermore, that (...) the body of government of the region is not a rival body, nor is it defensive or aggressive; but an integral part of the organisation of the state (...) and until this is understood this way (...), nobody will understand what autonomy is.”

Manuel Azaña, Spanish Parliament, 27 May 1932

Precisely because the autonomies are Spain, any revision of our territorial model – in the event that this is considered timely – should be made while respecting the principles on which the Constitution rests; by agreement among everybody and in the knowledge that territorial organisation must constantly adapt to changes in reality.

The principles that hold them together are the political and legal unity of Spain; the unity of the market; the symmetry of the autonomic process, the recognition of the differential rights (language, culture, special civil rights, regional fiscal regimes) the equality of opportunities and solidarity.

“Article 2 of the Spanish Constitution has three equally fundamental aspects that are constructed on a rational and complex balance that would disappear if any one of them were deleted. The first aspect: Nation Spain whose unity is vigorously affirmed; second aspect: Spain comprised of Communities, with regard to which the right to autonomy is preached; third aspect: the necessary solidarity among all the nationalities and regions.”

Gregorio Peces-Barba, Constitutional Parliament 1977

“Solidarity is a specification of the duty of reciprocal help and mutual loyalty that requires the Autonomous Communities, in the exercise of their competences, to abstain from adopting decisions or taking actions that prejudice or perturb the general interest; and to bear in mind, on the other hand, the community of interests that bind them together, which should not be segregated or undermined as a consequence of managing its own consequences while failing to show solidarity with the other Communities” (Judgements 4/1981, 96/1986, 64/1990)

Any reform of the territorial model must, apart from respecting the constitutional principles, use as a starting point the evidence of a fact: in a complex state like our own, governance requires a continual decision-making process that includes all those players that have something to say on a given matter. The Central Administration in this process assumes the function of
arbitrating the relations among everyone who participates in the process, and to help to co-ordinate their activities.

“The Government becomes a player among many others, within the political game. The state loses its power as the only party responsible for disciplining its citizens. The exercise of power becomes far more diffuse and decentralised” Rifkin.

“This form of delimiting competences locally is just another example of the old-fashioned suit that the legislators of the statutory laws are determined to carry on wearing, as talking of “ring-fenced” competences these days is, either being over extravagant, or to make use of a “zombie” concept that aims to trivialise the inter-relations of all the interventions of the public powers, and to ignore the proliferation of new creators of law in the form of technical standards, arbitrations, contractual modalities, etc., which are even outside of the action of the state, traditionally the only legitimate power, but which is now subjected to the pounding of the “pluralism of borders”. Francisco Sosa Wagner and Igor Sosa Mayor, El Estado Fragmentado, 2006

Apart from the requisites above, it is necessary to bear in mind another one: the extension and content of a system that integrates a diversity of units is not something that can be decided unilaterally by each of these units, but the very object of the joint social compact in which all are equally interested parties. There are no parties more important than others, so that they can impose their law on the rest, because nobody invokes excluding titles when those immediately affected by its decisions are the rest.

The distribution of competences is a three way path: attribution to the state of those competences that can be carried out more satisfactorily on a central level than on lower levels; referral to the Autonomous Communities of those competences that can be better exercised at autonomous level than at central level and attribution to the local corporations of those competences that can be more efficiently exercised locally than by the central or regional governments. In short, it is a question of applying the same criteria to our institutional model as to drafting the Treaty of Lisbon: to distinguish between the exclusive competences of each level of government and apply the principle of solidarity to the shared competences.

This principle postulates to attribute to each administration the competences that they can best implement, bearing in mind that the final objective of any territorial design is to best serve the citizenry. That means that a revision of the constitutional model could lead to a state competence being transferred to the European Union, or being delegated to an Autonomous Community. But it also means that the Central Administration may re-assume competences provided that the objectives of the action intended can be better attained at a state level than at a sub-state level, due to the dimension or its effects.

Criteria that must be completed with another basic criterion: the principle of equality. The public powers as a whole must guarantee a minimum level of essential public services to all citizens, notwithstanding the fact that those not considered essential are decided and financed by the citizens of each Autonomous Community. In summary, it is a question of applying the principle of co-responsibility.
Solidarity is the last of the criteria that must be used when designing any territorial model. The distribution of competences between the Central Administration and the Autonomous Communities must be accompanied by measures that allow the poorer to approach the level of development of the richer because this is the only way to maintain the national bond in a stable fashion – as it is based on free acceptance.

The larger the fiscal autonomy of the Autonomous Communities, the more the mechanisms of the solidarity of the system need to be reinforced. The recognition of the internal diversities and the correction of territorial imbalances are the two basic pillars on which the national edifice rests, with the nation understood as a tie of solidarity.

“The European economic system could possibly survive without the redistributive effects of the structural policy. But what would not survive would be the political project of the union.”
David Allen

The Constitutions conceives solidarity as a basic principle of the territorial organisation of the state (art. 2; 45.2 and 138 CE), as a limit to financial autonomy (art. 156.1. CE) and as an inspirational principle for correcting territorial imbalances.

“We are born to collaborate, just like feet, hands, eyelids, rows of teeth, upper and lower. Acting as adversaries, hence is contrary to nature.”
Marco Aurelio

“You will not know all that I am worth until everything I am cannot be with you.”
Gregorio Marañón

“We have learned to fly like birds, to swim like fish, but we have not learned the art of living together, like brothers.”
Martin Luther King

“Finally, Mandela understood the ties that bind the human spirit. There is a word in South Africa – Ubuntu – that describes his greatest gift: his recognition that we are all bound together in ways that can be invisible to the eye; that there is a oneness to humanity; that we achieve ourselves by sharing ourselves with others, and caring for those around us.”
Barak Obama, Speech at Nelson Mandela’s funeral

“And so there’s what I want to say to you, and here’s what I want the people at home to think about. When times are tough and people are frustrated and angry and hurting and uncertain, the politics of constant conflict may be good. But what is good politics does not necessarily work in the real world. What works in the real world is cooperation”.
Bill Clinton’s speech to the Democratic National Convention, September 5, 2012.
3

International Legal Framework
“How do we demonstrate [to the international community] that we are colonially subjected or occupied by a foreign military force?”

Political platform adopted on 6 July 2013 in the National Conference for the Catalan Republic of the Esquerra Republicana political party.

“The European Union, with more than 500 million people, could have more than 60 or 70 or maybe 75 states. And why not Catalonia would be one of these states?”

Artur Mas, President of the Generalitat de Cataluña, Brussels, 7 November 2012

“If each human group pretended to have the right to attain the statute of state, fragmentation would know no limits and peace would be seriously threatened.”

Juan Antonio Carrillo Salcedo, Emeritus Professor of International Law of the University of Seville, in “Sobre el pretendido “derecho a decidir” en derecho internacional contemporáneo”. El Cronista del estado Social y Democrático de Derecho, January 2013

If respect for the Constitution is respect for the will for harmony and agreement, the respect for international law is also respect for the law of the world community, for a law at the service of mankind.

The final purpose of both domestic and international law is the person and the primordial attention to human dignity, which should also guide all governments, arises from its moral and political justification.

Thus, loyalty to the citizenry obliges us to remember how this superior good of national unity is also preserved by contemporary international law, which rests on the principle of the obligation to respect the territorial integrity of existing sovereign states, and it obliges us to remember how the exact circumstances in which international law recognises the right to self-determination are not applicable to Spain, or to so many other democratic states that are experiencing secessionist movements.

As for domestic law, anyone can consult the national Constitutions of any other nation and see how they do not recognise the right to self-determination, nor to unilateral secession. In this specific aspect, the norm that governs Spanish political life is identical to that of practically all the norms that govern the political life of any country in the world, as is demonstrated by comparative constitutional law.

Faced with these limits of the law that preserve an asset, territorial integrity, the radical nationalists reason in the following manner: if international law recognises the principle of self-determination for those subject to colonialism, for peoples annexed by conquest or occupation and to peoples oppressed by massive and flagrant violations of their rights, it is necessary to make Spain exactly that: a colonial, totalitarian country, which keeps some of its citizens prisoner by force alone. Only if international society can be persuaded that this is the real situation in Spain, in the opinion of the separatists, will self-determination be achieved pursuant to the law (see the opening quote of this chapter).

The government and the main political and social forces defend the hypothesis that the best option for Spanish life, that of remaining together, is the best moral and political option of any
government or society, and of the concert of nations. For this reason, they object to a project that, if it triumphs, will entail the historic, political, economic and cultural impoverishment of both the amputated Spain and the part of it that becomes independent.

### 3.1 Lessons from secessionism in the free world

In any event, the secessionist drift of our surroundings are cause for meditation that leads to comfortable conclusions: Can we honestly sustain that free and democratic countries contain such deficits in terms of Rule of Law that a part of any of these nations is forced to separate in order to attain the common good by fracturing coexistence? Is it credible that such states do not have sufficient democratic guarantees and some of their parts are forced to seek further democracy in separation?

If in supreme cases of the realisation of free and democratic life – the United Kingdom or Canada – we see the phenomenon of the secessionist forces, it means, mathematically, that the prime cause of the movements that propose separation in the free world is not one that pertains to enhancing our model of coexistence.

It is always an easy retort, in the framework of a convulsive contemporary history like Spain’s, to say that the state, because of its democratic deficit, is the cause for a part of the nation to be forced to separate. The very fact that there are separatist movements in Canada and the United Kingdom should boost the confidence of Spanish society in the virtues of its plural model of coexistence.

In other words, for the separatists, any aspect of life in common could be the cause and the justification of their desire to break away: fiscal policy, education, economic decisions; their purpose is not to reform them, it is not the common good, or to reform this model though the debate they are fully entitled to, but to break the ties.

> “But why knowingly act in such a manifestly disloyal manner? Why do they not pursue their legitimate political objectives within the established legal margins, as has been done in Quebec and in Scotland? [...] the problem is that none of these ways favours per se the independence cause, among other things because they all imply accepting the true essence of democracy, that is none other than managing plurality within an established legal framework reached by a given political community (...) The intention is clear: to push to the extremes by ruling out any possibility of solution of the Catalan issue within Spanish law, with the final aim of demonstrating that nothing can be done in Spain and, therefore, the only solution is independence.”

Ignacio Martín, journalist from Barcelona, in his blog, 10 February 2012

> “I defend the plural identity, which is enriching. There are around 3,000 nations in the world and only 200 states. If each of these groups must form a state, the planet will explode.”

Stéphane Dion, former minister and member of the Canadian parliament in response
to the question “should all nations aspire to becoming a state? In the ABC newspaper, 9 April 2013

“It has always been of great concern to me that Catalan politicians try to link the Catalan debate to ours. They are different. Our history is different. Our futures are different (...) This does not set any kind of precedent or any right to independence.”
Alyn Smith, M.E.P. of the Scottish Nationalist Party, in declarations to “El País”, 20 October 2012

“Yes. Fatal mistake or collective suicide, as we say in French, I insist and sign it.”
Alain Minc, when asked whether he considered the process towards independence a collective suicide, in the Catalan newspaper “Ara”, 14 July 2013

3.2 The principle of territorial integrity

The principle of the territorial integrity of the state constitutes a basic element of modern international law. The very Declaration of the General Assembly, dictated on the fiftieth anniversary of the United Nations (Resolution 50/6, of 9 November 1995), expressly establishes, in article 8.4, that none of these provisions “can be interpreted in the sense that they authorise any activity that contradicts the aims and principles of the United Nations, including sovereign equality, territorial integrity and the political independence of states.” It is therefore, a basic principle that constitutes a limit to any secessionist pretension that is based on criteria other than that of negotiating with the state.

In such an international legal context, the principle of territorial integrity is not affected by alleging the principle of the self-determination of peoples. Especially considering that the free determination of peoples is a principle that is applicable in a very different context from the case of Catalonia.

The separatist project in Spain however, in Europe, is to break the territorial integrity of several member states:

“Although it is true that the Catalan nation as a whole has made an effort to achieve a Catalan state in part of the territory, the new state [the Republic of Catalonia] will have to make a greater effort to have the rest of the nation completely changed, either with the incorporation of other territories [in reference to Valencia, the Balearic Isles and what is known as “Northern Catalonia”] into the newly constituted state, or via the latter federation of the territories under French or Spanish domination, after constituting new Republics.”
Political platform adopted on 6 July 2013 in the National Conference for the Catalan Republic of the Esquerra Republicana political party.
3.3 The right to self-determination

From the stand-point of international law, the existence of a people, in the strict sense and, more specifically still, the right of people to self-determination, expressly recognised in the Charter of the United Nations as one of its purposes (art. 1.2), is only permitted in very specific circumstances: former colonies, oppressed peoples – for example, by military occupation – and massive and flagrant violations of human rights.

Along these lines, those who defend the right to self-determination in situations like that of Catalonia usually blandish article 1 of the United Nations Pacts (1966) as their basic argument, which expressly establish the right to free determination of “all peoples”. They also usually reinforce their arguments by quoting in a hackneyed fashion the well-known Declaration on the Principles of International Law (Resolution 2625 (XXV) of 24 October 1970); this Declaration does indeed announce the principle of free determination of the peoples and sets forth the right of all peoples to “freely determine their political condition without outside interference and to seek their economic, social and cultural development.”

However, such a claim is by no means sustainable in the international law currently in effect for application in a case such as Catalonia. First of all, a simple literal interpretation arising from a full reading of the respective precepts leaves no doubt that article 1 of the Pact of the United Nations refers to the population of states, protectorates and non-autonomous territories. Moreover, Resolution 2625 itself dissipates any remaining doubt and clarifies that “none of the provisions of the preceding paragraphs shall be understood in the sense that they authorise or foster any action aimed at breaking or undermining, totally or partially, the territorial integrity of sovereign independent states that are taken in accordance with (this) principle (…) and are, therefore, endowed with a government that represents the totality of the people belonging to the territory, without distinction for reasons of race, creed or colour.” Pursuant to the Resolution of the General Assembly, dictated on the fiftieth anniversary of the United Nations, this reference to the three motives (race, creed or colour) must be interpreted in a broader sense (“without any kind of distinction”).

Secondly, a teleological interpretation, which considers the aim and the context, makes it just as clear that the literal tenor of the aforesaid article 1.1 is identical to article 2 of Resolution 1514 (XV) of 14 December 1960 (the so-called Magna Carta doctrine of Decolonisation). The decolonisation process is, in reality, the natural framework in which the aforesaid right to self-determination must be interpreted, and not a context such as that of Catalonia, set in a democratic state, amply devolved and with full respect for the demands arising from the Rule of Law and from the protection of human rights.

In other words, the defended right to separation, as the result of the principle of the self-determination of peoples, is only applicable in three circumstances: a colonial situation (de-colonising process), peoples annexed by conquest, foreign domination or occupation (for example, the Baltic countries after the cold war) and peoples oppressed by massive and flagrant violation of their rights (such as South Sudan or perhaps, for some, Kosovo).

Thirdly, it is equally clear that the exercise of this right has to be conducted pursuant to the
provisions of the Charter of the United Nations and to the other principles of International Law that regulate these matters, and to the jurisprudence of the International Court of Justice (e.g. Consultative opinion on the consequences of the construction of a wall in the occupied Palestinian territories, ICJ, Rec. 2004; opinion of 1975 on Western Sahara, ICJ Rec., 1975; ruling of 1995 on East Timor, ICJ, Rec., 2004, etc.) And these principles include the aforesaid principle of territorial integrity.

“Colonial peoples have a right to self-determination that is distinct from any right of the people of the metropolitan state. Partly for this reason, states have generally been less reluctant to recognise secession by colonial territories. Since Scotland is part of the metropolitan UK, state practice that depends on the colonial status of territories is of little or no relevance.”

“Outside the colonial context, the principle of self-determination is controversial. The Canadian Supreme Court has held that ‘a right to secession only arises under the principle of self-determination of peoples at international law where “a people” is governed as part of a colonial empire’. In metropolitan territories such as Scotland, ‘peoples are expected to achieve self-determination within the framework of their existing state’ and a state that ‘respects the principles of self-determination in its internal arrangements ... is entitled to maintain its territorial integrity under international law” (párrafo 174).

Voices have been raised against independence from Spain as a whole, but also from the very heart of Catalan political life.

“We have already self-determined. We are in favour of this Constitution, which we have voted for and will vote for until the end, and we are in favour of autonomy and the statutes that this Parliament, when the time comes, will vote for, and nothing else, absolutely nothing else. Our self-determination leads us to this result and only to this result [...] I have published a thousand times, I have written a thousand articles, I have spoken on a thousand occasions, in Catalonia, which is where these things should be said, and not here, that I was not a separatist, I was not in favour of independence, we feel solidarity for a modern, democratic and progressive Spain, we were going to buckle down and help everyone just like the rest, provided that we were treated as equals, and as we have been treated as equals, I solemnly declare to this House that you can count on us.”
Ramón Trías Fargas, Catalan deputy, Mixed Parliamentary Group (Catalan Minority Group), Congress, 21 July 1978, in the debate on the Letamendia Amendment on the self-determination of peoples

“In our pragmatic conception, we talk of the right to self-determination and we understand it, in the sense that it has traditionally been understood, as a method for resolving the problem of the nationalities in developed communities. We also say that we do not
understand at all that this method has to culminate in independence, in separation […] We have approved an article 2 that very clearly defines what we understand by Spain when we say and use complementary terms, the indissoluble unity of the Spanish nation, common and indivisible homeland of all Spaniards, right to autonomy of the nationalities and regions that comprise Spain, which comprise this Spanish nation and solidarity among all of them as a common fundament that keeps them united to forge this concept of Spain that we have defined here and we have approved.”

Jordi Solé Tura, Catalan deputy, of the Communist Parliamentary Group, Congress of Deputies, 21 July 1978, in the debate on the Letamendia Amendment about the self-determination of peoples.

Other texts:

“The peoples of Spain have been self-determining for centuries and they self-determine today in the irreversible will to live in common.”

Miguel Herrero y Rodríguez de Miñón, Deputy of the Group Unión de Centro Democrático, Congress of Deputies, 21 July 1978, in the constitutional debate

“But today, we would like to highlight a serious historic mistake. The declaration intends to found the “right to decide” of the Catalan people on the “right to self-determination of peoples”. But nothing could be further from the truth and the reality of history. In the International Community the “right to the free determination of the peoples” has been recognised; but not to self-determination”. But this occurs in an international context, at an historic moment and regarding some peoples, completely different from the current moment […] It is evident that only on the basis of manipulation or ignorance, or both at the same time, could those precedents be invoked – they are the fundamentals of the right to decide – to demand the pretended independence of Catalonia in the 21st century, in a modern, developed country in which its members enjoy all the rights and freedoms, civil and economic, recognised in the Spanish Constitution and the current Statute.”

Carlos Jiménez Villarejo, former corruption prosecutor, in the article “Independencia, entre el engaño y la insolidaridad”, in the Catalan newspaper “El Periódico”, 21 January 2013

3.4 Secession of States in International Law

In the case of the separation of a part of the territory of a State, intending to form another state, International Law regulates the legal consequences under what is known as the institution of the “succession of states”. In this sense, apart from the fact that the two international treaties that regulate the issue with intended universality have either not yet come into effect (Convention on the succession of states in matters of goods, archives and debts of state, 8 April 1983) or still have only a limited number of ratifications (Convention of Vienna, on the succession of states in matters of treaties, 23 August 1978), there are general principles and customary law that are fully grounded in this matter. All the provisions concerning the secession
of states presuppose that the separation has occurred pursuant to General International Law.

“This Convention shall be applied only for the purposes of a secession of states that occurs pursuant to international law and, in particular, to the principles of international law incorporated in the Charter of the United Nations.”

**Article 6 of the 1978 Convention and article 3 of the 1983 Convention**

Hence, in the case in question, as far as secession is concerned in matters of treaties, the principle of continuity would clearly rule, so that Spain would be the continuing state of all the international treaties to which it is signatory, unless there were an agreement to the contrary between the states concerned or unless some specific treaty could suggest another consequence as it is incompatible with the objective and purpose of the treaty or radically change the conditions of its execution. In this sense, for example, concerning the territorial treaties dealing with borders, the use of international rivers or other territorial use, both international practice and the very jurisprudence of the International Court of Justice have ruled in favour of the full validity of the principle of continuity in the interests of guaranteeing the principle of stability. This means, therefore, that the new state would be totally uncovered by the international treaties to which Spain is currently a signatory.

As far as secession is concerned with regard to debts, understood as “all and any financial obligation of a predecessor state with another state, an international organisation or with any other subject of international law, arising pursuant to international law” (art. 33 of the 1983 Convention), the agreement between the parties rules first. However, if there is no agreement, international law establishes the criterion for the transmission of the debt in an equitable proportion. That is, the principle of the clean slate does not prevail, so the new state would also have to contribute (equitably) to the payment of existing debts.

“1. Article 40.1 When one or several parts of the territory of a state separate from it and form a state, and unless the predecessor state and the successor state have agreed otherwise, the state debt of the predecessor state shall be passed to the successor state in an equitable proportion, having taken into account in particular the goods, rights and interests that are passed to the successor state in relation to this state debt.

2. Paragraph 1 shall be applicable if a part of a territory of a state separates from it and joins another state.”

**Article 40 of the 1983 Convention**

Equally, in matters of sharing out goods, understood as “the goods, rights and interests that on the date of the secession of states and pursuant to the domestic law of the predecessor state, belonged to this” (art. 8 of the 1983 Convention) the same criteria of equitable compensation would prevail. That is, an agreement would have to be reached between the two states and if this were not possible, there has to be equitable compensation. In general terms, Spain could be considered as continuing to hold title to the goods that it already holds title to, although the immovable goods and movable goods of the predecessor state (Spain) that are situated (or bound) in the alleged state (Catalonia) could become the goods of this latter party (art. 17 of the 1983 Convention).
Finally, as far as the other subjects of international law, other than states, are concerned, Spain would continue to be a member of all the international organisations that it currently is a member of (in some cases, such as the EU, certain internal adjustments could be required of the conditions), while the new state would remain outside of them. From here, if the new state wished to join any of these international organisations, including the UN or NATO, it would have to meet the requisites of admission of the founding treaty of the corresponding international organisation and, therefore, negotiate conditions like any other candidate state. Such a situation is particularly clear in the case of the European Union.

3.5 The right to secession in democratic constitutions

The impossibility of resorting to the principle of the free determination of peoples in the case, for example of Catalonia, does not only arise from public international law. Comparative law also corroborates this situation. Hence, a superficial review of this comparative law, by means of the constitutional law of the federal and democratic states of reference, leads to the conclusion that the right to secession as a consequence of an alleged right to self-determination has been denied outright by the highest courts of these states. The US Supreme Court has not modified the stance it took in the well-known affair of Texas vs. White (1868) as they consider that the secession of the Southern States was unconstitutional. Even the oft-quoted declaration of the Canadian Supreme Court of 20 August 1998 made it well established that the secession of Quebec would only be feasible if there were first a reform of the federal Constitution (2 Supreme Court Reporter (SCR) 217). And no other path could be used in Spain.

“Considered therefore as transactions under the Constitution, the ordinance of secession, adopted by the convention and ratified by a majority of the citizens of Texas, and all the acts of her legislature intended to give effect to that ordinance, were absolutely null. They were utterly without operation in law.”
Supreme Court of the United States, case Texas vs. White (1868)

“A state whose government represents the people as a whole or the peoples residing in its territory, based on equality and without discrimination, and which respects the principles of self-determination in its internal affairs, is entitled to maintain its territorial integrity by virtue of international law and to the recognition of said territorial integrity by other states. Quebec does not constitute a colonised or oppressed people, nor can it be pretended that the Quebecois have had effective access to the government to ensure their political, economic, cultural and social development rejected. In such circumstances, the National Assembly, the provincial legislative power, or the Government of Quebec do not, by virtue of international law possess the right to proceed unilaterally to the secession of Quebec from Canada.”
Supreme Court of Canada, case Secession of Quebec (1998)

“How is this self-determination up-dated? Peoples who have recently reached History open their presence with a formal act of irreversible self-determination and do not forget the word “irreversible” because, at the beginning of a history – and the quote
is word for word – “the representatives of the United States of America, convened in general Congress, taking the Supreme Judge of the Universe as witness, declare themselves free and independent.” But “we, the people of the United States” did not tolerate any form of secession and even resorted to a bloody war to maintain what its Supreme Court called “indestructible union of indestructible states.”

Miguel Herrero y Rodríguez de Miñón, deputy of the Unión de Centro Democrático Group, Congress of Deputies, 21 July 1978

Perhaps, as a basic criterion of teleological interpretation to determine the will of the founding legislator in Spain, it would be worth remembering that during the preparatory debates on the Spanish Constitution, the proposal presented by Deputy Letamendia to expressly recognise a right to self-determination of the peoples of the state that would enable them to choose between remaining part of Spain or forming another independent state, was rejected outright (268 votes against, 5 votes in favour and 11 abstentions).

Once again, we find firm positions against secession in Catalan political life:

“I have voted against the amendment of Señor Letamendia, and I have voted against it because, in my opinion, as proposed by the amendment this morning, it was or could be a clear path to the independence of the diverse peoples of Spain; peoples who, in the course of their prolonged, difficult and so-often harsh common history, have maintained a permanent will to seek formulas of understanding and union, formulas that regrettably have not always been attained […] I am delighted to have the opportunity to make this speech today from a Catalan perspective, from a Catalan political party that has, since the day it was founded, defended the inalienable right of Catalonia and of other peoples of Spain to the recognition of their historic identity.”

Carles Güell Sentmenat, Mixed Parliamentary Group, Congress of Deputies, 21 July 1978

“The ideological objections that Jordi Solé Tura [Catalan jurist, one of the seven fathers of the 1978 Constitution] made to self-determination seem to be compatible. The Catalan professor thought from a political point of view, that such a claim, as a means for attaining independence, of some territories of Spain, was, first of all, unnecessary, once the autonomic state ensured sufficient political cover for the nationalities and regions, by endowing them with the institutional opportunities and competences of self-government. He believed, furthermore, that this pretension constituted an incongruent and disloyal expedient, as the demand for self-determination weakened the legitimacy of Spanish territorial organisation, which had opted for autonomy.”

Juan José Solozabal, Professor of Constitutional Law, Autonomous University of Madrid, EL PAIS, 8 November 2012

“It is surprising that, in the midst of this socially unjust crisis, the demand for the right to decide has become transformed into the last cry in democratic radicalness. It is paradoxical because such a right, to unilateral secession, does not exist in any democracy in the world, nor in international law.”

Joaquim Coll, professor at the University of Barcelona, El País, 2 May 2013

Other texts:
“A state whose government represents the people as a whole or the peoples residing in its territory, based on equality and without discrimination, and which respects the principles of self-determination in its internal affairs, is entitled to maintain its territorial integrity by virtue of international law and to the recognition of said territorial integrity by other states. Quebec does not constitute a colonised or oppressed people, nor can it be pretended that the Quebecois have had effective access to the government to ensure their political, economic, cultural and social development rejected. In such circumstances, the National Assembly, the provincial legislative power, or the Government of Quebec do not, by virtue of international law possess the right to proceed unilaterally to the secession of Quebec from Canada.”

Ruling of the Supreme Court of Canada, 20 August 1998

## 3.6 The cases of Quebec and Scotland

The cases of Quebec and Scotland are, first and foremost, examples of how the rule of law is the only way to develop political options.

The rule of law in Spain sets forth the means for reforming the Constitution. The means established by the United Kingdom and Canada are different, but their foundation is the same, respect for the rule of law.

Those who support a unilateral separation are opposed to proceeding pursuant to the law.

The British government made it very clear at the time that the Parliament of Edinburgh could not act unilaterally, which would have been contested from the beginning. What has been done, because it is permitted in the British legal setting – very different from ours – is to momentarily transfer the competence for calling a referendum from Westminster to Edinburgh, a possibility that emanates from the very sovereignty of the British Parliament and contemplated in article 30 of the 1998 Scotland Act, which in our terms, is the equivalent to the Statute of Autonomy.

Nobody in Scotland has thought of invoking a collision between the “juristic legality” and a so-called “democratic legality”

“There will be times when there are people who will wish to counter a juristic legality with a democratic legality”

Felip Puig, Minister of the Interior of the Generalitat de Cataluña

Our Constitution consecrates the Spanish nation as a political and social reality prior to the Constitution itself. National unity, therefore, is the fundament of our Constitution.

Thus, in our legal setting, the only way to hold a referendum in the way posed by the United Kingdom to Scotland would be to amend the Constitution.

In summary, the United Kingdom and Spain, have different constitutional systems; between
Scotland and Catalonia, there are different levels of competences; between Scottish and Catalan nationalism, there are different attitudes of responsibility; and between the British and the Spanish governments, there is an identical acceptance of the rule of law: to the rule of a different law, but the observance of the principle produces the same result: civilised coexistence guaranteed by law, which we have a duty to preserve.

Concerning Quebec, the ruling of the Supreme Court of Canada is conclusive:

“In summary, the right to self-determination in International Law provides, at the most, an opening to the right to external self-determination in the case of the former colonies; in the case of oppressed peoples, such as the peoples subjected to a foreign military occupation: and also in the case in which a defined group is denied real access to the government to ensure its political, economic, social and cultural development. In these three situations, the people in question enjoy the right to external self-determination because they are denied the faculty to exercise their right to self-determination internally. These exceptional circumstances are manifestly not applicable to the case of Quebec. Hence, neither the population of Quebec, even if it is classed as a people or peoples, nor its representative institutions, the national assembly, the legislative power or the government of Quebec possess, by virtue of international law, the right to unilaterally proceed to secede from Canada.”

Supreme Court of Canada Judgment requested by the Federal Government with reference to certain questions concerning the secession of Quebec from the rest of Canada formulated in Decree 1497/1996, 30 September 1996

“If Quebec decided its independence one day against the opinion of Canada, I can assure you that it would not have any international recognition. The idea of a unilateral secession is, in my opinion, unreal and irresponsible.”

Stéphane Dion, former Canadian minister, author of the 1995 Clarity Act. “Que Cataluña se mire en el espejo de Kosovo es un error” ABC, Madrid, 9 April 2013

### 3.7 The case of Kosovo

The Dayton Peace Treaty of November 1995 put an end to the civil war in Bosnia and solved the territorial conflict between Serbia and Croatia as a consequence of the war of 1991, but it did not deal with the Kosovo issue.

Faced with a majority of Albanians around nationalist leader Ibrahim Rugova, who defended the independence of Kosovo through peaceful means, in the 90s, a terrorist group was formed, called the Kosovo Liberation Army (UÇK from the Albanian initials), whose leader, Hashim Thaçi, current prime minister of Kosovo, decided to fight for independence with arms, which he got en masse from Albania in 1998 due to the collapse of this country.

The Serbian anti-terrorist struggle was extremely hard and on occasions, led to killings (on both sides). The close precedent of Bosnia, where the International Community was unable to put
an end to the civil war in four years and where episodes of genocide and ethnic cleansing took place, caused a feeling of guilt and impotence.

The fear that the same thing would happen in Kosovo led the International Community to intervene and, at the beginning of 1999, called a peace conference in Rambouillet (France). The USA put a peace plan on the table – an ultimatum – in Rambouillet that contemplated ample autonomy for Kosovo and this was accepted by the Kosovar representatives.

In 1999, The UN Security Council met and adopted Resolution 1244 (1999) which recognised the territorial integrity of (what remained of) Yugoslavia and its sovereignty over all its territory (including Kosovo).

The Secretary General of the UN then appointed the former President of the Republic of Finland, Martti Ahtisaari, as his special envoy to find a definitive statute of autonomy for Kosovo. Under his good offices, several meetings were held between Serbian and Kosovar delegations, without success.

In these conditions, Ahtisaari, in December 2007, presented a plan for Kosovo that contemplated its supervised independence and which – in contravention of Resolution 1244 – allowed the provisional authorities of Kosovar self-government to proclaim their independence unilaterally (Unilateral Declaration of Independence proclaimed in 2008, by the Parliament of Kosovo).

The arguments proffered by the Quintet (USA, United Kingdom, Germany, France and Italy) included the fact that Kosovo was a case sui generis, which would not under any circumstances set a precedent, that there was no alternative and that the autonomy solution was not viable after the mistreatment suffered by the Albanians at the hands of the Serbs.

The International Court of Justice later established its well-known judgment on Kosovo, of 22 July 2010, that the unilateral declaration of independence of Kosovo, of 17 February 2008 “did not violate general international law” (section 84), although, as we will see later on – it did not go into the depths of the issue: independence in itself.

The stance taken by the International Court of Justice (ICJ) in the Kosovo matter cannot necessarily be extrapolated to the case of Catalonia. For a start, one should not lose sight of the fact that the ICJ was neither asked nor did it pronounce on whether international law conferred Kosovo sufficient positive entitlement to declare its independence (section 56).

“The issue put to the Court does not oblige it to take a position on whether international law gave Kosovo a positive entitlement to unilaterally declare its independence or, a fortiori, about whether international law in general grants entities situated within a state the right to unilaterally separate from it.”

International Court of Justice, Judgment of 22 July 2010, on the conformity with international law of the unilateral declaration of independence of Kosovo (section 56)

Furthermore, the radical difference between a territory that has been subjected to atrocities that go against the most elemental postulates of international law and a territory in which a democratic constitution based on the rule of law is applied and where a high degree of political and competence devolution is recognised is obvious from any point of view. In fact, as has been
pointed out previously, the peoples oppressed by the massive and flagrant violation of their rights is precisely one of the few cases in which one can allege the right to self-determination, as a consequence of said massive and flagrant violation of human rights.

“The Court observes that the constitutional framework forms part, at the same time, of a specific legal order created in accordance with Resolution 1244 (1999) that is applicable solely to Kosovo and whose objective is to regulate questions that would usually be covered by domestic law and not by international law, during the provisional phase established in this Resolution” (section 89).

International Court of Justice Judgment of 22 July 2010, on the conformity with international law of the unilateral declaration of independence of Kosovo.

“Aware that Kosovo is a special case arising from the dissolution of Yugoslavia without consensus and that is sets no precedent for any other situation.”
Kosovo Assembly, Declaration of independence of Kosovo, 17 February 2008

“It scares me too, but at the same time, I have great confidence in “el seny de los catalanes” and I believe that in the end, things will be solved one way or another, because in this global world, independence does not exist. It is delightful to recognise that we form part of a world in which we are all bound to each other. There is also something called generosity; any people, if they only think of themselves and are not generous with others, harm themselves.”
John H. Elliot, answering the following comment made by a journalist about the latest book by the British historian: “Does it make you shiver when evoke that parallelism in your book, the mythification of the history of Kosovo and that of Catalonia.”
el País, 6 January 2013

“Looking at oneself in the separatist mirror of Kosovo is a great mistake: What are they going to achieve that way, a partial recognition? Kosovo is not in Europe, it is not in the United Nations. Some countries have recognised it, but how does that help them? Furthermore, the Kosovar case is absolutely singular.”
Stéphane Dion, former Canadian minister, author of the 1995 Clarity Act. “Que Cataluña se mire en el espejo de Kosovo es un error” ABC, Madrid, 9 April 2013

3.8 Secession and independence in the legal framework of the European Union

“It is dangerous to raise false hopes in people about a unilateral independence. The truth must be told: if Catalonia embarked on that path, it would be a long path that would require a modification to the Constitution, the European treaties… Belonging or not to the EU does not only depend on the negotiations, but on the legal status, on the conditions set forth in article 49. The Spanish Constitution says that Spanish territory is indivisible. The Constitution would have to be changed, for the new state to be recognised…. And that would take a long time.”
Jean-Claude Piris, former legal adviser of the European Council, El Pais, 1 October 2013

The legal order of the European Union is explicit, clear and conclusive about a unilateral declaration of independence. In fact, an analysis of Union practice, and above all of its legal order, leads to some important conclusions.

First of all, although in practice there are no equivalent precedents in the matter, experiences deriving from the independence of Algeria from France (1962), or from German reunification (1990), lead to the clear conclusion that the Union is not the one to decide about possible mutations of the territory of its Member States. That is the competence of the states and the Union only intervenes to regulate its consequences for community law. Moreover, it is equally clear that we cannot talk about member territories of the Union, only Member States of the Union with respect to whose territories, the founding treaties establish the possible modulations.

Article 4.2 of the European Union Treaty establishes the following: “The Union shall respect (...) the essential functions of the state, especially those aimed at guaranteeing its territorial integrity, maintaining public order and safeguarding national security.”

This means of course, that the Union has to guarantee respect for the authority of the Member States to guarantee their “territorial integrity.”

Secondly, it is equally evident that the European Union is a Union of States.

The obvious premise is that the High Contracting Parties to its founding treaties are the states (art. 1 TEU) and that these treaties are applicable to the states (art. 52.1 TEU) with the specific particularities that they may establish by the will of those states (art. 52.2 TEU and 355 FTEU). In short, in the now classical words of the German Constitutional Court, the states are “die Herren der Verträge”, that is, “the lords and masters of the treaties”.

What is more, the original law of the EU expressly recognises the Union’s obligation to respect “the national identity” of the Member States that is “inherent to their fundamental political and constitutional structures, also with regard to local and regional autonomy” (art. 4.2 TEU). The same precept even adds with total clarity that the Union “will respect the essential functions of the state, especially those aimed at guaranteeing its territorial integrity, maintaining public order and safeguarding national security.”

That means of course, that Union has to respect the authority of the Member States to guarantee their “territorial integrity”.

Third, it would be totally inconsistent to resort to the alleged European citizenship of the eventual nationals of an independent Catalonia to sustain the automatic consideration of the new state as a member of the Union. We are faced with a biased legal construct that ignores the elemental fact that the European citizenship is not original, but derived from the fact of enjoying the nationality of a Member State.

According to article 9 of the Treaty on the European Union, “all persons who have the nationality of a Member State shall be a citizen of the Union. The citizenship of the Union shall be added to
the national citizenship without substituting it”, a principle that is repeated verbatim in article 20 of the Treaty of Functioning of the European Union.

That is, if one is a European citizen – and therefore, one enjoys the statute of rights and duties deriving from such condition – it is because one has title to the nationality of a Member State. Consequently, if Catalonia becomes an independent state from Spain and therefore, is not a member of the Union, “its nationals” would hold a new nationality of their own and, except for cases of voluntary double nationality, would not enjoy the nationality of any state of the Union and therefore, neither would they enjoy the European statute of citizenship.

To clarify further, although it is completely redundant, the founding treaties insist both on the elemental idea that “citizenship of the Union is added to the national citizenship, without substituting it” (art. 20.1 in fine TFEU), and that the rights inherent to that European citizenship “shall be exercised in the conditions and within the limits defined by the Treaties and by the measures adopted in application of these” (art. 20.2 TFEU). And in this regard, there is no need to insist once again on the clear link of all the norms applicable to the territory of the Signatory States to the founding treaties. All in all, if any doubt were to remain in this regard, one can remember that the jurisprudence of the European Court of Justice, as the maximum interpreter of community law, has clearly established the doctrine explained above.

And fourth, what in some sectors is known – in a politically partial and unfortunate manner from a legal point of view – as “the internal extension” is by no means acceptable. The founding treaties make it quite clear that title to the condition of Member State of the Union and its national identity is held by the Kingdom of Spain (art. 4.2 TEU). What else has also been clearly established by the Court of Justice is that Spain is the only subject, irrespective of the internal structure put in place (ruling of the ECJ of 29 November 2007, C-10/06P, Rafael de Bustamante Tello). Once again, it is enough to refer to the nominal list of states (Kingdom of Spain) that is drawn up when regulating the scope of application of the treaties (art. 52.1 TEU) to corroborate this elemental legal premise beyond a doubt.

“Even if the distribution of competences on the internal state plane varies in accordance with the institutional structure of each state, the state should have the consideration, in public international law, of sole subject. In the light of this interpretation, the state is required to be represented before other states and before international organisations, by a single diplomatic system of representation that is a reflection of the unity, in the international plane, of the state in question.”
EU Court of Justice, ruling of 29 November 2007, Rafael de Bustamante Tello Council, C-10/06 (section 39)

“The Union respects the national identity of its Member States.”
EU Court of Justice, ruling of 22 September 2010, Sayn-Wittgenstein, C-208/09 (section 92)

In short, an independent Catalonia desiring to obtain the condition of a new state in the international community would place it ipso facto outside of the European Union. For all purposes, it would be a new state that, should it wish to join the Union, would have to follow the accession procedure expressly set forth in the founding treaties (art. 49 TEU). Taking for granted that this new state fulfilled the objectives and values demanded by the Union (art. 2 TEU) and it undertook
to promote them, then it could apply for membership of the Union (art. 49 TEU). It would present its application to the Council, which would have to make a unanimous pronouncement – that is, any of the current 28 member states would have a kind of veto right – after having consulted the Commission and after receiving the approval of the European Parliament, which would make its pronouncement by the majority of its members. The new state, in turn, would then have to negotiate an accession agreement that would set the conditions of membership and this would also have to be ratified by all the member states in accordance with their internal constitutional norms, including ratification by Spain.

It would, therefore seem obvious that there is no legal way to get around this process of new membership. Any resort to legal deliberations based on other accessory elements does not fit in the framework of Union law. Starting with the legal construct that some planned to use concerning linking the presence of Catalonia in the Union to the statute of citizenship.

“The EU is founded on Treaties which apply only to the Member States who have agreed and ratified them. If part of the territory of a Member State would cease to be part of that state because it were to become a new independent state, the Treaties would no longer apply to that territory. In other words, a new independent state would by the fact of its independence, become a third country with respect to the EU and the Treaties would no longer apply to its territory. Under Article 49 of the Treaty on European Union, any European state which respects the principles set out in Article 2 of the Treaty on European Union may apply to become a member of the EU. If the application is accepted by the Council acting unanimously, an agreement is then negotiated between the applicant state and the Member States on the conditions of admission and the adjustments to the Treaties which such admission entails. This agreement is subject to ratification by all Member States and the applicant state.”

Jose Manuel Durao Barroso, President of the European Commission, in a letter to Lord TUGENDHAT, Acting Chairman, House of Lords, 10 December 2012

“The European Communities and the European Union have been established by the relevant treaties among the Member States. The treaties apply to the Member States (Article 299 of the EC Treaty). When a part of the territory of a Member State ceases to be a part of that state, e.g. because that territory becomes an independent state, the treaties will no longer apply to that territory. In other words, a newly independent region would, by the fact of its independence, become a third country with respect to the Union and the treaties would, from the day of its independence, not apply anymore on its territory. Under Article 49 of the Treaty on European Union, any European State which respects the principles set out in Article 6(1) of the Treaty on European Union may apply to become a member of the EU. If the application is accepted by the Council acting unanimously, a negotiation on an agreement between the Applicant State and the Member States on the conditions of admission and the adjustments to the treaties which such admission entails. This agreement is subject to ratification by all Member States and the Applicant State.”

Answer given by Mr Prodi on behalf of the European Commission, 1 March 2004.

“Yes. The legal context has not changed since 2004 as the Lisbon Treaty has not introduced any change in this respect. Therefore the Commission can confirm its position as expressed in 2004 in the reply to the written question P-0524/04.”
Answer given by Mr Barroso on behalf of the European Commission, 3 December 2012

“The European Commissioner for the Internal Market and Services, Michel Barnier, has assured us on Thursday that “nobody can fail to understand” that if a region like Catalonia, becomes independent and leaves the European Union, it will have to negotiate its admission into the community block with a new treaty of admission. In a joint press conference with the Minister of Foreign Affairs, José Manuel García-Margallo, in the department offices in Madrid, Barnier highlighted the fact that the “rule” in the European Union is that “if a region leaves”, “it also leaves the community block” and “a new admission treaty has to be negotiated. Nobody can say that they don't understand or comprehend this rule” he assured, when asked whether the EU should make it clear that the secession of Catalonia entails it leaving the community club. The European commissioner emphasised the fact that the European Union must respect “the treaties” on which the “constitutions” of each country rest. In short, he said that the European Union “must respect the sovereignty of the citizens.”

Europa Press, 19 September 2013

“The autonomy, the independence or not of Catalonia is an internal problem of Spain, it is not a European problem. It must be resolved within the Spanish Constitution and not through the European treaties.”

Martin Schulz, President of the European Parliament, Europa Press, 5 July 2013

“I do not know any member state of the EU willing to accept a unilateral independence of Catalonia; an independent Catalonia would “automatically” be out of the EU and would have to join the queue if it applied to start an accession process, which, if accepted, would be submitted to the criterion of unanimity in each of the phases and chapters of that negotiating process.”

José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation, 19 December 2012

“If Catalonia left Spain it would be out of the European Union”

Jose Manuel Durao Barroso, President of the European Commission, 17 November 2012

“Question from Deputy ALFREDO BOSCH I PASCUAL, of the Mixed Parliamentary Group put to the Minister of Foreign Affairs and Co-operation: Would the Spanish Government veto EU membership of a Scotland that had attained independence based on a process agreed upon between the Scottish government and the British government? The SPEAKER: Question addressed to the Minister of Foreign Affairs and Co-operation. Asked by Deputy Alfredo Bosch, of the Mixed Parliamentary Group. Mr Bosch i Pascual: Mr García-Margallo, would the Spanish government veto European Union membership of an independent Scotland as the result of a process agreed upon between the Scottish government and the British government? And as we are talking about it and as we have few chances to ask you questions, if I may, I would also like to ask if the Spanish government would veto the membership of an independent Catalonia in the European Union. Thank you. The SPEAKER: Thank you Deputy, Minister, the MINISTER OF FOREIGN AFFAIRS AND CO-OPERATION (García-Margallo Marfil): The first duty of a politician is to tell the truth. Today, for the first time, your Group recognises that if a part of a member
state attains independence and forms a new state, it automatically ceases to belong to the European Union. It is not excluded; it excludes itself; whether it is Scotland or Catalonia. For over a year all the heads of the Union have repeated this ad infinitum and you have denied it over and over again until today. (Applause) The SPEAKER: Thank you Minister, Deputy Mr Bosch i Pascual: Minister, I am surprised that you, as the Foreign Secretary, do not have a stance on this issue and you base your reply on the declarations of others, even on ours – I thank you for that – and if you do not have a stance, I would also thank you for that. This lack of a position that we have seen in your reply, I would urge you not only to apply it to Scotland, but also to Catalonia. I know that you will say that the cases are not comparable. You are right, they are not comparable, so why does your head of Government compare them? Talk to your boss and decide on whether the cases of Catalonia and Scotland are comparable or not. Furthermore, the same year, exactly the same year, we are going to ask the citizens interchangeable questions, then, politically, they are identical, the constitutional framework too, because you will have heard of the Act of Union of 1707, which says that Scotland will remain united to the United Kingdom forever after; that is, very similar to the Spanish constitutional setting. One thing you are right about is when you say that it is very different; it is very different because the United Kingdom is not the Kingdom of Spain and the British government is very different from the Spanish government. A few days ago, an English friend asked me: (do you in Spain have democratic governors or do you have hooligans? What have you got there? (Protests) That is what is spreading around the world. The British government embraces the vote, you, the veto; they, democracy, you, prohibition. You have a problem that is called ballotophobia (Murmurs); ballotophobia, Minister, panic over the ballot box. That can be solved, we can talk and see how we can agree to go to the ballot box to talk about national freedom, if you like, if not, we will start voting, because we are free, of age, responsible and we will vote, we will... (Protests) The SPEAKER: Thank you Mr Deputy. Minister The MINISTER OF FOREIGN AFFAIRS AND CO-OPERATION (García-Margallo Marfil): The government does not work with hypothesis, but you can be sure that the United Kingdom’s position will be decisive when Spain establishes its position. As for the rest, Scotland and Catalonia have three things in common; the first is that anyone who excludes themselves from the European Union has to join the queue if they want to be part of it again; the second is that to join the Union, they must meet two conditions, be recognised as a state by the international community and be accepted unanimously by the twenty eight member states; the third is that the two governments have acted with scrupulous respect for constitutional and international legality. That is what the rule of law consists of; in acting loyally, that is, pursuant to the law. The unwritten British constitutional order allows Scotland to separate from the United Kingdom, our Constitution does not, because national sovereignty lies with all the Spanish people and because the Spanish nation is indivisible; a principle that is written into all written constitutions with the exception of the Ethiopian one. The government will devote all its efforts to ensuring that the Catalans, who are a fundamental and well-loved part of Spain, do not suffer the consequences of an initiative that leads Catalonia to a cul-de-sac; an initiative that will allow you to gain two years talking about an impossible right to decide and not about the everyday rights that make life better for the Catalans, but it is going to cost all Catalans two years and those that have followed you, an enormous disappointment when the mirage that you are proffering fades away. (Applause) A Deputy: (Fantastic!) The SPEAKER: Thank you Minister.”

Plenary of the Congress of Deputies, 18 December 2013
“The consequences for the new state, whether it is Catalonia, Scotland or Flanders, are quite clear: it would become a new state and therefore de facto and de jure, it would leave the European Union. The Treaty of Lisbon establishes that if a member state of the EU wishes to leave, it may do so, but there is nothing established concerning a region leaving. What does exist is a speech of the European institutions that is quite clear; if a state were to leave, it would have to apply for its later membership to the European Union. There is no doubt.”

Yves Bertoncini, Director of the Jacques Delors-Notre Europe Institute, La Razón, 25 November 2012

“The European Community and the European Union were constituted by means of the pertinent treaties between the member states. These treaties are applied to the member states (…). When a part of the territory of a member state ceases to form part of that state, for example, because it becomes an independent state, the treaties would cease to be applicable to that state. In other words, a newly independent region, by the very fact of its independence, would become a third party state in relation to the Union and, from the day of its independence, the treaties would no longer be applicable on its territory.”

Answer by Romano Prodi to the question posed in the European Parliament, Can the Commission confirm that if a member state were divided, because a region democratically attained independence, the precedent set by Algeria would be applicable? Official Journal of the EU C 84E, 3 April 2004, p.422

“This suggests that it is open to the UK to change the territorial scope of the treaties unilaterally by granting Scotland independence. The treaties would continue to apply to the reduced territory of the UK but would, on their face, cease to apply to an independent Scotland unless amended.”


“Why would it be of interest to include in the Union a political community such as an independent Catalonia, based on such a regressive and out-dated nationalist ethos that apparently cannot cope with the discipline of loyalty and solidarity that one would expect it to have towards its co-citizens in Spain? The very petition for independence from Spain, an independence from the need to manage the political, social, economic and cultural differences within the Spanish political community, independence from the need to resolve differences and transcend the historic moment, disqualifies Catalonia and other similar cases morally and politically as future member states of the European Union.”

Joseph H. H. Weiler, Professor of the Faculty of Law of the University of New York. ABC, 3 November 2012
3.9 Scotland, Catalonia and the EU

The Treaties do not contemplate the possibility of a territorial modification of a member state as they understand that it is a question of internal order. Hence, article 4.2 of the Treaty of the Union establishes that:

“\textit{The Union shall respect the equality of the member states before the Treaties, and their national identity, inherent to their fundamental political and constitutional structures, also with regard to their local and regional autonomy. It shall respect the essential functions of the state, especially those aimed at guaranteeing its territorial integrity, maintaining public order and safe-guarding national security. In particular, national security will remain the exclusive responsibility of each member state.}”

In other words, the Treaty on European Union establishes respect for the national identity inherent to its political and constitutional structures. In the case of Spain, this means that the Union recognises the “indissoluble unity of the Spanish nation, common and indivisible homeland of all Spaniards” (Art. 2 of the Spanish Constitution). Pursuant to the TEU, furthermore, the Union shall respect the functions of the state, especially those aimed at preserving territorial integrity.

Article 52 of the Treaty on European Union indicates that:

“\textit{The Treaties shall apply to the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.}”

Even if the Treaties say nothing specifically about the consequences of an eventual secession of part of a member state – whether this is Scotland or Catalonia – pursuant to international law, the following deductions can be made:

- The eventual break-away region would have to be recognised as a state by all the member states.
- Then, if the successor state wished to join the EU, it would have to apply for accession to the Union under the conditions of article 49 of the TEU concerning joining the Union, which establishes that: “the applicant state shall address its application to the Council, which shall act unanimously, after consulting the Commission and after receiving the approval of the European Parliament.”
- Community law would cease to apply to the successor state, including the four freedoms of the internal market, with the consequent economic effects for the new state.
- The citizens of the successor state would lose their European citizenship, given that article 20.1 of the TFEU sets forth that “[…] any person who holds the nationality of a member state shall be a citizen of the Union […]”
In light of the precedents of the most recent accessions, accession negotiations would take years.

The Scotland report on the consequences of an independent Scotland (2013), commissioned by the British government of Professors Boyle – of the University of Edinburgh – and Crawford – of the University of Cambridge, establishes that:

“In the event of a vote in favour of leaving the UK, in the eyes of the world and in law, Scotland would become an entirely new state. It is not legally possible for two new states to inherit the international personality of the former state. The remainder of the UK (comprising England, Wales and Northern Ireland) would continue as before, retaining the rights and obligations of the UK as it currently stands. There are four main reasons for this (Paragraph 2.16):

• The majority of international precedent, with examples spanning the creation of an Irish state from within the UK, and the break-up of the Soviet Union;
• The retention by the continuing UK of most of the population (92 per cent) and territory (68 per cent) of the UK;
• The likelihood that the other states would recognise the continuing UK as the same legal entity as before Scottish independence, not least because of the UK’s pivotal role in the post-war world order; and
• The fact that, on the rare occasions when one state is dissolved and two new states are created peacefully from it, this tends to happen by mutual agreement.”

Separatism is a force that subedits the means to the end; the end, secession, justifies any means to attain it, including, manipulating or hiding the truth. We have seen this both in the case of Scottish independence and in the Catalan case. They have both confused and manipulated the truth of the consequences of separation within the framework of the EU, denying that secession means the immediate loss of membership of the EU. Who now can guarantee the most truthful information about the consequences of one or the other political option to the Catalans? Certainly not secessionism. It has been the EU and the government that have kept the Catalans informed with the truth.

“As the Commission has confirmed in the reply to written questions P-009756/2012 and P-009862/2012, the EU is founded on the Treaties which apply only to the Member States who have agreed and ratified them. If part of the territory of a Member State would cease to be part of that state because it were to become a new independent state, the Treaties would no longer apply to that territory. In other words, a new independent state would, by the fact of its independence, become a third country with respect to the EU and the Treaties would no longer apply on its territory. Under Article 49 of the Treaty on European Union, any European state which respects the principles set out in Article 2 of the Treaty on European Union may apply to become a member of the EU. If the application is accepted by the Council acting unanimously, an agreement is then negotiated between the applicant state and the Member States on the conditions of admission and the adjustments to the Treaties which such admission entails. This agreement is subject to ratification by all Member States and the applicant state.”

Joint answer given by Mr Barroso on behalf of the Commission, E-010762/12, E-011159/12, E-010044/12, E-011632/12, 1 February 2013
“The rule in the European Union is that if a region leaves, it also leave the community block and “a new treaty of accession has to be negotiated”. “Nobody can say they do not comprehend or understand this rule”; the European Union must respect the sovereignty of the citizens.”
European Commissioner Michel Barnier, 19 September 2013

“The UK’s EU membership would continue automatically. For an independent Scottish state, negotiations would be needed [...] An independent Scottish state would also have to work through its position on thousands of international treaties and agreements to which the UK is currently party and which would default to the continuing UK [...] An independent Scottish state would therefore seek new institutional arrangements. [...] There is no prospect that an independent Scottish state would automatically become a new member of the EU upon independence because there is no explicit provision for this process in the EU’s own membership rules. Neither would an independent Scotland automatically “inherit” the UK’s opt-outs [...] In practice, rather than being purely a matter of time, the mechanism for an independent Scotland becoming a Member State of the EU would depend on the outcome of negotiations and on the attitude of other EU institutions and Member States.”
HM Government report: “Scotland Analysis: Devolution and the implications of Scottish independence”, presented to the British parliament in February 2013

“In the hypothetical case of an independent Scotland, it would have to join the queue to apply for admission, winning the unanimous support of all the Member States to acquire the status of candidate, to adopt the 35 negotiation agreements and to sign the final treaty. And as we are talking about Scotland, the Memorandum of 24 September from the United Kingdom says exactly what I am saying. Scotland would have to apply to join any organisation if it opts for independence.”
José Manual García-Margallo, Minister of Foreign Affairs and Co-operation, in reply to a senator of the Basque Parliamentary Group, in a Plenary Session of the Senate, 23 October 2012

“For example, it is not necessary for me to remind you of an episode such as the one played by the Scottish government, which attempted to hide a report requested by the government itself, from Holyrood Parliament, which stated that the independence of Scotland would imply leaving the European Union with the need to once again apply for admission, the consequent negotiation and the need to reach the unanimous agreement of the current twenty eight member states. That is the way things are and denying the truth is not the best way to change it.”
Miquel Iceta i Llorens, spokesperson for the socialist parliamentary group in the Parliament of Catalonia, 22 March 2013

“Another awful idea: the conviction that the Union, with France at the head, would welcome an independent Catalonia. We no longer live in the times of the War of Secession of 1700, with a France that dreamed of a weak Spain. On the contrary: Paris is interested in a strong Spain to reinforce the Mediterranean arch of the Union against Berlin and its hinterland in Central Europe. As for the Union itself, it can only act as a curb on any independence initiative out of fear of a domino effect from one country with problems of unity to another, which would dramatically weaken it.”

Alain Minc, French writer in an article “Error Fatal”, published in the Catalan newspaper La Vanguardia, 11 January 2013

3.10 The “European” proclamations of the declaration of sovereignty

Nobody doubts the historic ties of Catalonia with Europe, from its very beginning, one thousand two hundred years ago, when it was known in French as “The March of Spain” (Marche d’Espagne). Nobody doubts that separatism in the heart of the European Union is unethical with respect to the true European spirit. Nobody doubts that a Catalonia unilaterally separated from Spain would be a Catalonia automatically separated from the EU. That is why the Pro-Europe proclamations of the Catalan Parliament’s declaration of sovereignty are merely a rhetorical artifice.

Let us take this opportunity to remember the following issues in the European Union; the motto of Europe is “united in diversity”; the project we are building is called “European Union”; according to the official explanation of the symbols of the EU, the twelve stars in a circle on the European flag symbolise “the ideals of unity, solidarity and harmony among the peoples of Europe”; the first words of the preamble of the Treaty on European Union (consolidated version) read: “Resolved to mark a new stage in the process of European integration undertaken with the establishment of the European Communities...” And this Treaty, in article 1, reads: “This Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe.”

These references are enough to prove that a secessionist project, a project that shatters co-existence, a project that repudiates solidarity between regions, is a project that is radically contrary to the spirit of the European Union, as Joseph H. Weiler, expert in constitutional law and professor of New York University and of the College of Europe, Bruges, recently affirmed.

“In Europe, believe me, little is said of separation, of division and it does not generate any enthusiasm because it goes against the sign of the time and against the project of European construction.”

Mariano Rajoy, President of the Government, 19 December 2012

“It is therefore, an idea that is denied by the fact that there is a natural coupling between nationalism and Europhilia. Nationalism and Europhilia are, in reality, opposing concepts. The coupling occurred a long time ago, and it was between Europhilia and Spanish constitutionalism. The Constitution was our gateway to Europe. Breaking with the Constitution is, for whoever does so, the exit from Europe.”

José María Aznar, former President of the Government, 24 October 2012, in a speech in FAES

“There probably isn’t any other European state that is so diverse and that makes the Spanish experience a precious touch-stone. If Spain breaks apart, Europe breaks apart.”

“The system of Catalan immersion is not applied in any of the bilingual and trilingual communities and countries of Europe. [...] They all integrate their official languages in education as vehicular languages [...] As we all know, the Catalan [autonomous] Government is taking different steps in its road map towards an independent Catalonia and one of these steps is to explain this project in the European Union with the intention of winning its support. I would like to pose the following question: would a hypothetical independent Catalonia that wished to form part of the European Union find the support of the EU for the system of linguistic immersion that is practiced in schools? [...] If the system of immersion is evaluated in European terms one day, it will then be clearly defined as what it is: a monolingual school model, obligatory for all pupils, in a bilingual community; in other words, an exception in Europe.”

Merce Vilarrubias, Professor of English Language in the Drassans Official Language School of Barcelona, in “Razones para introducir una educación bilingüe in Cataluña”, published in El Pais, 5 April 2013

3.11 Collaboration with Catalonia in the European Union

In the latest-generation Statutes of Autonomy and in particular in the 2006 Statute of Catalonia (arts. 184 to 192), the participation of the Autonomous Communities in European Union affairs that affect their competences or interests are regulated in detail. In general, they establish their participation in the formation of the negotiating positions of the state, they recognise the possibility of promoting observations and proposals and their right to be duly informed of the negotiations and the agreements reached, and their capacity to develop and execute Union law in matters of their competence is confirmed.

This model rests on two systems of co-ordination with the state, one bilateral system, through the Bilateral Commissions that examine issues of specific interest to the state and the Autonomous Communities, which include European issues, and another, multilateral system between the state and all the Autonomous Communities, whether this involves the “Sectoral Conferences” transversally for exclusively European matters, or in the Conference for Affairs Relating to the European Union (CARUE, from the Spanish).

The Commission, created by the new Statute of Autonomy, is based on an equal representation of the governments of the state and the Generalitat de Catalunya. The presidency alternates and it meets in plenary session at least twice a year and whenever either of the parties so requests. Along these same lines, Catalonia participates in the Spanish delegations to the European Union that deal with matters that fall under the legislative competence of the Generalitat, both in the advisory and preparatory bodies of the Council and the Commission, and even in some meetings of the Council itself. It also participates in the appointment of autonomic representatives within Spain’s permanent representation to the Union. The Catalan Parliament, in turn, can establish relations with the European Parliament in areas of common interest and participates in the procedures of control of the principles of subsidiarity and proportionality. The Generalitat applies and executes EU law in the area of its competences, and it is also responsible for managing European funds in matters of its competence. And, apart from any direct access it may have to the Euro-
pean Court of Justice by virtue of European regulations, the Government of the Generalitat can call on the state to bring actions before said Court in defence of the interests and competence of Catalonia and collaborate in the legal defence.

Finally, thanks to the bilateral agreements that Spain has signed with each of the European institutions, Catalan is recognised as a language of communication of the citizens by the main institutions and bodies of the European Union. This means that any citizen can address the European Commission, the Parliament, the Council of the EU, the European Ombudsman or the Committee of the Regions in writing in Catalan; and they are entitled to an answer in the same language. Some official EU documents and publications are also translated into Catalan.

3.12 The European spirit of solidarity

If we place ourselves in the perspective of other integrating projects on the European horizon, whatever their nature, it is legitimate to ask the secessionists “with what legitimacy could those that wish to break the centuries-old framework of coexistence and solidarity, at the same time sign up to other projects – as in the case of the EU – that promote greater union and solidarity among its members? What concept of civic values do the secessionists have to sustain such radically opposite postures at the same time?

“The European Union, with more than 500 million people, could have more than 60 or 70 or maybe 75 states. And why not Catalonia would be one of these states?”
Artur Mas, President of the Generalitat de Cataluña, Brussels, 7 November 2012

“Solidarity is consubstantial to a project of coexistence. It is in Spain and also in the EU. If the tale of the defenders of separatist independence were verified, and Catalonia, as an independent state, formed part of the European Union, it would have to contribute its “quota of solidarity” to Europe, given that it would be a net contributor to the Union (its per capita GDP is above the European average). Solidarity, with Europe yes and with Spain no? Unusual.”
José Luis Rodríguez Zapatero, former President of the Government, El Mundo, 18 November 2012

“Why would it be of interest to include in the Union a political community such as an independent Catalonia, based on such a regressive and out-dated nationalist ethos that apparently cannot cope with the discipline of loyalty and solidarity that one would expect it to have towards its co-citizens in Spain? The very petition for independence from Spain, an independence from the need to manage the political, social, economic and cultural differences within the Spanish political community, independence from the need to resolve differences and transcend the historic moment, disqualifies Catalonia and other similar cases morally and politically as future member states of the European Union.”
Joseph H. H. Weiler, Professor of the Faculty of Law of the University of New York. ABC, 3 November 2012
“The European Union, in its principles, values and procedures, contains an anti-secession regime.”
José M. de Areilza, member of the European Council for Exterior Relations, ABC, 14 June 2013

3.13 The desegregation of the states of Europe according to secessionist projects

“The very survival of the Spanish state as a political organisation of the Spanish nation is at stake.”
Alfredo Pérez de Armiñan, Prospectiva para España: fragmentación o reconstitución del Estado nacional, cuenta y razón, 2007

The singularity of Catalonia poses no problem either for Spain, of which it is a founding member, or for Europe, which is constructed with respect for the culture, history and traditions of its peoples. It is secessionism that challenges this project of European union (the lower case enlightens us about its genuine meaning). Thus, according to his political vision, the current President of the Generalitat de Cataluña, Artur Mas, the 28-member European Union would have to be divided until it reached the figure of 75 member states, by virtue of what principle? There can only be one explanation; beyond the pending accessions and extension; by virtue of the triumph of separatism in all its member states:

“The European Union, with more than 500 million people, could have more than 60 or 70 or maybe 75 states. And why not Catalonia would be one of these states?”
Artur Mas, President of the Generalitat de Cataluña, Brussels, 7 November 2012

3.14 The sign of the times

The times require strong countries. Unity is not contrary to autonomy; it is a guarantee of strength in a globalised and ever more interdependent and complex world. It does not favour our citizens in any way at all to consider divisions or solitary adventures, of a highly uncertain future in which the starting point appears to be clear, but the point of arrival is unknown.

The serious situation that Spain is going through does not require us to foster division and feed rupture; on the contrary. This is the time to work sensibly in search of the greatest possible degree of agreement. This is the only way that we can move towards overcoming the crisis and offer the citizens a horizon of opportunities and welfare.

“In Europe, believe me, little is said of separation, of division, and it does not generate any enthusiasm because it goes against the sign of the time and against the project
of European construction.”
Mariano Rajoy, President of the Government, 19 December 2012

“Appreciate what unites us, not what divides us […] The world is undoubtedly in transition towards an unprecedented unification. A world with more than 5,000 languages and cultures is made up of little more than 200 states. And those 200 states make up something like 10 economic powers or alliances. They are the ones who determine the fate of the world economy.”

“When my separatist friends deploy these historic arguments I like to refute them conclusively: the Roman Empire is far earlier than the European Union…. But that doesn’t mean that we are going to be governed from Rome or that we are going to speak Latin! By manipulating history and nationalist emotions, you can “demonstrate” anything.”
Tristan Garel-Jones, British politician, Cymru am byth, ABC, 14 February 2014

“The independence of Catalonia would mean it would cease to belong to organisations like the UN, OECD, the International Monetary Fund, the World Trade Organisation, UNESCO and many hundreds of other international bodies and treaties, to which Catalonia is bound as an integral part of the Spanish state.”
Joaquim Muns, Professor of International Economic Organisations, University of Barcelona, La Vanguardia, 29 September 2013

“We live in a Europe in sudden and dramatic transformation and all Spaniards, including “those who say they aren’t”, would have to make an effort of unity and strengthening of their common resources […] Let’s ask the Germans today, or the French, English, etc. if they are willing to break up into small units. Let’s ask our French friends if they are going to give up unity and the “grandeur de la patrie”. Let’s ask the Europeans if they find a horizon of dissolution attractive.”
Alfonso de la Serna, Spanish Ambassador, ABC, 4 April 1990
4

Historic aspects
“Catalonia wants to become emancipated because it has its own project and wants to live better.”
Artur Mas, President of the Generalitat de Cataluña, 28 September 2013

“The Catalan Countries have been divided into different territories for political reasons: North Catalonia, in the French state; the Principality of Catalonia with the Western Strip (Franja de Poniente), Valencia Country and the Balearic and Pitiusas Isles in the Spanish state, and Andorra, which has its own state. This dismembering, the result of over 300 years of oppression by the Spanish and French states, has made the different territories live in ignorance of each other or, in the worst possible case, in ignorance of their own identity.”
Esquerra Republicana de Catalunya, Political Project, 2013

“The first thing that nationalism does is to falsify history and seek an outside enemy and the Catalan Government spread this paranoia among Catalan citizens.”
Albert Boadella, Catalan actor and playwright, La Vanguardia, 3 April 2013

“We Spaniards do not agree – thank God -. No peoples do. Disagreement is inevitable and marvellous, provided that it does not approach harmony, the unbreakable decision not to break up coexistence.”
Julián Marías, in the magazine Cuenta y Razón, May 1998

The secessionist movement in the free world is aware that its inalienable objective – to break away from the other part, to cancel a centuries-old coexistence – is incompatible with the social, political and moral progress of our times.

The very civic conscience of our free societies constitutes a virtuous principle per se that prevents the propagation of any project based on the will to end coexistence within them, which are left on their margins, as these projects disgust civil society.

To win followers to move from the margins towards the mainstream, radical nationalism finds it has an urgent need to hide its objective and in an attempt to distort arguments, to get the wind against ethical and political progress to blow in their favour.

This secessionist machinery then initiates a range of operations regarding its theatre of operations, to manipulate history and the present: it suppresses from that history, any shared symbolic reference or fact, or it disfigures it; it denounces the common facts that cannot be silenced, as if they had been imposed on them – never as the result of the unfolding of history or agreement – and finally, it presents the reality of this broader framework it belongs to as a power that is the source of only threats, force or repression, but never solidarity or affection.

“There is for me a grand mystery in the life of my paternal grandparents. They both belonged to the Catalan bourgeoisie – my grandfather was a textile businessman –; they spoke Catalan, they did not go to mass, they read Aldous Huxley and Stefan Zweig; they belonged to a conservative Catalan nationalist party, La Liga, the equivalent to today’s CiU […] But when the generalissimo’s troops entered Barcelona in 1939, my grandparents received them with their arms held high in salute and screaming “Franco, Franco, Franco!” until they were hoarse.”
Laura Freixas, writer from Barcelona, El País, 21 January 2014

“And in her memoirs, eloquently entitled “We Had Won the War” (2007), Esther Tusquets portrayed the euphoria, in 1939, of many wealthy Catalans, like her parents, who never doubted the fact that victory of Franco (including the dissolution of La Generalitat and execution of its president, Lluís Companys by firing squad) was their victory.”

Laura Freixas, writer from Barcelona, El País, 21 January 2014

“Now we try to understand this in the light of official history. A history made up of only two poles: on the one hand, “Catalunya”, unanimous, resistant, nobly vanquished, always the victim; and on the other, “Spain” determined to a man to subjugate the Catalans. In the discourse distilled by the celebrations of the three hundredth anniversary of 1714, the recent congress entitled Spain against Catalonia, the Museu d’Història de Catalunya (Museum of Catalan History) or the declaration of sovereignty adopted by the Parlament (23.1.13), the preamble of which unhesitatingly assures that “the Franco dictatorship had encountered the active resistance of the people of Catalonia.”

Laura Freixas, writer from Barcelona, El País, 21 January 2014

“With such a crude falsification of history, it is surprising how easily it is being accepted. In moments like now, of crisis, fear of what the future holds, anxiety..., this mirage of unanimity and decision is undoubtedly comforting: “the same people have always fought for the same thing, for many centuries”, they tell us. This is how they hide the internal conflicts: of class, gender, religion, ideology, etc. as if the mere fact of being Catalan were enough to define us and make us brothers.”

Laura Freixas, writer from Barcelona, El País, 21 January 2014

4.1 Introduction

“On reaching the end of the Middle Age, the age-old group of the “Hispai” remains present in History. They are not only those who inhabit a place. The denomination of a group of peoples, if it has a purely geographical value, has never had such extraordinary fortune. That is why, from the notes that we have collected, we have been able to appreciate that a set of characteristic notes were applied to them as a whole, that they bore in common was sufficient to distinguish them in the relation or in military action with or against other peoples, that a single nature placed them in the same situation of political obligation, that a single, common history forged them, notwithstanding any internal regroupings there may have been, which vary depending on the point of view from which they are seen, but always overcome by the unity of an historic destiny that the anonymous Catalan who wrote the “Flo Mundi” enunciates thus: being Spanish.”

Jose Antonio Maravell, historian of ideas, El Concepto de España en la Edad Media, 1954

In the case of Spain, this machinery hides the centuries-old profound Spanish reality of the history of Catalonia. It considers any common Hispanic element that is irrefutable and identical
to the rest of Spain as the fruit of colonialisation by a totalitarian power devoted to repressing Catalonia.

After these fraudulent operations, the calculation is simple: if there has never been a common history, or a feeling of belonging to the same community, or ties of affection, if there has only been conquest and imposition, then secession does not mean rupture, because what doesn’t exist cannot be broken, but merely emancipation; and an emancipating project would win internal and international sympathy with its ethical connotations.

Any strategy is valid provided it disguises the dramatic reality of breaking away from the other, which is what secessionism means in the free world.

These considerations about the history (and about the present) of radical nationalism are, in their majority, inconsistent. The task of refuting them is both easy and pitiful, but, deep down, it is irrelevant. It doesn’t make much sense to consider a debate in historical terms because that is not the question, it does not lie in disavowing the separatist project in free societies because of the weakness of its historical foundations, even though they are weak and unsound.

The question lies in disavowing secessionism in our free societies because, even if its historical considerations were true, its project only provide a political and ethical step backwards, as it is not legitimate to renounce the pact and the coexistence in effect in the present democracy for what has happened in a more or less remote past.

Although the analogies are not very exact, the following are worth considering: Would it make sense for a European country to defend the end of European harmony, of the project of European construction, of the European Union, because one of its members declared war on it or invaded it in the past? Would it be legitimate for a state to promote the breakup of the united nations (another revealing use of the lower case) because another of its members was its enemy in the past?

Here we can see how even the presence of proven historic facts does not concede any political virtue, no moral value to a project based on the will to cancel a community of life. Because the important thing is precisely the opposite: even if there had been radical disagreements in the past, for that very reason the only emancipating option is to maintain harmony in freedom and not go back to those radical disagreements.

Where is the moral legitimacy in defending the act of converting a co-citizen in a foreigner as an emancipating act?

Another variant of this manipulation consists of attributing the responsibility for the increase in separatism to the rest of Spain:

“Aznar was a great factory of independence supporters in Catalonia, together with the Spanish Constitutional Court for its judgment on the Statute in 2010.”
Ferran Requejo, Professor of the University Pompeu Fabra, 15 October 2013.

“The government [of Spain] is a factory of independence supporters.”
Joana Ortega, Vice President of the Generalitat de Cataluña, in declarations to RNE, 10 September 2012

Once again the bad conscience about the moral genealogy of secessionism rears its head, as these statements have the tone of accusation and reproach and accusing is to charge someone with a crime, guilt or misdemeanour, and in this case, that misdemeanour would be to opt for secession. We are facing a kind of accusation launched outwards made by secessionism itself, to quit itself of any responsibility when they join the separatist movement, a project that breaks away from the other that, deep down, knows that it is an ethical mistake. The proclamation, which can only be misleading if the party making it lives in a free society, reads as follows: “I am not a secessionist; they have forced me to be one.”

The Catalans themselves, among others rise up against this manipulation:

“Asymmetry of tolerance. Idea used by Ferdinand Mount to refer to the existence of a double standard when equal or similar events are assessed. Catalonia is the paradigm of the asymmetry of tolerance. Examples: the resolutions of the Constitutional Court are inadmissible and unjust if laws emanating from the autonomic parliament are repealed and admissible and just if they repeal laws emanating from Congress; immersion in the Catalan language is a necessity and immersion in the Castilian language genocide.”

Miquel Porta Perales, writer from Barcelona, Crónica global, 9 December 2013

“If one argued against the fallacies of historical or fiscal offences, against thousand-year-old identities, against the linguistic immersion that instils the right to choose to be educated in the common language, etc.... there was always a solemn ass to warn us that we were “manufacturing supporters of independence” [...] For example, the renovation of the Statute. Before embarking on it, the polls said that the Catalans were one of the most satisfied autonomies with their regulations. The referendum to adopt the new one – with airs of an alternative Constitution – attracted a lower than average turn-out. It was not rejected either in the Spanish Parliament or the Constitutional Court, the only thing they did was to make an effort to make it compatible with state legislation, attempting to ensure that being comfortable in Spain did not consist of making Spain feel uncomfortable... which later seemed to be the real objective. In particular, the Constitutional Court, with a long delay due to their fear of displeasing, ruled on certain changes based on an effort of interpretation that attenuated the flagrant unconstitutionality to mischievous misunderstandings. Fine, their ruling was considered an unpardonable travesty by those who needed a tyranny to suffer ideologically and not a statute to enjoy.”

Fernando Savater, Spanish philosopher, El País, 13 November 2012

Today, many of us are saddened by the prospect of breaking a centuries-old bond; many Spaniards from outside of Catalonia and many of us Catalans in and outside of Catalonia are saddened by this horizon of amputation: out of affection, out of deep-seated feelings, we find the prospect of a Catalan being a foreigner in Spain insufferable, or the prospect of a Galician or someone from Andalusia being considered foreigners in Catalonia. Because essentially, that is what secession means.

Where does the social progress of a project that seeks to put an end to this community of affections lie?
4.2 Who brings dishonour on their own tradition? “I am a count of Spain they call Count of Barcelona”

“Despite the rationality of our proposal [independence] and the evidence of the numbers, we find ourselves with a new barrier: the estimation by Spain.”
Esquerra Republicana de Catalunya, on its web site, 2013

“But if the Catalan personality is a reality that one day and the next will have to have full consecration, I equally believe that the existence of an Hispanic reality is a definitive fact [...] The reality of these different personalities should have already been imposed on the Romans, who consecrated it with the division that they established in Spain [...] over and above Lusitania, Betis and Tarraco, they always spoke of Spain and always recognised a unity of the peninsula, which was politically accentuated during the domination of the Goths.”
Francesc Cambó, Por la Concordia, 1927.

The Catalan people’s feeling of loyalty to their “will to be” has always been compatible with the idea of Spain. In any period of the history of Spain, of the history of Catalonia, there has always been – and there will always be – a strictly Catalan option for harmony and coexistence.

The references to Spain are constant in Catalan literature and history from the very moment of the birth of Catalonia.

The following three examples should suffice to cleanly demonstrate the truth of this Catalan reality as an essential part of the Spanish reality, three historical or cultural moments of genuinely Spanish origin and of extraordinary universal dimension, all three of which occurred in Catalonia. These are not examples that intend to pose a debate in historic terms, or re-open a controversy about national essences or determinisms. They are merely three examples that spontaneously express, with total certainty, precisely because it is not proposed, the naturalness with which the Catalan reality has coexisted in the area of Spanish reality:

The first example is provided by Saint Ignacio de Loyola, founder of the Company of Jesus, the Jesuit Order in the 16th century, distributed throughout the entire world. Ignacio de Loyola retired to Montserrat in search of his religious vocation, in exactly the same Catalan monastery where Ramón Llull, the first philosopher in the Catalan language had retired two hundred years previously; and once again, he retired to another Catalan town, Manresa, to meditate profoundly about his life project. That Basque from a territory bound to the Crown of Castile could not have considered Catalonia so different if he chose two of its most important spiritual centres to meditate about key decisions in his life.

The second example refers us to a transcendental event of universal history: the discovery of America by Christopher Columbus, in the service of the Catholic Monarchs, in 1492. On his return in 1493, he landed in Barcelona and there, he is received in audience by the Catholic Monarchs, Isabella and Ferdinand, to whom he explained his voyage.

The third and final example is owed to Miguel de Cervantes, the greatest writer of Spanish literature, who reserved for Barcelona, which he described as “pride of Spain”, and the Catalans, pages
of affection and admirations; one only has to read the five chapters of the second part of Don Quixote about “what happened to Don Quixote at the entrance to Barcelona, with other things that have more truth and discretion” to see the naturalness used by Cervantes four hundred years ago to integrate the Catalan lands in the Spanish travels of the ingenuous knight. It is the serene and cordial look of someone who feels at home.

However, this double condition, Catalan and Spanish, can be verified with any historical sampling we may wish to take, with whatever variables of meaning we wish, but in growing convergence from its very origin, one thousand two hundred years ago, when Catalonia was known in French as “March of Spain (Marche d’Espagne) until the modern day, as occurs in the evolution of any other nation.

Further historical information is provided below; all can be checked, showing the centuries-old Hispano-Catalan reality, the presence, century by century of Spain as an inalienable and irreplaceable reference of their own for the peoples of Catalonia.

But even if such a dense reality had not existed, which is undeniable, can one justify today defending a project that puts an end to an agreement to live in common that has been endorsed by an immense majority of Catalans, of the Spaniards as a whole? Based on what political and moral principles? To the benefit of what social progress?

The Catalan reality is an essential part of Spanish reality and vice versa and that in itself is good news for many, but not for the secessionists, who try to hide it or dilute it at all cost: 

“Spain, like Europe has basically been a geographic term for centuries [...] The Spain that now quakes is the Spain born then, the result of a violent military imposition. [...] The plausible independent Catalan state must immediately pass many outstanding subjects.”

Ramón Folch, El Periódico de Catalunya, 15 October 2013

The historical texts quoted below, mostly Catalan, prove that claims of this kind are a cunning argument used by separatists to strip the term Spain of any content, of any cordial connotations. A cunning argument that comes back to haunt them; as even if we admitted that the term “Spain” were a mere geographic description at the time, like the term “Europe” would have been in ancient times, the very reality of the project of European construction refutes the argument that this is a term exempt of all connotation, apart from geographic ones, there are also historical, cultural, political and spiritual connotations. How can we have built the most extensive and extraordinary collective, free and solitary political, economic and social edifice in the history of Mankind on what is exclusively a geographic term? The fact that a political union did not exist under the term “Spain” or “Europe”, depending on the moment in question, does absolutely nothing to invalidate the strength of both concepts as past, as a project, as a horizon and, always, as a fertile community, willing to bear its fruit.

The look of others reinforces this existence of a common concept to peninsular life, under a single term: We were Hispania, to the Romans, Sepharad to the Jews and Al-Andalus to the Muslims. This outside perspective reaffirms this reality, for the good, but also for the bad, as the well-known black legend offends all Spaniards, without distinction.
Was the term “Spain” a mere geographical description for centuries, as certain secessionists claim? Why does it bother certain secessionists that the concept “Spain” has richer and more fertile meanings? Because it molests them in their determination to deny any reference that is both common and cordial, because the evidence of an element that is perceived as inherent prevents them from presenting it as if it were foreign and imposed on them.

The conquest of the Iberian Peninsula by the Arabs put an end to the intellectual universe that the Hispanics had inherited from Rome and conserved during the Hispano-Gothic Monarchy. But even this provokes the first externalisation of the Spanish conscience compared with the “others”. The Re-conquest arose from the uprising of the “very few peoples” who remained unvanquished.

“Tota Spanya se perdé (...) no’s salvá sino quatre or cinc parts, e foren les Asturies e Vizcaya, que son grans montanyes, e les de Sobarba e Ribagorça, en alguns lochs en los monts Perineus, en los cuals font loat lo nom de nostre senior Deu Jesuchrist.”

Gabriel Turell, Recort, chronicle of the 15th century

The “laudatio” and the lamenting or mourning for the loss of Spain are constants in Catalan literature in a similar manner to Castile. Read Rivera de Perpejá, the aforementioned Turell or Roig. “Plora, doncs, Spanya” as Turell himself was to say.

For Catalan historiography, literature and culture, the Chronicles of James I, Bernat Desclot, Ramón Muntaner and Peter El Ceremonioso, written between the 13th and 16th centuries, are extraordinarily valuable. Marcelino Menéndez y Pelayo describes them as “grandiose narrations” “of admirable (Catalan) prose” Poet Àngel Guimerà, who is mentioned below, calls them “the four gospels of the Catalan homeland”. And French polygrapher Morel-Fatio christened them “the four pearls of Catalan literature”. Under the title of Les Quatre gran cròniques, they were edited and annotated in 1971 by Catalan historian Ferran Soldevila. The Generalitat de Catalunya writes about them on its web site that “they are key to understanding the formation of the national (Catalan) conscience.”

These Aragonese and Catalan histories full of charm and grandeur all of them, contain countless mentions of Spain, sometimes in greater proportion than the analogous Castilian stories. The most important of these are mentioned below, without requiring further comment, as they are highly explicit about what Spain meant to the kings, to the people and to Catalan historians of the Middle Ages: for all of them, the awareness of considering themselves Spanish was a spontaneous truth.

The most important political figure of the medieval history of Catalonia, and perhaps of its entire history, is King James I of Aragon (1208-1276). He was outstanding for his political work and for his legal and historiographical labour and he wrote one of the most important chronicles for the history of Aragon and Catalonia, “El llibre dels fets”, the first of the four great Catalan chronicles. In this book, he refers to Spain on numerous occasions in the following manner, textually: Of his father, Peter II, he says:
“Nostre pare, lo rey e Pere, fo lo pus franch rey que anch fos en Espanya e el pus cortes, e el pus auinent” / “Our father, King Peter, was the most generous kind there ever was in Spain, and the most courteous, and the kindest.”

Talking about Catalan Viscount Guillem de Montcada, he claims that:

“no king of Spain has a better vassal.”

After the conquest of the Balearic Kingdom:

“Barons, be conexem e creem que vós e tots aquells ue en Espanya són, sabets la gran gràcia que nostre Senyor nos ha feyta en nostre joven, del feit de Maylorques e de les altres illes e de açò que havem conquest Tortosa a encá” / “Barons, I know well and believe that you and everybody in Spain know the high grace that our Lord showed me in my youth during the conquest of Majorca and the other islands, and of all the other lands I have conquered, from Tortosa to here.”

Faced with the prospect of setting out to conquer the Kingdom of Murcia, King James I talks in the following manner before the Courts of Aragon:

“I am very surprised by you, as you are hard people to understand the reasons; because you should consider what affair this is and you would have to discern if we do it for a good or a bad purpose. Because we certainly believe that nobody could criticise us, as we do it, first of all, for God; secondly, to save Spain and third, so that we and you gain more merit and good reputation for having saved Spain.”

Words of the King that conclude thus:

“E fe ue devem a Déu, pus aquells de Cahalunya que és lo meylor regne d'Espanya e.l pus honrat e.l pus noble” / “For the faith that we owe to God, those of Catalonia constitute the best kingdom of Spain, the most honourable and the noblest.”

And after receiving the Pope’s blessing for his expedition to the Holy Land, King James I himself was to say:

“E sobre açò levam-nos e isquem defora ab nostra companya e dixem-los: Barons, anar-nos-en podem, que huy és honrada toda Espanya.” / “Then we rise up, go out with our procession and we said to them: Barons, we can go, as today all of Spain has been honoured.”

We have seen how King James I The Conqueror – whom some present as the “father and almost the founder of the Catalan nationality” (Marian Aguiló i Fuster) – congratulated himself 700 years ago on a project aimed at “saving Spain”. Can someone wish to save what is only a piece of geography? Isn’t “Spain” in this context, seven hundred years ago, at the very least, a common and cordial reference, a single horizon of affections?

The second oldest is the Chronicle of Bernat Desclot or Crónica del Rey en Pere e dels seus antecessors passats, which contains the account of the reign of Peter the Great.
The references that it contains to “Spanya” include the following:

The chronicler himself presents his purpose as follows:

“ara lexa a parlar lo llibre del rey En Pere e del infant En Jaume son fill, e parlare dels fets qui sdevench als tres reys de Spanya, dels quals fou lo hu lo rey d’Arago En Pere.” / “Now allow me to talk about the book by King Peter and Prince James, his son, and I will talk about the events that occur to the three kings of Spain, one of which was the king of Aragon, Don Pere.”

Bernat Desclot entitles chapter V of his Chronicle as follows:

“Com Miramoli, serray molt poderos, feu paisatge en Spany, e com los tres reys de Spanya li ixeren al encontre.” / “How Miramoli, a very powerful Saracen, challenged Spain, and how the three kings of Spain set out to meet him.”

And further on, he adds:

“And this is how he describes the preparations of the three Kings of Spain:

“As soon as the King of Castile knew that Miramoli was coming with his troops, he sent his messengers to the King of Aragon, Peter and to the King of Navarre: [...] And the three kings of Spain waited one league away to surround the Saracens and made their battle this way, each of the three kings wanted to lead the battles, but agreed amongst themselves that, as a question of honour, the Saracens had come to the land of the King of Castile, and as the battle was fought on his land, it was ordered that he lead, the King of Navarre in the second row, and the King Peter of Aragon stay in the rear guard with the cavalry of Catalonia and Aragon.”

Once battle was over, the Chronicle adds:

“As soon hagueren desbaratats lo Serrayns e conquests moltes cuitats, viles e castells, lo rey de Arago e los altres reys de Spanya s’en tornaren cascuns en sa terra.”
as they had vanquished the Saracens and conquered many cities, towns and castles, the King of Aragon and the other Kings of Spain returned, each one to his own land.”

One of the most attractive passages of this great Catalan chronicle is the one that narrates the journey of the Count of Barcelona to Germany:

“E cavalca tant que fo en Alamanya, en una ciutat que havia nom Colunya. E aquí fo l’emperador […] E quant fon devant lo emperador, saluda; e lo emperador ecolll molt gint, per tal com li semblava hom honrat. “Senyor, dix lo comte, yo son hun cavaller de Spanya.” / “And he rode so much that he reached Germany, to a city with the name of Cologne. And the emperor was from there […] And when he was before the Emperor, he greeted him; and the Emperor welcomed him very kindly as he struck him as very honourable. “Sir, said the Count, I am knight from Spain.”

According to this legend, the Count of Barcelona later went to see the Empress, with whom he maintained this dialogue:

“-Senyor, dix la emperadriu, be siats vos vengut! Prech vos, senyou, quem digats vos qui sots ne de qual terra […] – Yo son hun comte de Spanya a qui dien lo comte de Barcelona.” / “Sir, said the Empress, be welcome. I beg you, sir, to tell me who you are and from what place […] “I am a count of Spain they call the Count of Barcelona.”

The chronicler, in chapter VIII entitled:

“How the companion of the count, whom he had taken to Germany, escaped him; and how the good Count of Barcelona entered the field of battle”, relates the following: “E lo emperador trames missatge al comte de Espanya, si era aparellat ell e son companyo, que entrassen al camp.” / “The Emperor gave the order to the Count of Spain, for him and his companion to enter the field of battle.”

The tale concludes with a dialogue between the Empress and Emperor of Germany:

“Hal senyor, dix ell, malament som scarnts; car vos pas no sabets aquest cavaller ui era. – Cert, dix l’emperador, no pas, sino que ell me havia dit que era hun cavaller de Spanya.” / “Ay Sir, she said, we have got what we deserved; do you not know who that knight was? It is true, said the Emperor, not at all, only that he had told me that he was a knight from Spain.”

The third one is the so-called Catalan Chronicle, by Ramón Muntaner, a very lively tale of the extraordinary Catalan-Aragonese feats in the Mediterranean, which turned Aragon into a great Mediterranean power. Some textual references to “Espanya” are transcribed below.

King Charles of Anjou says the following about the Catalan-Aragonese troops pursuing him:

“When King Charles (of France) knew that the twenty two galleys of the King of Aragon were after his armada, greatly astonished, he crossed himself and said: - Oh God, these people are so mad that they are going to die this way, without so much as a by your leave! It is right what the wise man said, if truth be told, that all the understanding of
Spain is in the horse’s head, as the people have no brains, and the horses of Spain are brainy and the best in the world."

[Chapter LXIX]

In another passage, Muntaner recounts how the King of Aragon and King Sancho of Castile meet in the Aragonese town of Ariza. Sancho promises the King of Aragon help against the French. Muntaner summarises the words of the Castilian monarch:

“Between We and You, the King of Majorca and the King of Portugal, it seems to me that we can defend ourselves against them very well [...] True it was, by the way, all he said [in reference to Sancho], if these four kings that he named of Spain, who are of the same flesh and blood, marched in accord, there would be little to fear of any other power in the world.” In his original quote: “E segurament ell deya veritat, que si aquests IV reys que ell nomenava de Espanya, qui son una carn e una sanch, se tenguessen esemps, poch dubtaren tot laltre poder del mon.” [Chapter CII].

In another passage, he mentions that the King of Aragon garrisons the cities of Gerona and Besalú. And Muntaner provides details on how the operation was organised:

“All that was left orders to that effect by the King of Aragon, having appointed as head of the people Prince En Alphonse, and with him, the Count of Ampurias, the Viscount of Rocaberti, the Viscount of Castellnou, A. de Cortsavi, En William of Anglesola and En Galceran of Cartellá, Lord of Hostels and Pontoon, who it could be said, were among the best knights there had ever been in Spain.” [Chapter CXXVII]

The chronicler speaks in the following terms of one of the knights of Aragon:

“In Berenguer, who was, has been and still is the most splendid knight there has ever been in Spain.” [Chapter CXLIX]

Another passage, which reveals the extraordinary Mediterranean dimension of the Crown of Aragon, is the one that takes place in the city of Constantinople, where Sir En Berenguer of Entenza had journeyed. The Catalan knight who is introduced to the Emperor as follows:

“Senyor, aquest ric home es dels nobles homes d’Espanya, que fill de rei no sia.” / “Sir, this rich man is among the most noble of Spain.” [Chapter CCXI]

In short, there is a speech by Muntaner himself, at the end of the Chronicle, “in honour and praise of the House of Aragon”, which the chronicler sends to the King of Aragon; we have taken this express reference to Prince Alphonse of Aragon, son of James the Conqueror and ill-fated heir to the Crown of Aragon:

“- These will follow the High Prince En Alphonse, who is the standard of the enterprise, as he also is the praise and honour of all Spain.” [Chapter CCLXXII]

The last great Catalan chronicle is by Peter El Ceremonioso, also written in Catalan, although with passages in other Romanic languages, such as Aragonese and Castilian; we have copied
Peter III of Aragon is aware that the Muslim incursion in Spain affects him directly:

“E, estant nós en Valéncia, veents que el passatge que el dit rei de Marrocs entenia a fer en Espanya era a nós molt perillós, haüt sbore açó nostre Consell, trametem al rei de Castella postres missatgers.” / “And We were in Valencia, meditating that the planned passage of said King of Morocco to Spain could be very dangerous for us, after taking advice on it, we sent our messengers to the King of Castile.”

This king, in his words, is another of the Christian kings of Spain:

“Com fo tornat de Castella, nós haguem ardit que el rei de Marrocs feïa gran pertret e aparell de pasar en Espanya contra los reis de creïstians.” / “When he returned from Castile, we had news that the King of Morocco was fitting out greatly to come to Spain against the Christian kings.”

In another passage, King Peter III states:

“Before said King of Majorca set out from Barcelona, he ordered the transfer of the Virgin of Santa Eulalia, holy body of said city, which took place on the second Sunday of July in the year of our Lord, thirteen hundred and thirty nine, with the presence at such fiestas of Ourself, said king of Majorca, a cardinal called Cardinal of Rhodes who had come to Spain as the legate of the Holy Father.”

Obviously, we can also find similar references to Spain from seven hundred years ago, in other parts of the Iberian Peninsula. Hence the Pontifical Legate, Don Gil de Albornoz, Archbishop of Toledo and Cardinal Primate of Spain, on 29 September 1364, in his testament, ordered the following:

“I order that the rest of my goods be used to build in the city of Bologna a college of scholars, in a decent place, to wit, close to the Schools, and worthy accommodation be built with vegetable garden and patio and chambers, and a good and decorous chapel be built in honour of Saint Clemente martyr, and sufficient rents be acquired to attend to the maintenance of twenty four scholars and two chaplains as I will order, wishing that said House or College be called Casa Española (Spanish House).”

There are several important facts in this decision: that he wants the College named “Spanish House” so naturally, a century and a half before the end of the re-conquest, when there were still four Christian kingdoms in the Iberian Peninsula apart from Al-Andalus, and that it is the oldest “Spanish” institution still in use in our history.

These quotes could be endless and one only has to refer to the classical study of Jose Antonio Maravall Casesnoves, “El concepto de España en la Edad Media” (The Concept of Spain in the Middle Ages), of over fifty pages in length. These expressive paragraphs are from that work:

About 3rd-century historian and theologian Paulo Orosio:
“When Orosio says of Braga or Barcelona that they are cities of Spain, he uses this last word as a strictly geographical place name; but when he tells the tale of the cruelties on which Rome has founded its power – despite his Augustinian Romanism – he exclaims: “Have Spain give its opinion!” [...] he gives the name of Spain an historic value as the name of a united group, and just as it is united, it is settled in an area that, for that very reason, necessarily becomes a unit, because it is rigorously the framework in which the collective existence is played out – in the case in hand, the existence of a group that are the subject of a common feeling of pain, for the blood the Roman oppression has spilt among them -. Consequently, the possibility of events that jointly affect everyone living within that circle appears to a greater or lesser extent, but always to some extent.”

He says about the Recort chronicle, by Catalan chronicler Turell:

“But it is more interesting to see its subsistence still in Turell, despite the brevity of his account, when this has barely begun, we find that reference to so much “bella obra como se mostra en Spanya.” (beautiful work as is shown in Spain.)

When referring to medieval chronicles such as those studied previously, Maravall states the following about the references to the term “Spain”:

“An area in which the men that live in it are jointly affected by a set of merits, or they possess a set of feelings or embody a set of values, or, given the case, suffer a fall that should make them cry in pain, as Turell wishes – “plora, doncs, Spanya” – even in the following centuries. This concept is in effect in the medieval centuries and, in turn, constitutes a factor of lively action with regard to the political idea of Spain.”

“Catalans and Castilians, for such a representative writer as Desclot, have the same name, “espanyols” (Spaniards).

“Many times is the word “Spaniards” used by a writer of the second half of the 14th century, whom Aebischer forgot too in his study: Eximenis [Catalan Franciscan of the 14th century] Probably, and it is the first thing we should advise of concerning the work of Eiximenis, there is no other medieval author, except Alphonse X, who uses the word in question a greater number of times.” [the word in question is “Spain”].

This is the good Catalan wine that comes out of the wineskins of those venerable medieval chronicles; and all of them Catalan, as a product of their land, they can taste it without intermediaries, however much this wine does not please the hearts of the secessionists, who hide it or water it down. It is the separatists who dishonour their own tradition.

4.4 Modern Times

“The marriage in 1469 of Ferdinand, heir to the Crown of Aragon, and Isabella, whom Henry IV had recognised as heir to Castile the year before, announced the union of
the two Crowns [...] The Monarchy of Spain, constituted in 1479, marks the end of the Monarchy of Aragon, as this was the name used to designate the kingdoms of a prince as a whole. The material mark of the new political situation is found in documents that show the identification of the Catholic Monarchs under a short form – kings of Spain, on the coins and on the international treaties – and another longer form – on the documents of internal use, such as the pragmatics and the royal warrants.”
Miguel Artola, La monarquía de España, 1999

“In other words, in my view, two facts are equally undeniable. Spain, one of the first national entities of Europe; crystallisation within it (sooner or later) of particular feelings of identity, their own languages (apart from the common language) and individual territorial institutions.”
Juan Pablo Fusi, España, la evolución de la identidad nacional, 2000

Thus, we leave the Middle Ages to enter modern times. The common enterprise of the Hispanic Monarchy is born in the very moment of the conquest of Granada and entails, above all, the merger of the foreign policies of Castile and Aragon:

“Spanish unity was first and foremost, the unification of the two great international policies that existed at the time on the peninsula: the Castilian policy towards Africa and the centre of Europe; the Aragonese, towards the Mediterranean.”
José Ortega y Gasset, España Invertebrada, 1921

For Pierre Vilar, this Catalan insertion in the Hispanic Monarchy meant the following:

“The insertion of Catalonia in the Hispanic Monarchy does not translate into a lessening of the importance of the Catalan institutions. The political and representative institutions that had had a fundamental role next to the monarchs of the Catalan dynasty in the Middle Ages, remain in place [...] The Courts, representative of the three states, continue to meet and vote “Constitutions” (laws or rules for the Principality alone). Its permanent body – the Diputación del General, or Generalitat – would offer support for all and any demands or hopes born within those governing classes. And the Barcelona Consell de Cent, whose law is adopted by a constellation of municipalities, is still considered an important enough force to negotiate with the sovereign via direct ambassadors. This capacity of representation and decision making impresses foreign travellers (often in comparison with their own experiences); they talk willingly of the Catalans as a body, “they are proud of recognising the King of Spain only as the Count of Barcelona”, says one; and another “The Generalitat has more power than the Viceroy.”
Pierre Vilar, Breve Historia de Cataluña, 1987

In his work, “La herencia del pasado, Memorias históricas de España”, Ricardo García Cárcel devotes a chapter to “The Catalans. The sickness of the past. Victim mentality and resilience” Here, he describes what he calls “The first conflict. 1640 and the secession”:

“The first great confrontation between Catalonia and the Monarchy occurred in 1640 and would mean eleven long years of the separation of Catalonia from the Spanish Monarchy and its ties with France. In the revolution of 1640, Olivares was to represent the Castilian point of view and Pau Claris, ecclesiastic deputy and President of the Gene-
ralitat, the Catalan point of view [...] The war with France after 1635 and the question of accommodation and the incentives of tax pressure together acted as an ultimatum by Olivares to Catalonia [...] Catalonia puts itself in the hands of France in 1641 when it realises that the path of autonomy is impossible. From 1643, it will start to show signs of disenchantment regarding its status of a province of the French Monarch and from 1643 to 1652, it will move forward a process or reencounter with the Spanish Monarchy that will culminate with the entrance of Don Juan de Austria in Barcelona, in October 1652 [...] Today we are well aware of the painful points of the Castilian-Catalan dispute of the 17th century. The first was the political-fiscal one, which would put on the table the assessment of the autonomous regime and its threat: Monarchic absolutism [...] The second is the anthropological front. The Castilians are reproached for their hypocrisy [...], haughtiness and arrogance, their antipathy towards the Catalans – “by seeing them as sons of a free and populated country and they were in a deserted, scrounging country” – the envy and high-handedness. The Catalans are accused of selfishness [...] linked to their autonomic support and their lack of fiscal solidarity with the monarchy. [...] The third front is the linguistic front”

Ricardo García Cárcel, Professor of the Autonomous University of Barcelona, “La herencia del pasado”, Barcelona, 2011

These events, if we present them with the language that Cambó would later use, would be an example of the failure of assimilation, the unfeasibility of an isolated Catalonia and the validity always of the option for Spain.

Gegorio Marañón, in turn, who, among other things, was a member of the Royal Academy of History, also researched this conflict in one of his most important works, entitled “El Conde Duque de Olivares o la passion de mandar” John Elliot states the following about this work:

“Marañón speaks here as a profound Spanish patriot, but the nature of his patriotism is revealed in his treatment of Olivares’ policy towards Catalonia. It was a patriotism rooted in the acceptance of the fundamental pluralism of Spain.”

John Elliot, University of Oxford, “El Olivares de Marañón”, 2013

We can see the accuracy of this claim in the following passage of this great biography, which addresses that conflict of 1640:

“The love and gratitude to Castile is justified; the incomprehensible thing in the King and in his favourite, as in so many later policies, was to forget that the other regions that made up the kingdom had other obligations with the state, stipulated and accepted in their regional laws; and the fatal fact had to be accepted of counting on these regions through those laws or, in any event, of modifying those laws generously, with inexhaustible tact, using comprehension in excess, in the face of each of the inevitable regional susceptibilities [...] This conflict [...] was carried forward with senseless clumsiness, [...] being carried away by the popular atmosphere of Castile, adverse to Catalonia; it is true that they were against Castile in Catalonia too. But a great politician has to be above these waves of passion of the crowd; and Don Gaspar was not. He even injured the extremely delicate fibre of language, which should be sacred to prudent governors, reaching the extreme of not wishing to receive Catalans who spoke the regional language.”
It is worth remembering the following about this same conflict:

“Between 1640 and 1650, the cry of the “rebel” armies [is] “Visca la Santa Fe Catholica y el Rey d’Espanya y muira el mal govern” (Viva the Holy Catholic Faith and the King of Spain and death to the bad government)

Luís González Antón, Las Cortes en la España del Antiguo Régimen, 1989 (quoting John Elliot and his work, “La rebelión de los catalanes (1598-1640), 1986)

In this book, García Cárceles studies what he calls “The second great conflict. The war of secession. The Habsburgs and the Bourbons” There, he writes the following:

“The Spanish war of secession was to re-open the wounds that had apparently healed after the return of Catalonia to the Hispanic Monarchy. Throughout the reign of Charles II, there had been a third way between absolute centralism and autonomic constitutionalism, which, resting on the economic pragmatism of a new bourgeoisie (the generation of Feliu de la Penya), tried to make the most of the correlation of forces favourable to its interests granted by the very weakness of the Monarchy. Narcís Feliu unashamedly highlighted the fact that Charles II was the best king Spain had had”

Ricardo García Cárceles, Professor of the Autonomous University of Barcelona, La herencia del pasado, Barcelona, 2011

In another more recent publication, he adds:

“The “case of the Catalans” dates back to September 1711 [...] The three levels of demand of the Catalans were: first, a return to a Crown of Aragon under the protection of Austria (the House of Habsburg); second, the Catalan Republic, with Majorca and Ibiza; and third, at least, to maintain political jurisdiction [...] Ambassador Bolingbroke justified what was good for the Catalans to Queen Anne of England very well, which could be summarised as enjoying the same economic privileges as the Castilians, that is, to be able to economically get into America. Free trade in America in the face of the obsession for political jurisdiction [...] the first evidence of this Pro-Habsburg movement that should be pointed out is that it wasn’t just Catalan, nor can it be considered under any circumstances ant-Castilian of course [...] On the other hand, not all of Catalonia was pro-Habsburg. There was the Bourbon Catalonia with Cervera, Berga, Manlleu, Ripoll, Centelles [...] The political Habsburg movement was not just an alternative for Catalonia, but for the whole of Spain [...] The image of the Bourbon Castile compared with the Habsburg Crown of Aragon demands many nuances [...] The Catalan Habsburg movement of 1705 only considered the demand for a King such as Charles for the whole of Spain, with Catalonia assuming a leading role in the political and economic projection of the monarchy.”

Ricardo García Cárceles, “Los austracismos y el Tratado de Utrecht”, in the collective work “En nombre de la paz. La guerra de Secesión española y los Tratados de Madrid, Utrecht, Rastatt y Baden, 1713-1715, published by the Fundación Carlos de Ambe- res, 2013

And we owe Pierre Vilar, reputed French historian, for his constant research into the history of
Catalonia. We have taken this paragraph on the economic and political consequences of the War of Secession:

“The tradition of the Bourbons was to centralise power and the Catalan rebellion of 1700 provided them with a pretext to protest. Local privileges disappeared. The “regalism” of the jurists, expressed particularly by the Consejo de Castilla (Council of Castile), replaced the old autonomic bodies with captaincies, municipal governments and courts. If this effort was successful however, it was because they managed to win the favour of the governing sectors of the active provinces at the same time. The Barcelona guild of commerce obtained from Madrid, by means of intelligent relations, the protection of the Indians, the suppression of production rights, the recovery of the Consulat de Mar and free trade with America [...] This way, centralism really brought the living forces of the province on board.”

Pierre Vilar, Historia de España, Barcelona, 2008

Another great French historian, Joseph Pérez, writes this about the aforementioned war of secession:

“At no time was there any show of a will to use the circumstances to separate from Castile.”

Joseph Pérez, Historia de España, written with Julio Valdeón and Santos Julià, 2000

Pierre Vilar transcribes the following letter, written in 1674 to the Queen by the representative of the Catalan sailors of the Barcelona Guild, wishing to obtain suitable representation in Cadiz in trade with the Americas:

“To have consul somewhere and land is for nations, which are properly nations, but not by those who are immediate vassals of a Crown, as are the Catalans of the Royal Crown of H.M. (q.D.g.), who, as vassals are called Spaniards, being as it is indubitable that Catalonia is Spain” [...] “It has not and is not a lessening of the Catalans to be taken for Spaniards, as they are, and not for nations.”

Pierre Vilar, “El fet Catalá”, 1983

The great Catalan historian Jaume Vicens Vives writes about this second conflict in the following terms:

“In any event, neither the attitude of Catalonia was unanimous, nor did the government established by the Archduke in Barcelona prove to be up to the task incumbent on it in a future Spain [...] But the Catalans that followed the Archduke believed in good faith and therefore convinced that they defended the true cause of Spain and not just a handful of privileges.”

Jaume Vicens Vives, Aproximación a la historia de España, 1962
4.5 Contemporary Times

This is the position of the most important Catalan thinker of the 19th century, Jaime Balmes, about the fate of Catalonia:

"Without dreaming about absurd projects of independence, unfair in themselves, unrealisable because of the European situation, relieved of their duties by reason, and furthermore unfruitful and damaging in their results; without bothering to foster a blind provincialism, that forgets that the Principality is united to the rest of the monarchy; without losing sight of the fact that the Catalans are also Spaniards, and that national prosperity or misfortune must be felt by them most notably; without giving in to vain illusions that it is possible to shatter that national unity, starting in the reign of the Catholic Monarchs, continued by Charles V and his dynasty, carried out by the importation of the centralising policy of Luis XIV with the advent to the throne of the House of Bourbon, affirmed by the immortal uprising of 1808 and the war of independence, fought in the spirit of the times and sanctioned with the principles and systems of the legislations and customs of all the other nations of Europe; without Catalonia getting lost along any of those dangerous paths along which it would be highly possible that attempts be made to lose it in one of the complicated crises that in all appearance, we are condemned to suffer, can feed and foster a certain legitimate, prudent, sensible provincialism, reconcilable with the great interests of the nation, and, by the way, to save it from the dangers that threaten it, in the same way that the family cares for its own interests without breaking the law, and without harming, rather favouring the good of the State."

Jaime Balmes, "La suerte de Cataluña", 1843

4.6 Today: “Spain against Catalonia”, according to radical nationalism

“How can we demonstrate [to the international community] that we are colonially subjected or occupied by a foreign military force?”

Political platform adopted on 6 July 2013 in the National Conference for the Catalan Republic of the Esquerra Republicana de Cataluña political party

“Due to the fact that 500 years ago we belonged to the Spanish State – by force for 300 years, after having lost the battles and the wars.”

Artur Mas, President of the Generalitat de Cataluña, in declarations to the newspaper Le Monde, 17 February 2012

“To affirm itself, nationalism needs to create an enemy to put its own blame on. This is one of its main features. To date, Catalan nationalism has only considered Spain as an enemy.”

Francesc de Carreras, Jurist from Barcelona, Professor of Constitutional Law at the
Never cordially recognise, or value as a common good, the fact that the most illustrious peoples of Catalonia have also considered themselves as Spaniards, all this is not enough. Radical nationalism needs to present Spain in its history as a colonial and totalitarian power: thus, seceding from it would not be to cancel a coexistence of centuries, but emancipation from the metropolis.

“The supporters of independence convert their particular idea of Spain in the scapegoat to blame for all their ills. This is how they fertilise the ground for the tiny minority in the rest of Spain that proposes doing the same thing with their particular idea of Catalonia. The claim that Spain perpetrated aggressions against Catalonia is a disgraceful manipulation of the past, which deliberately forgets how in civil wars and conflicts in which the whole country became immersed, the Catalans, like the rest of the Spaniards, were divided between the different sides. Neither Catalonia is subjected to looting by Spain, nor do ordinary Spaniards harbour any feelings of contempt for it. Quite the contrary: Catalonia arouses affection, admiration and recognition, among other reasons, because without it, without its language, without its culture and without its solidarity contribution, democratic Spain cannot be understood.” […] The programme of national construction is an incentive to those wanting independence to feel victims of oppression by Spain, to reject consideration of proposals of understanding and to silence or relegate all those Catalan citizens who do not subscribe to that programme of secession.”

From the manifesto of 2 November 2012, signed by authors Mario Vargas Llosa, Félix de Azúa, Juan Goitísolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina, film makers Pedro Almodóvar, José Luis García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Dampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguillar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga, university professors Javier Pérez Royo and Francisco Rubio Llorente and singer Miguel Ríos, among others.

The current government of the Generalitat de Cataluña now drives acts in which, even the title, present Catalonia’s relations with the rest of Spain in terms of conflict, pretending to show that Catalonia in recent centuries has essentially been subjected to repression by part of a foreign entity that they identify with Spain:

“Simposi Espanya contra Catalunya: una mirada histórica (1714-2014), els diez 12, 13 i 14 de desembre. El Centre d’Història Contemporània de Catalunya del Departament de la Presidència de Generalitat de Catalunya amb la col·laboració de la Societat Catalana d’Estudis Històrics, filial de l’Institut d’Estudis Catalans, han organitzat al Simposi Espanya contra Catalunya: una mirada histórica (1714-2014). To commemorate the three hundredth anniversary of the fall of the city of Barcelona into the hands of the troops of Philip V, the Centre d’Història Contemporània de Catalunya and the Societat Catalana d’Estudis Històrics convene the symposium, Spain against Catalonia: an historic view (1714-2014). The objective is to analyse with historic criteria the consequences of political action of the Spanish State on the country, with regard to Catalonia, from the 18th century to today, practically always of a repressive nature, Directed by Jaume Sobrequés i Callicó”
In the wake of this nationalist interpretation, “Spain against Catalonia”, information emerges, such as the following, published on the web site of the former President of the Generalitat de Cataluña, Jordi Pujol, who greets the recent inauguration in Barcelona of the Born Culture Centre, associated with the commemoration of 1714, in the following terms:

“El Born: zona cero dels catalans” (The Born: ground zero for the Catalans)
Web site of the Centre d’Estudis Jordi Pujol

The use of the expression “ground zero”, innocently or deliberately, refers the reader immediately to these tragic data (according to the Wikipedia definition):

“The expression Zona Cero arises from the translation of the English expression Ground Zero. The first use of this concerns the Manhattan Project and the bombing of the Japanese cities of Hiroshima and Nagasaki. Thus, the Oxford English Dictionary cites the use of this term, defining it as the part of the earth or ground immediately below a bomb explosion and above all in the case of a nuclear weapon. Later, and after a long period without using it, the US government and press adopted the expression Ground Zero again to denominate the site on which the two main buildings of the World Trade Centre stood, in New York, the Twin Towers, after the strikes of 11 September 2001. Since then, the press tends to use this expression to designate the hardest hit and most devastated zone in tragedies, accidents and attacks of almost any kind, such as the epicentre of an earthquake, the impact zone of a tidal wave on the coast, etc.”

This is the terrifying vision of Spain that certain segments of radical nationalism wish to transmit.

But, as with any event or circumstances of political, social or cultural life in Spain, we always find among the most eminent representatives of Catalonia itself, a measured voice that does not disfigure the history of Spain, the history of Catalonia:

“And many of the Catalan historians are accomplices to this situation. Why do they not explain that 11 September 1714 was the end of a war of secession from the Spanish Crown provoked by the confrontation between the major European powers? Why do they not explain that on that date, the Catalans did not lose any freedom, only the former class system? Why do they not explain that the 18th century, with the government of the Bourbons, is when the economic prosperity of Catalonia started, after three centuries of decadence, the last two under the government of the Habsburgs? Why do they not explain that the boom of the 19th century is based very fundamentally on free trade with America granted by Charles III, a Bourbon king, while that same freedom was denied before by the Habsburg dynasty? Why do they not explain that the protectionist policy of Spanish governments to Catalan industry during the 19th and 20th centuries, up until the 1959 Stabilisation Plan, was to the benefit of the companies of Catalonia and probably, at the expense of consumers from the rest of Spain? Historians must take a stance on all this.”
Francesc de Carreras, Professor of Constitutional Law from the Autonomous University of Barcelona, in the Barcelona newspaper La Vanguardia, 9 January 2013.
“But the Bourbon triumph was inevitable, despite the heroic sacrifice of the city of Barcelona, which fell into the hands of the Duke of Berwick on 11 September 1714. The exasperated patriotism of the Catalans was not for themselves, but fully Spanish: it was the reaction against the Treaty of Utrecht, which sanctioned Spanish decadence.”
Juan Reglà, Catalan historian, in “Introducción a la historia de España”, 1984

“I was there last Tuesday. Around one o’clock in the afternoon, I set foot for the first time – and I fear for the last – what Commissioner Torra amorally called “la nostra zona zero” (our ground zero) a year ago. I was, yes, in the Born Centre Cultural (BBC).”
Xavier Pericay, Catalan writer, in his blog “Por si acaso”, 7 October 2013

“In this article, we will respect the sentimental value of the spoils presented in the Born, although it is all based on a fallacy: a history lesson, despite the folklore, is always timely. But we have the conviction that there is no better history lesson that that which is studied and read in uncontaminated books and schools [...] if all the patriotic sense, all the sentimental emphasis, all the money that our politicians have invested [close to €80m] in this work had been put at the service of books – let’s say benevolent and peaceful, half for stones and the other half books as suggested at the very beginning – then Barcelona would have gained totally intangible heritage, but of capital return: to fight against ignorance, sentimentalism and the capacity to swallow fairy tales, elements on which the entire Catalan political movement rests at this time.”
Jordi Llovet, El País, 18 September 2013

Other testimonies from Catalonia:

“But what you cannot do is to do without the history of our country and how this country has been made over the centuries, both at State level and at the level of Catalonia, because this political reality, one of the oldest in Europe, and therefore, in the world, is not the result of coincidence or of imposition, but the result of a set of expressly sought historic circumstances in which pact, respect, the historical root of the issues have played a major part.”
Eugeni Gay, Catalan jurist, former judge of the Constitutional Court, on Catalunya Ràdio, 26 June 2013

“The current media debate about the independence of Catalonia talks a lot about history, its historic reasons, the offences of Spain. But they silence the historians and their silence is a form of acceptance of the dominant opinion. And that dominant opinion can be summarised in a sentence: “For 300 years, since 1714, Spain has been looting and oppressing Catalonia.” A clear and direct message. And simple and false. But one which has an effect.”
Francesc de Carreras, Professor of Constitutional Law of the Autonomous University of Barcelona, in the Barcelona newspaper, La Vanguardia, 9 January 2013.

“But this, today, when we have voted again in favour of the monarchy, we have not done so thinking and placing ourselves in a Catalan perspective back in 1714, but in the perspective of 1702, when Philip V, the first king of the Bourbon dynasty, arrived in Catalonia to swear its Constitution, to swear its rights, to swear its privileges; and in this perspective of recovering that history that was fertile and positive at that time,
where, through the history of the monarchy, one can find the origin of the unity of Spain as a free pact among different peoples that found the strength of a common cause in respect for one another and in solidarity, we, today, wish to open positive paths of confidence, ways enthused with confidence for what the new monarchic institution that the Constitution defines can do in this sense."

Miquel Roca i Junyent, spokesperson for the Minoría Catalana group in Parliament, 11 May 1978

Other testimonies in the same sense, from outside of Catalonia:

“But nationalism uses history to justify its necessary existence. But, the more solvent theoreticians and historians of the phenomenon have shown that history gives a rational glow to national sentiments. As experts including Ernest Gellner, Eric Hobsbawn and Benedict Anderson have explained, the nationalist discourse is non-historical, taking the roots of the homeland back to obscure if not eternal origins, using a selection of cultural, social and economic circumstances to explain the uniqueness of the national community and the need for their own state to defend it from the imminent risk of disappearance. Because nationalism also uses one of the most politically profitable sentiments: historically playing the victim."

Antonio Cazorla Sánchez, Professor of the History of Europe at Trent University in an article entitled “Quebec y Cataluña emoción, historia y pueblo”, El País, 24 May 2013

“The supporters of independence convert their particular idea of Spain in the scapegoat to blame for all their ills. This is how they fertilise the ground for the tiny minority in the rest of Spain that proposes doing the same thing with their particular idea of Catalonia. The claim that Spain perpetrated aggressions against Catalonia is a disgraceful manipulation of the past, which deliberately forgets how in civil wars and conflicts in which the entire country became immersed, the Catalans, like the rest of the Spaniards, were divided between the different sides. Neither Catalonia is subjected to looting by Spain, nor do ordinary Spaniards harbour any feelings of contempt for it. Quite the contrary: Catalonia arouses affection, admiration and recognition, among other reasons, because without it, without its language, without its culture and without its solidary contribution, democratic Spain cannot be understood.” […] The programme of national construction is an incentive to those preaching independence to feel victims of oppression by Spain, to reject consideration of proposals of understanding and to silence or relegate all those Catalan citizens who do not subscribe to that programme of secession.”

From the manifesto of 2 November 2012, signed by authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina, film makers Pedro Almodóvar, José Luis García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elias Querejeta, Mercedes Dampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguillar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga, university professors Javier Pérez Royo and Francisco Rubio Llorente and singer Miguel Ríos, among others.

“The Catalans freely and happily accepted Philip V as King. In October 1701, the Catalan Parliament, presided over by the king, met in the monastery of San Francisco. In an
atmosphere of exquisite moderation, the King agreed to many of the petitions of the Parliament and granted several privileges of nobility to members of the Catalan elite [...] And a later opponent of the regime of Philip V, Feliu de la Penya, admitted that the session had led to the “most favourable constitutions that the province had attained.”

Henry Kamen, British historian, El Mundo, 1 March 2013

“The President of the Generalitat, Artur Mas, has launched a campaign that uses the 300th anniversary of the defeat of Barcelona at the hands of the troops of Philip V, in an attempt to convert this date into a succession of acts of sovereign affirmation aimed at presenting Spain as the secular enemy of the Catalans. The activities on the programme include a history symposium co-organised by a centre answerable to the Presidency with the provocative title of “Spain against Catalonia”. The programme includes different lectures devoted to the political, administrative, institutional, economic, cultural and linguistic “repression” that Catalonia “has been the victim of” since 1714, and which culminates in “The apotheosis of looting: 21st century”, according to the title of one of them [...] With an operation of this kind, Mas and his collaborators are merely applying the classical scheme of the ideological construction of nationalisms, consisting of attributing all evils to an alleged “foreign enemy”, and trying to impose an essentialist and romantic vision of the nation, something that is more characteristic of the 19th than the 21st century [...] Artur Mas is being carried away by a dangerously Manichean and simple discourse, apart from being improper of a president obliged to a rigour and a respect for history, based on the cliché of a dark and tyrannical Spain compared with a bright, resistant Catalonia [...] In politics playing at having emotions take precedence over rationality is always very dangerous [...] As we are commemorating and looking back, the Catalans would do well to stop and think about another historic date that is also commemorated soon: the centenary of the outbreak of the 1st World War. Because that terrible historic experience shows us just how easy it is to light the fire of confrontations of identity and just how difficult it later turns out to be to put out the fires. History provides great lessons, provided that we want to learn.”

Editorial from the newspaper El País, 10 June 2013

“On seeing what Vicens Vives was trying to do, de-mystify the history of Catalonia, I immediately found myself on the side of this group. I realised the danger of mythology in the formation of collective and national identities. I would have liked Vicens Vives to have won that battle in the present Catalonia, but after one or two generations, it appears that he didn’t. It has been very sad for me, because I believe a society needs its myths, but if the myths dominate and impede genuine research, we reach a situation in which the people become engrossed in themselves and adopt a position of offence, thinking that all the disasters have been the fault of others. This is the moment when you reach a situation of extreme tension over any problem. There are politicians that take advantage of this to strengthen the myths, to place excessive emphasis on them, once again, and playing the victim rather than realising the internal problems of a society. That is what especially concerns me.”

John Elliot, Regius Professor Emeritus at Oxford University, Honorary Fellow of Oriel College, Oxford and of Trinity College, Cambridge. Creu de Sant Jordi, 1999, (Cross of Saint George) distinction awarded by the Generalitat de Cataluña to those who “have provided outstanding service to Catalonia in defence of its identity”
“Elliot is probably the most respected authority on Spanish history of the 16th and 17th centuries. Furthermore, he is a profound connoisseur of Catalonia.”
Francesc de Carreras, Professor of Constitutional Law at the Autonomous University of Barcelona, in the Barcelona newspaper La Vanguardia, 9 January 2013

In Spain, we face a challenge that is by no means singular, that is not at all unique, on the contrary, it is a common phenomenon to almost all societies, either in their national life or in their international life: they all face crisis, dissention and confrontations and they hold resolving them through accord and not by virtue of rupture as a superior value.

“We Spaniards do not agree – thank God -. No peoples do. Disagreement is inevitable and marvellous, provided that it does not approach harmony, the unbreakable decision not to break up coexistence.”
Julián Marías, in the magazine Cuenta y Razón, May 1998

“A democracy, more than a regime of agreements, is a system to coexist in conditions of profound and persistent disagreement.”
Daniel Innerarity, Professor of Political and Social Philosophy, Ikerbasque researcher at the University of the Basque Country and visiting lecturer at the Robert Schuma Centre for Advanced Studies of the European Institute of Florence, El País, 19 October 2012

In short, another fraudulent operation of radical nationalism consists, not this time of disfiguring the more or less remote history of Spain, but of entirely disqualifying the social and democratic rule of law in effect, with the same aim of winning the solidarity of the international world, albeit through political and moral fraud. Finally, a last degrading operation comes from radical nationalism: condemnation, not of our forefathers – as we have seen before – but directly of their co-citizens, their neighbours of today. Both these condemnations are explained in the chapter “on the loyalty of citizens and the institutions: transgressing the ethical principles and individual and political behaviour.”

4.7 Plural Spain: diversity as an asset

The truly plural Spain, the one that we have all loved and wanted, is the one built on a conviction: that human and social flowering requires diversity to be fertile. And this truth owes much to the pedagogy carried out by Catalan spirits.

All we Spaniards believe that the proximity and the contacts with other tastes and ways of thinking, in Spain, in Europe, in Latin America, in the world, help us to distinguish the essential from the accessory, to verify that what we take as unchanging and universal, does not occur in other places deserving of the same dignity, in short, that these differences help us to grow and prosper, to show our solidarity with all problems.

But in no case have we Spaniards believed that this difference were incompatible with our own,
European, Latin American, global determination to seek increasingly ample agreements to remain “united in diversity”, according to the motto of the European Union. And the best peoples of Catalonia have always been active members of that cause.

As an example of “invoking Spanish harmony” (Antoni Comas, Catalan literature, Barcelona, 1977), one of the most beautiful poems of the great Catalan poet Salvador Espriu – La pell de Brau (The bull’s hide) – criticises the Spain of his age (during the Franco regime), pre-figuring a free and democratic coexistence, which is what we have attained. This is how it starts:

“Diversos són els homes i diverses les parles,
i han convingut molts noms a un sol amor.”
[Diverse are the men and diverse are the languages,
And they have agreed upon many names for a single love]

……
“Diverses són les parles i diversos els homs,
i convindran molts noms a un sol amor.”
[Diverse are the languages, and diverse are the men,
And they will agree upon many names for a single love.”

That is why we are freer and more tolerant today, in short, better.

“For us, the right to autonomy signifies recognition in favour of the peoples of the Spain of rule of law to gain access to the quotas of self-government that their own maturity and their own identity clamour, compatible with safe-guarding the trilogy: one nation, one sovereignty, one state, even if this nation is diverse, that sovereignty is susceptible to being exercised in an articulated fashion, or that state is organised in an autonomic fashion.”
Gabriel Cisneros Laborda, of the UCD Parliamentary Group, Congress of Deputies, 21 July 1978

“And when one resorts, and resorts properly, to the old Kingdoms of Spain to claim one’s own historical and uninfringeable personality, one should not forget that “one” Spain underlies all of them and makes them uniform and centripetal among each other. That is why neither the peoples that germinate within Spain like the lush branches of a single trunk, nor the vote of the citizens can place in doubt Spanish existence itself. And that, not by virtue of any determinist interpretation, but by virtue of a principle of freedom, of a deep freedom that neither the mistake of a century and a half, nor the terror of many days can up-root from our soil, because it is written that brothers living together is good and happy.”
Miguel Herrero y Rodríguez de Miñón, deputy of the Unión de Centro Democrático Group, Congress of Deputies, 21 July 1978

“This Catalan co-operation, from within, is useful precisely because it is different, because it enriches the body of the Madrid Government with its difference, as Ortega says over and over again in his “España invertebrada”: I underscore that it is useful because it is different. This “dispersion”, this contribution of something different – once again, I quote Ortega – is the cement that provides cohesion, not a dissolvent that se-
parates: “Distinguish to unite” was the deep and intelligent motto of Jacques Maritain, the one that inspires his “Degrees of knowledge”. To merge forever could be the motto of so many mistakes in the secular treatment of the Catalan question.”

Leopoldo Calvo-Sotelo Bustelo, former President of the Government, Tribuna Barcelona, 10 June 1996

“We are not willing for a wall of incomprehension and invented offences to be put up within Catalan society, and between Catalan society and the citizens of the rest of Spain.”

From the manifesto of 2 November 2012, signed by authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina, film makers Pedro Almodóvar, José Luís García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Dampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguillar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga, university professors Javier Pérez Royo and Francisco Rubio Llorente and singer Miguel Ríos, among others

“If Catalonia or the Basque Country is tempted to separate, I have part of my identity amputated. And what I am saying is that if someone wishes to do so, they must listen to my opinion. I feel Spanish, I cannot conceive of Spain without Catalonia and I would like to be consulted.”

Felipe González, former President of the Government, 29 November 2012

4.8 Conclusions

“Perhaps there is no clearer expression of solidarity in the historic fate of all Spaniards in our medieval literature than that which was left to us by the anonymous author of “Flos Mundi”. What is it that the author confesses that led him to write about history? There are people from outside of Spain, he tells us, that have written majestically of past events, “mas peço com aquestes no son estats spanyols, no an curat de texir la vstorya de Spanya, sino superficialmente, yo empero, qui son spanyols, texiré e reglaré la dita historia, cometmoprant uns feyts ab altres, tan como ma industtria sosener porà.”

“The spur, therefore, of their Hispanic feeling is what moves the pen of the author of “Flos Mundi”, who, on the other hand, finds it very normal that those who are not affected by the tie of solidarity over whose land this history is woven ignore the history of Spain.”

Jose Antonio Maravall, historian of ideas, “The concept of Spain in the Middle Ages”, 1954, about the Catalan author of the chronicle “Flos Mundi”, from 1407

All these texts show that the deeper and more genuine the roots of Catalan identity are, the more they feel that they are set in a common soil that for almost a thousand years, they call
If a political project evicts a significant number of their co-citizens, essentially from their future, but also from their present and their past, it questions their socio-political kindness. What social and cultural values underpin secessionism that it can defend a political project that discredits the most fertile of its own tradition and breaks with the most perfect coexistence?

While the Spanish transition welcomed all citizens, without exclusion, of all and any ideology and condition, secessionism expels many co-citizens from both its balance of history and from its future project. Compared with an inclusive project, we now see the appearance of an exclusive project: what is the gain, in terms of human dignity, beyond the gain in power of a few?

Fortunately, the broad civic conscience of Catalan society has no wish to renounce the very best and the very highest they have thought and felt, they do not want to tear themselves apart or tear Spain apart:

“It is obvious that a large proportion of Catalan citizenry also respond to this willingness to talk by offering their hands, as most have done over the last 30 years, but there is a part of the political class that responds by turning its back and refusing to deal; in fact they go further and wish to break off any dealings. The proposals of the neo-independence movement, at a moment in which Catalonia has unseen levels of self-government, strike us as a step backwards, as they are terminating the agreement of the transition – which was just as Spanish as it was Catalan – and they support those essentialists that consider us as the children of our demons. It is not a question of the independence proposal being ungrateful in the face of the most successful plural project in Spain; it is deserting itself, from the best that Catalonia, apart from the rest of Spain, thought and felt during the most fertile years of the transition.”
José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation, “¿Dar la espalda al que tiende la mano?”, El Periódico de Catalunya, 4 November 2012

In short, it is worth pointing out, finally, that the examples of coexistence in the plurality can also be found in other countries:

“Today it is very natural to have different identities. 70% of our population, for example, says that they are Welsh. Most of them also define themselves as British and European. There is no contradiction in accumulating these identities. Our national identity does not need a national state.”
Carwyn Jones, first minister of Wales, La Vanguardia, Barcelona, 3 March 2013
5

Cultural aspects
“And we will even go further: Maragall, like Pi i Margall, like Prat de la Riba and like Cambó, was a Spanish nationalist whose vehicle of expression was, along with Catalan, the Spanish language. Maragall, Cambó, Prat are Spanish enigmas and problems, and not many have wanted to realize this until now.”

Andreu Navarra Ordoño, from the Autonomous University of Barcelona, in his work “La región sospechosa. La dialéctica hispanocatalana entre 1875 y 1939”

“When my separatist friends deploy these historic arguments, I like to refute them conclusively: the Roman Empire came long before the European Union... but that doesn’t mean that we are going to be governed from Rome or that we are going to speak Latin! You can “demonstrate” anything by manipulating history and nationalist emotions.”

Tristan Garel-Jones, British politician, Cymru am byth, ABC, 14 February 2014

Let’s continue with the last of the secessionist operations, the one that denies the existence of a community of affections and, in particular, the affection of Spain as a whole for the Catalan situation and the reciprocal affection that Catalonia shows towards the rest of Spain.

The purpose is clear: if there has never been a common awareness of belonging or a joint projective sense of political life; then secession cannot fracture anything, nor would it be a traumatic rupture of infinite ties, as these would never have existed, in the words of secessionism.

But, it is easy to track the manifestations of recognition shown by leading figures of the political, intellectual and artistic life of Spain as a whole and equally, it is simple to see how the awareness of belonging to an historic community with its own personality has always gone hand in hand with the awareness of belonging to Spain.

### 5.1 Consideration of Catalonia in Spain as a whole

Limiting ourselves to our age, the following examples are sufficient:

“Neither Catalonia is subjected to looting by Spain, nor do ordinary Spaniards harbour any feelings of contempt for it. Quite the contrary: Catalonia arouses affection, admiration and recognition, among other reasons, because without it, without its language, without its culture and without its solidary contribution, democratic Spain cannot be understood.”

From the manifesto of 2 November 2012, signed by authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina, film makers Pedro Almodóvar, José Luís García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes Dampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguillar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga, university professors Javier Pérez Royo and Francisco Rubio Llorente and singer Miguel Ríos, among others
“Our open attitude is not the cause of the pretensions of independence. If the neo-independence movement looks in the mirror of Spanish society as a whole, it will see the face of someone who wants to break with Catalonia, to expel it from Spain: that is the terrible symmetry. Both movements consider the constitutional consensus dead and buried ad the feed-back on each other, in a game full of risks, that we dislike and which we are resolutely opposed to, out of our unbreakable affection for Catalonia.”
José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation, “¿Dar la espalda al que tiende la mano?, El Periódico de Catalunya, 4 November 2012

“The songs in Catalan excited us as much as the songs in English, and they also had a quality of hymns. Now it seems that saying Spaniards or saying Catalans is like naming the hostile fans of two football teams, but there was a time when the demand for Catalan and the statute of autonomy for Catalonia formed part of the same progressive project.”
Antonio Muñoz Molina, writer, El País, 22 September 2012

“The records of Lluis Llach, or Raimon or Pi de la Sierra, or of that angelical Jaume Sisa de Qualsevol, “Nit pot sortir el sol” were sold in (all of) Spain as they were in Catalonia. And it was also throughout Spain that an audience could be found that was totally won over by the great independent Catalan theatre.”
Antonio Muñoz Molina, author, El País, 22 September 2012

“Emotionally, [the Independence of Catalonia] would be a break, a generation of Spaniards would never recover for the rest of our lives.”
Juan Fernando López Aguilar, chairman of the Spanish socialist delegation to the European Parliament and former Minister of Justice, in declarations to Ràdio 2, RNE, 21 October 2013

“We consider that Catalonia has won the esteem and solidarity of the rest of Spain. Nobody must forget its important contribution to the process of modernising our country and its welcome to thousands of workers from other places in Spain.”
From the manifesto of 2 November 2012, signed by authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina, film makers Pedro Almodóvar, José Luís García Sánchez, Carmelo Gómez, Charo López, Carmen Machí, Elías Querejeta, Mercedes Dampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguillar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga, university professors Javier Pérez Royo and Francisco Rubio Llorente and singer Miguel Ríos, among others

“In the cultural aspect, we should congratulate ourselves that Spain has been born and has grown up in the warmth of several languages, and this shouldn’t be said in passing, without exploring in depth the idea that linguistic plurality is valid. Solutions in this field also try to find the right formula for Catalonia to be able to express its potential and personality in the national concert.”
Adolfo Suárez, President of the Government, Message of 20 December 1976, Speech before the Barcelona Council
“I have always had a tendency to feel sympathy for the Catalan people and the Catalan culture, first, out of doctrinal principle, because I believe that languages and cultures are the creation of human civilisation and it is a crime to submit them by force.”
Pedro Sainz Rodríguez, Spanish humanist and politician, in his memoirs, Testimonio y recuerdos, Barcelona, 1978

“I am one of many non-Catalan Spaniards who started to discover and love Catalonia through him [referring to Catalan politician Francesc Cambó].”

Examples from other times of the past:

“Allow us to give this title to Catalonia, as although it only has the title of principality, rightly, as it deserves it, at some time it may take the name of Kingdom.”
Jerónimo de Blancas, Spanish historian, in his work, “Comentario de las cosas de Aragón”, of the 16th century

“The Principality of Catalonia in grandeur and authority can compete with any kingdom in the world.”
Pedro Salazar de Mendoza, Castilian historian, in his work “Monarquía de España, from the 16th century

“Barcelona, centre of wise men, model of honesty, fount of Kings.”
Baltasar Gracián, in his 17th century work “El criticón”

“The Catalans are the most industrious peoples of Spain”
José Cadalso, in his 18th-century work “Cartas Marruecas”

“Language that is certainly grandiose and magnificent”
Marcelino Menéndez Pelayo, letter to Alejandro Pidal y Mon, 8 May 1877

“We want to comply with a true duty of patriotism, saying to Catalonia that the glories of its language live everlastingly in the admiration of all of us.”
Azorín, Federico García Lorca, José Ortega y Gasset, Gregorio Marañón, Ángel Herrera, Ramón Menéndez Pidal, Pedro Sainz Rodríguez, Concha Espina, Miguel Herrero, Luís Jiménez de Asúa, Gabriel Maura, Mercedes Gaibrois de Almagro, Ramón Gómez de la Serna, José Gutiérrez Solana, Manuel Azaña, Claudio Sánchez Albornoz, Ramón Pérez de Ayala (and many others), in the Manifesto of Castilian writers to the Directory of Primo de Rivera, in defence of the Catalan language, March 1924

“The linguistic oppression that existed in Spain recently has completely ceased, forever, with the Republic. The regional generations educated in protest against outrage however, are prone to organise, thinking of language as a weapon and not as an instrument [...] And yes it is very true that respect must be shown for the fact of the splendid modern Catalan renaissance, it is no less necessary to count on the essential magna and secular fact of the peaceful and lasting penetration of the Castilian language, since the Middle Ages, in Galicia, in Catalonia and in the Basque Country. And
hearing denials of this penetration, hearing the silly comparison of Castilian to English, we understand that the psychology of bitterness remains alive; so I only know how to ask the regions to make the greatest possible effort to distance themselves from that ideological state formed in past humiliation, and I so ask with some confidence that they will not see me as an enemy, because I am Galician by birth, because I cordially joined the protest against the outrage that the Catalan language was victim to and I worked to have it repaired; because I have co-operated as far as I could in glorifying the cultivation of Basque.”

Ramón Menéndez Pidal, El Sol, 3 November 1931

“Catalan [...] means enrichment and enhancement for Spain”
José María Pemán, “El catalán, un vaso de agua clara”, ABC, 19 April 1970

The most recent event that accredits the general sympathy in Spain for the great Catalan spirits is an historic record: never before has an art exhibition in Madrid attracted so many visitors as has been achieved by the “Dalí” exhibition about the genial Catalan artists in the Reina Sofia Museum this year, 2013: over 700,000 people.

But if someone wanted to see real proof of the centuries-old existence of that community of affection and the appreciation of the things of Catalonia in previous centuries, one can consult the references to practically all the great figures of Catalan culture that appear in the encyclopaedic works of humanists such as Nicolás Antonio from Seville (Bibliotheca Hispano Vetus, Bibliotheca Hispano Nova, published in the 17th Century), Gregorio Mayans y Siscar, from Valencia (published in the 18th Century) and another humanist from Valencia, Juan Sempere y Guarinos (Ensayo de una biblioteca de escritores españoles en el reinado del señor Carlos III, published in the 19th Century).

The incomparable España sagrada o Teatro geográfico-histórico de la Iglesia de España, in 56 volumes, a true monument to Spanish and European historiography, was a work due essentially to Augustinian monk Enrique Flórez (1702-1773), from Burgos. For the volumes devoted to the history of Tarragona and Barcelona, Flórez obtained the cordial co-operation of highly notable, erudite Catalans, such as Jaume Caresmar i Alemany, for whom the ecclesiastical history of Catalonia was part of the history of Spain:

“A lot of good things have I seen in the Archives of Catalonia with which to illustrate not just the churches of this principality and others of Spain, plus also many general points of the church.”
Jaume Caresmar i Alemany, abbot of the Monastery of Bellpuig de las Avellanas, in a letter to Agustín Luis Verde, 14 June 1771

It was pointed out before, in the chapter “Historic aspects”, that there have been historical attitudes of contempt for and oppression of the singularity of Catalonia, its language, culture and customs, and how attitudes emerged immediately from Spanish society as a whole, showing solidarity with Catalonia; that is, that affection always grows when put to the test, in times of difficulty: two examples will suffice:

“Language is the most intimate and characteristic expression of the spirituality of a people and, we, in the face of the fear that these provisions may have hurt the sen-
sities of the Catalan people, becoming in the future, the cause of insurmountable malice, wish to declare with a gesture to the writers of Catalonia the security of our admiration and of our respect for our brother language. The simple biological fact of the existence of a language, an admirable work of human nature and culture, is something always worthy of the respect and the sympathy of all cultivated spirits.”

Azorín Federico García Lorca, José Ortega y Gasset, Gregorio Marañón, Ángel Herrera, Ramón Menéndez Pidal, Pedro Sainz Rodríguez, Concha Espina, Miguel Herrero, Luis Jiménez de Asúa, Gabriel Maura, Mercedes Gaibrois de Ballesteros, Fernando de los Ríos, Melchior Fernández Almagro, Ramón Gómez de la Serna, José Gutiérrez Solana, Manuel Azaña, Claudio Sánchez Albornoz, Ramón Pérez de Ayala (and many more), in the manifesto of the Castilian Spanish writers to Primo de Rivero’s Military Council in defence of the Catalan language, March 1924

“I also salute you on behalf of this, my accession, private and unbreakable to all that is yours, born in those unforgettable and distant days when I took the final breath of the great spirit called Prat de la Riba, with some of you, in a humble house in the Catalan mountains.”

Gregorio Marañón, 25 March 1930, in the act of co-fraternity of Catalan and Castilian intellectuals

And this affection has been saluted from Catalonia itself:

“At the head, that series of leading men, now converted into a phalanx of august shadows, some of them patriarchs, who from the other bank of the Ebro, managed to understand and love us intellectually with a lucidity of which there are very few examples in correspondence from among us; Menéndez Pelayo, Giner de los Ríos, Salmerón, Canalejas, Gómez de Baquero, the most sublime among the best.”

Gaziel, Catalan writer and journalist, in the Catalan newspaper La Vanguardia, 11 July 1934

5.2 “They don’t like us”

As the separatists know that in a world that opts for the civic ethics of coexistence, in a world that wants to manage problems and diversity through dialogue, it is regressive to propose rupture, many of them manipulate reality to turn it around, claiming “we are not leaving, they are throwing us out”.

And some cling to the argument that “they don’t like us” maliciously, as an excuse that masks the beat of a bad conscience that their position betrays the civic standards of our times and of our environment, thus intending to exorcise the moral deficit of their philosophy.

This game, that certain secessionists aim to use to abuse the good faith of many too, a game that is not fair play, has been wisely discovered by several intellectuals who have distinguished themselves by recovering freedoms and recognising plurality in Spain.
For example, philosopher Julián Marías, with his phrase:

“One must not try to please those who do not want to be pleased”

Another philosopher, Fernando Savater, talking about the separatists:

“Others, on the other hand, neither feel comfortable nor intend to do so any time soon because their ideological raison d’être consists of managing such disagreement. Changing things just to please those who do not intend to be pleased ever as long as they remain within makes many uneasy and does not please the rest.”

El País, 13 November 2012

And Barcelona jurist Francesc de Carreras:

“There is a simple manipulation of feelings; anything goes. Nothing has changed in the Catalan nationalists for thirty years: they do not want bridges, they want to complain. For them, autonomy is not an end; it is a stage, a mere step towards independence. But they are in no hurry to arrive at the goal, they prefer to gradually accumulate power and enjoy it without anyone bothering them. We are now in the stage that they show their “distrust for Spain” in whom to date, they say, “they had trusted so much”. Do not believe them, pure hypocrisy, it is what is the best for them to say, strategically. How many times have we heard them in thirty years? You build bridges. That is your way, but do not expect anything in exchange!”

Francesc de Carreras, La Vanguardia, 1 October 2011, “A Ramón Jáuregui”

5.3 Consideration of Spain in Catalonia

The Catalan “will to be”, in its most illustrious figures, has always claimed at the same time the awareness of belonging to a single historical community called Spain. This reality can be found at any time of the cultural history of Catalonia, from its very origins to our times.

Middle Ages

In the chapter “Historical Aspects”, we have shown how Spain was considered by the leading political figure of the medieval history of Catalonia, and perhaps of its entire history, King James I of Aragon (1208-1276), that could be summed up in the following phrase from “El llibre dels fets”:

“Our father, King Peter, was the most generous king there has ever been in Spain, and the most courteous and the kindest.”

Well, Ramón Llull, the most fertile and original thinker in the Catalan language and main creator of the philosophical use of that language, grew up in the court of James I. It is legitimate to suppose that these symbolic reference points of King James I, the Conqueror, were the usual
framework in which Ramón Llull was educated, naturally and spontaneously. This very proximity and feeling of belonging to a common world explains why the Catholic Monarchs were unconditional followers of the great philosopher:

“The devotion that the Catholic Monarchs felt, and Philip II to a greater extent, prevented the anti-Llull work by Dominican friar Nicolau Eymerich [famous member of the Inquisition from Gerona] from becoming a ban.”

Rafael Ramis Barceló, “La imposición del nombre de Ramón Llull en el bautismol, His-pania sacra, 2012

“There were quite a few manuscripts sent by the Juries of Majorca to Cardinal Cisneros and Philip II, great admirers and followers of the Enlightened Doctor. The famous Cardinal managed to bring together a copious collection of Llull manuscripts and prints in Catalan, Latin and Castilian in his private library. His decided support for Llull’s studies and his deep knowledge of the works of the Beatific poetry, turned him into the driving force that introduced Llull’s thinking in Castile and, therefore, in the House of Austria.”

L. Pérez Martínez, “Fondos lulianos en bibliotecas españolas”, EL, 19: 221-236

Y por eso dice Menéndez Pelayo en su obra Los heterodoxos españoles:

“On several occasions, the canonisation process has been attempted [of Ramón Llull]. Philip II made a determined effort to achieve it.”

Cardinal Joan Magarit (1421-1484). Bishop of Elba and Gerona, writes in a work entitled “Paralipomenon Hispaniae libri X”, the literal translation of which is “Ten books on the forgotten things of Spain”, in which he studies ancient Spain, its ethnography, topography and history. He dedicates his work to the serene Kings of Spain, Ferdinand and Isabella, in a missive in which he celebrates the conquest of Granada by the Catholic Monarchs, as he considered it “part of Spain occupied by Mohamedans with no less dishonour than detriment.”

Jeroni Pau is considered the greatest Catalan humanist of the 15th century, a man of laws, poet, notable historian and geographer. He is responsible for the first description and history of the city of Barcelona, entitled “Barcino” (1491), and of one of the first works of Spanish geography about the rivers and mountains of Spain: “De fluminibus et montibus Hispaniarum” (1491). And an epistle about the illustrious barons of the Spains, entitled “De hispaniarum viris illustribus” which includes names of all the illustrious peoples born in Catalonia.

This Jeroni Pau reads and reviews the work of his nephew, Pere Miquel Carbonell (Barcelona 1434), this time written in Catalan: “Chronic de Espanya fins ací no divulgades que tracta dels Nobles e Invictissims Reys dels Gots y gestes de aquells y dels Conts de Barcelona e Reys de Aragó, ab moltes coses dignes de perpètua memòria, printed in Barcelona in 1546. Under this title of Chronicle of Spain, Carbonell refers essentially to the Kings of Aragon and the Counts of Barcelona.

Another great 15th century poet is Ausias March, from Valencia, whose work influenced many Castilian language poets, especially due to the translation that was published in 1579, “of the works of the excellent poet Ausias March, gentleman from Valencia” by another illustrious poet, Jorge Montemayor. The prologue is by humanist Juan López de Hoyos, who writes quite naturally of Ausias March:
“Who is a Spanish poet, and wrote in Limousin, which is a language between Catalan and Valencian [...] as they are [these works] by men of our Spain, which is Valencian.”

The Benedictine abbey of Montserrat, with its thousand-year-old history and deep meaning for the history of Catalonia, gave books in Latin, Catalan and Castilian to the printer, in the age of the incunabulum, the 15th century (Els incunables conservats a la Biblioteca de Montserrat, Olivar, Alexandred, Publicacions de l’Abadia de Montserrat, S.A., 1990).

The printers of Barcelona and Lerida did the same, whose presses rolled out incunables in only one language, other than Latin (the most numerous) and Catalan, Castilian.

Modern Age

Juan Boscán, born in Barcelona in the 15th century, stands out among Catalan poets writing in both languages, a crucial figure in the history of 15th century Spanish poetry, as a great reformer of Castilian metric.

“Mosén Juan Boscá Almugaver, who in the Castilian version of his surname was called Boscán, belonged to the class of honourable citizens of Barcelona, true municipal aristocracy, enriched since ancient times by shipping and trade.”

Marcelino Menéndez Pelayo, complete works

“Los coloquios de la insigne ciudad de Tortosa” - The talks of the illustrious city of Tortosa - are considered as “the most important work of Catalan prose of the 16th century” (Juan Antonio González, editor and translator of said work, 2012). It is a work of rare modernity in its conception and sense of humour. Fine, well here, its author, Cristòfol Despuig, writes the following:

“So that in Europe, where the name of Jesus Christ is honoured almost alone, only Italy and Spain remain clean, and in Spain, you have seen what has happened in Castile, where if we did not have such a Catholic king and if it were not for the Spanish Inquisition, we would no longer be lords of our own mansions.”

“And within our Spain, we have also had a being as restless and variable as in any province in the world.”

“Neither does he [understood as “he does not mention”, in reference to the work “Sumario de los ilustres”, by Juan Sedeño] of the clear and unvanquished prince, Count Don Ramón Berenguer de Barcelona, third of this line, who apart from conquering Majorca for the first time – which the Genovese and peoples of Pisa, whom the count had commissioned, returned to the Moor for a certain sum of money – subjected Valencia, Tortosa and Lerida, which paid him tribute all the days of his life; he also did that highly noble feat worthy of immortal memory and glory for the whole of Spain and very particularly for our Catalonia, of liberating, in single combat, Matilde, wife of the Emperor Henry the Second.”

“And what do you think, sirs? Most of the Castilians are bold enough to say publicly that this, our province, is not Spain and for that reason, that we are not true Spaniards, not seeing the lucky sinners, how tricked they have been and how ignorant they are and
how blind with envy and malice they are, that this province is not only Spain, but also the best Spain and taken as such in all times and by all the nations that have arrived here.”

“If they now take it, in modern times, what Spanish province by sea and by land has done a better job of showing itself than this that is now the Crown of Aragon, and especially our Catalonia?”

“So for all these reasons, conjectures and verisimilitudes, in my opinion, Tortosa is the first town of Spain.”

Lawyer and economist Françesc Romà i Rosell, born in Barcelona in 1725, lawyer to the poor of the Principality of Catalonia, is known for “his constant defence of the guilds of Catalonia” and for “his demands in the sense of greater political devolution for Spain, including the recovery of some of the freedoms or Catalan institutions that disappeared in 1714”. These quotes come from Catalan politician Ernest Lluch, who, in his PhD thesis entitled “Economic thought in Catalonia between the economic renaissance and the Industrial Revolution: the arrival of the classical school and the protectionist response” calls Romà i Rosell “the first of all”. Well, Romà i Rosell entitles his best known work “Las señales de la felicidad de España y medios de hacerlas eficaces (1768). In his prologue, he states that he has written it “guided by a good intention […] with that promptness, proper of a good patriot, when it is a question of serving the Public”; does not hesitate to entitle one of the chapters “Love for the homeland contributes to advancement and conservation of the Factories” and, in another, he claims the following:

“By I say the reflection, the mere propensity, that men have to deal with each other, and a rational instinct would suffice to bring the Provinces closer together, constituted under a single Government, from the moment that the reasons for scandal and discord cease to allow those people, who with Caduceus in hand, bear discord within. One of the privileges of great Souls is the exemption from national concerns, and of all party spirit. For when these reach Government they have the Providence reserved (according to the experiences of all Nations) of the great work of sincerely linking together the Provinces, resorting to the causes that could prevent it, which are the diversity of customs, laws and language; the inequality; disappointment; and the monuments of the ancient discords”

We owe one of the most illustrious and erudite works of Spanish historiography to Joan Francesc de Masdeu i de Montero: his monumental “Historia crítica de España y de la cultura española, in twenty volumes, which started to be published in the 18th century, a work in which other erudite Catalans collaborated, like Francesc Mirambell i Giol. It was a history of Spain that they felt to be their own.

Contemporary Age

The key reference to La Renaixença in Catalonia was the erudite work of Félix Torres Amat, entitled “Memorias para ayudar a formar un Diccionario crítico de los escritores catalanes, y dar alguna idea de la Antigua y moderna literatura de Cataluña” (1835) which constitutes “one of the fundamental texts for the literary history of Catalonia, whose use persists today” (Gran Enciclopedia Catalana). Well, in the prologue, the author trusts that this encyclopaedic dic-
tionary will be used by anyone who “publishes over time the literary history of our Spain.” In other words, for humanist Torres Amat, Catalan literature is a chapter of Spanish literature. On receiving the work, the Royal Academy of History salutes “the gloriousness and gravity of the enterprise”.

Three cardinal figures of La Renaixença, in the 19th century, all from Barcelona, consider the renaissance of the Catalan language and culture an enrichment of Spain as a whole, and they esteem the two realities, the Catalan and the Spanish, compatible, as we can verify in the life and work of Aribau, Balaguer and Milà. Bonaventura Carles Aribau, whose work, “Oda a la patria” (1832) is considered the instigator of the cultural movement of the Catalan Renaixença to recover the language and culture of Catalonia, was the creator and director, with Ribadeneyra, of the gigantic “Biblioteca de Autores españoles”, a collection that until recently, constituted the main source of Spanish literary canon with over three hundred volumes.

“As our Library is entitled of Spanish Authors, it will not only encompass Castilian authors [...] but also, complying with the express and several times declared wish of the two illustrious founders, Don Buenaventura Carlos Aribau and Don Manuel Rivadeneyra, several volumes by Catalan poets and prose writers of the middle centuries: such admirable chronicles as those of King James I, Desclot, Muntaner and the one attributed for so long to King Peter IV; encyclopaedic and doctrinal works by Ramón Llull and Eximenis; novels like Tirant lo Blanch; poets like Ausias March, Jaime Roig y Corella. These publications will be bilingual, so they can be handled by all Spaniards.”

Marcelino Menéndez Pelayo, Prospectus of The New Library of Spanish Authors

Victor Balaguer i Cirera, historian, poet and playwright, born in Barcelona in 1824, who L’Associació d’Escriptors en Llengua Catalana defines as “the true “producer manager” of la renaixença, understood as a process of recovery of the historic-linguistic-literary self-esteem [of Catalonia]”, in its writ La literature catalane, of 1893, which says:

“I am as Spanish as anyone, and perhaps more than anybody. Considering Spain as my homeland, and in it, Catalonia as my home, I have for Spain the love of the patriot, for Catalonia, the love of the son; I know well that there are two homes in this world, the home of the homeland and that of the family.”

And in this same work, La literature catalane, of 1893, he adds:

“It is a mistake of the modern Catalanists, as they call themselves, to believe that one can only be Catalanist by writing in Catalan.”

Manuel Milà i Fontanals is “the character of greatest weight of the Renaixença”, according to Antoni Comas (Literatura catalane, Barcelona, 1977). “There was no-one more Provencelist or Romanist worthy of the name [in Spain] than the venerable Milà y Fontanals”, he used to say of his unforgettable maestro Marcelino Menéndez y Pelayo. Author of countless studies about troubadour poetry in Spain and the Catalan ballads, he wrote the following verses, clamouring for the restoration of the 1812 Constitution of Cadiz:
“Follow the quick march my braves
A cry will save you: Constitution!”

“Political Catalanism is, above all, a result of this renaissance” says the great historian of contemporary Catalonia, Jesús Pabón. Well, the paragraphs above illustrate the awareness of their most illustrious representatives about Spain.

In his work “Castilla y Cataluña en el debate cultural 1714-1939, Horst Hina claims the following:

“Catalonia is Spanish: it not only needs the Spanish market in the economic field; it also participates in the global Spanish culture. In Mañé i Flaquer, as in Milá i Fontanals and other representatives of “provincialism”, and as we can also find in Capmany, we find a strong conscience of the Castilian component in Catalan life […] As Catalonia is also Catalan: this fact is not made clearer in any other place than in the area of language and literature.”

In Angel Guimerà, one of the leading theatrical authors of the so-called Catalan Renaixença, we find another notable example of this Catalan and Hispanic reality. His work “Terra baixa”, which is one of the most often performed of Catalan language theatre, was premiered in Madrid, in 1896, before it opened in Catalonia, in a translation done by playwright and first Nobel Prize for Literature in the Spanish language, José de Echegaray.

Josep Torras i Bages, Catalan writer and priest, who took part in drafting the Bases de Manresa, with Prat de la Riba, says the following in the prologue (1906) of his work “La tradició catalana”, a key work of the Catalanist movement:

“This book is certainly a breviary of the worship of the homeland [Catalonia]; but it is by no means opposed, rather on the contrary, to the worship of Spain, a set of peoples united by Providence.”

Ángel Rodríguez Ruiz, of Barcelona, founded a football team in the city of his birth in 1900, called Sociedad Española de Football (Spanish Football Society), known as El Español, which is the second most important football club in Catalonia, after Barcelona FC, and the sixth oldest in Spain:

“The main signs of identity, and what determined the original name of this new sports club, was that all its components were Catalan or born in the rest of Spain, in contrast with the other teams, made up mainly of English and other nationalities.”
Real Club Deportivo Espanyol, on its web site, 2013

These friendly manifestations undoubtedly included others of a different nature, but they were in a minority:

“An end had to be put once and for all to that monstrous bifurcation of our soul; we had to know that we were Catalan and that we were no more than Catalans, to feel what we were not to know clearly, deeply what we were; what Catalonia was. This work, this second phase of the process of Catalan nationalisation, was not done with love, like the first, but with hate. Many times already, since the first movement of the
re-born Catalan soul, the transports of adoration were accompanied by reproaches for those that caused the misfortunes of the Homeland, of hidden charges, innocent threats, and over the years, this note became predominant. The work of reconstruction always stumbled over the same obstacle; the ills of Catalonia came always from the same place; all the walls of the prison were touched and reviewed and the protest exploded, excited, powerful and vibrant. The force of love for Catalonia, on clashing with the obstacle, is transformed into hate, and setting aside odes and eulogies to the things of the land, the Catalan muse, with tragic veil, cursed, imprecated, threatened. The reaction was violent: with that summary justice of collective movements, the Catalan spirit wanted to make up for past slavery, and we were not content with reproving and condemning domination and the dominators; just as we had exaggerated the support for what was ours, we degraded and disdained everything Castilian, left and right, without measure.”

Enric Prat de la Riba, La nacionalidad catalana, 1906

The general tonic is precisely one of cordial consideration of the Spanish reality as the broader framework of the Catalan reality:

Gaudí is the most original and best-known Catalan architect of all time. Another Catalan architect, Joan Bergós i Massó, a close friend of Antoni Gaudí, wrote the book “Gaudi, l’home i l’obra” in 1954 (a study that is considered “a genuine classic” by Joan Bassegoda i Nonell, Director of the Gaudí Chair, when the work was re-published in 2011). Well, in this book, based on years of friendship and constant contact with the great artist, Bergós states the following:

“[Gaudí] railed against separatism; he was an enthusiastic defender of the regionalist ideals and of the greater Spain conceived by Cambó.”

Joan Bergós i Massó, Gaudí, l’home i l’obra, 1954

Fancesc Cambó, the great Catalan politician, wrote as follows in 1946, to his daughter in a kind of political will:

“[I feel Spain and I love Castile, and I do not want to give up hope that these feelings can join in brotherhood with my essential Catalanism. This conviction has guided me my whole life and has inspired my political actions. I will cling to it as long as I live.”

Fancesc Cambó, the great Catalan politician, wrote as follows in 1946, to his daughter in a kind of political will:

José Ramón Xirau Palau, Catalan jurist, said in 1932:

“The publishing house of José Espasa, Catalan printer, was the driving force behind the great Spanish encyclopaedia, comprising more than a hundred volumes, the most complete of all time, known as the Enciclopedia Espasa, a project born in Barcelona in the first third of the 20th century.

If there is both an extraordinarily popular and cultural festivity in Catalonia today it is the one celebrated every 23 April, when the custom is to give people a book and a rose. Well the crea-
tion in Spain of Book Day is owed to the drive provided by a leading member of the Barcelona Book Chamber who drafted in his own hand the decree that was later signed, in 1926, by the Minister of Labour, Catalan Eduardo Aunós, instituting ever since “on the lasting date of the birth of the immortal Cervantes”, this celebration “to facilitate the expansion of the Hispanic language and soul”, a celebration that takes place every year on 23 April, the date on which the author of “Don Quixote” was born in Alcalá de Henares.

The fact that this day is also the festivity of Saint George (San Jordi, Patron Saint of Catalonia) is a coincidence that goes in the same sense, as Josep Ferrater Mora wrote:

“In this sense, we can say that San Jordi symbolises everything that is so often denied to Catalonia, but which Catalonia possesses in an incredible proportion: Quixotism, Patron San Jordi, in his way, is a Quixote.” (Les formes de la vida catalane, Barcelona, 1944)

As Antonio Muñoz Molina reminded us recently:

“It was Catalan Margarita Xirgu who revealed the universality of the Andalusian dramas of García Lorca, and who after his assassination and the Civil War, opened The “House of Bernarda Alba” and continued to disseminate his theatre in exile. Catalan Felip Pedrell was the maestro of Manuel de Falla, from Cadiz. Some of the best contemporary recordings of Falla were made by the chamber orchestra of the Teatre Lliure.”

Antonio Muñoz Molina, writer, El País, 22 September 2012

Salvador Dalí, in turn, one of the most famous Catalan artists of all time, declared:

“As always, the honour of the most extreme contrasts goes to Spain, this time in the persons of the most antagonistic painters of contemporary painting, Picasso and I, your servant. Picasso is Spanish, I too; Picasso is a genius, and so am I; Picasso is almost 72 years old and I am nearly 48; Picasso is known throughout the whole world, so am I; Picasso is a communist, neither am I.”

Salvador Dalí donated practically all of his work to the Spanish state; an initiative with illustrious precedents in Catalonia. Indeed, half a century beforehand, Catalanist politician Francesc Cambó had donated several painting from his collection to the Prado Museum:

“My intention is to grant a large part of my collection, my primitive Italians of course, to the Prado Museum” (letter to the director of the Museum, 1941)

Josep Ferrater Mora, one of the most important Catalan philosophers of the 20th century, wrote the following in his work “Catalanització de Catalunya” (1960):

“Separatism is just as nineteenth century a disease as nationalism and centralism. It is a disease that you do not have to worry about. It peters out on its own like a microbe that has lost its virulence (...) Catalanise Catalonia does not mean, therefore, to take anything from Spain. It means the contrary: to add something to it. It means making the Great Spain and making it worthy of joining a Great Europe without murmur, reticence or reserve.”
The great Catalan historian Pere Bosch Gimpera (Barcelona, 1891 – Mexico, 1971), in “La España de todos”:

“The authentic and eternal Spain that conserves its energy intact and which always resurges from imposed dominions and from obfuscations, however long these may be.”

Josep Pla, perhaps the most fertile writer of the 20th century in the Catalan language, claimed the following in an interview with Joaquín Soler Serrano, in the programme “A fondo” (TVE, 1976):

“The Catalan is a being who, in short, has spent his life being a Spaniard one hundred per cent and they have told him that he should do other things.”

The spokesperson in the Congress of Deputies for the Minoría Catalana parliamentary group, Miquel Roca i Junyent, one of the fathers of the Constitution, declared the following in the Congress of Deputies, 9 May 1978:

“I will say once again what an illustrious, highly illustrious representative of a Catalan minority in Parliament, in the Constituent Parliament of 1931, that great national leader and representative of the Catalan minority, that man who was called Carner, said at the end of a difficult intervention [...] He said specifically: “No Honourable Gentlemen, you do not believe that we, the Deputies from Catalonia, that Catalonia, aspires to a Great Spain. Honourable Members, with Catalonia or without Catalonia, you have the political duty to, on establishing the Constitution of Spain, to make a Constitution to which all the peoples of this Great Spain that we have the longing, the fervent desire to co-operate with, can tie themselves.” These are the words that we take as our own today to bind, as I said in my initial intervention, all our constitutional attitudes with what was a great historical process in benefit of freedom, democracy and the progress of our country.”

Catalan historian Miguel Batllori, in a book of memoirs, “Recuerdos de casi un siglo”, 2001, states:

“A Catalan separatism that had to exclude the Balearic Isles and the Valencia Region, being a culturist Catalan as I am, would not convince me at all. That a time came in which I would, politically, have to consider Ramo Llull, Asiàs Marc, the Borgia Popes – and even Baltasar Gracián – foreigners, strikes me as something totally contrary to my way of thinking and the way I am. For this reason, I do not feel like a separatist, either in the political field or in the cultural. In short, the coexistence of so many centuries – at least since the 15th century, but in some aspects, from even earlier – and the political connections of all the lands of the Iberian peninsula, above all, after the formation of the Hispanic Monarchy, have meant that we cannot consider ourselves an entirely different nationality from the Hispanic world [...] I do not consider myself a Catalanist or a nationalist, in short, because my Catalanism is very particular, very personal, very culturist; in other words, very different from the way the terms Catalanist and nationalist are understood today. Without these precisions, I do not think my attitude can be understood, which always uses the point of view of cultural history as a starting point [...] Deep down, on this point, I agreed to a large extent with Jaume Vincens. He never declared himself a separatist.”
Eugeni Gay, Catalan jurist, former Judge of the Constitutional Court, on Catalunya Ràdio, 26 June, 2013, declared:

“But what we cannot do without is the history of our country and this country has been made over the centuries, both state wide and on the level of Catalonia, because this political reality, one of the oldest in Europe, and therefore in the world, is not the result of coincidence nor of impositions; it is the result of a series of expressly sought historical circumstances in which the pact, respect, the historic roots of the issues have played an important role.”

Xavier Pericay, writer from Barcelona, on his blog, “Por si acaso”, 18 September 2013

“Catalan and, as Catalan, Spanish. His field of study was the Middle Ages, and perhaps because of this, his unquestionable international prestige was not greater. If a Catalan could aspire with all merit to the Nobel Literature Prize, it was him. But he never enjoyed the sympathies of the nationalist regime.”

Xavier Pericay, writer from Barcelona, on his blog, “Por si acaso”, 18 September 2013

“I am from my family, Seu d’Urgell, Catalan, Spanish, European. Why does it have to be incompatible? On the contrary, it is complementary.”

Luis Racionero, Catalan writer, “Por la concordia”, in La Vanguardia, 29 November 2012

Hence, separatism resorts to an historic genealogy that weakens its demand: if it were true that there have been attitudes that seek division for five hundred years, most Catalans have always opted, century after century, for harmony and coexistence.

We have seen how, from the very origin of Catalonia to the modern day, this double condition of Catalan and Spaniard, this option for coexistence means that, without leaving Catalonia, one can journey through all its aspects, the economic, cultural, political, religious, journalistic aspects, and find that the majority has rejected turning its back on the rest of the Spaniards, because they have always felt Catalan and Spanish, from King James, the Conqueror himself, to humanists like Martín de Riquer. That list could be enriched with other, just as illustrious Catalans: humanists like Antonio de Campmany, thinkers like Balmes, Eugenio d’Ors, Raimundo Panikar or Eugenio Trias, writers like Verdaguer, Salvador Espriu, Josep Maria de Sagarra, Gironella, J. Mallorquí, Joan Peruchó, Carlos Barral, Noel Clarasó, Juan Eduardo Cirlot, Vázquez-Montalbán or Gabriel Ferrater, journalists like Néstor Luján, Luis Carandell or Xavier Domingo, historians of the prestige of Vicens Vives, Bosch-Gimpera or Joan Reiglá.

5.4 Against secessionism: the very best of the best

The examples of the last century and a half are also illustrious examples of how the leading characters of Catalonia, of literature and the arts, from the area of painting (Salvador Dalí), architecture (Gaudí), literature (Josep Pla, Eugeni d’Ors) humanities (Mila i Fontanals, Martín de
Riquer), philosophy (Balmes, Ferrater Mora, Eugenio Trías), music (Albéniz, Granados, Mompou) all of whom root their creation in a deep knowledge of the Catalan tradition, all of them repudiate secession and they consider themselves Catalans and Spaniards, especially those who in life, had the chance to come across the demands of radical nationalism and secessionism: they never wanted to commune with it.

As we have said before, we always find an entirely Catalan option, expressively manifested by the most illustrious peoples of Catalonia, in favour of the common Spanish framework of coexistence.

In other words, the truth is that this secessionist drift, distant from the wish for harmony, evicts from Catalonia, from their selective memory of Catalonia, those who were its best men, those who studied or took their deep inspiration from the Catalan reality to carry out their creations: such as all the names mentioned above, or so many illustrious names from the financial, commercial or editorial world.

This historical list of Catalan peoples would be more complete if we were to add the names of those born in other parts of Spain who studied, taught or worked in Catalonia and who discovered and loved Catalonia deeply.

Names like philologist José Manuel Blecua Frejeiro, philosophers Juan David García Bacca and Xavier Zubiri or poet Jose María Valverde, from the world of academe alone.

5.5 The so-called national and international contempt for the Catalan language

“Over half of the originally Catalan population is illiterate in their own language, because the schools that they went to in the last forty years only taught them in Castilian and Castilian. And even today in the primary schools, high schools and universities of Catalonia, teaching in Catalan is practically inexistent and the teaching of Catalan as a subject is a tiny minority, as a second language, that is.”

Gregorio López Raimundo, Deputy of the Partido Socialista Unificado de Cataluña, in the Congress of Deputies, 13 August 1970

That was the situation of the Catalan language on the eve of the adoption of the Statute of Autonomy of Catalonia.

In this perspective, it can be fairly said that the Catalan language and culture have never enjoyed such vitality, such ample educational magnitude, demographic dimension, political, institutional and legal support and budget resources as it has since the day on which, by virtue of the Constitution and the Statute, Catalonia fully and finally recovered its institutions of self-government.

“What in the language of the bandits we call Spain, distinguishing it from Catalonia, has no responsibility whatsoever in the separatist drift. None of the assumptions of
aggression that any theoretician of secessionism would identify as legitimate occur in the Catalan case. What Spain has done for Catalonia, that is, what is has also done for itself in the last thirty years, can be said in a few undisputable words: the Catalans have never in their history been able to be so Catalan – and now let’s give the language back to the bandits. Those broken Spaniards whose soul trembles every time the Catalan nationalists allude to Spanish nationalism, and in the midst of the convulsion, hurriedly seek tight-shirted nationalists in the tiniest corners, should meditate their brushes a moment and answer themselves that the only visible and operative Spanish nationalism is that which has given rise to the 1978 Constitution and its ample territorial freedoms. Evidence that is as conclusive as observing that the visible and operative result of Catalan nationalism, on the contrary, has been defection and the attempt to destroy the State.”

Arcadi Espada, El Mundo, 2 January 2014

Radical nationalism, however, does not wish to recognise this undeniable reality. Thus, Xavier Antich, professor and member of the Tapies Foundation and other official bodies in Catalonia recently maintained that both the governments of the PP and the PSOE have taken part “in the contempt [...] with respect to the protection and dissemination of the Catalan language in Spain or internationally.” (La Vanguardia, 13 May 2013)

Artur Mas, for his part, declared the following:

“The Spanish state does not respect the language and the culture of the Catalans.”

Artur Mas, President of the Generalitat de Cataluña, in the Brazilian newspaper O Estado de Sao Paulo, 11 July 2013

In turn, it is essential to ask oneself what esteem and attention does radical nationalism deserve from other, lush branches of Catalan culture.

According to the statistics of the Generalitat de Cataluña itself (Idescat, Usos lingüísticos, 2008), Castilian is the initial language of most Catalans of over 15 years of age, with 55% of speakers. This is followed by Catalan, with 31.6%.

This plural reality is insufferable for the radical nationalists; their proclaimed desire is for one of these two realities to be cornered or wiped out:

“An independent Catalonia in Castilian and which does not know who it is does not seem to me to be any gain over the current autonomic situation.”

Quim Torra, director if the Born Cultural Centre of Barcelona, Journal of the Centre d’estudis Jordi Pujol, April 2013

“For reasons of moral and historical rights, I demand that Catalonia be monolingual.”

Heribert Barrera, who was Speaker of the Catalan Parliament, in the Catalan newspaper La Vanguardia, 15 June 1997

“A global conception of culture like the one defended by Esquerra Republicana de Catalunya evidently cannot consider national culture, a culture other than that which is manifested in all the Catalan Countries and with the Catalan language as a linguistic vehicle.”
From the electoral programmes of Esquerra Republicana de Catalunya on its official web site

“The fact that identity sectarianism was easy to detect can be seen from some early declarations: in the July and August 1977 editions – immediately after the first democratic elections and on the eve of the constitutional debate – the left-wing Catalanist magazine Taula del Canvi put a question to a series of anti-Franco intellectuals of undoubted literary worth (Salvador Espriu, Manuel de Pedrolo, Joaquín Molas, Antoni Comas, etc.). It was a tricky issue from the very formulation of the question, which was: Should the Catalans (by birth or residence) who express themselves literally in the Castilian language be considered a “phenomenon of the whole” that must be “liquidated” as Catalonia takes on its own bodies of political and cultural management? Before considering the answers, it should be taken into consideration that brothers Juan, José Agustín and Luís Goytisolo, Vázquez Montalbán, Carlos Barral, Juan Marsé, Eduardo Mendoza and a long etcetera belonged – and belong - to this “phenomenon of the whole”, whose friends and colleagues replied as follows: Salvador Espriu: “I hope and desire that it is”. Manuel de Pedrolo: “We do not have to discuss the right to write in whatever language we want with anyone, but nobody has the right to convert a foreign language in a weapon of destruction of the identity of a people he belongs to or lives in.” Antoni Comas: “As a collective fact, as a phenomenon of the whole, it has to be liquidated as Catalonia recovers its autonomy.” Joaquín Molas: “If the solutions are what they should be, those that use the Castilian language will tend to disappear.” Amongst so much warrior-like and exterminating fervour, the reasonable proposal put by Francesc Vallverdú stands out: “Catalan culture can be manifested, and indeed is manifested, in different languages.”

Francisco Sosa Wagner, El estado fragmentado, 2006

Why do some separatists do away with the rich, age-old but current reality of Catalonia that is expressed in Castilian, that the broad reality of Catalonia that lives daily in the knowledge that they are part of the Catalonia expressed in Castilian, that feels just as Catalan as Spanish? Which attitude is of greater civic value, repudiation or welcome?

Only if the use of Castilian is interpreted not as the result of historic evolution or the free and present wish of a very large proportion of the speakers in Catalonia, beyond the aforementioned historical attitudes of offence to the Catalan language, only if the interpretation of this reality is exclusively the result of imposition, can a project that seeks its decline or disappearance form whatever area, be sustained.

Other proof is within the reach of anyone. All you have to do is consult the web sites of the many neo-secessionist levels or movements. If a foreigner consulted them, he would not be able to place Catalonia on the map, he would not realise the political, geographic or cultural area it belonged to: on some of these web sites, practically all connection or reference to Spain or things Spanish has been removed, or many Catalans that have made being Catalan and Spanish compatible are classed directly as collaborationists, colonialists or traitors.

As in any other aspect of life, we always find in the historic and in the current Catalan civic conscience of its most illustrious representatives, the will to coexist and recognition of a rich and plural Catalan reality:
“He did not believe [in reference to the wise Catalan humanist Martín de Riquer] that there was a Castilian culture and a Catalan culture. He believed that there was a culture that was expressed in two languages, a Spanish culture.”
Arcadi Espada, El Mundo, 18 September 2013

“Catalonia is one of the peoples destined to a perpetual bilingual existence.”
Antonio Rubió i Lluch, Catalan humanist (1856-1937)

“It is not enough to write in Catalan to be it. A sentence, a poem, an article, a speech, a book in Catalan, does not give the author Catalan personality. Then all you would have to do is translate any work from Castilian. No; something else than all of that is needed. They say and sustain that those who write in Castilian do not do Catalanism. Ah! They do not do Catalanism? Well, I have something here that has been forgotten, that nobody talks about, and that I am going to recall. The Catalan renaissance was done by the Catalans who wrote in Castilian. It surely would not have existed if Capmany, Piferrer, Cortada, Próspero Bofarull, Jaime Tió, Antonio Ribot Fontseré, Luis Cutchet, Pers y Ramona, Torres Amat, Pedro Mata and many others had not written in Castilian.”
Victor Balaguer, La literatura catalana, 1893

Jordi Solé Tura, Catalan Deputy, of the Communist Parliamentary Group, in the Congress of Deputies, 13 August 1979, said the following:

“That is, Catalan culture is not the two cultures separated. It is not a question of there being a Catalan culture which is the one expressed in Catalan and a culture that is not Catalan because it is not expressed in Catalan. Catalan culture is what is done in Catalonia, whatever its language may be.”

In Spain, on the façade of the head offices of the public powers, and in all the offices representing the administration, a flag flies that proudly displays the four bars of the old Crown of Aragon on its shield, the four bars, therefore, of the flag of Catalonia.

In the headquarters of many of those public powers governed by secessionists, in the offices of some institutional posts in Catalonia, the common flag on which the history of Catalonia is sewn has been removed; in other words, their own history has been removed.

It is the same principle: the secessionist chooses who forms part of the people and decides not to live in common with anyone he considers an outsider.

5.6 Overseas cultural action to disseminate Catalan language and culture in the world

The Government, through its cultural attachés and the Instituto Cervantes, leads the overseas promotion of Catalan language and culture in Spain by organising courses, talks, recitals, exhibitions, film seasons, the publishing and translation of books and with the richest collections of
Catalan literature outside of Spain, those of the network of libraries of the Instituto Cervantes.

In this effort, the task of promoting the language and culture and the creative and cultural industries of Catalonia is significant.

One only has to consult the list of cultural activities that this Ministry programmes. For example, in five years (2007-2011), the Directorate General of Cultural Relations of the Ministry of Foreign Affairs and Co-operation alone promoted 101 activities abroad, on the five continents, devoted wholly or in part to Catalan language and culture: culture (35 activities), music (28), art and painting (17), literature (12), architecture (4), theatre (3), research (1), fine dining (1).

The Instituto Cervantes for its part works to disseminate the Spanish language and the co-official languages of Spain and the culture of Spain and Latin America.

To promote the Catalan language and culture overseas, the Instituto Cervantes signed a cooperation agreement with the Instituto Ramón Llull, with head offices in Catalonia, in 2004, and many activities have been organised jointly ever since.

The Instituto Cervantes carries out its work not based on a quota system, but based solely on criteria of quality and excellence, which over its twenty-year history, has helped to define a brand (the “Cervantes” brand). Having realised the quality of Catalan cultural industries, and of Catalan cultural heritage, Catalan culture occupies a leading place in the programmes of the network of Instituto Cervantes centres.

Some outstanding examples of the promotion of Catalan culture in the programme of the Instituto Cervantes over recent years in several European countries include the first individual exhibition of Antoni Tàpies in Poland, “Certeses sentides”, presented in the National Museum of Cracow and which then travelled to several IC centres in Morocco; the XIV Colloqui Internacional de Llengua i Literatura Catalanes, held in Budapest, in co-operation with the Eötvös Loránd University and the Institut d’Estudis Catalans, which brought together four hundred philologists from some twenty countries; the recitals of the Escolania de Montserrat in Saint Steven’s Cathedral in Budapest and in the Cathedral of the Immaculate Conception in Moscow; concerts by musicians such as Jordi Savall, Salvador Brotons, Jordi Sabatés or Toti Soler; the Emporion exhibition, gateway to the Greek civilisation on the Iberian Peninsula, in Athens or the Josep Guinovart retrospective: 1944-2004, in Munich.

117 activities related to Catalan language and culture have been organised in the centres of the Instituto Cervantes during the 2012/2013 academic year. These include those organised in New York by great Catalan writers, like Joan Margarit, Enrique Vila Matas (in a joint round table with Paul Auster); Quim Monzó, in Sofia, or the participation of Eduardo Mendoza in the Cervantes Forum of the University of Oxford. A tribute to composer Xavier Montsllavas also took place in New York, to mark his centenary. Catalan stage music was present, for example, in the performance of Cabo San Roque in Bordeaux. Catalan cinema formed part of the programme of the network of Instituto Cervantes centres and also other important aspects of Catalan culture, such as the area represented by artist Antoni Muntadas, who took part in the Instituto Cervantes of Beijing programme, or the one synthesised by Jaume Farguell, in his lecture “La expansión de Aragón y Cataluña por el Mediterráneo y su presencia en Sicilia”, given in the Instituto Cervantes in Palermo, whose library is dedicated to Salvador Espriu. A total of 47 partici-
pants, including Jordi Serra i Fabra, Nuria Amat, Malcolm Barral, Ricardo Bofill, Jordi Carrión, José María Conget, Sol Picó, Isabel Roig or Joan María Pujals.

The Instituto Cervantes has co-operated with 31 institutions in the course of these months of 2013, in promoting Catalan culture in the world, including, with the Generalitat, with the Instituto Ramón Llull, with the City Council of Barcelona, the Gerona County Council, the Catalonia Film Library, the Pompeu Fabra University and La Caixa Bank.

The Instituto Cervantes offers courses of Catalan, Galician and Basque in its centres.

Some data: between the academic year 1994-1995 and 2004-2005, by way of example, it organised a total of 112 courses of Catalan, in which 600 pupils enrolled. The centres with the most students of Catalan were those organised by the Institutos Cervantes of Munich, Chicago, Paris, Utrecht and Dublin, although, the centres of Berlin, Bremen, Bucharest, Bourdeau, Cairo, Lisbon, London, Manchester Milan, Moscow, New York and Rome also offered classes.

The Instituto Cervantes has an ELE (Spanish as a foreign language) Centre Accreditation System (SACIC) that recognises the quality of both public and private schools teaching Spanish that meet the established conditions. The body that assesses the SACIC in Catalonia is the Rovira i Virgili University of Tarragona and there are fifteen Catalan schools accredited by the Instituto Cervantes.

During the school year 2012-2013, the Instituto Cervantes has organised 4 courses within its programme of training teachers in Spanish as a foreign language in co-operation with Catalan academic institutions: Universitat Autònoma de Barcelona, Official School of Languages Barcelona-Drassanes, Universitat de Lleida and Universitat Pompeu Fabra de Barcelona.

During the school year 2012-2013, the Virtual Spanish Classroom of the Instituto Cervantes formed part of the academic programme for teaching Spanish of the three institutions with offices in Catalonia: Universitat Oberta de Catalunya, Universitat de Vic and Tylmon Languages.

In 2013, there were seven public and private schools recognised as exam centres for Diplomas in Spanish (DELE – or Diploma in Spanish as a Foreign Language) in Catalonia.

On the other hand, the Instituto Cervantes has embarked on a new phase within the co-operation agreement with the Universitat Autònoma de Barcelona to develop adaptive tests to classify pupils studying Spanish as a foreign language using the tool “Simtest”.

Another point worth highlighting is the fact that there are close relations between the Instituto Cervantes (as has already been mentioned) and the AECID – Spanish Agency for International Development Co-operation – (DG Cultural Relations) with the Institut Ramón Llull.

A general protocol of Co-operation has recently been signed between the Instituto Cervantes and the Autonomous Communities with their own co-official language and the Instituto Camoens to create a “Casa de las Lenguas Ibéricas”, published in the Official State Gazette, 17 August 2012, and which has recently changed its name to “Espacio de las Lenguas Ibéricas.”

The following testimony fully illustrates all the above:
“While Fernando Rodríguez Lafuente was director of the Cervantes, the Catalan Regional Ministry of Culture took an interest in the task of disseminating Catalan culture carried out by the Instituto Cervantes. The list of activities was extremely long. The Regional Minister admired it and asked why nothing was known about it in Catalonia: it was explained to him that the activity of the Cervantes is aimed at attaining its greatest impact overseas. I think it can be fairly said that the Instituto Cervantes is one of the most active public bodies in the overseas projection of Catalan culture, and the citizens of Catalonia should be made aware of this situation and know that part of their taxes (and those of the rest of the Spaniards) is devoted to disseminating the Catalan language and culture in the world.”
Josep Maria de Sagarra Ángel, “El Instituto Cervantes y la cultura catalana” La Vanguardia, 15 October 2012

5.7 Certain secessionists sustain that language is such a differentiating element that it requires a state of its own

Some obvious considerations that are not usually taken into consideration; if the fact of sharing a single language does not require a single nation to be shared (see the case of Spain and Mexico, or of USA and Australia, for example), by the same logic, the fact of having different languages does not require having different nations. This equation is irrefutable and at the same time, it refutes the central argument of separatism. It also explains that there are over 7000 living languages in the world and somewhat less than two hundred states.

Catalonia is an autonomous community with a practically monolingual education system in Catalan: the vehicular language of teaching, that is, Catalan is the language in which all subjects are taught (except Spanish and English).

5.8 Plural Catalonia: diversity as an asset

There is even more plurality in each of the nationalities and regions of Spain, than in Spain as a whole:

“What the peripheral nationalisms of Spain proclaim, their pluri-nationality, is a reality that is far more characteristic of their societies than of Spain as a whole.”
Joseba Arregi, essay writer, former Minister of the Basque Government, El Mundo, 19 June 2013

It is true that some voices of radical nationalism do not accept such diversity:
“Catalan culture, there is only one. And beyond the artistic manifestations that are expressed in the universal language, the language of written Catalan culture is Catalan.”

Carme Vidal i Huguet, Autonomous Deputy of Convèrgencia i Unió, in the Catalan Parliament, 30 May 2007

As always however, authorised voices are raised from the heart of Catalan society that describe this society in its complexity and plurality.

“The fact that most of we citizens of Catalonia share our Catalan and Spanish identities in differing degrees.”

From the Manifesto for social justice and democratic reason. Call to the federalist, left-wing Catalonia, 11 October 2012, signed, among others, by intellectuals and people of Catalan culture like Victoria Camps, Jordi Gracia, Isabel Coixet, Ana María Moix, Rosa Regàs and 30 professors and lecturers from Catalan universities (UAB, UB, UdG, UPC, UdL)

“And furthermore, I would like to say – as other colleagues have said – that it would be a bad thing that an attempt were made to identify a position that affects a far broader reality through a single voice, as is the Catalan reality in this case. Not even I – although not for lack of desire – can say today that I represent this reality. A complex reality, a plural reality, that we accept in its complexity, but which we alone do not lead exclusively; we share it, because democracy is fundamentally just that: sharing.”

Miquel Roca i Junyent, spokesperson of the Minoria Catalana parliamentary group, Congress of Deputies, 9 May 1978

“Diversity neither separates nor engenders incompatibilities, but is a creating stimulus capable of integration.”

Lluis Nicolau d’Olwer, Catalan writer and politician, 1963

It is regrettable, in turn, how there is still a shyness today when this diversity that comprises the plural reality of Spain is assessed. As Helio Carpintero, professor of psychology of the Royal Academy of Moral and Political Sciences, recently pointed out in the magazine “Cuenta y Razón” (spring 2013):

“That is, men with “constitutional spirit”, who believe in the unity of Span and in the European role it should play, cannot manage to believe that they have to know how to defend and promote those diverse cultural realities, which make up the wealth of the whole, and which the exalted nationalists take possession of with an exclusivist sense, despite being an essential part of all Spaniards.”
Loyalty to the citizens and institutions: Transgressing ethical principles
And individual and political conduct
To destroy Spain, to damage Spanish interests

“The interest [of my party] in going to the Spanish Parliament is to practice the politics of independence, that is, to destroy Spain from within, to defend the interests of Catalonia, to damage Spanish interests and to use it as a media platform for the Spanish, Catalan and international media.”

Alfons López Tena, Deputy and spokesperson in the Catalan Parliament of Solidaritat Catalana, in declarations to TV3, the public autonomous television, 20 September 2011

A well-known trick

“We see that their decision-makers [of the Generalitat de Cataluña] are using a well-known and highly discredited trick, that is, becoming the one being pursued, the victim, and that is what we have been able to read in certain declarations, that Spain is after us, that they are boycotting us, that it hurts them and they regret having recognised our rights and a few days ago, they even went as far as to claim that the whole anti-Catalan campaign is aimed at expelling us from political life.”

Josep Tarradellas, Deputy for Esquerra Republicana de Cataluña in the II Republic, President of the Generalitat de Cataluña in exile and first President of the Generalitat after it was re-established during the transition, letter to the director of La Vanguardia, 4 April 1981

A chant to hate and fanaticism

“Perhaps they appear out of date and even ridiculous in the eyes of this generation of Catalanists who, on the basis of cheap patriotic exaggerations, have managed to discover that, like the ancient Greeks but without the fundaments they had, they have to declare the non-Catalans Barbarians or even those who do not think, or talk, or prey like them, despite having been born in Catalonia [...] We have to show that we have nothing in common with the typical Catalanism or regionalism, which intends to synthesise its wishes and aspirations with a song of hate and fanaticism, which it resuscitates or half resuscitates from an abnormal and terrible period of the history of our dissensions.”

Valentí Almirall, Lo catalanisme, 1902

That is the truth of Spain

“It is true that there are peaceful, cultured, benign nationalists who seem inoffensive. Let’s not fool ourselves, that is an appearance, that is a fleeting, momentary posture; all you have to do is scratch the surface to see what lies below, and what is hidden below is prejudice, in the final resort, it is discrimination, bitterness, violence. Spain is a country that a very few years ago set an example that the entire world applauded and admired, a peaceful transition from oppression to freedom, from dictatorship to democracy, from sub-development to development, from nationalist introversion to integration in the world. In a few short years, Spain became a first world country and an example to follow. An example that was followed in South America. The Chilean transition from dictatorship to democracy probably would not have been what it was without the Spanish example. Without the Spanish example, Central Ame-
rica, which lived in war, in revolution, in division, in bitterness, in violence, would probably not have experienced all those peace processes that have converted its history, Central America into a peaceful region, of more or less free democracies for the first time. That is the truth of Spain.”

Mario Vargas-Llosa, Nobel Prize for Literature, El Mundo, 21 November 2013

It is regrettable that, when promoting certain political projects, some Catalan public powers, political representatives of Catalonía and some secessionist sectors disdain the ethical principles and behaviour that the citizens demand of our representatives and the public powers.

In the face of these actions, one must ask why the principles of objectivity, neutrality, impartiality, responsibility or institutional loyalty – which should guide the public powers – are violated. We must consider why they act with scorn for the institutions, in short, we should ask ourselves why the principles of respect for individuals and for the citizens as a whole, which should bind all of us, are infringed.

As we can see from the opinion of two historic supporters of the Catalan movement, this is nothing new.

But this action continues to deserve criticism, like this following one, from some parliamentary groups:

“On 1 October last, the history magazine “Sapiens”, published in Catalonía, opened the campaign “El mon ha de saber” (The world must know). The initiatives of this campaign included the publication, in colour and large format, of the book entitled “Catalonia Calling: El mundo lo tiene que saber”, which has been sent to some 15,000 influential personalities around the world apparently. The book contains its own particular re-inter-pretation of the history of Catalonía, as the victim of secular oppression and looting by Spain, clearly focused on providing support and justification for the Catalonían independence movement, whilst ignoring any minimum historic rigour and with the clear intention of discrediting and slandering Spanish democracy. This propaganda campaign has received the collaboration of the Catalan employers’ organisation PIIVIEC and of the “Casáls Catalans” abroad. It is worth remembering in this sense that the General Budget of the State for 2014 destined a total of €1.5m for editing and publishing magazines in co-official languages (as is the case of the magazine “Sapiens”). PIMEC also receives the sum of €2.3 m a year from the budget of the Generalitat and the “Casáls Catalans”, around €1.4 m from the same budget. In short, once again the record shows that public money is being used to publish and disseminate books and magazines that clearly distort the history of our country to act as a launch pad for a process of independence such as the Catalan Government’s, which is not only illegal and, therefore, contrary to the rule of law, but which is continually constructed on a xenophobic discourse and founded on incitement to hatred. For these reasons, the Parliamentary Group Unión Progreso y Democracia presents the following questions to which it requests a written answer:

1. Is the Government going to take any measures to prevent subsidising publications such as the aforementioned ones, with public money, publications that manipulate history to promote an illegal independence process on the foundation of inciting hatred?
2. What measures does the Government intend to adopt to prevent or off-set the
campaign that the Generalitat is promoting, with public funds, to discredit Spain internationally?"

UPyD Parliamentary Group, Congress of Deputies, 24 January 2014

One answer to all these questions could be anticipated: if international law recognises the principle of self-determination for those suffering colonialism, to peoples annexed by conquest or occupation and peoples oppressed by the massive and flagrant violation of their rights, the secessionists deduce that it is not enough to manipulate history; it is also necessary to disfigure the reality of Spain today, disdaining the social and democratic rule of law to convert Spain into exactly that; a totalitarian country that maintains some of its citizens prisoners by force alone, whom it then robs. Only if international society is persuaded that this is the true situation of today’s Spain can self-determination be obtained, in the opinion of the secessionists.

6.1 Discrediting the social and democratic rule of law

“How can we demonstrate [to the international community] that we are subjected colonially or occupied by a foreign military force?”

Political platform adopted on 6 July 2013 in the National Conference for the Catalan Republic of the Esquerra Republicana party

“In short, the political objective we face today, with the same freshness and validity as when the Constitution was enacted, is the objective of the stability of the pact. From an objective point of view, this means that the constitutional Phoebus is a fundamental political value. From the subjective point of view, it means that the citizens of this state, both as peoples of the state as a whole and as members of the Communities, the Constitution and therefore, the Constitutional Court, must be required to show loyalty to the common project while this Constitution exists.”

Jose Ramón Recalde, Emeritus Professor of the Faculty of Business Sciences of the University of Deusto in San Sebastian, in “Convivencia ciudadana and sentimientos de identidad”, Ayer, journal of modern history, 1999

This lack of consideration for certain ethical principles leads some separatists to calculate the most efficient insults to use in the eyes of foreign public opinion to discredit the example of free and plural democratic coexistence that is Spain today.

To provide some background on some of the information given below – those concerning insults originating from institutions of the Generalitat – it is worth remembering the resources and the pattern of institutional behaviour of the Generalitat de Cataluña abroad, the nature of the Council of Public Diplomacy of Catalonia, or Diplocat, in the words of the Government of the Generalitat de Cataluña, and the reaction of public opinion in this regard.

Concerning the Council of Public Diplomacy of Cataluña, or Diplocat

“Closely related with the area of overseas communication, I would like to mention the
Council of Public Diplomacy of Catalonia, Diplocat. Created in November 2012, the fruit of the existing Patronato Cataluña – Mundo (Catalonia – World Board), Diplocat has been designed as an instrument at the service of the Government [of Catalonia] aimed at working with political, social, economic and academic agents in an attempt to influence the perception of Catalonia abroad and promote the internationalisation of Catalan society as a whole [...] As part of this strategy of international influence and with Diplocat, we wish to complete a list of internationally renowned Catalan personalities to contact, to ask them for help in this sense, to the benefit of the country as a whole.”

Francesc Homs, Minister of the President’s Office of the Government of the Generalitat de Cataluña, to the Overseas Action and European Union Commission of the Catalan Parliament, 22 March 2013

Regarding political action of the Generalitat overseas

“At this time we have to be scrupulous with the framework of competences that we have, among other things, in order not to make mistakes with these that we would pay a high price for later. But it is obvious that in the area of, let us say, political action in a broader sense, there is a lot to do and we cannot renounce at all, can we?”

Francesc Homs, Minister of the President’s Office of the Government of the Generalitat de Cataluña, to the Overseas Action and European Union Commission of the Catalan Parliament, 22 March 2013

Regarding the arguments of the new Catalan diplomatic service

“The pro-independence arguments of the new Catalan diplomatic service sent to the offices of the Generalitat and to any centres of opinion we can find are fairly ludicrous. They generalise the partisan views of only one sector of society as if they were global; they merge together in a single entity (of harassment and defeat) Spain, the Spanish State and the Government in office; and intends to injure all rivals, including those who disagree within. It is a disloyalty, not only to the state, to the Government of the Nation or to the rules and customs of professional diplomacy, but, above all, to the citizenry. To Spanish citizens in general, of course; but specifically to the Catalans, an immense majority of whom – around 70% - have always sustained the compatibility of superimposed identities, the Catalan with the Spanish, but also European and local. All this can be put down to the regrettable technique of placing faits accomplis on the very edge of legality in front of the citizens. And that is not the worst of it. The worst thing is that these faits accomplis are an outright fraud: the Government of Artur Mas says it wants a referendum “about” independence, when all its acts are designed “for” independence. It proposes the last step on the ladder as the first.”

Editorial in El País, “Una mínima lealtad”, 1 May 2013

On the other hand, in its political programme, Esquerra Republicana de Cataluña sets fort the following when it talks of international recognition:

“The objective of the international agenda is focused on disseminating and legitimising the process of the case of the Catalans in the international arena. The international agenda is comprised of the European campaign and the actions of international para-
diplomacy to explain and seek support for the process of independence based on the right to decide. The tools of the agenda are preferably of a communications and diplomatic nature. The overseas action Act must, among other things, provide cover for the actions of the President of the Generalitat, the members of the Government, the Parliament and Members of the European Parliament and of Congress in the international field."

Political programme adopted on 6 July in the National Conference for the Catalan Republic of the Esquerra Republicana party

Voices have been raised against these means and these ends, both in the Catalan Parliament itself and in Spanish society as a whole:

“Not all - of we - Catalans share the idea of national transition set forth in the Agreement for national transition and to guarantee the parliamentary stability of the Government of Catalonia reached between Convergencia y Unión and Esquerra Republicana de Cataluña, which states the following in appendix 2.7: “To drive the internationalisation of the right to decide of the people of Catalonia and draft an inter-departmental plan for national transition” We do not agree with this specific point.”

Miquel iiceta i Llorens, spokesperson for the socialist parliamentary group in the Parliament of Catalonia, to the Overseas Action and European Union Commission, 22 March 2013

“This too is contradictory to some speeches that have been made, that you have sometimes made in press conferences, that Mr Mas (President of the Generalitat de Cataluña) has made for example, when he says that the overseas action of the Generalitat should be placed at the service of the internationalisation of a conflict. That does not create stability, that does not create confidence, that is contradictory to the confidence that poses the right to secession to the world, that I believe cannot find many allies within the European Union.”

Juan Milián Querol, Spokesperson for the popular group on the Overseas Action and European Union Commission of the Catalan Parliament, 22 March 2013

“Leaving Spain means leaving the European Union and only some Euro sceptics can be interested in that kind of discourse. And as a Swedish journalist so rightly explained to him on a trip that Mr Mas made to Brussels, saying that leaving Spain automatically leads to entering the European Union as a state is an intellectually dishonest approach.”

Juan Milián Querol, Spokesperson for the popular group to the Overseas Action and European Union Commission of the Catalan Parliament, 22 March 2013

“Indeed, the other day in the Plenary Session of the Parliament, in reply to a motion presented by another deputy, he stated that it would intend, well, if I might use the expression that was also used by Mr Mas, I think, to internationalise the conflict. What you said literally in the Plenary Session, and curiously enough, here too, in this Commission, is to explain what Catalonia thinks and yearns for […] Then the only thing that I can ask for on behalf of my group is that when you explain this thought and yearning that you refer to, outside of Catalonia, do not do so as a single, monolithic school of thought, as it has been explained on other occasions.”
José María Espejo-Saavedra Conesa, Deputy of Ciudadans, to the Overseas Action and European Union Commission of the Parliament of Catalonia, 22 March 2013

“I hope, as I say, that you bear in mind those people who at the very least number hundreds of thousands of citizens who are also Catalans and who have no wish to have anything to do with your separatist intentions and your yearnings to raise borders with the rest of the Spanish citizens, who include their parents, their children, their bothers, friends and often, much of their roots. I will come back to this, let’s say separatist aspect later in which you wish to focus your overseas attention and which I believe will lead us to a risk of Balkanisation, rather than to an improvement in the domestic conditions of Catalonia, won’t it?”

José María Espejo-Saavedra Conesa, Deputy of Ciudadans, to the Overseas Action and European Union Commission of the Parliament of Catalonia, 22 March 2013

Below are some examples of the condemnation of the social and democratic rule of law:

Franco is still alive

“One of the most efficient resources is undoubtedly to insinuate that Spain remains a pro-Franco country. Two recent examples will suffice: the article “Franco no ha muer-to” (Franco has not died), from Catalan journalist, chair of the Asssociació d’Editors en Llengua Catalana and deputy chair of the Gremi d’Editors de Catalunya, Ernest Folch, published in the Catalan newspaper El Periòdico, 23 May 2013, whose title itself is sufficiently illustrative, and the article “Cercas y Rajoy”, by Josep María Fonalleras, in the same newspaper, 16 September 2013. Here he comments on the letter that the President of the Government, Rajoy, has sent to the President of the Generalitat, of 14 September, which he says, “is so similar to the irrelevant grammar of the administrative folklore of the Franco period”. In his letter, the President of the Government, Rajoy, commences the final paragraph with the following, literally: “From the deep affection I feel for Catalan society as a whole”. Well, this indisputably cordial passage earns the following comment from this journalist: “it is the heir to those fascist manuals.” As Savater writes about the independence movement: “Odds or evens, the bank always wins when the dice are loaded”

But, unfortunately, there are many other examples of contempt for the ethical principles and behaviour that citizens require these days of their representatives and public powers as the members of a political community, examples of their will to not coexist:

By force

“Due to the fact that Catalonia is a highly diverse society, that over half of its population has Spanish or extra-Spanish origins. Due to the fact that we have belonged to the Spanish state for over 500 years – for over 300 years by force, after having lost the battles and the wars. Due to the fact that many Catalan companies have Spain as their natural market. There are many interlinking interests.”

Artur Mas, President of the Generalitat, in declarations to the newspaper Le Monde, 17 February 2012
Stop robbing us

“If we want them to stop robbing us, the solution is independence.”
Alfons López Tena, Deputy and spokesperson in the Catalan parliament of Solidaritat Catalana, in declarations to the autonomic public television TV3, 20 September 2011

In poverty

“Look, if you want, when we have our State, we will advise you about how to do things in order to stop drowning in poverty.”
Oriol Junqueras, President of ERC and leader of the party in the regional parliament in an interview published 22 February 2013 in El Mundo

The Spanish state’s obsession with asphyxiating us

“When we Catalans are free, the Spanish state, which will no longer be able to obsess with asphyxiating us, will perhaps focus on doing things properly. When the Spanish state can no longer live off the money that we Catalans generate and they have to get down to generating their own money, then perhaps it will start applying sensible criteria for creating wealth.”
Oriol Junqueras, President of ERC and leader of the party in the regional parliament in an interview published 22 February 2013 in El Mundo

Spain, a chaotic country

“A chaotic, intolerant, standardising and re-centralising country that rejects multiculturalism and which mistreats Catalonia economically. This is how the Generalitat defines Spain in a list of arguments that the Council of Public Diplomacy of Catalonia (better known as Diplocat) has sent out recently to the entities with which it collaborates for them to disseminate it throughout the world.”
La Voz de Barcelona, 30 April 2013

The mafia gang called Spain takes 10% of the takings

“So, the problem is not that the Catalonia that gets up in the morning, the Catalonia that works, the Catalonia that works hard, the Catalonia that suffers, does not pay taxes or pays few taxes. The problem is that taxes are set and taken by Spain [...] without saying that with each day that passes, the mafia gang called Spain takes 10% of the takings [...] The problem is that every year, Spain steals €3,000 from each Catalan. The problem is that every day, Spain steals €60 m in Catalonia, twice the amount paid in interest. That is the problem.”
Alfons López Tena, of Solidaritat Catalana per la independència, in Plenary Session of the Catalan Parliament, 28 September 2011

Spain is robbing us

“There are many who propose independence as a “magic” path to getting out of our
difficulties, by shedding the dead weight that, according to them, Spain represents. This is a discourse that mixes miscellaneous half-truths and exaggerations, particularly with regard to fiscal relations between Catalonia and the State, to the point where it is usual to hear such populist and aggressive claims as “Spain is robbing us.” From the manifesto “Por la justicia social y la razón democrática” (for social justice and democratic reason), call to the federalist and left-wing Catalonia, of 11 October 2012, signed, among others, by intellectuals and people of the world of Catalan culture, such as Victoria Camps, Jordi Gracia, Isabel Coixet, Ana María Moix, Rosa Regàs and 30 professors and lecturers from Catalan universities (UAB, UB, UdG, UPC UdL).

They can’t do us any more harm

“The death sentence, Madrid dictated it a long time ago. That is why many people in Catalonia know or feel that we have to leave the scheme of the Spanish state. We would be wrong collectively if we now thought there could be an extra penalty from the Spanish state with this process. They can’t do us any more harm. Either we react together, or we die. And that is what has driven many people who had not considered it before. That is why we are where we are. Either we wake up or we die. Nobody can possibly think it is better to do nothing. Because if we do nothing, we die.”
Francesc Homs, Minister in the Government of the Generalitat de Cataluña, in declarations to the Catalan newspaper El Punt Avui, 30 December 2012

Catalonia, Spanish colony

“Despite the fact that many of we Catalan citizens of the independence movement have lived the last few decades with the feeling of being occupied, colonized and looted, and that our democratic sensibilities have been injured, this had not been the majority perception in Catalonia until now.”
Political programme adopted on 6 July 2013 in the National Conference for the Catalan Republic of the Esquerra Republicana party

“The de-colonialisation of Catalonia will start from Barcelona”
Joan Laporta, President of Democracia Catalana, 5 April 2011

The Spain brand and a train accident in Galicia

“A funny cartoon published on the web site of Catalan newspaper “El Punt Avui” in which the Brand Spain is associated with the train accident that occurred in Galicia, in which 79 people died, has caused controversy in the social media that has forced the newspaper to withdraw it. “El Punt Avui”, with an editorial line in favour of independence, is one of the newspapers that receive the most subsidies from the autonomic government.”
ABC, 29 July 2013

The Nazi drift of the Popular Party

“I understand that this title may seem provocative, because there are clearly major differences between the Spain of 2013 and the Germany of 1933. But what I want to
draw attention to is the similarity they share in their objectives, the current centralising policy of the Popular Party and the actions of the NSDAP (the German Nazi party) in 1933, in their struggle for absolute power.”

Josep Fontana, Catalan historian, Creu de Sant Jordi Prize winner, awarded by the Generalitat de Cataluña, in an article entitled “La deriva Nazi del partido popular”, published in the Catalan newspaper El Periódico de Cataluña, 11 March 2013

Real risks of possible military intervention in Catalonia

Letters written by Catalan Members of the European Parliament to Brussels, denouncing an alleged military threat:

“Brussels, 22 October 2012
Dear Mrs Reding
Vice President of the European Commission
Commissioner of Justice, Fundamental Rights and Citizenship

We are writing to you with a view to transmitting our deep concern for a series of threats about the use of military force against the Catalan population. As you know, on 11 September, 1.5 million people protested in Barcelona under the banner of “Catalonia, a state of the European Union” and from that moment, Catalonia’s right to self-determination has formed part of the public debate in Catalonia, Spain and Internationally. It is alarming to see this debate manipulated by different sectors, and it has reached unacceptable levels, where the use of military violence appears as a threat to the Catalan people. Many have remembered that in the case of the secession of a part of the Spanish state, according to the Constitution, article 8, the armed forces “have the mission of guaranteeing the sovereignty and independence of Spain, defending its territorial integrity and the constitutional order.” More worrying is that leading public figures, or figures with offices in the chain of command, use these arguments to publicly threaten and advocate violence. Three people deserve to be named in this letter: Colonel Alamán, the Vice President of the European Parliament, Alejo Vidal Quadras and the Chairman of the Association of Spanish Military Personnel, Colonel Leopoldo Muñoz Sánchez. In different interviews and declarations, these people interpreted the aforesaid article 8 as an open door for the violent action of the Armed Forces of Spain in the event that Catalonia democratically decides to hold a referendum. All three called on the central government to start preparing the possible military intervention and Mr Muñoz Sánchez suggested suspending not only the institutions of self-government of Catalonia, but also the exercise of the constitutional rights of the citizens of Catalonia and embride them in a regime of governing or military authority [...] However, when the courts of a state do not guarantee military subordination to civilian power, it is essential for the European Union to intervene. The European Union has also received the Nobel Peace Prize 2012 and specifies in articles 2 and 3 of the TEU that peace is one of its purposes. It is therefore fundamental that the European Commission, as an institution that guarantees the Treaties of the Union, make a public pronouncement demanding that any military threat or the use of the armed forces as a means of resolving this political conflict be withdrawn from public discussion, especially bearing in mind that no representative of the Spanish government has publicly disavowed said war-like declarations, despite the fact that some of the associations that have made declarations represent military personnel on active duty [...] Hence, we ask you to assess the real risks of a possible military intervention in Catalonia and the
tone that is being used by members of the Spanish Popular Party and the Government of Spain. The European Commission must be capable of determining when to start bringing article 7 proceedings against the Spanish State if it does not respond democratically to the demands of the citizens. Irrespective of the model of state that each person has, it is inconceivable that arguments of the fascist era and war-like arguments are presented openly today. In the interests of democracy and peace in Europe, as Members of the European Parliament, we ask you to call on them to cease using the threat of military force to resolve a political conflict within the European Union. We thank you kindly.”

Sincerely

Raül Romeva i Rueda (M.E.P. Greens/ELA)
Maria Badia i Cuchet (M.E.P. S&D)
Ana Miranda (M.E.P. Greens/ELA)

The Catalans, prisoners of Spain

Articles in the international press presenting Catalans as “Spanish Prisoners” (International Herald Tribune, Spanish Prisoners, article by Ricard González and Jaume Clotet, 2 October 2012)

And it is worth remembering, in this context, the declarations of the secessionist leader Carod-Rovira, in 2004, when the city of Madrid was seeking support for its Olympic candidacy: “I hope that no Catalan institution supports the Olympic candidacy of Madrid 2012.”

This form of behaviour is not recent, as we have seen previously in the texts of Tarradellas and Almirall.

Other texts:

“The characteristic elements of the Catalan nationalism of our days – the nation, our own state, playing the victim, the right to decide, the monologue, interest – are tied together in the framework of the populist discourse. Enrique Krauze (¿Qué es el populismo?), 2005) has proposed a set of specific traits of populism that are useful in the case in question: worshipping the leader, use and abuse of words, inventing the truth, permanent social mobilisation, systematically whipping an alleged outside enemy, indifference to democratic legality, fostering the misleading illusion of a better future within reach, deferring an objective examination of reality. There is something – or a lot – of this in Catalan nationalism.”

Miquel Porta Perales, writer from Barcelona, ABC, 19 November 2012

“Nationalism uses history to justify its necessary existence. However, the theoreticians and historians of the most solvent phenomenon have shown that history gives a rational patina to national sentiments. As explained by Ernest Gellner, Eric Hobsbawm and Benedict Anderson, among others, the nationalist discourse is non-historical, taking the roots of the homeland back to obscure, if not eternal origins, and using a selection of cultural, social and economic circumstances to explain the unity of the national community and the need for a state of its own to defend it from the imminent risk of disappearing. Because nationalism also uses one of the most politically profitable feelings: playing the historic victim.”

Antonio Cazorla Sánchez, Professor of the History of Europe at Trent University, in an
article entitled “Quebec y Cataluña emoción, historia y pueblo”, El País, 24 May 2013

“One does not understand the constant resort to the comparative offence, the search for one’s own benefit without taking the whole into account.”
Joseba Arregi, essayist, a former minister of the Basque Government, El Mundo, 19 June 2013

But, in reality, these initiatives vilify those who promote them and also tarnish the objective they seek: if secessionism promotes the harm and denigration of Spain both within and outside its borders, it is the secessionist movement itself that is degraded and it is the objective itself that is sullied, by harming and denigrating the Spaniards as a whole this way and, therefore, Catalans as a whole. Condemning Spain is also an offence to Catalonia.

Indeed, many Catalans these days see with anxiety that the main source of recession, fracture, confrontation, of the will not to coexist, come from the neo-independence movement and certain local public powers.

Spain has managed to project the image of a politically stable, legally secure country, open to the world and firmly committed to the fundamental values that inspire peaceful relations within the international community, especially values regarding human dignity, freedom, the rule of law, human rights, solidarity, fostering peace, respect for international law and a commitment to multi-lateralism.

These ends and these means give all Spaniards dignity and, hence, all Catalans. The separators will not divert us from this path, however degrading their means.

Once again, certain voices born in Catalonia denounce this behaviour, these defamatory remarks:

“Since the 11th of September, all his interventions [referring to Artur Mas, President of the Generalitat de Cataluña] have been insults. To all the other Spaniards, to its government and its institutions, of course; but also insults to reason, to law and logic, which should embarrass, above all, the citizens whose vote he asks for.”
Arcadi Espada, journalist from Barcelona, El Mundo, 10 November 2012

“If you really believe that your country is enslaved, that it have chains to cast off, that you are being denied the food of your children, that the country is a colony, that they exploit you and steal from you, that the country is in a situation of oppression comparable with the USA before Martin Luther King’s march, if someone really believes all this, the normal reaction would be to turn round and strike back. In fact, if I believed half of what I read, that Catalonia is a prisoner, that we have no freedom and the future of my children is in danger, I would be the first to take to the street, with or without weapons. A time will come when someone will take this discourse seriously and will draw the natural conclusions. By the way, that belief that we Catalans are peaceful is placed in doubt by history. Anarchism was born here. And the Civil War had some very cruel moments in Catalonia.”
Ignasi Guardans Cambó, Catalan politician and jurist, Crónica global.com, 23 September 2013
Catalan civic conscience has always denounced this resort to contempt and to insults, as we can see from the text of one of the fathers of the modern Catalan movement that heads up this chapter and concludes as follows:

“We have never sung, nor will we sing Los Segadors, nor will we use insults or contempt for the sons of any of the regions of Spain.”
Valentí Almirall, Lo catalanisme, 1902

6.2 Discrediting co-citizens

Petty thieves

“Because the Spaniards are Spaniards and they are petty thieves, by the very fact of being Spanish, in my humble opinion.”
Joan Oliver, who was the Director of the public television station of the Generalitat de Cataluña, Televisió de Catalunya (TVC) for years, in declarations from 2008

In the area of secessionism, some add a directly disparaging opinion of the intellectual and ethical nature of their co-citizens, of their current neighbours to this disfigurement of the current reality of Spain.

The immense majority of Spaniards consider the differences between the different peoples of Spain as what forces us to be more tolerant, as we accept that this difference is horizontal, it occurs to the same degree, as it happens among equals, among peoples of identical civic stature.

That is why it is difficult to understand that a political movement uses intolerance of others as its currency and considers that difference occurs between different people, that the difference is projected on a slope, that this difference is what separates one stature that is superior to another, inferior one.

Below are some examples of this current of thought that is based on the alleged difference between different peoples. This denigrating view of one’s co-citizens has sometimes reached terrifying morally despicable levels, such as the case mentioned at the end, in which a secessionist leader asks the terrorist organisation ETA (which has caused the death of over 800 people, men, women and children), to continue with their crimes, which could not benefit from the attenuating factor of a verbal outburst, as it was written, sent and published as an article, which did not disqualify its author however, from later being elected as a member of parliament and from being appointed Vice President of the Generalitat de Cataluña and during that legislature, from meeting in secret with the leadership of this terrorist organisation.

Faced with examples of this kind, the key question is: “which is preferable, understanding that difference occurs among equals or foster the belief that the difference occurs among people who are different, some better and the others worse, by the mere fact of their difference and
that, for this reason, they deserved to be treated differently?

This property of radical nationalism, separatism, which consists of promoting a project that needs to cancel a life in common to be fully realised is, fortunately, a non-transferable property of its own. This means that, while the purpose of the separatist is to put an end to coexisting with the others, with the co-citizen from whom he wishes to separate, that same co-citizen that is rejected, has no problem with co-existing with the secessionist. In the face of an excluding project, an inclusive project wins: it wins in terms of ethics, in social and political value. It is not a question of winning; it is the only one of the two that can lay claim to these values.

**Totalitarian Spain**

“In the case of Catalonia and Spain, only one of the parties is democratic, the Catalan part. The other is totalitarian, arrogant and despotic, and that complicates things.”

Victor Alexandre, Catalan journalist, El singular digital, 2 November 2010

**Disgust at being Spanish**

“Am I in favour of the independence of Catalonia? Of course I am in favour, who wants to be Spanish?
I can’t see that there are other possibilities of coexistence apart from secession?
No, I have always felt disgust at being Spanish, like everybody I expect. I wish we Catalans were independent and that Catalan were studied in Gijon whether you like it or not, the same as happens to us now.”

Albert Pla, Catalan singer song writer, Prize winner in the IV Exhibition of Singer Song Writers of Jaén, National Music Prize of the Generalitat de Cataluña, in an interview in La Nueva España, an Asturias newspaper, 16 October 2013

**Hispanicization equals corruption**

“Corruption in Catalonia is a consequence of its Hispanicization in recent decades.”

Salvador Cardús, National Journalism Prize granted by the Generalitat de Cataluña, Avui Journalism Prize; on his Twitter stream, 31 January 2013

Programmes of the Catalan public television in which people speaking in Catalan fire their pistols at effigies of Spanish public figures:

“The programme Bestiari il·lustrat, broadcast on channel two of the Catalan public television, simulated on Tuesday that they were shooting a range of personalities. Writer Jair Domínguez loosed off his gun against caricatures of King Juan Carlos, journalist Salvador Sostres and Fèlix Millet, the looter of the Palau de la Música. With a gun in his hand, script writer and author Jair Domínguez explained why they should be shot. The shot was then heard and blood spatters appeared on a caricature of each one of them. The scene takes place in a wood. Jair Domínguez and the presenter of the programme Bestiari il·lustrat, Bibiana Ballbè, look on at the real-life caricatures of the King, Sostres, Millet and Prince Charles of England. These are some of the figure that Domínguez hates the most. His literary milestones include having written the novel Hawaii Meteor – in which four terrorists embark on “a suicide mission to kill the King of
Spain and unilaterally proclaim the independence of Catalonia” – or having taken part in writing the lyrics to Baila el Chiki-chiki, the song that represented Spain in the Eurovision Song Contest of 2008. The director of the programme, Mai Balaguer, resigned last night and TV3, which withdrew the programme from its web site, “regretted that the images and the content had been offensive and harmed the sensitivity of persons and institutions”, published by El Mundo newspaper, 11 November 2012.

The Andalusian is not a coherent man; he is a destroyed and anarchic man

“The say that former President [of the Generalitat de Cataluña] Pujol has apologised for this paragraph: “The man of Andalusia is not a coherent man, he is an anarchic man. He is a destroyed man […] he is generally a very little developed man, a man who has been hungry for hundreds of years and has lived in a state of cultural, mental and spiritual misery and ignorance. He is a man without roots, incapable of having a slightly broader sense of community. He often shows evidence of excellent human material, but initially, he constitutes the example of the least social and spiritual value of Spain. I have said it before: he is a man destroyed, anarchic. If he should manage to dominate by force of numbers, without having overcome his own perplexity, he would destroy Catalonia. He would bring to her his anarchic and very poor mentality, that is, his lack of mentality” Let us take a look at his apology according to La Vanguardia: “I believed that those people would not get away with it, because they had reached a major degree of decline from the point of view of morals and their will to move forwards” he added. Pujol has however celebrated “the policy that we have implemented in Catalonia, Spain and obviously in Andalusia and Extremadura”. In this sense, the former President claimed that Catalonia is “full of people that came from Andalusia and Extremadura and who, fortunately, are well integrated”. In other words, thank God that Catalonia took action and despite themselves, Catalonia integrated them. Pujol’s apologies are usually worse than his insults. You only have to read what he published in 1977, a few months after the reappearance of the book [now very difficult to find] containing the famous phrase. The local press insists that Ciudadanos recovers a phrase from 1958, when it was first published in a book. But this is not the case. Ciudadanos recovers a phrase from 1976, which is when Pujol once again put it in a book, without any great resentment or problem. Something he did not do by the way, with an article called “El ejército de ocupación” (The army of occupation), where he included chaplains and nuns (in the army). No, Pujol does not apologise. He cannot. It is ontologically impossible for him to apologise.”


Whenever you want to strike Spain

“20 years ago, the afternoon of 29 May 1991, to be precise, ETA killed ten people, some very small, exploding a car bomb against the barracks of the Guardia Civil in Vic […] The strike on Vic was very important from the point of view of the nobility of men and of things. Two days after the bomb, the spokesperson of Esquerra Republicana at the time [Josep-Lluís Carod-Rovira] wrote that unforgettable phrase in an open and frank letter to ETA: “I only dare ask you, whenever you want to strike Spain, first find out where it is on the map.” I know that Carod has been highly criticised for this phrase. For the moral weight, I deduce. But the worst thing is the intellectual apparatus.”

Arcadi Espada, Diarios de Arcadi Espada, 31 May 2011
And on it goes: the condemnation of the social and democratic rule of law that we have all given ourselves, the condemnation of the entire nation as a whole (in this case, the Spanish nation, for its history and its present) and especially, the repudiation of co-citizens for an inalienable condition – their birth – are the most indignant actions of radical nationalism and the most revealing of their constitutive property: the will not to coexist, the aim of breaking away from the other, a purpose that is founded basically on rejection.

All in all, these degrading actions reap benefits for the secessionist cause: to achieve a deterioration of the community of those affected, a long-wished for aim of certain sectors of radical nationalism, as the instinctive reaction of someone who has been insulted and repudiated for the mere fact of his birth is to disassociate himself from those who reject him in this way: in accordance with the previous examples, as we have seen, first they insult the Spaniards, but then they accuse them of “not liking us”.

But it is Catalan society itself that reacts to this contempt:

“After 23 years of conservative nationalism, Catalonia has come to be governed by left-wing nationalism. Nothing substantial has changed […] The tactics deployed for over two decades by Pujol nationalism, which the Three-Party Coalition now continue to deploy, consisted in propitiating a permanent conflict between Catalan and Spanish political institutions and even, between Catalans and the rest of the Spaniards. The pedagogy of hate disseminated by the media of the Catalan Government against everything “Spanish” is increasingly scandalous.”

First manifesto For a new political party in Catalonia, June 2005 Félix de Azúa, Albert Boadella, Francesc de Carreras, Arcadi Espada, Teresa Giménez Barbat, Ana Nuño, Félix Ovejero, Félix Pérez Romera, Xavier Pericay, Ponç Puigdevall, José Vicente Rodríguez Mora, Ferran Toutain, Carlos Trías, Ivan Tubau and Horacio Vázquez Rial

“What causes me the greatest concern is the spreading of the hate to the Spaniards and the project of the fanatical nationalists to reproduce the Basque situation in Catalonia.”

Félix de Azúa, essayist from Barcelona, PhD, Professor of aesthetics, ABC, 4 June 2005

“The arrival in power of Jordi Pujol in 1980 designed a propaganda and education system that has meant that two generations have been educated in hate for everything Spanish.”

Albert Boadella, Catalan actor and playwright, 3 April 2013, La Vanguardia

6.3 The historical regression

Indeed, we are facing a proclamation of independence that justifies itself with exactly the same language that was used for reclaiming self-government after the death of Franco, as if nothing had happened, as if we had all not done anything together over the last decades, ignoring the
fact that the joint conquest of Spanish political life has consisted, among other things, of achieving the greatest degree of self-government for Catalonia in its history, far greater than many federal states. The neo-independence movement advocates secession, blaming Spain, Madrid, for merciless centralism, for an absolute contempt for the Catalan reality, with the same language and with the same gestures as in 1975.

It is not that the neo-secessionist proposal, formulated in this manner, is unfaithful to an idea of Spain, it betrays what itself, the very best of Catalonia and of Spain as a whole thought and felt during the most fertile years of the transition:

“This Spanish path, which some called Transition, is the one that our compatriots chose to embark on for reconciliation. That was when they defeated all the adverse prognoses, that renounced the passionate temperament, and adopted the discourse method, they trod the path of dialogue, they put aside their characteristic Cain-like spirit, they learned from the angry spite, they rejected the fear of fear, they reacted with brains instead of with their gut feelings and they gave themselves the joy of democratic freedom, fleeing expressly from any path of servitude.”
Miguel Ángel Aguilar, journalist, El País, July 2012

“Every time I say something about Catalonia, I get insults, they call me “bellotari”, Spanish nationalist, fascist and I don’t know what else. I am not a Spanish nationalist, neither am I in favour of central government [...] Who was misleading us back in the 60s and 70s, when we used to shout all that about “freedom, amnesty and statute of autonomy” at the concerts of Lluis Llach, Raimon, Maria del Mar Bonet and Serrat? The ETA terrorists who came out of Spanish jails wanted blood, not peace. We were mistaken when they were given an amnesty. It would appear that the nationalists weren’t asking for autonomy either. We were wrong too, because they wanted independence. Both mislead us. Of course, the Catalan left for us, all the other Spanish progressive democrats, was the mirror in which to see ourselves. What a mistake, seeing as what has happened!”
Juan Carlos Rodríguez Ibarra, former President of the Junta de Extremadura (Extremadura Regional Government), El Confidencial, 14 September 2013

So, in this perspective, the secessionist project is a regressive project that abandons that beneficial moral tension in order to, in the words of some of its representatives, be driven by a passionate, fierce, visceral policy.

Unfortunately, these proposals of secession seem to prove right those essentialists who consider us servants of our demons, incapable of freely agreeing on our coexistence:

“It is obvious that a large part of the Catalan citizenry responds to this willingness to dialogue with an open hand, as most of them have done in the last 30 years; but a part of their political class also does it by turning their backs, refusing to deal and, even wanting to break the dialogue. The proposals of the neo-independence supporters, when Catalonia knows a never-before-seen self-government, seems like a step backwards to us, as they are terminating the transition agreement – which was as Spanish as it was Catalan – and proving right those essentialists that consider us to be the children of our demons. It is not that the proposal of independence is so thankless
compared with the most successful plural project of Spain, it is that it desserts itself, from the best that Catalonia, apart from Spain as a whole, thought and felt during the most fertile years of the transition.”

José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation, “Dar la espalda al que tiende la mano?”, El Periódico de Catalunya, 4 November 2012

“We, on the contrary, claim that democracy is possible, that the Spaniards can live in democracy, and they have shown it, and we refuse to accept the totalitarian justification of an evil Spain, condemned to the guardianship of a few, the exclusive holders of the “Truth”, with a capital “T”, that only they shared and which in their first postulate, expelled the people from the exercise of their arrogance.”

Miquel Roca i Junyent, Spokesperson of the Minoría Catalana parliamentary group, Congress of Deputies, 5 May 1978

“On seeing what Vicens Vives was trying to do, demythologise the history of Catalonia, I immediately found myself on the side of this group. I realised the danger of mythology in the formation of collective and national identities. I would have liked Vicens Vives to have won that battle in the present Catalonia, but after one or two generations, it appears that he did not. It has been very sad for me because I think that a society needs its myths, but if the myths dominate and hinder genuine research, we reach a situation in which the people become introspective and adopt a posture of offence, thinking that all the disasters were the fault of others. This is the moment when you reach a situation of extreme tension over any problem. There are politicians that take advantage of this to strengthen the myths, to place excessive emphasis, once again, on being the victim and on not seeing the internal problems of a society. That is what worries me especially.”

John H. Elliot, Regius Professor Emeritus at the University of Oxford, Honorary Fellow of Oriel College, Oxford, and of Trinity College, Cambridge. Creu de Sant Jordi 1999, distinction awarded by the Generalitat de Cataluña to those who “have provided outstanding services to Catalonia in defence of its identity.”

6.4 Intimidation and abuse of good faith

“Historic distortions come from very active minority groups that take over the regional issue and impose their own version before any version that the majority may have thought about and taken a position on... once a formula is expressed, they identify it with loyalty to the region, so they exercise a fierce coercion over anyone who may have wished to disagree. The sectors of opinion that consider this approach to the issue improper and dangerous are constrained to resist the most extreme formulas weakly, without daring to reject their erroneous and unjust content, and propose other, more appropriate formulas that could attract majority support.”

Julián Marías,
operate, such as, for example, their own language or certain typical cultural expressions. With regard to the feelings of sympathy that this procedure arouses – legitimate except for when the intention is to expropriate such singularities for the exclusive use of certain people – certain sectors of separatism construct another discourse that seeks to justify the unjustifiable: the will not to coexist. How? With these falsification operations that we have seen above. Their aim is to abuse the good faith of some and intimidate others. This is how the Catalans themselves identify it and denounce it, before and today:

**Abusing good faith**

“My most vigorous protest in the face of the policy of provocation that Catalonia started on the very same day that President Pujol was invested and which still continues, due in part to the misleading policy of intimidation that the Generalitat implements and, on the other hand, abusing the good faith of those who one has to admit, are tendentiously informed.”

Josep Tarradellas, Deputy for Esquerra Republicana de Cataluña in the II Republic, President of the Generalitat de Cataluña in exile and first President of the Generalitat after it was fully and finally re-established during the transition (letter to the director of La Vanguardia, 4 April 1981)

**Anything goes**

“There is a simple manipulation of feelings; anything goes. Nothing has changed among the Catalan nationalists in thirty years: they do not want bridges, they want to complain. For them, autonomy is not an end, but a stage, a mere step towards independence. But they are in no hurry to reach their goal, they prefer to build up power and enjoy it without anybody bothering them. We are now at the stage of them showing their “mistrust of Spain” in which they say that to date “they had trusted so much”. Do not believe them, it is pure hypocrisy, it is what is best for them to say for strategic reasons. How many times have we heard this already in thirty years? You build bridges, it is your way, but do not expect any thanks.”

Francesc de Carreras, Catalan jurist, in the Barcelona newspaper La Vanguardia, 1 October 2011 (“A Ramón Jáuregui”)

We are all entitled to want the best for our society; and in this case, and always, the best is coexistence, not rupture. Yes, the debate about the political options of a society (left, centre, right) is necessary and legitimate, the debate about the very nature of that society should be even more so: supportive and in harmony, unsupportive and fractured. Finally, that attitude confuses concepts: the freedom to express an opinion is sacred and everybody respects it; but that does not make all opinion reasonable, or even respectable. Respect is aimed at freedom, not at its contents, which must, of course, be criticised. Discrediting any critical voice for considering this an attack on the essence of a society is another mechanism of intimidation intended to silence any dissidence:

**I am a fascist and didn’t know it**

“I was born in Barcelona 35 years ago. Lately, I am worried about an ill that I carry inside of me: I am a fascist and didn’t know […] They say that those of us who are proud of
being Spanish are fascists [...] All this about being a fascist torments me. I imminently want to be a Catalan nationalist. That way, I can live in peace.”
Alfonso Martínez, entrepreneur, in a letter to the director of the Catalan newspaper El Periódico de Cataluña, 21 October 2013

Fear silences all dissidence

“...I was amazed that there were people who congratulated me for having had the courage to say those words. I was amazed to meet a Catalan historian who reminded me that Pierre Vilar coined the term “unanism” to refer to those social moments in which fear silences all dissidence and creates an illusory sensation of unanimity, and she confessed that she did not dare to say in public that she disagreed with the independence fervour.”
Javier Cercas, El País, 28 October 2012

Fear of being stigmatised

“In recent months, I have had conversations with a dozen people – businessmen, executives of large companies, professionals – about the Catalan political situation, the climate we are experiencing in Catalonia and the possible ways out of the maze. These are CiU voters and, in some cases, people who held high office when Pujol was President. I will summarise the content. Do not talk politics in public or in family meetings. On this issue, there is unanimity. The first thing is that they all say in private what they do not dare to say in public. Partially because of possible repercussions on their jobs, but especially out of fear of being stigmatised and accused of being “botiflers” (Derogatory term for Spanish nationalists), anti-democratic, fascists, unionists or any other current term, for the mere fact of expressing doubts, analysing disadvantages or pondering difficulties. Social pressure is enormous, to the point that it generates family problems, especially with the younger members, victims of indoctrination in their schools and of the effect of joining the wave in order not to feel left out.”
Francesc Moreno, Chairman of the Editorial Council of Crónica Global, former Chair of La Seda de Barcelona, in an article published in Crónica Global, 30 September 2013

6.5 Radical nationalisms: Spanish nationalism, Catalan nationalism

“I think that nationalism is one of the great aberrations of history, it is a survivor of statism and collectivism, it is a doctrine that attributes the importance of the individual to his membership of a group, an absurd aberration that denies individual freedom, that denies the possibility of a citizen to choose his or her own destiny and be what they want to be by means of a certain conduct. It is an aberration that turns belonging to a group into a value, into a cultural value, a political value, an ethical value. The worst disgraces that mankind has experienced in modern times were the result of the blindness of the obtuse vision and the violence that form the very essence of nationalism. That
is why we have to fight nationalism without any inferiority complex, absolutely convinced that nationalism is the denial of civilisation, democracy, of all the institutions that have taken the barbarity out of life and humanised the human being.”

Mario Vargas-Llosa, Nobel Literature Prize, El Mundo, 21 November 2013

“For now, I just want to say that a central nationalism can be just as unilateral, just as mythical, just as excluding as a peripheral one.”

Jose Ramón Recalde, Emeritus Professor of the Faculty of Business Sciences of the University of Deusto in San Sebastian, in “Convivencia ciudadana y sentimientos de identidad”, Ayer, modern history journal, 1999

Projects that worked against the common good of Spain have emerged from radical Spanish nationalism on several occasions, in its name, and they were deviated from the course of history.

Catalan radical nationalism is now the source of projects that work selfishly against the common good of Catalonia, also in its name. Disgraceful ways that entail a serious lack of consideration and respect for Catalan society and for Spanish society as a whole, proceed this way too, as if the end, independence, justified any means: discrediting the social and democratic rule of law, discrediting co-citizenry, playing the victim, manipulating feelings and distorting the costs of secession for Catalonia and for the rest of Spain.

This manipulation is obvious in a crucial expedient: the truth of the consequences of a unilateral separation of Catalonia in the European setting have been confused and twisted, denying that this separation means the immediate loss of its condition of member of the European Union.

It is a secessionism that intends to intimidate Catalan and Spanish society by presenting Spain as a hostile and chaotic state, which loots Catalonia.

“It is not that the path of autonomist Catalanism can no longer demonstrate its validity. Nationalism has decided to do without any alternative other than keeping the citizens on tenterhooks, adding insecurity to the economy, delving into semantic ambivalence and forcing a distancing from Spain as a whole.”

Valenti Puig, Majorcan writer, El País, 13 October 2012

“What an enormous distance there is between our federalist regionalism that harmonises and unites, and like the Hercules of legend, “joins by separating”, and the tendency that only proposes making enemies and separating! Congratulations that the separatists out of hate and ill will follow whatever procedures they believe will best serve their objective, but do not pretend, or lie or try to mislead us. Hate and fanaticism can only lead to destruction and tyranny; never to union and harmony. Trying to seek harmony among the Spanish regions that have to live in unity, along the path of insults, or at least distrust, has the effect on us of two people who are engaged to get married and use the time that their preparations last on insulting each other and competing to discredit each other.”

Valenti Almirall, Lo catalansime, 1902

Dialogue and pact is still the path, even with those who want to turn their backs on the extended hand. There is a very large stretch in which we all agree for the common good.
And in that stretch, the general will in Spain is to continue working, to make it wider-spread even if the separatists renounce this goal. Their will is to put an end to coexistence, an attitude they share with the expulsionists, those Spaniards who want Catalonia to separate from Spain.
7
Economic aspects
“The political decadence in which nationalism has sunk Catalonia has an economic correlation. For some time, wealth has been growing to a lesser extent than other comparable Spanish and European regions. A good number of crucial indicators [...] offer an image of Catalonia that is very distant from the role of the driving force of Spain that nationalism had proposed for itself. Their reaction has been the usual one: to blame economic decadence on a distribution of public monies that is allegedly unfair to Catalonia.”

First manifesto For a new political party in Catalonia, June 2005 Félix de Azúa, Albert Boadella, Francesc de Carreras, Arcadi Espada, Teresa Giménez Barbat, Ana Nuño, Félix Ovejero, Félix Pérez Romera, Xavier Pericay, Ponç Puigdevall, José Vicente Rodríguez Mora, Ferran Toutain, Carlos Trías, Ivan Tubau and Horacio Vázquez Rial

In Europe, in Spain, in many countries, economic life focuses these days on the great public debate and it is legitimate to propose diverging analyses and solutions. In any nation, all political forces understand that the economic models presented by each one of them, in spite of these differences, are conceived for a single framework of coexistence. This is a general procedure, whatever the political option may be, except for the case of secessionism, which is not interested in any of these options, as their economic model first requires breaking away from this common framework.

Their strategy in this area consists once again of hiding the fact that the economic measures in place in the territory in question, those that currently pertain to it, are the result of an agreement. But separatism prefers to present them as if they were the result of discrimination; a discrimination that, in their opinion, can only come from an evil state, so the only solution is separation from it. Faced with this interpretation, it is worth considering the terms of the debate in a strictly realist fashion.

7.1 The Government of Spain and the Government of the Generalitat de Cataluña in the face of the crisis

Spain is going through a really tough crisis that has lasted six years, destroyed millions of jobs and which is punishing many families.

This situation affects all of us:

- The citizens, the ones who suffer the effects of the crisis directly
- Businesses, our productive fabric and the basic powerhouse of our economy
- The Public Administrations, responsible for providing public services and guaranteeing the welfare of the citizens

Since the beginning of the legislature, the Government has taken all the necessary measures to get back on track, driving a large number of reforms in a short period to attain three fundamental objectives:
• Re-balance our public accounts

• Heal the financial system

• And to make our economy more flexible in important areas such as the labour market, to recover lost competitiveness

The problem has been basically one of financing, because many Autonomous Communities face real problems to meet the maturity of their debts or to pay suppliers, at a time when funding has been shut off not only to businesses and families, but also to some Public Administrations.

The Government of Spain is working in many areas with the Autonomous Communities and Local Corporations, always on the basis of dialogue, co-operation and institutional loyalty.

The relations of the Government with the other Public Administrations, including the Generalitat de Cataluña, must be set in this context of dialogue, collaboration and mutual understanding.

With regard to stabilising public finances and reducing the deficit, Spain has made considerable advances in the process of fiscal consolidation, which is essential to stabilise our accounts and lay the foundations for growth. This has been possible thanks, among other things, to enacting the Budget Stability Act (Ley de Estabilidad Presupuestaria), which was adopted with the support of the Catalan parliamentary group.

All Administrations, and Catalonia is no exception, have made a major adjustment effort by adopting difficult measures that, on many occasions, means taking unpleasant decisions that affect people’s lives, but there is no alternative.

Collaboration between the Government and the other administrations, including the Generalitat, has been fundamental for preserving the Welfare State.

The Government has rolled out a range of instruments to facilitate liquidity to those Autonomous Communities, like Catalonia, that cannot gain access to funding at this time and hence are experiencing genuine problems to meet their obligations or to pay their suppliers.

Measures such as:

• The Supplier Payment Plan

• The Autonomic Liquidity Fund

• The ICO (Official Credit Institute) Maturity Line, or

• Granting down-payments from the funding system and the deferral of the return of down-payments from previous years

Between 2012 and 2013, Catalonia received €31.42073 bn. in liquidity for all these items, accounting for 30% of all the liquidity aid provided to all the Autonomous Communities. Due to the Autonomic Liquidity Fund alone, Catalonia saves €1.41 bn. in interest.
“Fourth false idea: Catalonia would be better funded in the international markets, as it would be free of any fiscal ties with Madrid, and it would be richer. However, this assumes maintaining strong growth to feed its budgets. What would be the driving force of that growth? Not the domestic market or foreign investment. If the Catalan economy, which is already suspicious in the eyes of the world, stagnated, it would not find any resources in the markets and it would have to go begging for aid, but not to the European Union, which it would not form part of, but to the International Monetary Fund which would treat it rigorously. It is naïve to believe that Catalonia’s current financing difficulties are explained solely by a fiscal imbalance with Madrid.”


7.2 The current crisis in Europe and Spain and the separatist drift

Secessionism is not new in Spain, as it is not anywhere else in the world. What is new in Spain is a neo-secessionism that emerges precisely in a context of social tension, discontent and irritation, the consequence of a serious economic crisis in Spain, and the serious economic crisis in Catalonia.

It is both morally abusive and unjust to promote the unilateral disintegration of a coexistence of centuries under the pressure of the anxiety and irritation that many Spaniards are subject to in this time of unprecedented economic crisis.

The Spanish Government does not reject coexistence; it chooses it, the coexistence that the secessionists reject. It believes in the value of dialogue and the word, not in the value of unilateral decisions. The central core of Spanish political life fosters solidarity, compared with the lack of solidarity of secessionism.

The solidarity of the public powers is absolute with all Spaniards, with all Catalans, in these grave moments, which cause feelings of impotence, confusion and unease to a greater or lesser extent.

For this reason, it is reprehensible to promote such transcendental and irrevocable decisions as rupture in these circumstances.

“How to explain that independence is the centre of our political debate? [...] the answer is the phenomenon of “gambling for resurrection”. In layman’s terms, this would be in for a penny, in for a pound. It is logical that in the current situation of crisis and desperation, an option that was previously disdained for its risks now appears much more attractive. But that is a mistake.”

Juan-José Ganuza, Professor of Business Organisation, University Pompeu Fabra, El País, 19 September 2013
“A project of independence cannot come about in such a traumatic, temporary and misleading fashion. Overnight, in the midst of an economic crisis, which has put the discontent of cut-backs at the services of a Manichean, sectarian, anti-Spanish campaign, without objectively explaining the consequences of such a serious rupture, in a climate of sentimental, fever, ably manipulated against our common history.”
Ramón Jáuregui, La Vanguardia, 30 September 2013

Reactions of this kind that seek a way out of the daily difficulties in conflict happen everywhere. Former President Bill Clinton expressed it very well recently:

“And so here’s what I want to say to you, and here’s what I want the people at home to think about. When times are tough and people are frustrated and angry and hurting and uncertain, the politics of constant conflict may be good. But what is good politics does not necessarily work in the real world. What works in the real world is co-operation.”
Bill Clinton’s speech to the Democratic National Convention, September 5, 2012

7.3 Financing Catalonia

The financing of the Autonomous Communities

This is established by successive agreements that the national government negotiates with all the Autonomous Communities. In the case of Catalonia, these financing agreements, since the first in 1980, to the one that is currently in effect, have always had the agreement of the Catalan Government.

The Generalitat de Cataluña has a treasury constituted by its own taxes, the taxes granted by the state (income tax, VAT and excise duties, with capacity to set the tax rates, among other things), transfers and allocations charged to the General Budget of the State, the resources of its public prices and by debts, among others.

It is worth adding that the Spanish Government put in place several instruments in 2012 to facilitate liquidity to those Autonomous Communities, like Catalonia, that could not gain access to funding and were hence experiencing genuine problems to meet their obligations or to pay their suppliers.

Between 2012 and 2013 the state provided the Autonomous Communities with liquidity to the tune of €91.0708 bn. (Autonomic Liquidity Fund, Supplier Payment Plan and other items), €29.8352 bn. of which (32% of the total) went to Catalonia.

This state aid forms part of the safety net offered by belonging to a larger entity: the possibility of receiving outside aid in moments of crisis. Scotland has valued the support of the rest of the United Kingdom very highly in recent years, in the midst of an international crisis that the oversizee Scottish financial sector had been incapable of facing alone. In the same manner, Europe...
finds itself in a process of reinforcing the solidarity and mutual support of its economies in the face of the challenges of the global economy.

All in all, the Generalitat de Cataluña considers that the fiscal balance shows an excessive deficit and it is essential to attain more equitable funding.

Other Spanish Autonomous Communities have reached the same conclusion; they too, would like to negotiate a more equitable funding.

This same discussion takes place in the European Union when deciding on the common budget, or in Germany and the United Kingdom in their budgetary processes.

Germany has been generously contributing to the European development funds for decades and nobody doubts the beneficial effect that this contribution has had for its economy and its businesses.

Germany too has recently reconsidered the terms of financing the “Lander” in its Constitution by maintaining the principle of solidarity among them.

The greatest difference in Spain among the 15 Communities with the common regime does not therefore, occur in the chapter of the negotiations and claims concerning their funding, or in the economic and political arguments on these models, but in the fact that, in Catalonia, certain separatists consider that the state devotes its time and efforts to robbing their Autonomous Community.

“President Rajoy has shown his opposition to the proposal of an economic concert for Catalonia as it is not compatible with the Spanish Constitution, which all governors are obliged to comply with and enforce. He has also reminded us that many citizens of Catalonia and their political representatives share his opinion that there are better financing models within the Constitution for overcoming the crisis, financing public services and guaranteeing social cohesion. The President of the Government has reiterated the fact that the current financing system was promoted and adopted in 2009 by the Generalitat de Cataluña. He has also recognised that a fair number of Autonomous Communities are denouncing the defects of its design and he has confirmed that he will assess it and call for its revision to come into effect in this legislature. He has invited the President of the Generalitat to actively collaborate in this process which, given its complexity, cannot be addressed from an inflexible position, but from a serene and constructive dialogue.”

Communiqué about the meeting of the President of the Government with the President of the Generalitat de Catalonia, La Moncloa, Madrid, Thursday 20 September 2012

“The current model of autonomic financing had the backing and the support of the Generalitat de Cataluña in its time.”
Mariano Rajoy, President of the Government, Plenary Session of Congress, 9 April 2013

“Catalan President, José Montilla, has stated that the new model of autonomic financing is a “victory of justice” that “will make Catalonia, its people and its values, great”.
Montilla has emphasised that the agreement with the Government complies “fully” with the Estatut (Statute of Autonomy of Catalonia). “This Agreement will not be the victory of some over others; neither of Catalonia over Spain, nor of the Government of Catalonia over the Spanish Government. Not of some Communities over others, nor of some political forces over others. It will be the victory of justice”, “Catalonia knows how to say no when it has to and it knows how to say yes when it is fair and pursuant to the statute”, he added. In this sense, he said that the agreement, which he described as “a country success”, guarantees the principles of solidarity and justice and he thanked “all those who have made it possible” for their efforts.

The “keys” to this “collective success”, he said, are also held by the leaders of the parties who have lent their support to the government he leads and he considered that they have worked with firmness, rigour, strength and ambition, jointly and with the objective of benefitting Catalonia.

He praised the work of the Regional Minister of Economy and Finances of the Generalitat, Antoni Castells, for directing this “long and complex” process, and explained that he had spoken, that very Sunday to the leaders of the parliamentary groups to explain the agreement to them. He underlined that with the new financing model “Catalonia, from the first day, obtains resources above the average” for Spain, which means attaining “the most ambitious objectives.”

President José Montilla, Declarations of 12 July 2009, after the agreement with the President of the Government to reform the system of autonomic financing

7.4 The so-called fiscal looting or “Spain is robbing us”

“The mafia gang called Spain […] steals €3000 from every Catalan.”

“So, the problem is not that the Catalonia that gets up in the morning, the Catalonia that works, the Catalonia that works hard, the Catalonia that suffers, does not pay taxes or pays few taxes. The problem is that taxes are set and taken by Spain […] without saying that with each day that passes, the mafia gang called Spain takes 10% of the turnover […] The problem is that every year, Spain steals €3,000 from each Catalan. The problem is that every day, Spain steals €60 m in Catalonia, twice the amount paid in interest. That is the problem.”

Alfons López Tena, of Solidaritat Catalana per la independència, in Plenary Session of the Catalan parliament, 28 September 2011

“Catalonia, Valencia and the Islands [Balearics] have been severely harmed by the accumulated effect of so many years of fiscal looting and lack of investment by the Spanish state.”

Political programme adopted on 6 July 2013 in the National Conference for the Catalan Republic of the Esquerra Republicana party

The “fiscal balance” is the difference between the revenues contributed to the state by an
Autonomous Community (the taxes collected) and the spending and investments made by the state in that Autonomous Community.

The very concept of “fiscal balance” applied to an Autonomous Community is debatable: people pay taxes, not territories. The richer citizens pay more taxes irrespective of where they live (their personal fiscal balances are negative). In the regions with largest number of citizens with high incomes (as in the case of Catalonia) more taxes are collected than in others.

The fiscal balance is wrongly linked with the financing of the Autonomous Communities. The fiscal balance reflects the budgetary relations of each Autonomous Community with the Central Administration. The fact that an increase in Central Administration investment the Autonomous Community (AC) will reduce the fiscal deficit is true, but the financing system of the CA will remain the same and the autonomic government will not have more funds for that reason to deal with its expenses (education, health, etc.)

When we analyse the economic relations between an AC and the state as a whole, we should bear in mind other balances: the revenues and costs of Social Security, the trade balance, etc.

II) There are several methods of calculating the fiscal balance, not just one, all equally valid and each ones gives a different result.

There are two basic methods for calculating the fiscal balance

1. The Monetary Flow Method: which attributes the revenue to the territory where the taxable income is generated and the expense to the territory where it is incurred.

2. The Cost-Benefit Method: which attributes the revenue to the territory where the individual that pays the tax lives, and the expense to the territory where the beneficiary of that expense lives.

Thus, for example, with the Monetary Flow Method, the VAT applicable to a purchase made in Catalonia by a resident of Madrid is counted in Catalonia, whereas with the Cost-Benefit Method, it would be counted in Madrid.

With the Monetary Flow Method, only the expenses and investments made directly by the state in that AC are counted in the AC, and not the proportional part of the general spending made by the state for items such as defence, justice, security or foreign relations that, although they are not made directly in that AC, also benefit it (and, therefore, should be charged proportionately).

3. Both methods, the Monetary Flow and the Cost-Benefit, can, in turn, be “neutralised” by the economic cycle. This means that, as the budget is not balanced, because there is a budget deficit (and interest must be paid on the debt), this deficit will have to be covered at some time, either with more revenues (raising taxes) or by reducing spending. So, to “neutralise” the balance, each AC should book some theoretical revenues (its proportional part) or reduce spending (its proportional part).

In other words, revenues would be increased (or spending cut) by the amount necessary to cover the budget deficit.
As has been pointed out, there are two ways of “neutralising”: with a fictitious increase in revenues (taxes) of the AC, or with a fictitious reduction of spending.

In its fiscal balance calculations, La Generalitat uses the procedure of neutralisation by increasing revenues (by collecting taxes paid to the state in Catalonia) by an additional fictitious amount that would cover the budget deficit.

This neutralisation procedure is rejected by experts, because it offers an unrealistic result, which does not coincide with the amount actually collected and paid by the state in the ACs. As we have pointed out, at least 4 models of fiscal balance can be used, depending on the calculation method used:

- Neutralised Monetary Flow
- Non-neutralised Monetary Flow
- Neutralised Cost-Benefit
- Non-neutralised Cost-Benefit

There are also several variants of these as well (for example, as indicated, neutralisation can be carried out on the revenue side or on the spending side). In 2008, the Treasury managed to calculate 7 possible fiscal balances.

Obviously the results obtained are very different, depending on the method used to make the calculation. Hence, in the case of the fiscal balance of Catalonia, the 4 methods mentioned (Monetary Flow, Cost-Benefit, neutralised and non-neutralised), give the following results:

<table>
<thead>
<tr>
<th>Method</th>
<th>Balance 2009</th>
<th>% GDP</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monetary Flow neutralised by the economic cycle</td>
<td>-16.409</td>
<td>-8.4</td>
</tr>
<tr>
<td>Cost-Benefit neutralised by the economic cycle</td>
<td>-11.261</td>
<td>-5.8</td>
</tr>
<tr>
<td>Non-neutralised Monetary Flow</td>
<td>-792</td>
<td>-0.4</td>
</tr>
<tr>
<td>Non-neutralised Cost-Benefit</td>
<td>+4.015</td>
<td>+2.1</td>
</tr>
</tbody>
</table>

Sources: Generalitat de Cataluña. La balanza fiscal de Cataluña en el sector público central 2006-2009
Convivencia Cívica: La balanza fiscal de Cataluña con el sector público central 2006-2009

As we can see, the “fiscal looting” of Catalonia for the year in question (2009) varies, depending on the method chosen, between -€16.409 bn. (8.5% of Catalan GDP) and -€792 m (0.4% of GDP), and it could even be positive by +€4.014 bn. (2.1% of GDP)

III) Of all the possible methods, La Generalitat has chosen the one that gives the highest deficit (€16.409 bn. in 2009 and €16.543 bn. in 2010), equivalent to 8.5% of Catalan GDP, and it presents it as the only scientifically acceptable method.

To get to this result, La Generalitat has followed this procedure:

- It has used the Monetary Flow Method. It only considers the spending and investment
made directly by the state in the territory of Catalonia, and not the proportional part of the general expenses (defence, justice, etc.) which, although not made materially in Catalonia, do benefit it. And it has included as revenues the taxes charged in Catalan territory to residents of other ACs (VAT, for example).

- It has applied the neutralisation criterion, and with this, added, as additional revenues ("revenues detracted from Catalonia") a figure of over €10 bn. in hypothetical Catalan taxes that, according to this criterion, would be needed to off-set the budget deficit, but which are fictitious taxes that have not, in fact, been levied.

All this enables La Generalitat to announce a fiscal deficit for 2010 of €16.543 bn..

La Generalitat also uses the Cost-Benefit method for making the calculation, once again neutralised, giving a deficit of "only" €11.258 bn..

But the figure that has been announced to public opinion, and which has appeared in the media, is the former.

<table>
<thead>
<tr>
<th></th>
<th>Monetary Flow</th>
<th>Cost-Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes paid to the state in Catalonia</td>
<td>51.164</td>
<td>50.093</td>
</tr>
<tr>
<td>Expenses incurred by the state in Catalonia</td>
<td>45.329</td>
<td>49.319</td>
</tr>
<tr>
<td>Real fiscal deficit</td>
<td>- 5.835</td>
<td>- 774</td>
</tr>
<tr>
<td>&quot;Revenues detracted from Catalonia&quot; (neutralisation)</td>
<td>- 10.708</td>
<td>- 10.484</td>
</tr>
<tr>
<td>Adjusted fiscal deficit</td>
<td>- 16.543</td>
<td>- 11.258</td>
</tr>
</tbody>
</table>

Figures in €m

As we can see from the table, if the non-neutralised Cost-Benefit method is used, the one experts consider the most appropriate, Catalonia's fiscal deficit would only be €774 m, even accepting the Monetary Flow Method, but without the artifice of neutralisation, the deficit would be €5.835 bn., one third of the amount announced by La Generalitat.

**IV)** Irrespective of all the above, consideration must be given to the fact that fiscal balances vary from one year to another. In years of prosperity, when tax revenues are high, rich regions (with more high-income citizens) have a greater fiscal deficit. In years of crisis, the deficit is lower, and they could even have a fiscal surplus.

That is why the most reasonable approach is not to focus on a specific year, but take the average of a longer period.

If we take the period from 2006 to 2010, using the non-neutralised Cost-Benefit Method, the Catalan fiscal balance would be the equivalent to -8% of Catalan GDP (2006); -8.3% (2007); -3.2% (2008); +2.1% (2009) and −0.4% (2010). And the average for the period would be a fiscal deficit of -€6.91 bn. (3.5% of Catalan GDP).

From all these data, it is legitimate to conclude: that the financing model is the fruit of agreement, so there is no discrimination practiced against Catalonia –as it has backed it year after year, after driving and defining the model in effect as a triumph for Catalonia –, that several
Autonomous Communities also feel neglected or offended fiscally by the state, proof that none of them is discriminated against in a singular fashion and it is also proof that the state healthily plays the role of a meeting point of national interests.

These explanations do not in any way challenge the fact that Catalonia practically always contributes more revenues to the state than it receives in the form of transfers, services and investments, and has done since the autonomic financing system was put in place several decades ago. In other words, Catalonia shows solidarity with its contribution to the territorial balance of Spain.

From this perspective, negotiating a better financing model, something that many Autonomous Communities demand, is an important, but not the only element, of the daily debate that is the public life of any nation, or which comprises, for example the process of construction of the European Union. Whoever chooses this deliberately as their only argument does so in order to flee from their own responsibility.

Based on this background, pretending that the only solution is to put an end to this debate, destroy life in common, by promoting a will to break away from the others, constitutes a political and economic step backwards that distances us from the principles of the construction of a better, more prosperous and caring Europe.

But essentially, it is a moral step backwards, as it disavows an exemplary effort of universal value, whereby part of society (national, European, international) wishes to contribute to the welfare of those who cannot achieve it on their own.

We should remember that the ethical foundation of this solidary responsibility consists of considering the beneficiary radically as an equal, albeit in difficulties. Logically, it is only possible to put an end to this solidarity on the foundation of considering the receiving party as different, an attitude of clear moral abandonment.

In summary, the motto “Spain is robbing us” is not only unsustainable in strictly economic terms; it also has a boomerang effect on those who shout it by tarnishing an estimable past in terms of solidarity, in this case, of Catalan society.

“It is worth highlighting the fact that over the last thirty years, our country has been immersed in a great transformation with regard to the degree of devolvement of income and expenditure. We have gone from having a centralised structure to a leading position among the most devolved countries of the OECD [...] In other words, La Generalitat though its own Tax Agency, would assume the regulation, management collection and inspection of taxes, and in exchange, would contribute a sum to the coffers of the Spanish state that would be negotiated bilaterally every five years. This contribution would cover the cost of the competences that are not transferred and another part would cover the solidarity percentage pre-established by the will of the Catalan authorities [...] With the arrival of the crisis, the debate on financing has become more heated in the Catalan autonomous community, going as far as to become one of the main arguments of the independence movement. The fact that not all the revenues provided by the Catalan autonomous community through the taxes paid by its citizens to the coffers of the state, are later re-invested in the same proportion
in Catalan territory through spending and investments, has had a profound effect on Catalan public opinion such that a large proportion of Catalan citizenry has the feeling of being unjustly mistreated in tax matters as they get few benefits from the state in return. From this point of view, the tax burden that the Catalans bear generates a deficit that is harmful to the economic development of Catalonia and Spain. And expressions like “Spain is robbing us” or “the tax looting” are everyday occurrences in the Catalan electoral campaign [...] With regard to the taxes paid by the citizens, it is true that a citizen of Catalonia pays more in income tax in his autonomous community than a citizen of Logroño or Extremadura, with the same level of income, but this is due to the fact that our financing system allows the ACs the capacity to increase the rate to higher tax rates for the autonomic tranche of the tax, or they can raise the minimum threshold for paying the tax. This possibility does not in any way affect the fiscal balance, as the revenues collected from the autonomic tranche go directly to the coffers of the autonomous community. As for the state part of the tax collected, the three citizens (of Catalonia, Logroño and Extremadura) would pay the same [...] If we analyse the trend of the taxes paid by Catalan citizens to the coffers of the state, we can see that revenues have fallen in the period 2007-2009 by 33%. In 2007: 42,165; in 2008: 36,519 and in 2009: 28,257 [...] State spending in Catalan territory on the other hand, has remained stable and even increased [...] It is true that there is a deficit with Catalonia today, and Catalonia contributes more revenues to the state than it receives in the form of transfers, services and investments, but when all is said and done, the same is true of other communities, such as Madrid. These are the so-called rich communities that finance the poorer communities with the surpluses paid. If we use the same logic as the Catalan Government, the taxpayers that pay the most to the state should receive more in return than those who pay less [...] In the case in question, La Generalitat defined its deficit in 2009 as €16.409 bn., equivalent to 8.4% of Catalan GDP [...] To reach this figure, La Generalitat uses the Monetary Flow Method, whereby revenues and expenses are booked only in the territory where they occur. Obviously, this is the most beneficial method as it exaggerates the fiscal deficit by not considering expenses that have a repercussion in the territory in question, even if they have not been physically made there, such as the army, foreign policy or certain infrastructure [...] As for the tax revenues booked by this method, they are counted in the territory that is competent to tax the transaction (taxable event). For example, the VAT paid by a citizen of Oviedo in a shop in Mataró will be booked in Catalonia, which is where the taxable event has occurred, [...] if on the other hand, the method used for calculating the balance is the Cost-Benefit method, i.e., bearing in mind the expenses paid by the State that have not necessarily been incurred in Catalan territory, but which benefit this community, the fiscal deficit would fall to €11.261 bn., equivalent to 5.8% of GDP [...] Hence, the initial figure claimed by La Generalitat does not reflect the real balance and €5.148 bn. should be subtracted from it, which is the Catalan part of the cost of the general services provided by the state and which benefit Catalonia.”

Almudena Semur Correa, “La perversidad de las balanzas fiscales”, in La cuestión catalana hoy, Institute of Economic Studies, November 2012

“If data is presented against the legend of fiscal looting that Catalonia suffers or we remember that the motto “we give more than we receive” is what every rich man in the world says when faced with the obligation of paying his taxes to sustain institutions, care services that they do not believe necessary, we are accused of “kicking and pun-
ching” the Catalans when, really, they are being treated like reasonable people.”
Fernando Savater, Spanish philosopher, El País, 13 November 2012

7.5 Spanish investment in Catalonia

“Catalonia, Valencia and the Islands [Balearics] have been severely harmed by the accumulated effect of so many years of fiscal looting and lack of investment by the Spanish state.”
Political programme adopted on 6 July 2013 in the National Conference for the Catalan Republic of the Esquerra Republicana party

Faced with this accusation, this article by a lecturer of the Barcelona IESE is enlightening:

“We residents of Catalonia have the perception that the state invests little in infrastructure in Catalonia […] To get a full idea of what the state invests in Catalonia, one has to see the total figures of all the investment […] These data are provided by La Generalitat de Cataluña in its report on the fiscal balance of Catalonia: Resultats de la balança fiscal de Catalunya amb el sector public central 2006-2009 […] If we consider the investments made in Catalonia by the state and its public companies, the result is that 20% of its investments has been made in Catalonia. This percentage is higher than the level established by the Estatut which indicates that the State shall invest in Catalonia at least the equivalent of its weight in the GDP of Spain, which is 19%. That is what the numbers say, calculated by La Generalitat. Then each citizen can accept whatever perception he may deem fit.”
Eduardo Martínez Abascal, lecturer at the Barcelona IESE, “¿Invierte el Estado en Catalunya?”, El Periódico, 5 December 2012

7.6 In recognition of Catalan and European solidarity

“Solidarity is a concrete form of the reciprocal duty of help and mutual loyalty that requires the Autonomous Communities to abstain from adopting decisions or carrying out acts in the exercise of their competences, that harm or perturb the general interest; and which bear in mind, on the other hand, the community of interests that bind them together, which shall not be desegregated or undermined as a consequence of an uncaring management of their own interests.”

These explanations by no means challenge the following irrefutable facts: ever since the autonomc financing system was put in place several decades ago, Catalonia has practically always contributed more revenues to the state than it receives in the form of transfers, services and
investments, as we can see from Catalonia's fiscal balance with the central administration. The Autonomous Community of Catalonia is a region with a per capita income that is higher than the Spanish average (in 2012, it was 119.7% of the Spanish national average and in 2009, it was 120% of the European average) and Catalonia is a community that shows solidarity with its contribution to the territorial equilibrium of Spain.

This same principle of solidarity has provided Spain with large amounts of European funds. In Europe too, the one with the most, contributes the most, but those that contribute more, in turn, benefit from belonging to a broader system that guarantees them stability, access to markets and a safety net in the event of potential asymmetric shocks or local vicissitudes. Germany has been contributing generously to European funds for decades and nobody doubts the beneficial effect that this contribution has had its economy and its businesses.

Since Spain joined the European Union, the Spanish Government has battled to obtain Structural Funds and Cohesion Funds. In the twenty years between 1986 and 2006, thanks to this effort, Catalonia has obtained €8.64 bn., enabling the region to implement thousands of projects in its territory (high speed railway, metro, ports, environment, research and development).

That is why, if we look from the perspective of other integrating projects on the European horizon, of whatever kind, such as the case of the EU, it is legitimate to ask – of those who want to shatter the framework of centuries-old coexistence – where is the legitimacy in defending the argument that a project – like their secessionist one – based on the will not to coexist, is compatible with another, integrating project that promotes greater union and solidarity among its members – such as the project that inspires the EU? What concept of civic dignity makes it possible to sustain such radically opposite postures at the same time: on the one hand, the will to break up the solidarity within a centuries-old nation and, on the other, to want to reap the benefits of a caring, sharing Europe?

"The unity of the Spanish Nation, the nation-state, founded on this reality, on the diversity of nationalities and regions that comprise it, finds its final complement, the perfect tripod, in the solidarity amongst all of them."
Miquel Roca i Juyent, spokesperson for the Minoria Catalana parliamentary group, Congress of Deputies, 12 May 1978

"The average of the five real balances (2006-2010) is 3.5% of the GDP of Catalonia (€6.91 bn. in 2010), and the interpretation of the occasional balances is perfectly reasonable: in the years of bonanza, the state receives revenues from Catalonia over and above the services it provides (4.5% in 2006 and 4.8% in 2007), whereas in the years of crisis, Catalonia benefits from state services, which exceed the taxes paid (-0.3% in 2008, -5.6% in 2009 and -3.1% in 2010). These calculations are merely an illustration because the period in question does not constitute a full cycle, but it is an illustration that the people can understand and one that does not hide information from the citizenry about what really happens each year. Booking a debt to the Catalans against a fiscal deficit of the state that nobody has claimed is one situation, among many others that could occur, that could make sense in the discussion of an academic seminar, but it confuses the man in the street. It is something that belongs to the world of fantasy, not to the real world. The Catalan Government has decided to do without reality and take fantasy to power, but unfortunately, without the charm and the romanticism of the French students of May of '68."
To provide a full picture of the degree of self-government that the autonomous communities have in economic matters, it is essential to add to the aforesaid financing issues, the fact that all autonomous communities are increasingly responsible for their economic management.

La Generalitat de Cataluña is the Autonomous Community that receives the most resources from the Spanish financing model: €19.079 bn. in 2011, followed by Andalusia (€18.653 bn.) and Madrid (€14.894 bn.).

In per capita terms, Catalonia is among the 8 Autonomies that receive higher than average resources per inhabitant: Cantabria, La Rioja, Aragon, Castilla y Leon, Asturias, Galicia, Extremadura and Catalonia.

For 2012, the total consolidated budget of Catalonia amounted to €37.0245 bn.

This is enough to meet its obligations to its citizens with regard to health, education, security.

All in all, as many voices point out in Catalonia, this Autonomous Community has a highly extensive public sector, made up of an institutional network comprised of 228 public entities and 26 in which the regional government has a minority stake, and a budget of almost €13 bn..

On top of that, it is essential to add a very high number of public employees: 167,965 civil servants and 61,694 contractors, 229,659 employees in total, accounting for almost 26% of the Generalitat’s public sector current expenditure (€9.5487 bn.).

It also has a large budget for foreign relations, amounting to almost €39 m - €26.9 m for overseas action and €12.1 m for institutional relations.

It is the Generalitat that decides which lines are cut and which are not. Instead of cutting spending on health, it could cut it from other lines of expenditure, however it sees fit.

It is precisely because they have a high degree of self-government that the economic results of Autonomous Communities vary from one to another slightly, even among analogous ones in terms of fiscal balance.

“I wish to analyse the independence decision from the business stand-point, as the creation of a new company. Would Catalonia plc. generate greater welfare for its citizens than they enjoy now? [...] Catalonia has had enough degree of self-government to predict this miraculous increase in efficiency is not going to happen.”

Juan-José Ganuza, Professor of Business Organisation, University Pompeu Fabra, El País, 19 September 2013
7.8 The economic consequences of secession

An independent Catalonia would automatically be left out of the European Union. No expulsion process would be opened, because Catalonia would be outside of the Union by the mere fact of independence. There is only one exit – by leaving Spain, it would also be leaving the EU.

This can be deduced from the very text of the Treaty on European Union (preamble and articles 1 and 4.2 of the consolidated text) and they have been clearly reminded of this fact by the President of the European Council, Herman van Rompuy, the President of the European Commission, Manuel Durao Barroso, European Commissioner Joaquín Almunia and the President of the European Parliament, Martin Schultz.

As a non-member of the European Union, all Catalan exports to EU countries and to the rest of Spain would be subject to the common custom duty. Neither would they benefit from the Free Trade Agreements signed between third countries and the EU and, therefore, would have to pay the corresponding import duties.

This together with the “border effect”, which would have additional negative consequences on Catalan exports to the rest of Spain, would inevitably mean a sharp fall in exports, with the consequent fall in GDP and employment.

Catalonia would have a negative balance of trade and the current balance and the balance of payments would worsen.

On top of this, Catalonia’s public debt (€53.665 bn., equivalent to 27.2% of its GDP) would be very difficult to re-finance. It could not increase of course, so Catalonia would not be able to incur a budget deficit; it wouldn’t even be able to obtain sufficient financing to remain at current levels. Consequently, the new state would have to declare insolvency, either with a haircut, or by devaluing its currency, which would exclude it from the international financial markets for a long time.

Other additional consequences of a secessionist process would be:

- A possible de-location of companies and flight of capital
- It would be impossible for Catalan banks to resort to financing from the European Central Bank or take part in the European payments system.
- The loss of all the possible aid and financial facilities from the European Union.

As a consequence of all this, some studies estimate that Catalonia’s GDP would fall by around 20%.

There are many articles and much information that is being published about the economic consequences of the independence of Catalonia.
Some of these are quoted below, but the many reports that have been published recently in Great Britain on the highly negative economic consequences for Scotland arising from its possible independence would be just as valid:

“From the economic perspective, Mr de Guindos [economy minister] said Monday that “a secessionist plan by a Spanish region is a lose-lose situation” for the region and for the country.”

The New York Times, 17 September 2013

“The continuity of Catalonia in the EU if it separated from the Spanish state is impossible […] Catalonia would also be left out of the banking union that is being constructed in the EU.”

Joaquín Muns, Professor of International Economic Organisations, University of Barcelona, La Vanguardia, 29 September 2013

“Economists say the mere talk of secession by Catalonia, an industrial region long known as “factory of Spain,” undermines investor confidence in Spain, which is struggling to pull out of a double-dip recession.”

The Wall Street Journal, 17 September 2013

“Furthermore, many of those who talk about independence have not considered the economic cost. Those who believe that a state of its own will mean that all our money will be spent on trains, motorways, on competitive airports… do not realise that we will also have to pay our own army, the fight against drugs, controlling illegal immigration, protecting our borders and many other things that are currently paid for by others. So, I think there is a fictitious debate that has never been addressed seriously. […] Do they think that we will be able to be in the EU without belonging to NATO and without paying? Those that say that we will recover our fiscal deficit if we are independent, that we will be rich and we will pay our debts, are misleading the people. It strikes me as being highly irresponsible and frivolous.”

Ingasi Guardans Cambó, Catalan politician and jurist, Crónica global.com, 23 September 2013

“Third false idea: an enterprising and extroverted Catalonia would better find its place in globalisation than through the kingdom of Spain. This is a naive illusion. Those who wish that are not Singapore or Israel. The companies of an independent Catalonia would not benefit from a powerful domestic market, or a top-flight financial system, or a high-tech incubator like Israel. Why would the major economic players set out on the road to Barcelona after such a spasm of violence? In their eyes, Catalonia would be synonymous with risk, and the fiscal measures announced within the framework of the current government pact, from this point of view, represent the worst possible message. Only a policy crazily tilted in favour of business – Irish-type corporation tax, Czech-style personal taxation, etc. – could attempt to off-set international mistrust. But what rules is the exact opposite.”


“Some independence sectors have managed to spread the idea that secession from
Spain, which means the break-up of the state, will be a process without excessive economic costs, without social fracture, politically friendly, where everything will be benefits.”

From the Manifesto for Social Justice and Democratic Reason, Call to the federalist and left-wing Catalonia, 11 October 2012, signed, among others, by intellectuals and people from Catalan cultural circles like Victoria Camps, Jordi Gracia, Isabel Coixet, Ana María Moix, Rosa Regás and 30 professors and lecturers from Catalan universities (UAB, UB, UdG, UPC, UdL)

“The study highlights the great commercial importance of the rest of Spain for Catalan businesses, as their main customer by a long way. 10 of the 15 main markets where Catalan companies sell their goods are Spanish Autonomous Communities. Just by way of example, Catalonia sells more to Murcia than to the United States, just as it sells more to Aragon than to Germany. The report also points out that Catalonia enjoys a trade surplus with the rest of Spain of around €22 bn. per year. That is 10.5% of Catalan GDP and represents a per capita increase for every Catalan of €2,900 per year. Convivencia Civica Catalana regrets the fact that some political parties are selling a false independent paradise to Catalan citizens, while they hide all the negative economic effects of a hypothetical separation of Catalonia from the rest of Spain. Raising a political border and therefore, a commercial and economic border, between Catalan companies and their leading market will mean that Catalan business will lose €1 of every €2 that they currently earn from the rest of Spain. The analysis conducted estimates that separating Catalan businesses from their main customer together with the probable exit from the European Union and business de-location would put 1 in 6 currently existing jobs in Catalonia in danger and it would mean a fall of Catalan GDP by 20%. Convivencia Civica Catalana also underscores the fact that certain political parties are transmitting exaggerated data on the amount of Catalonia’s fiscal deficit to Catalan public opinion. Due to the drastic fall in economic activity in Catalonia, and therefore in tax revenues of the state collected in the community in recent years, the Catalan fiscal balance has been positive since 2009 to the tune of €4.015 bn. for that year, that is 2.1% of Catalan GDP, as an advisory body of the Catalan Government itself has recognised.”

“Las cuentas claras de Cataluña”, study by the co-ordinator of civic entities and citizens called Convivencia Civica Catalana, on the economic relations of Catalonia with the rest of Spain

“[Independence] would be economic chaos.”

Agustín Barnardo Palatchi, tax inspector and writer from Barcelona, in La Vanguardia, 16 July 2013

“The markets are world-wide, do you think that you can conquer the world from Barcelona if you are not in Spain and, especially, if you are not in the European Union? That is guaranteed provincialism. Do you believe that major companies will go to a country that has so many difficulties? You are dreaming! You do not know how the economy works!

Alain Minc after stating that the economy would be worse off in an independent Catalonia, in the Catalan newspaper Ara, 14 July 2013

The British Government has published several studies analysing the consequences of an independent Scotland both for Scotland itself and for Great Britain. Some of these considerations
are presented below, regarding the economic costs, as they are wholly or partially applicable to a secession of Catalonia:

“Monetary arrangements are closely linked to existing political arrangements. If Scotland were to become independent, just as it would change fundamentally the political relationship between the new independent Scottish state and the continuing United Kingdom, it would completely transform the monetary relationship between the two countries. [...] And an independent Scottish state would have to cede sovereignty of the levers it has to guide its economy. The recent experience of the euro area has shown that it is extremely challenging to sustain a successful formal currency union without close fiscal integration and common arrangements for the resolution of banking sector difficulties. [...] The current currency and monetary policy arrangements within the UK serve Scotland well. A move away from the current arrangements would require a set of decisions that would affect the wider management of the economy – not only the currency but also the setting of monetary and fiscal policy. The status quo would not be one of the options.”

HM Government report “Scotland Analysis: currency and monetary policy”, presented to the British Parliament in April 2013

“Splitting the UK market, by introducing a border of whatever form, will introduce a barrier to the free flow of goods, capital and labour to the detriment of firms, workers and consumers in both states and risks making it more challenging to attract overseas investors. [...] Businesses in Scotland have free access to customers across all parts of the UK. [...] Trade within the UK flourishes, without the additional costs and bureaucracy caused by working across separate systems or collaborating across borders. [...] The unified market is viewed as a key driver for businesses in Scottish sectors such as financial services, professional services, food and drink and energy [...] In the event of independence trade will, of course, continue, but the introduction of an international border would almost certainly have a negative impact.”


“The most profound implication is that independence would create two separate financial jurisdictions: the continuing UK and a new, independent Scotland, which would require its own legal and regulatory framework. [...] Scottish independence would break-up the current UK domestic market. There is currently a single regulatory framework covering the whole of the UK, but this could not continue if Scotland became a separate state. Crucially, if an independent Scottish state became a member of the EU it would be required to establish its own financial regulator. [...] Independence would create separate regulatory and tax regimes under separate governments. These regimes would be likely to diverge over time; creating barriers to trade that do not currently exist. International experience shows that borders reduce flows of products, money and people.”

HM Government report “Scotland Analysis: Financial services and banking” presented to the British Parliament in May 2013

“The best independent academic models show that international borders reduce trade. The border is likely to reduce the level of real income in the Scottish economy by
around four per cent, with the effect building over time. The rest of the UK would also suffer from reduced trade flows but the impact on incomes would be less as Scotland constitutes a smaller share of total trade for the rest of the UK. [...] Scotland would be directly exposed to a narrower tax revenue base and more volatile fiscal position. [...] Independence would fundamentally transform the relationship between Scotland and the rest of the UK. As the historical links between the two countries weaken, an independent Scottish state would have to adapt to a new and more challenging environment as a small independent country. This would be expected to have deep implications for its economic and fiscal models.”

HM Government report “Scotland Analysis: Financial services and banking” presented to the British Parliament in May 2013

Other academic texts:

“The independence of Catalonia that some Catalan parties have been advocating with great insistence has become the most serious political problem that Spain has faced since the adoption of the Constitution in 1978, and shows signs of becoming an economic problem of the first order. The doubts that this debate on the future territorial configuration of the Kingdom of Spain in the coming years has generated constitute a major handicap for foreign investors and increase the uncertainty faced by financial entities and non-financial businesses at a time when the combination of a double-dip recession and a profound financial crisis has put the Spanish economy on the ropes [...] The economic future of an independent Catalonia outside of the EU and “euroised” looks frankly bleak: significant falls in exports to the rest of Spain and to the rest of the world, de-location of financial and non-financial businesses, fall in tax revenues and increase in public spending, contraction of the money supply, less foreign direct investment and lack of attraction for investing in portfolio, etc.”

Clemente Polo, “Las facturas de la independencia: “eurización”, capital público y deuda pública” Professor Fundaments of Economic Analysis, Autonomous University of Barcelona (Institute of Economic Studies), November 2012)
For harmony in the face of the will not to co-exist: demands of civic ethics
The citizens of a pluralist society and a multi-cultural world must be able to admit that there is no single individual or group who has the only answer to the problems. So, people should understand and respect each other and negotiate in the pursuit of equality with a view to seeking common ground.

UNESCO declaration on education for peace, human rights and democracy

The moral progress of our European and western environment is the one that militates for the construction of a civic ethic that contains the minimum morals that allow us to live together. This civic ethic is what we want for everybody. We consider it a universal value. This is what we have attained in Spain after many years of living under a single moral code (in the words of Adela Cortina). We now enjoy a civic ethic whereby it is ethically better, more valuable and excellent to stand up to global, national or problems of whatever level by discovering the solution together through coexistence and dialogue, than by virtue of break-up, dissolution and enmity.

Separatism does not pose options of coexistence, it advocates directly for the triumph of the will not to coexist. And this explains the anxiety of many people, faced with a horizon on which the citizens are not invited to choose from a range of options of political life (left, centre, right), but to vote for the extinction of that very life in common.

“Virtue is essentially moral energy in the form of character. And just as there is virtue in personal life, there is also virtue in social or political life. In this case, civic virtue, as it concerns the vigour or health of life in common, in habits of participation, communications and co-operations and in attitudes of co-responsibility.”

Pedro Cerezo Galán, Professor of Philosophy, in Democracia y virtudes cívicas, Madrid, 2005

“Why should we be interested in including a political community like an independent Catalonia in the Union, based on such a regressive and out-dated nationalist ethos that apparently cannot cope with the discipline of loyalty and solidarity that one would expect it to have to its co-citizens in Spain? The very request for independence from Spain, an independence from the need to manage political, social, economic and cultural differences within the Spanish political community, independence from the need to resolve differences and transcend the historical moment, disqualifies Catalonia and other similar cases morally and politically as future member states of the European Union.”

Joseph H.H. Weiler, Professor of the Faculty of Law of the University of New York, ABC, 3 November 2012

Once again, we find vivid examples of the civic conscience of Catalan society that declare their option for coexistence:

“That is why I, like Mitterrand, believe that “nationalism is war”. From the Christian point of view, in the deepest sense of the word, one cannot be nationalist. How does a nationalist respond when taken to the limit? Like a xenophobe.”

Federic Roda, Theatre director and cultural promoter from Barcelona, 2005
8.1 “Improving progress, welfare and equal opportunities of all citizenry” based on secession

We tackle the problems of globalisation with these premises of the primacy of dialogue, promoting understanding between cultures, beliefs and peoples. The very presence of Mankind obliges us to manage diversity by integrating it, not by confronting it.

Breaking up coexistence is always a moral failure: nothing healthy, promising or inspiring can be built on that enmity, on that antagonism.

“We also object to the independence movement for another reason that is not strictly Spanish: we consider it ethically more valuable to resolve global, national or problems of whatever level by discovering the solution together, through dialogue, rather than by virtue of rupture or enmity: Why turn your back on someone who offers their hand? On antagonism – that means turning your back – and on internal fracture, within Catalonia, in Spain as a whole, nothing promising or morally progressive can be built.”

José Manuel García-Margallo, Minister of Foreign Affairs and Co-operation, “¿Dar la espalda al que tiende la mano?, El Periódico de Catalunya, 4 November 2012

“With good reason they have unilaterally decided that the constitutional consensus is broken, that they no longer want to share a space of coexistence and solidarity with the rest of the Spaniards, that they no longer want to share the good times and the bad under the umbrella of a single state with people from Castile, Andalusia, the Basque Country, Galicia and the other peoples of Spain. OK, but some day, they will have to face the fact that their longed-for independence not only separates them from the rest of Spain, but also, and above all, from many of us Catalans who prefer to remain plural and diverse in our own identity. Then perhaps they will realise that instead of solving a problem, their adventure is causing us another, much more serious, unsupportable problem, far more difficult to remedy.”

Ignasi Martín, journalist from Barcelona in his blog, 10 February 2012

“But if self-determination is not a legal right, available in our law, or importable from international law that can impose rights on us that are contrary to our Constitution in an unconstitutional modification of our Fundamental Law, such as self-determination, neither is it a moral right, in other words, a demandable pretension based on considerations of logic or ethics.”

Juan José Solozabal, Professor of Constitutional Law, Autonomous University of Madrid, El País, 8 November 2012

8.2 Public life and private life: for coexistence

Our personal life, the life of each and every one of us, we make with other people that have been
given to us, that we have chosen and the invitation to coexist makes us seek coexistence with all of them, and it is legitimate to choose, but only partially, but never to suppress.

That is why the separatist proposal for us to renounce that same invitation to solidarity is a political and ethical step backwards when we tackle our life as a community, so that we suppress and remover a part from that community.

“Even beside what the immediate future may hold in store for us, I fear that the tear can no longer be fixed. It is not only a problem of social relations; it is something that has gone even further, as it is difficult now to find families in Catalonia in which the seams have not come apart, at any level and to a greater or lesser extent. And the same can be said of all the affective ties that go through the Catalan community and spread to Spain as a whole.”

Xavier Pericay, writer from Barcelona, ABC, 1 December 2012

“I am from my family, Seu d’Urgell, Catalan, Spanish, European. Why does it have to be incompatible? On the contrary, it is complementary, as life exists because it is structured in a hierarchy of systems [...] each level is necessary, none is hegemonic”

Luis Racionero, Catalan writer, “Por la concordia”, in La Vanguardia, 29 November 2012

8.3 The difference between equals, but not the difference between the different

The immense majority of Spaniards are not from Madrid, but from other realities, Catalan or not, which radical nationalists ignore when they consider everything beyond the Ebro as Castile in their manipulation of these realities.

Fine, that majority of people not born in Madrid, that majority of autonomous communities, including Catalonia, have seen and continue to see in this generic term called Madrid many things that they like and some, not as many, that they do not, but they have never considered them as things done to harm them, to harm us, but rather as a testimony of that difference that forces us to be more tolerant, as we accept that the difference is horizontal, it occurs to the same degree, as it occurs among equals, among people of exactly the same civic stature.

That is why it is difficult to understand that a political movement makes breaking up from others because it cannot stand them, its currency and that it considers that the difference occurs among different people, that the difference is projected on a slope, rather than an even playing field, that the difference is what separates a superior stature from an inferior one.

“Because the Spaniards are Spaniards and they are petty thieves, by the very fact of being Spanish, in my humble opinion.”

Joan Oliver, who was the Director of the public television station of the Generalitat de Cataluña, Televisió de Catalunya (TVC) for years, in declarations from 2008
“Si t’estova el teu marit / i tens un blau o una banya, / ja pots dire que un malparit / t’ha fet una “marca Espanya” – “If your husband beats you / and you have a bruise or he has cheated on you, / you can say that a creep / has given you a “Spain brand”
Julio Alsius, Dean of the College of Journalists of Catalonia and presenter of the Catalan public television news, TV3, in a twitter message, 2013

“A message that has not been deleted nor for which he has apologized. The author of this offence was appointed, on 10 July, member of the jury, according to the Official Gazette of Catalonia this Friday, in a communiqué signed by the Chair of the CAC, Roger Loppacher i Crehuet, and the director secretary and former chair of PPC, Daniel Sirera.”
By Alvaro Jesús, created 2013-07-26 10:47, intereconomia.com

“They say that former President [of the Generalitat de Cataluña] Pujol has apologised for this paragraph: “The man of Andalusia is not a coherent man, he is an anarchic man. He is a destroyed man […] he is generally a very little developed man, a man who has been hungry for hundreds of years and has lived in a state of cultural, mental and spiritual misery and ignorance. He is a man without roots, incapable of having a slightly broader sense of community. He often shows evidence of excellent human material, but initially, he constitutes the example of the least social and spiritual value of Spain. I have said it before: he is a man destroyed, anarchic. If he should manage to dominate by force of numbers, without having overcome his own perplexity, he would destroy Catalonia. He would bring to her his anarchic and very poor mentality, that is, his lack of mentality” Let us take a look at his apology according to La Vanguardia: “I believed that those people would not get away with it, because they had reached a major degree of decline from the point of view of morals and their will to move forwards” he added.
Pujol has however, celebrated “the policy that we have implemented in Catalonia, Spain and obviously in Andalusia and Extremadura”. In this sense, the former President claimed that Catalonia is “full of people that came from Andalucia and Extremadura and who, fortunately, are well integrated”. In other words, thank God that Catalonia integrated them. Pujol’s apologies are usually worse than his insults. You only have to read what he published in 1977, a few months after the reappearance of the book [now very difficult to find] containing the famous phrase. The local press insists that Ciudadanos recovers a phrase from 1958, when it was first published in a book. But this is not the case, Ciudadanos recovers a phrase from 1976, which is when Pujol once again put it in a book, without any great resentment or problem. Something he did not do by the way, with an article called “El ejército de ocupación” (The army of occupation), where he included chaplains and nuns (in the army). No, Pujol does not apologise. He cannot. It is ontologically impossible for him to apologise.”

Catalan society itself repudiates this behaviour:

“If you have to deny your neighbour to affirm yourself, or antagonise all the other levels of the hierarchy of systems, then we are faced with sick nationalism, suffering from xenophobia, victimism, triumphalism, chauvinism, etcetera […] Identify oneself in the deep roots of culture, language, custom, yes; but identify oneself against the others, no.”
8.4 The dimension of Catalan solidarity

One of the leading civic virtues of developed societies is solidarity.

Ever since the autonomic financing system was put in place several decades ago, Catalonia has practically always contributed more revenues to the state than it receives in the form of transfers, services and investments, as we can see from Catalonia’s fiscal balance with the central administration.

This is a reality that, in turn, translates into two irrefutable virtues of the Catalan Autonomous Community: it is a region that has a higher per capita income than the average for Spain (in 2012, it was 119.7% of the Spanish national average and in 2009, this represented 120% of the European average) and Catalonia is a community that shows solidarity by contributing to the territorial equilibrium of Spain.

Many levels in Catalonia want to debate the degree of this solidarity, without wishing to abolish it. But, in comparison with those who consider that the debate about what the quota of solidarity should be as just another chapter of public life, the political project of the separatists, by breaking up national solidarity, is essentially a moral step backwards, as it disavows an exemplary effort of universal value whereby part of society wants to contribute to the welfare of those who cannot achieve it for themselves.

And secessionism hence undermines those in Catalonia who work on projects of international co-operation, thanks to that same principle of solidarity, thanks to exercising the civic virtue of solidarity. Why is one acceptable and the other not?

We must remember that the ethical foundation of this solidarity is considering the beneficiary radically an equal, albeit in difficulties. Logically, it is only possible to put an end to this solidarity on the basis of considering the recipient as different, an attitude of clear moral abandonment.

“The unity of the Spanish Nation, the nation-state, founded on this reality, on the diversity of nationalities and regions that comprise it, finds its final complement, the perfect tripod, in the solidarity amongst all of them.”
Miquel Roca i Juyent, spokesperson for the Minoria Catalana parliamentary group, Congress of Deputies, 12 May 1978

“If data is presented against the legend of fiscal looting that Catalonia suffers or we remember that the motto “we give more than we receive” is what every rich man in the world says when faced with the obligation of paying his taxes to sustain institutions, care services that they do not believe necessary, we are accused of “kicking and punching” the Catalans when, really, they are being treated as reasonable people.”
The consequences of the will not to coexist on Spanish society as a whole and, specifically, within Catalan society itself

"Based on one's own beliefs and passions, one can rush out and define the faculty to decide of the Basque people, irrespective of what others may say; to this end, one can question what has been achieved with difficulty in a constitutional process. But is it right that it does not bear in mind the consequences of one's actions? In politics, it is fundamental to consider the consequentialist ethic, which means that anyone rushing out on an adventure of modifying the situation has to know what he is provoking."

Jose Ramón Recalde, Emeritus Professor of the Faculty of Business Sciences of the University of Deusto in San Sebastian, in “Convivencia ciudadana y sentimientos de identidad”, Ayer, journal of modern history, 1999

Spanish and Catalan life have seen the emergence of attitudes of confrontation and division, inside Catalonia and out, due to the secessionist proposal that links back not to the best, but to the worst of our past.

The tearing caused by any separatist project is double: first of all, the tearing that occurs within the society in which it appears and, at the same time, the tearing caused in the nation as a whole; in this case, in Catalonia and in the rest of Spain.

For the first time in decades, the Catalan media explain situations of tearing apart and deterioration that occur in Catalan society, concerning family, social, professional, cultural and economic ties.

In the face of this deterioration of life in common, of coexisting in society, that secessionism is giving rise to, one must ask which option is preferable: the option that welcomes or the one that excludes, the one that accepts or the one that divides, the one that promotes coexistence or the one that fosters separation and rupture?

Some examples from Catalan society itself:

“If you really believes your country is enslaved, that it have chains to cast off, you are being denied the food of your children, that the country is a colony, they exploit you and steal from you, that the country is in a situation of oppression comparable with the USA before Martin Luther King’s march, if someone really believes all this, the normal reaction would be to turn round and strike back. In fact, if I believed half of what I read, that Catalonia is a prisoner, we have no freedom and the future of my children is in danger, I would be the first to take to the street, with or without arms. A time will come when someone will take this discourse seriously and draw the natural conclusions. By the way, that belief that we Catalans are peaceful is placed in doubt by history. Anar-
chism was born here. And the Civil War had some very cruel moments in Catalonia.”
Ignasi Guardans Cambó, Catalan politician and jurist, Crónica global.com, 23 September 2013

“I contemplate with horror how the so-called social fracture gets bigger and bigger […]
I do not wish to be alarmist and I wish I were wrong, but wasn’t this how wars started?”
Laura Freixas, writer from Barcelona, La Vanguardia, 14 March 2013

“The situation in Catalonia is explosive.”
Joaquim Coll, Catalan historian, El País, 11 July 2013

“Toni Albà, who is currently playing the king in a musical comedy in the Victòria Theatre in Barcelona and who is in favour of independence, called on people not to go and see the popular actress for having signed the manifesto of intellectuals and artists in favour of Catalonia in Spain. According to the El Lliure communiqué, Carmen Machi has come to the theatre “as an actress to perform theatre, independently of having exercised her freedom of thought and opinion, a right that, to date, we can all exercise.” In his comments on Twitter, Toni Albà justified boycotting Machi’s play in El Lliure in response to the actress having signed the federalist intellectual manifesto her opposition to Catalonia’s right to self-determination. El Lliure expressed its “indignation” at the boycott attempts from any quarter and its “sad surprise” for having seen that “it is a professional colleague who, like Carmen Machi, goes on stage every day that is stirring up this boycott”. “Choosing or discriminating against an artist of democratic thinking for non-theatrical reasons would be like choosing or discriminating against the spectators, a clearly excluding attitude, and in the case of a public theatre, a crime”, the communiqué goes on.”
Cadenaser.com, 4 December 2012

Other examples:

“What amazes me the most is that apparently sensible people maintain that the separation of Catalonia will occur in a cordial fashion and without trauma, and that they almost all seem to believe that the situation could not possibly degenerate into violence. Good God, haven’t we even learned that nothing is impossible in history and that major changes have almost always come about through blood and fire? Have we become so stupid and cowardly again that we are incapable of finding a civilised way out of this mess?
Javier Cercas, writer, El País, 28 October 2012

“We wish to draw attention to the risk of fracture that irresponsible attitudes can lead to in the midst of the difficulties that Spanish life is going through. Far from facing the crisis disunited, we think that it is time to mobilise the nation’s resources and seek the agreement of all political and social forces to overcome the worrying situation we are in here in Spain and in Europe.”
From the manifesto of 2 November 2012, signed by authors Mario Vargas Llosa, Félix de Azúa, Juan Goytisolo, Almudena Grandes, Elvira Lindo, Eduardo Mendicuti, Rosa Montero and Antonio Muñoz Molina, film makers Pedro Almodóvar, José Luís García Sánchez, Carmelo Gómez, Charo López, Carmen Machi, Elías Querejeta, Mercedes
Dampietro and Aitana Sánchez-Gijón; journalists Joaquín Estefanía, Miguel Ángel Aguillar, José Oneto and Carmen Rigalt; politicians Joseba Arregi, Pío Cabanillas, Nicolás Sartorius and Carlos Solchaga, university professors Javier Pérez Royo and Francisco Rubio Llorente and singer Miguel Ríos, among others.

“The tough, crude challenge of the rupture of the unity of the nation, and of the independent secession of some of its most sensitive parts, such as Catalonia, and possibly the Basque Country shortly thereafter, takes the Spaniards back, whether they like it or not, to the situation before the civil war, where these drifts operated with violence, and the drama of the war itself was the resolution, a war that, in turn, imposed centralist Unitarianism and dictatorship on a broken country.”

Helio Carpintero, Professor of Psychology, Royal Academy of Moral and Political Sciences, in the magazine Cuenta y Razón, Spring 2013

El País newspaper entitled its editorial of 27 November 2012: “Riesgo de frentismo” (Risk of Confrontationism)

“You know that the Catalan independence movement clashes with the Constitution and clashes with Europe and even more directly with France who possesses the Rosellón, “North Catalonia” in independence language.”

Luís Antonio de Villena, writer, El Mundo, 24 January 2013

8.6 The majority will of the Spanish people

The neo-secessionist proposals, at a time in which Catalonia has a supreme degree of self-government, are a step backwards in historical and political terms, as they terminate the transition agreement – which was just as entirely Spanish as it was specifically Catalan – and they now prove the essentialists right, who consider us as servants of our demons, incapable of freely agreeing on our coexistence.

The socio-political majority in Spain as a whole is not with the secessionists, refusing to deal, like them; it is where the majority will of the Spaniards and Catalans has been for decades, wanting to live together, counting on each other to enrich life in common.

Most social and political forces object to separatism for very different reasons, essentially because they want to conserve harmony as a superior good and because they consider the break-up of that harmony a political, historical and ethical reverse.

But the independence project does not conclude with the secession of Catalonia. It is a project that is determined, once it becomes a new state, to continue exerting pressure on the surrounding regions, without caring whether or not it destroys the territorial integrity of another old nation, or even of the amputated Spain:

“Although it is true that the Catalan nation as a whole has made an effort to achieve
a Catalan state in part of the territory, the new state [i.e., the Republic of Catalonia] will have to make an even greater effort to have the rest of the nation [Catalan] completely remade, either with the incorporation of the other territories [in reference to Valencia, the Balearic Isles and what is known as “North Catalonia”] into the newly constituted state, or via a later federation of the territories under French or Spanish domination, after constituting the new Republics.”

Political programme adopted on 6 July 2013 in the National Conference for the Catalan Republic of the political party Esquerra Republicana

It is obvious that a large part of Catalan society also responds to the willingness to enter into dialogue of the national political life, of those of us who comprise the backbone, with an extended hand, as most of them have done for the last thirty years, defending the virtue of dialogue and the word. But it is also evident that part of its political class does so now by turning its back, refusing to deal, or even wishing to break any dialogue. We cannot understand why they prefer to put an end to the primacy of harmony, dialogue and the word:

“For all the above, recognising ourselves as the heirs of the Catalan left wing that has always defended “Catalonia, a single people”, we raise our voice to openly defend the position that a break with Spain is not the best option, either for overcoming the current crisis, or for articulating a left-wing alternative to the European policies of austerity. Furthermore, the risks, the tensions and the uncertainties of a process of secession are not the best scenario for improving the living conditions of the people, particularly of the humblest and most vulnerable sectors.”

From the manifesto “Por la justicia social y la razón democrática” (for social justice and democratic reason), call to the federalist and left-wing Catalonia, of 11 October 2012, signed, among others, by intellectuals and people of the world of Catalan culture, such as Victoria Camps, Jordi Gracia, Isabel Coixet, Ana María Moix, Rosa Regàs and 30 professors and lecturers from Catalan universities (UAB, UB, UdG, UPC UdL).

“The emphasis on the economic virtues of independence, which do not stand up under rigorous analysis, is no more than a calculated strategy to side-step a blatant social reality that dates back many generations: the fact that most of the citizenry of Catalonia share our Catalan and Spanish identities to varying degrees.”

From the manifesto “Por la justicia social y la razón democrática” (for social justice and democratic reason), call to the federalist and left-wing Catalonia, of 11 October 2012, signed, among others, by intellectuals and people of the world of Catalan culture, such as Victoria Camps, Jordi Gracia, Isabel Coixet, Ana María Moix, Rosa Regàs and 30 professors and lecturers from Catalan universities (UAB, UB, UdG, UPC UdL).

“The pro-independence arguments of the new Catalan diplomatic service sent to the offices of the Generalitat and to any centres of opinion we can find are fairly ludicrous. They generalise the partisan views of only one sector of society as if they were global; they merge together in a single entity (of harassment and defeat) Spain, the Spanish State and the Government in office; and intends to injure all rivals, including those who disagree within. It is a disloyalty, not only to the state, to the Government of the Nation or to the rules and customs of professional diplomacy, but, above all, to the citizenry. To Spanish citizens in general, of course. But specifically to the Catalans, an immense majority of whom – around 70% - have always sustained the compatibility of superim-
posed identities, the Catalan with the Spanish, but also European and local. All this can be but down to the regrettable technique of placing faits accomplis on the very edge of legality in front of the citizens. And that is not the worst of it. The worst thing is that these faits accomplis are an outright fraud: the Government of Artur Mas says it wants a referendum “about” independence, when all its acts are designed “for” independence. It proposes the last step on the ladder as the first.”

Editorial in El País, “Una mínima lealtad”, 1 May 2013

“Let’s be serious: who at this stage of the game can fly flags of identity without blushing? When everything seemed to suggest that we had finally freed ourselves of excluding and war-like symbols, new champions of an eighteenth-century cause appear, flying patriotic pride for the nth time. You have to live to see it! What do they want? To balkanise us? The followers of independence are the ones that live the best and the ones that show the least interest in re-building Catalonia.”

Antonio Sitges-Serra, Professor of Surgery at the Autonomous University of Barcelona, “Independencia ¿para qué?, El Periódico de Catalunya, 10 September 2012

8.7 So how can you understand someone who turns their back on you when you offer them your hand?

A vocation of dialogue and harmony is the majority position in Spain as a whole and in Catalonia.

It is obvious that nationalism and secessionism, wherever they are from, hold an attraction for quite a lot of people. Independence, like any philosophy, is comprised of several stages and everybody, all of us can see ourselves reflected in one of these, the defence of certain exclusive cultural values or one’s own interests. Who does not feel the attraction of those legitimate movements?

There are two obvious conclusions that can be drawn from this: a proposal is not more Catalan just because it comes from nationalism, and not all proposals are separatist just because they come from an independence movement.

Most Catalans accept this first stage; others take the leap to the next stage, sponsored by secession, as they consider anyone who only defends the first, common stage can only want the best, without being aware that the essence of separatism is the will to put an end to coexistence and to that end, to break away from the others, which is the final stage, they must subordinate all else, even historical truth, civic ethics, economic welfare and the European and international dimension.

This will to put an end to coexistence, to cancel a community of affections, and that is what any separatist project means primarily in the free world, evidently entails an historical, socio-political, cultural and ethical regression.

A regression, because the secessionist option is only one among many other possible political
options, but it is the only one that has no wish whatsoever to accept any option of life in common, thus blocking the willingness to dialogue of Spanish society as a whole.

Dialogue and pact are still the way, even with those who want to turn their backs on someone stretching out their hand to them. There is a stage, a very long stage, in which we all agree for the common good.

This is the general will in Spain and the one desired historically by the majority civic conscience in Catalonia, for whom dialogue and pact remain unalterable patterns.
Executive summary: By way of conclusion
9.1 The state in the face of the secessionist challenge: a response based on dialogue

1. Secessionist challenge

The initiative to call a referendum in Catalonia based on a so-called “right to decide” represents a political (and also legal) challenge of important dimensions. In the event of this initiative taking place in the terms that have been announced, it would suppose a breach of the rules of play derived from our constitutional framework and, what is more important, to the rupture of the oldest nation in Europe.

The seriousness of the challenge requires – beyond the proper legal actions – the preservation of “bridges” that facilitate the search for a solution which must be based on a loyal dialogue within the law.

2. A challenge that fractures Catalan society

The secessionist challenge does not contemplate a project for those who do not believe in independence as a so-called solution to all the ills of Catalonia. Initially, it renounces the effort made to integrate all the diversity that Catalan society represents and demands and Spanish society too. The separatist option embodies a project in which nobody would win. We would all end up losing.

3. The affronts blandished by the secessionists

Going beyond the artificial and deliberately created literature concerning “Spain does not love us” and “Spain is robbing us blind”, the opinion polls show that a sector of Catalan society does express a certain disappointment arising from: the ruling of the Constitutional Court on the Statute; from a system of fiscal imbalance that has led to cut-backs in essential services and, in some cases, from a certain feeling of not belonging to the common project.

4. Better together than separate

To overcome this “hostility”, it is the duty of all of us to work on building a common and integrating project capable of attending the interests of the majority of society on the foundation of an honest dialogue that allows us to live together in harmony with a shared feeling of belonging to a single political community – within the appropriate framework that we all accept. A project that provides Catalonia with welfare and, thanks to the solidarity that this confers on the common project, it also adds welfare to the whole of Spain and contributes to the definition of a strong state. This common objective can only be tackled together: “Together we all win, separate, we all lose.”

5. Defending the general interest of all Spaniards as an (unavoidable) obligation of any responsible government

The actions of the Spanish government are constrained by the demand to satisfy the general
interest of all Spaniards and, in this case especially, the interest of the Catalans, who would be the most affected by a hypothetical secession that would leave Catalonia in a sort of international limbo, excluded from the common European project. It is obligatory to listen to the pretensions of those who defend their own interests, but it is not possible to meet them in full if that compromises the general interest. What is more, it is the obligation of any responsible government to administer the interests and the expectations of all Spaniards so that such management is not only compatible but also reasonably satisfactory for each one of them.

9.2 Limits to the solution to be studied: respect for the legal framework and the requirements of institutional loyalty

The search for a solution based on dialogue has limits that are clearly determined by the legal framework in effect and the basic political rules of the state.

1. Respect for the legal framework in effect: Constitution, EU law and international law.

The applicable legal framework in Spain is set out by both the Constitution and by the commitments accepted by Spain as a consequence of its membership of the European Union and its firm commitment to the respect for international law. So, any pretension, such as those formulated by those in favour of secession, based on the “right to decide”, must be exercised within the constitutional legality of the state and also within European and international law.

1) Respect for the Constitution of all the Spaniards. The Spanish Constitution establishes that “national sovereignty lies with the Spanish people”, while proclaiming the “indissoluble unity of the Spanish nation.” Thus, neither a referendum on the segregation of part of Spanish territory, and far less, a unilateral declaration of independence fit within the Spanish constitutional framework. It is here, precisely that the fundamental difference lies between the cases of Scotland and Catalonia. In truth, no Constitution of our legal surroundings includes such a right.

2) Respect for international law. The birth of a state requires not only a declaration of independence; it also requires the new state to be recognised by the international community.

This recognition is more than just a problem if the new state is the result of a unilateral declaration of independence that is not provided for either in domestic law or in international law (which reserves it for peoples who are colonially dominated, subject to foreign occupation or oppressed by massive and flagrant violations of their rights).

3) Respect for EU law. The Union does not decide about the possible mutations of the territory of its member states. As the Treaty on European Union itself indicates, the Union “respects the national identity inherent to its political and constitutional structures.” Everything concerning Catalonia will be seen by the European Union as an
internal affair that has to be tackled by the government of Spain.

The European Union has however, pronounced on the legal consequences that the secession of Catalonia would entail. It would, ipso facto, be left out of the European Union and going beyond the political and economic cost that this situation would trigger in Catalonia, the (re)admission of a so-called independent Catalonia to the European Union would, apart from having to follow the admission procedure set forth in article 49 of the TEU, require the favourable vote of the twenty eight states that are currently members of the Union (including Spain). Resorting to reforming the Treaties established in article 48 of the TEU to allow a territory of an independent state to remain in the European Union is legally just not feasible by any stretch of the imagination.

2. Respect for the basic rules of political dialogue: principle of institutional loyalty and reciprocity

There is also a political requirement, which derives from the principles of loyalty and good faith to underpin an honest institutional dialogue. The principles of constitutional loyalty and reciprocity must preside over the relations between the state and the Autonomous Communities. If one believes in Spain, any reform is possible. If one does not believe in Spain, any reform is perverse.

9.3 Guidelines to the arguments about the secessionist challenge: together we all win, separate, we all lose

1. Political and constitutional aspects

1) Accepting the diversity of Spain through the Autonomic System. The articulation of Spain has constituted one of the most recurrent problems in its modern history. The constitutional pact made it possible to seal reconciliation among everybody, opting for harmony and confirming – as the preamble to the Spanish Constitution of 1978 details – the will “to protect all Spaniards and peoples of Spain in the exercise of human rights, their cultures and traditions, languages and institutions.” Unity is not contrary to autonomy; rather it is a guarantee of strength in a globalised and ever more interdependent and complex world.

2) Catalonia and its high levels of self-government under the Constitution and the Statute of Autonomy. Catalonia has its own legislative and executive powers, exercised over a broad number of competences. The Catalan language and culture have never enjoyed such vitality, educational presence, demographic dimension, budgetary resources and political, institutional and legal backing as they are guaranteed thanks to the Constitution and the Statute of Autonomy. The current statutory framework guarantees the participation of Catalonia in the formation of the state’s negotiating position before the European Union (through bilateral and multilateral co-ordination committees), and in Spanish delegations to the Union in the affairs of its legislative
competences both in the advisory and preparatory bodies and also in some meetings of the Council itself. The Catalan Parliament participates in the procedures of control of the principles of subsidiarity and proportionality. Finally, Catalonia also enjoys competences to participate in the overseas actions of the state with instruments like participation in the delegations that negotiate international treaties, the right to be informed about them or the right to call for treaties to be reached in the area of its competences.

3) The unilateral configuration of the so-called “right to decide”. On the 23 January 2013, the Parliament of Catalonia adopted a text that recognised Catalonia’s character as a “politically and legally sovereign subject” and agreed “to initiate the process to make the exercise of the right to decide effective so that the citizens of Catalonia can decide their collective political future.” Beyond the judgment that will be handed down by the Constitutional Court in legal and constitutional terms, it seems obvious that the recognition of a new sovereign subject in the Catalan people requires a prior constituent decision that would be up to the Spanish people to take as the holders of such sovereignty (article 1.2 SC). It is precisely because of this, and as we enjoy a democratic Constitution that creates rule of law with full legal and democratic guarantees, there is a procedure to amend the Constitution which, if the circumstances were right, makes it possible to adapt or adjust the constitutional elements that could be considered necessary.

4) The possibility of reforming the Constitution (regulated) as opposed to the pretension to modify it unilaterally. The Spanish Constitution includes a title devoted to regulating the mechanism that allows its reform. Whoever wishes to modify the pact of coexistence that was accepted by the majority in 1978 must do so under the procedure contemplated by the Spanish Constitution itself. Any other formula (or short cut) violates the legislation in force and consequently, cannot be accepted as a potential solution, nor can it be “legalised” based on a so-called “democratic legality”.

2. Legal aspects

1) International law guarantees the principle of territorial integrity. The principle of territorial integrity constitutes a basic element of contemporary international law. The very Declaration of the General Assembly of the United Nations expressly stated, in Resolution of the 9 November 1995, that none of the provisions mentioned therein “can be interpreted in the sense that they authorise any activity that goes against the aims and the principles of the United Nations, including sovereign equality, territorial integrity and the political independence of states.” In short, this is a principle that is laid out as a limit to any secessionist pretension that rests on criteria other than those of negotiation with the state in question. By the same token, the right of peoples to self-determination, expressly recognised in the Charter of the United Nations, is only permitted in certain very specific circumstances: former colonies; peoples annexed by conquest, foreign domination or occupation and peoples oppressed by massive and flagrant violations of their human rights. The exercise of these rights must be done in accordance with the provisions of the Charter of the United Nations and the other principles of international law that regulate the matter, including, in this regard, the principle of territorial integrity. In summary, it is a right that is not applicable to Catalonia.
2) The secession of states guarantees the principle of continuity. All in all, if there were a de facto process of independence initiated by a territory belonging to a state, a series of consequences would arise, derived from international law. To become a state, it is not enough to have the will to be one; it requires this state to be recognised (expressly or implicitly) by the other subjects that comprise the international community. Equally, once recognised as a state, international law also sets out certain rules regarding the secession of states. Hence, in consequence, Spain would continue to be signatory to the international treaties that it is currently party to. In this sense, Spain would continue to hold membership to all the international organisations it currently belongs to (in some cases certain internal adjustments to the conditions of membership could be required), while the new state would be left out of them. From there, if the new state wished to join any of these international organisations, including the UN or NATO, it would have to meet the admission requisites of the founding treaty of the corresponding international organisation and, therefore, negotiate the conditions like any other candidate state. Such a situation is particularly clear in the case of the main international integration organisation that Spain belongs to.

3) An independent Catalonia would not be in the EU. The starting point for the European Union is the obvious premise that the High Contracting Parties to its founding treaties are the states (art. 1 TEU) and said treaties are applied to the states (art. 52.1 TEU). It is precisely for this reason that Union law expressly recognises the obligation of the Union to respect the “national identity” of the member states that is “inherent to their fundamental political and constitutional structures, also with regard to local and regional autonomy” (art. 4.2 TEU). It even makes it clear that the Union “shall respect the essential functions of the state, especially those aimed at guaranteeing its territorial integrity.” Hence, it is obvious that an independent Catalonia would be left out of the Union. For all purposes, it would be a new state that, should it wish to join the Union, would have to follow the admission procedure expressly provided for in the founding treaties (art. 49 TEU). It would address its application to the Council, which would have to act unanimously, after consulting the Commission and having received the blessing of the European Parliament. And, of course, it in turn, would have to negotiate an admission agreement that set the conditions of admission and this would also have to be ratified by all the member states.

On the other hand, as a consequence of finding itself outside of the Union and becoming to all effects a third country, the founding treaties of the EU would no longer be applicable in Catalonia and this would therefore lead to a (complex) regulatory and institutional de-coupling process from the Union (single market, single currency, European Central Bank, banking union, international agreements signed by the Union with third countries, common customs duty, aid from EU funds, etc.) with the consequences that that would entail for the new state.

4) Constitutional law does not accept a right to secession. Constitutions do not accept the right to secession. This is not just the case of our specific Constitution of 1978; it is a constant in comparative constitutional law confirmed by the pronouncement of the High Courts of the countries concerned (Supreme Court of the United States, Supreme Court of Canada, among others). In the case of Spain, the right to secession is not only not contemplated in our Supreme Law, the constituent legislator expressly rejected
the motion put by Deputy Letamendia in the sense of expressly recognising a right to self-determination of the peoples of the state that allowed them to choose between continuing to form part of Spain or forming an independent state (265 vote against, 5 votes in favour and 11 abstentions).

3. Historic aspects

1) The existence of a common history. Catalonia is an indissoluble part of a common history forged with centuries-old bonds. Catalonia is Spain and Spain is Catalonia. In the Middle Ages, the chronicles of James I, Bernat Desclot, Ramón Muntaner and Pedro El Ceremonioso provide evidence that the Catalans considered themselves Spaniards and that this is a spontaneous truth. In Modern Times, the common task of the Hispanic Monarchy, born at the same time as the conquest of Granada, entails the function of the foreign policy of Castile and Aragon, giving positive results. And thus it has been maintained in history up until the modern day.

2) Pretension to mould history. Attempts are currently being made to mould this common history in the interests of the few, to reach conclusions that are taken out of context and which have no solvent historic foundation. It would be difficult to accept, for example, that the defeat of the city of Barcelona at the hands of the troops of Philip V (1714) is used as an historic reference of a so-called war between Catalonia and the rest of Spain. The War of Secession certainly reopened old wounds that were believed to be healed, but it would be difficult to accept the historic instrumentalisation that is being conducted in this regard that deliberately ignores a far more complex historic context.

3) Manichaean intention to present Spain as the “enemy” of Catalonia. It is neither acceptable nor compatible with our common history to present Spain as a colonial, totalitarian power to Catalonia, as a kind of “scapegoat” to blame for all the ills of Catalonia. An attempt of this kind deliberately ignores the fact that in any war or conflict that Spanish history has unfortunately experienced, the Catalans – and the rest of the Spaniards too – were divided between the different sides for reasons other than the fact they were Catalans or Spaniards.

4) Pluralism and diversity as a positive value of our common history. It has been the moments of honest union and respect for pluralism that have given the history of Spain and of Catalonia their moments of greatest splendour. It is the diversity of Spain that forges the foundations of a common state based now on the constitutional respect for the nationalities and regions that comprise it. It is no coincidence that the present Constitution of 1978 recognises the differences of some nationalities and regions and, apart from that, both Catalonia and all the other Autonomous Communities have experienced a level of self-government that would have been unthinkable in the past, self-government on a level comparable with that of any federal state of our political environment.

4. Cultural aspects

1) Spain’s consideration, Catalonia’s consideration. Catalonia enjoys enormous cultural wealth that has won the sympathy and admiration of all of Spain for centuries. It
also has its own language that coexists in harmony with the common language of all Spaniards. The last century and a half have also been a fine example of how eminent personalities from the area of painting (Salvador Dalí), architecture (Gaudí), literature (Josep Pla, Eugeni d’Ors), philosophy (Balmes, Ferrater Mora, Eugenio Trias) or music (Albéniz, Granados, Mompou) have managed to merge the best of Spanish and Catalan cultures, feeling both Catalans and Spaniards at the same time. Most of the population of Catalonia shares their Catalan and Spanish identities to different degrees.

2) Preservation and revitalisation of Catalan language and culture. Apart from feelings and perceptions of one’s own culture, which are always subjective per se, the 1978 Constitution and the Statute of Autonomy have meant recognition and an unprecedented revitalisation of the Catalan language and culture. The Catalan language, as the most intimate and characteristic expression of the spirituality of a people, enjoys the status of an official language in Catalonia, it is the language used in the Catalan education system and it is intensely promoted by the institutions. Equally, Catalonia’s competence in culture has allowed it to drive programmes and actions of a wide variety of kinds to promote Catalan culture.

3) Promoting Catalan language and culture abroad. It is not only the Catalan institutions that promote the Catalan language and culture. The government of Spain, through its cultural attachés and through the Instituto Cervantes, lead the overseas promotion of the Catalan language and culture by organising courses, talks, recitals, exhibitions, film seasons, the publishing and translation of books, making valuable bibliographic collections available, etc. For example, between 2007 and 2011, the Directorate General of Cultural Relations of the MAEC (Ministry of Foreign Affairs and Co-operation) alone promoted 101 activities abroad, on the five continents, devoted wholly or in part to the Catalan language and culture, and in the academic year 2012/2013, 117 activities relating to the Catalan language and culture were organised in the offices of the Instituto Cervantes, while also offering in their offices courses in Catalan, Galician and Basque.

4) The importance of respecting symbols. Catalonia also has its own symbols, starting with the flag, which are also protected by the Constitution and the legislation in force. The Spanish flag itself proudly displays the four bars of the former Crown of Aragon on its shield, the origin of which are the four bars of the Catalan flag. In this sense, and in fair correspondence, identical respect, protection and habitual use of the flag and symbols of Spain should be expected in Catalonia from all the Catalan public powers.

5. Economic aspects

1) There are different feasible economic solutions to the crisis, but not secession. In the context of a serious economic crisis such as the one experienced by Spain over the last five years, a great effort has been required to make the necessary adjustments in which the co-operation between the government and the other administrations, including the Generalitat, has been fundamental in the attempt to preserve everything possible of the welfare state. In this delicate context, it is true that there are different options and different analyses, depending on the political options, but proposals that entail a rupture of the common framework, as would clearly occur in the case of secession, are highly unlikely to be economically feasible.
2) Autonomic financing based on agreement. The autonomic financing system is the result of a complex political agreement among all the parties involved. The system has always had the agreement of the Catalan government. This agreement can only be renewed on the basis of a will to build a consensus and a sincere intention of reaching a compromise that does not put the very economic viability of the State in question or the principle of solidarity among all Spaniards.

3) The existence of different methods to calculate the fiscal balances. All in all, it is worth bearing in mind that there are different scientific methods of calculating what are known as “fiscal balances” (monetary flow method, cost-benefit method, neutralised or not for the economic cycle). The results vary greatly depending on the calculation method chosen. The Generalitat has chosen the method and the criteria that allow it to present the result with the highest deficit and they present it as the only scientifically acceptable method. Beyond the actual method used to explain the flows between territories, it is only fair to admit that Catalonia shows solidarity in its contribution to the territorial balance of Spain, although not the quantity that the Generalitat says. But is also only fair not to forget that the state has made 20% of its investments in Catalonia in the period 2006-2009 and between 2012 and 2013, 30% of the Autonomic Liquidity Fund and the Payment Plan for suppliers has gone to Catalonia.

4) Negative economic consequences of an independent Catalonia. The secession of Catalonia would have negative economic consequences for everybody. For Catalonia, it could mean a fall of around 20% in its GDP. By way of example, if Catalonia were not a member of the EU, all Catalan exports to Spain and the other member states of the EU would have to pay the common customs duty. Neither could they benefit from the free trade agreements signed by the EU with countless third party states. In all likelihood, Catalonia would face a process of de-location among the businesses that now operate in its territory and a flight of capital. Catalonia would lose all the potential aid and financing facilities from the EU. Catalan banks could not resort to funding from the European Central Bank, nor could they participate in the European payments system and it would be left out of the Banking Union that is currently being constructed within the EU. These are just some of the consequences involved in the cession of Catalonia, and which are not always duly explained and considered by those who defend the secessionist option.

6. Aspects linked to globalisation

1) The new context of a globalised world. Any decision about the political and economic status of Catalonia must be based on a rigorous analysis of the current reality of a world characterised by the integration of the old nation-states in regional organisations and by a more important role for international agencies. We live in a globalised world, characterised by new elements such as the technological revolution, the power of the multi-national groups and the speed of changes, in which the new challenges cannot be resolved by any classical state, whatever its size. That is why the fit of sub-state entities in states whose function is completely different from the function they used to have years ago is a complex issue that can only be resolved after serious thought. One of the many aspects that should be born in mind is the advantages deriving from forming part of Spain, within the European Union.
2) Advantages of being part of Spain. Spain has an overseas service that enables it to adequately defend the interests of its citizens and businesses in this globalised world. More specifically, Spain is represented in the 193 countries recognised by the United Nations. It has 98 bilateral embassies, 10 multilateral embassies and 98 consulates, with 5650 people working in the Foreign Service. All the internationally recognised countries are also represented in Spain, with 127 resident ambassadors in Spain and 46 non-resident ambassadors representing their countries. An independent Catalonia would have to negotiate and fund the establishment of embassies and consulates in third countries, with the consequent financial cost. The states that make up the international community, in turn, would have to decide whether or not to open embassies in Catalonia.

3) Advantages of membership of the European Union. The project of European construction remains extraordinarily attractive because, despite all its possible defects, the European Union embodies a soft power of enormous weight in the world economy and one with enormous presence in international forums. It also has a valuable network of international agreements it has entered into with third countries and solid ties with other international organisations. Equally, the Union is playing a very important role in successfully dealing with the economic crisis with such important lines of action as the Banking Union, the institutionalisation of bail-out mechanisms and the strengthening of mechanisms of solidarity. And obviously an independent Catalonia would exclude itself from these facilities. The banks established in Catalonia would not have access to the European Central Bank as lender of last resort, or to the European payments system. Neither could it use the ESM if it were unable to gain access to the capital markets, or enter into contractual agreements with the European institutions designed to modernise its economy.

4) Nation states are still necessary. The processes of globalisation and of European integration undoubtedly eliminate the geographic, economic, social and cultural borders of classical nation states, while at the same time, the action of new players like multinational companies and investment funds make states more vulnerable. The process of European integration is aimed, precisely, at off-setting this vulnerability, but the presence of strong national states remains essential. The protagonism of the states is underscored in the European Union in all the founding treaties and its role is highly important in the normal functioning of the institutions. That is why it is important that Spain continue to combine its role as a strong state with an internal structure that gives its Autonomous Communities a high level of self-government and competences of their own.