

REASONS FOR SECESSION

TRIBUNE

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No one can ignore that Catalan independence would mean a blow to the current status quo within Spain, and chiefly within Europe. A key cornerstone of it are the limits framed by the constitutional pact; at least apparently. This has been used unrelentingly by the unionist parties to their benefit, wary of the country's paltry democratic record: the Constitution being tantamount to an untouchable totem that can only be revered. For in Spain, democracy is not to be exercised or enriched, but rather only to be taken as given.

Thus, it is understandable that Madrid has used its usual script to deal with Catalan claims: threats (blackmailing dossiers, the army, and the like), a self-censored media (eager to fabricate news, to misinform and to manipulate) and even, sadly, the use of plain violence, as the world observed last October 1. Spain, again, is shifting towards its traditional authoritarian rule, at least where this is needed: in order to preserve the sacrosanct unity of the state, it does not matter if rule of law is the exception, if basic rights are undermined, or if separation of powers is turned into a façade, even at the cost of resembling a kingdom nearer to Turkey than to standard liberal democracies.

The bottom line

This specific mindset of Spain's rulers allows for a better understanding of the eight years of consecutive political rallies, all of them exceptional, in terms of the huge crowds that gathered, as well as for their radically peaceful and democratic claims. One can state about them that arguably the bottom line has been, indeed, self-determination: i.e. Catalonia's resolve to be

considered as an equal with the state, rather than a cash-cow belonging to it. Furthermore, it is worth noting that if secession is now centre stage it is only because of the 2010 coup (terminology used by renowned experts) by Spain's Constitutional Court against the agreement on autonomy between Catalonia and Spain.

Allen Buchanan, a top scholar on secession processes, was in Barcelona recently to comment on the moral reasons for independence. Mr. Buchanan gives a list of just causes for unilateral secession, namely: unjust annexation of the seceding territory; persistent violations of basic human rights; state failure; serious ongoing discriminatory redistribution; persistent violation of group rights; the State's violation of auton-

omy agreements; and the State's persistent refusal to negotiate valid demands for autonomy (in good faith).

While we argue that almost all of the above reasons remain valid in the Catalan case, Buchanan mentioned the last two as the "best argument" for Catalonia's independence. Furthermore, he deems other arguments raised by the pro-independence camp inadequate, such as the nationalist principle (more autonomy is the primary solution), unjust annexation (too long ago), simple redistribution (all states do it), and the simple plebiscitary principle (secessions are profound constitutional changes so they require "more elaborate procedures").

Implications of secession

Unquestionably, Buchanan is not fond of independence, for he remarks on the relevant implications of breaking the status quo (the Constitutional divide), while also pointing out that the two parties should work harder to find a solution within the boundaries of the state, be it with more devolution (see the case of Scotland and the UK), or an asymmetrical federalism (see the cases of Bavaria in Germany or Quebec in Canada).

In fact, his sophisticated thinking may not line up with any stance - he claimed that making everyone uncomfortable is a sign he is doing his job well. All in all, with a bit of perspective, the glass is clearly and inexorably filling up in favour of the independence camp, in view of which we would like to quote the editorial of the UK conservative magazine, *The Economist*, on October 7:

"Aggression against crowds of peaceful citizens may work in Tibet but cannot be sustained in a Western democracy. In the contest between formal justice and natural justice, natural justice wins eventually every time. Constitutions exist to serve citizens, not the other way around..."

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National day protest, 2018 ACN