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# EIF Working Paper Series

# Separatism and dual identities in decentralized nation-states: Spain, Britain and Canada.

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**Working Paper Nr: 6**

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## Abstract

*In this paper I argue that political decentralization, when accompanied by a substantial degree of autonomy, the constitution of regional institutions and access to significant resources - as it is the case in Britain, Spain and Canada -, promotes the emergence of dual identities –regional and national- without necessarily weakening the second.*

*The paper also shows that political decentralization does not tend to foster secession, this is, devolution does not usually challenge the integrity of the nation-state's boundaries. The cases considered here confirm that decentralization tames secessionism by both offering significant power and resources to the national minorities' it seeks to accommodate and by enticing regional political elites with the power, prestige and perks of devolution. I argue that political decentralization, if founded upon mutual trust, recognition and a sound financial arrangement, stands as a successful strategy in the accommodation of national minorities within liberal democracies.*

The aim of this paper is twofold. First, it examines whether political decentralization fosters the rise of dual identities –regional and national. Second, it considers whether political decentralization encourages secession or, on the contrary, it stands as a successful strategy in accommodating intra-state national diversity.

The paper establishes a comparison between three multinational liberal democracies – Spain, Britain and Canada – endowed with different decentralization models including political autonomy and federation. Spain is a unitary state which decided on symmetric decentralization (1978) after almost four decades of dictatorship. Britain adopted an asymmetric decentralization model after the Labour government came to power in 1997. Canada is a federation formed by ten provinces of which nine are English speaking and one, Quebec, is French speaking.

The paper is divided into three parts. First it provides a brief historical outline of some selected national minorities included within the case-studies considered. In so doing, it offers a succinct account of the processes leading to the country's current state model, involving both symmetric and asymmetric forms of devolution as well as federation. The historical overview provided here furnishes the background against which the state engaged on processes of nation-building which invariably resulted in the annihilation and/or weakening of regional identities and the rise of a

novel national identity. Second, the paper explores whether political decentralization fosters the emergence of dual identities – regional and national - within a single nation-state. Third, it examines whether devolution feeds separatism.

# Spain

After forty years of dictatorship, the 1978 Constitution provided a new political framework within which Spaniards could organize their lives. One of the major issues faced by the new regime was the national question, particularly acute in Catalonia and the Basque Country. The new Constitution radically transformed the centralist non-democratic socio-political regime inherited from Francoism and made possible the creation of the Autonomous Communities System. The lack of violence in the transition to democracy, the almost immediate acceptance of Spain by NATO and the European Community (now the European Union), and the rapid expansion of the economy engendered a socio-political dynamism which stood in sharp contrast with the backwardness and conservatism of the Franco years.

Catalonia

The tension between centralisation and some forms of cantonalism or federalism has been a constant faced by Spanish rulers. The joint rule of Ferdinand and Isabella (*Reyes Católicos)* from 1479 over the kingdoms of Castile and Aragon (of which Catalonia was its main element with Barcelona its capital), placed two very different areas under a common crown. The gulf between the two kingdoms was enhanced by different political traditions and institutions.

In the event, the so-called equality of status between Castile and Aragon did not long survive the death of Ferdinand the Catholic. A radical shift in Castilian policy towards Catalonia occurred when Philip IV *(Felipe IV)* appointed the Count Duke of Olivares as chief minister (1621) with the objective of creating a powerful absolutist state. The rising tension between Castile and Catalonia climaxed in the Revolt of the Reapers (*Revolta dels Segadors* ) in 1640 which united Catalans against the harsh treatment received from Castile. Catalonia maintained its rights and liberties until 1714 when after a massive Franco-Spanish attack, Barcelona surrendered. Philip V ordered the dissolution of the Catalan institutions and Catalonia was subject to a regime of occupation. Catalan was forbidden and Castilian (Spanish) was proclaimed as the official language.

The industrialization of Catalonia in the nineteenth century was accompanied by major social changes, similar to those occurring in other European countries. This resulted, in turn, in the emergence of perceptible differences between Catalonia and the other regions of the Iberian peninsula, though parallel to the situation of the Basque Country. As the most economically developed part of a country, Catalonia found itself ruled by an anachronistic and backward state in which political power resided with Castile.

By the end of the nineteenth century, the influence of Romanticism inspired the *Renaixença*, a movement for national and cultural renaissance which promoted Catalan language and culture,

leading to demands for Catalan autonomy, in the first instance as a region, then in demands for a federal state.

Thereafter, its fortunes varied - autonomy under the administration of the *Mancomunitat* (1913-1923), suppressed in 1923 after the *coup d'état* of Miguel Primo de Rivera, re-established during the Second Spanish Republic (1931-1938) when Catalonia recovered the *Generalitat* (autonomous government) and enjoyed a Statute of Autonomy but abolished by Franco's decree of 5 April 1938. The Catalan autonomous government was re-established in 1977 after the demise of Francoism. A new Statute of Autonomy was passed by the Spanish Cortes in 1979.


## The Basque Country

The Basques are the only surviving pre-Aryan race in Europe, and their language (*Euskera*) is the only pre-indoeuropean language in use within Europe. The Basques ruled themselves according to the *Fueros* (local statutes and charters) first established between the Basque regions North of the Pyrenees and the Foix of Occitany, and subsequently between the kingdom of Castile and Basque regions south of the Pyrenees. The *Fueros,* mostly codified during the seventeenth and eighteenth centuries, though some of them date back to the seventh century, exempted the local population from both military service and taxation, and gave provincial assemblies the right to veto royal edicts, a privilege they rarely employed. The *Fueros* embodied the rights of the Basque people, rather than concessions granted to them. Attempts by Madrid to abolish the *Fueros* were vigorously contested - Basque support for the Carlist movement was directly connected to their opposition to centralism – until their final abolition in 1876 after two long civil wars (*Guerras Carlistas*).

Thereafter the Basque country was rapidly industrialized. Modernization transformed every aspect of social life. The emergence of a Basque working class, the displacement of population from the rural to urban areas and the arrival of large numbers of immigrants from other parts of Spain-widely regarded as representing the oppressor's country which had finally managed to abolish the *Fueros,* - all contributed to the rise of Basque nationalism. The initially cultural character of Basque nationalism was transformed into a political doctrine by Sabino Arana Goiri, who founded the Basque Nationalist Party in 1894.

The end of Francoism brought change to the Basque Country. Although the 1978 Spanish Constitution was ratified by the majority of Spaniards, most Basque nationalists were opposed. They argued that the new constitution was ambiguous about Basque rights. In the referendum on the Constitution, the abstention rate reached 56 per cent in the provinces of Guipuzkoa and Bizkaia (Conversi, 1997, p. 145). The Basque Statute of Autonomy was ratified in a referendum in 1979, with 61 per cent turnout and 89 per cent casting a positive vote.


## National diversity in Spain

The meaning of both state and nation was contested during the Spanish Civil War. General Franco's supporters advocated a highly centralized, uniform image of Spain which rejected the

progressive government of the Second Republic (1931-1938) and its decentralization tendencies. During the Republic, statutes of autonomy were sanctioned for Catalonia (1932), the Basque Country (1933) and Galicia (1936), although only the Catalan Statute had been implemented at the time of Franco's coup.

The impact of Franco's victory was marked in both Catalonia and the Basque Country, entailing not only the suppression of all autonomous political institutions and laws, but also the prohibition of the Catalan and Basque (*Euskera*) languages and cultures as well as symbols of their separate identities such as flags and anthems (Benet, 1973). The Francoists, who called themselves 'nationals', imposed a narrow 'image' of Spain, emphasizing national unity and condemned all forms of cultural and political diversity. This variant of state nationalism was a reaction to modern ideologies, especially socialism and anarchism, which were held to threaten traditional socio-political structures. As such, Francoism imposed a form of nationalism that was conservative, Catholic, anti-European, centralist and Castilian as a brake on the modernization initiated in the early decades of the century by the Republic.

After Franco's death in 1975, the national question became a pressing matter and a compromise among all political forces engaged in the process of drawing up a new democratic constitution for Spain had to be achieved. This involved assuming the indissoluble unity of the Spanish nation while recognizing and guaranteeing the right to autonomy of its nationalities and regions (Article Two).

The makers of the Constitution opted for a model based upon symmetry, what has been referred to as 'coffee for everyone' (*café para todos*). Yet, instead of directly responding to the nationalist demands of Catalonia and the Basque Country as nations, which had enjoyed their own institutions and laws until the eighteenth century and which still maintained their own separate identities, specific culture and language, they decided to divide the territory of Spain into seventeen autonomous communities (Guibernau, 2004, pp. 70-84). Some of them historically and culturally distinct - Catalonia, the Basque Country and Galicia - others artificially created where no sense of a separate identity had previously existed - for instance, La Rioja and Madrid. While Catalonia, the Basque Country and Galicia could immediately initiate the process towards full autonomy, other regions had to fulfill a five-year 'restricted autonomy' period before initiating it. Once full autonomy is achieved, however, the Constitution makes no distinction between the communities.

After over twenty years of autonomy, Catalans and Basques are not fully satisfied with symmetric decentralization, and they manifest their wish to be recognized as nations within Spain. They demand greater autonomy and show increasing reluctance to a blind acceptance of the 'coffee for everyone' option. Pressure to change the Constitution is already piling up in Catalonia, where the main political parties are demanding a new statute of autonomy and a fairer financial arrangement. In the Basque Country, the government has prepared the so-called 'Plan Ibarretxe' proposing the Basque Country to become a 'free state' associated with Spain, a project falling short from demanding independence within the EU.[i]

A large number of Catalans and Basques favour an alternative model of the state based upon the asymmetric principle. In their view, such an arrangement would reflect the multinational, multicultural and multilingual nature of Spain in a more accurate manner.


In favour of political decentralization

A recent opinion poll (2003) (*Datos de Opinión,* 2003) shows that the majority of Spaniards are against a unitary state model. The autonomous community (AACC) achieving a higher score in favour of a unitary state is Murcia, with 19 per cent in favour of a single central government. The lowest scores are registered in Navarra and the Basque Country (2 per cent), La Rioja (5 per cent), Andalucia (6 per cent) and Catalonia and Galicia (7 per cent). This shows that historical nationalities such as the Basque Country, Catalonia and Galicia are strongly against a unitary model of state. Curiously, a newly created community such as La Rioja displays a similar attitude and so does Andalucia, a region with a rising sense of shared identity.

 The majority of Spaniards endorse the current decentralization model. Again a recently created autonomous community, La Rioja, offers the highest support (66 per cent) for the *status quo*. Madrid, also an invented autonomous community, scores 60 per cent. At 28 per cent, the lowest score corresponds to Catalonia, closely followed by the Basque Country (30 per cent).

However, quite a significant percentage of Spaniards are in favour of greater devolution for the autonomous communties. Catalonia shows the largest support for greater autonomy (42 per cent) while Madrid shows the lowest (13 per cent).

In contrast, the Basque Country (23 per cent) followed by Catalonia (17 per cent) show the largest support for a state model prepared to recognize the right of its autonomous communities to become independent nations. The lowest scores in favour of opening up the possibility to secede are to be found in Murcia (0 per cent), La Rioja, Extremadura, Castilla-La Mancha, Asturias, Aragon, (all with 1 per cent) and, Andalucia and Castilla-León (2 per cent). Madrid registers 4 per cent in favour of a state prepared to recognize the right of autonomous communities to become independent.

**Question: Which of the following state models for Spain would you favour?**

| AACC | Single central government | Current model for CCAA | Greater autonomy | State acknowledging right to independence to AACC |
|---|---|---|---|---|
| Catalonia | 7 | 28 | 42 | 17 |
| Basque Country | 2 | 30 | 27 | 23 |
| Galicia | 7 | 53 | 27 | 3 |
| Navarra | 2 | 64 | 15 | 9 |
| La Rioja | 5 | 66 | 16 | 1 |
| Madrid | 14 | 60 | 13 | 4 |
| Andalucía | 6 | 51 | 24 | 2 |

*Source: Datos de Opinion, Instituciones y Autonomías, Boletín 31, January-April 2003. Estudio CIS 2455.The above data correspond to a selection including the seventeen Spanish Autonomous Communities.*
*http://www.cis.es/boletin/31/autonomias.htm consulted 16 February 2004. (results shown as percentage)*

## Britain

Once in power (1997), the Labour government decided to implement an *asymmetric decentralization* model granting differing degrees of autonomy to Scotland, Wales and Northern Ireland. In doing so, they sought to respond to different demands for devolution based upon particular national identities existing within Britain.

The British model stands in sharp contrast with the decentralization programmes implemented in Germany after World War II, where all its *länder* enjoy similar political degrees of autonomy, and in post-Francoist Spain, where its seventeen autonomous communities are due to enjoy similar powers once the decentralization process is completed. So far, devolution in the UK has been confined to Wales, Scotland and Northern Ireland, omitting the 85 per cent of the population that lives in England, something which could find a remedy if elected regional assemblies are finally created there. Some argue that in this omission lies the inherent instability of British devolution, quite apart from the different settlements already in place.

Scotland

Having enjoyed political independence until 1707 the survival of many of Scotland's institutions, notably its systems of law, religion and education, after Union with England contributed to the preservation of its singular identity. The different process by means of which Scotland was incorporated into the UK, through a monarchical take-over rather than by conquest, as was the case in Wales and Ireland, may account for the lesser impact the UK exerted upon Scottish distinctiveness.

The Treaty of Union meant that the Scots finally lost their political independence. In 1715, and again in 1745, the Jacobites attempted to break the Union, but were unsuccessful. Despite such opposition, it is open to debate whether the Scots consented to the Act of Union, or had it imposed upon them.

Scotland has endured a long and complicated process towards self-determination. In a 1979 Referendum, the Scots voted in favour of the Labour Government proposals to establish a Scottish Assembly, but, due to a special majority provision requiring at least 40 per cent of the registered electorate to vote in favour, devolution was rejected when only 32.9 per cent of the electorate voted positively in the referendum.

In 1988, a Scottish Constitutional Convention comprising political parties (Labour and the Liberal Democrats, but not the SNP), churches, unions and other civic groups began campaigning for change. Once in government, Labour organised a referendum on devolution, which was held on 11th September 1997, when 74.3 per cent of the Scots voted for a Scottish Parliament and 63.5 per cent voted to give it tax-raising powers. Once the devolved institutions were established, Scotland's status within the UK was transformed. It was no longer governed by the Scottish Secretary of State based at Westminster, but by a Scottish Parliament elected by the Scottish people. A First Minister heads the Scottish Executive, normally the leader of the party able to command the majority support of the Scottish Parliament.

The 1997 referendum did not, by itself, entrench Scottish devolution (what the Westminster Parliament creates, it can still legally unmake), but it has certainly provided the Scottish Parliament with a moral and political legitimacy. Ultimately, Scotland's Parliament will secure its constitutional future by convincing the Scottish people of its relevance. The re-establishment of a devolved parliament in Edinburgh does not alter, in principle, the unitary character of the British state since sovereignty continues to reside in Westminster. A Scottish National Party majority in the Scottish Parliament could, of course, press for further autonomy and even call for a referendum on Scottish independence.

Clearly, the establishment of the Scottish Parliament provides an asymmetric picture of the UK. It is nonetheless based on the recognition of Scotland as being different from the rest of Britain in terms of having a specific culture, tradition, and a way of life rooted in its past as an independent territory.

Wales

In 1282 Edward I conquered Wales and the Statute of Rhuddlan (or Statute of Wales, 1284) established English rule (Davies, 1991, p.166 ff).

The Act of Union of 1536 meant the complete administrative assimilation of Wales into the English system. Welsh customary law was abolished and English was established as the sole language of legal proceedings. In 1543 the Courts of Great Sessions were constituted, modelled on the practice already used in the three counties which, since 1284, had formed the municipality of North Wales. The Great Sessions remained the higher courts of Wales until 1830, when, against considerable opposition, they were abolished.

The Industrial Revolution transformed Wales, threatening the traditional ways of rural life and leading to protests such as the Rebecca Riots in 1843. Industrialization also prompted the radical exploitation of the mineral wealth of Wales, particularly coal, which additionally transformed the life of Welsh people. Chronic poverty and increasing unemployment intensified in Wales before and after World War I, continuing almost unchecked until World War II as the great depression hit hard. After 1945, as the Labour government drew substantial support from its electoral socialist stronghold of South Wales, nationalization prompted a full scale programme of industrial development. Yet, while the Scottish Office had been established in 1885, the Welsh Office was only set up in 1964. Thus, while the Welsh celebrated their national identity, particularly in cultural terms, the political integration of Wales within the English dominated UK meant than 'Welshness' was not as distinctive a national force as was 'Scottishness' north of the border.

Devolution for Wales, rejected by the Welsh people in a 1979 referendum, was also part of the constitutional reform package of the Labour government. In September 1997, the Welsh voted for the establishment of a Welsh Assembly. However, the positive referendum result was far narrower than that obtained in Scotland. On a 50.3 per cent turnout, Wales only voted by 50.6 per cent in favour indicating a far less entrenched sense of political autonomy and difference from the rest of the UK, particularly when compared to feelings in Scotland.

In contrast with the Scottish Parliament, the Welsh Assembly has no tax raising powers and, in addition, while the Scottish Parliament has primary legislative powers and full executive powers the Welsh Assembly has only secondary legislative powers. The Westminster government merely consults the Assembly and its Executive on proposed primary legislation each year. Executive functions previously enacted by the Secretary of State for Wales have been transferred to the Assembly.


Northern Ireland

Ireland was long considered a de facto province of England, a colonial possession dominated politically and militarily by its more powerful neighbour to the east. The English divided Ireland

into counties for administrative purposes, introduced English law and established a Parliament in England and Ireland in 1297, within which only the Anglo-Irish were represented.

As a result of the Plantation initiated in the seventeenth century, Ulster became a province dominated by Protestant, Scottish planters, while the native Irish, continuing to claim allegiance to the proscribed Catholic Church, became landless and displaced by the colonizers. In 1653 a union of the three kingdoms of England, Scotland, and Ireland was secured. By this Act of Settlement, Ireland was portrayed as a conquered territory.

At the beginning of the eighteenth century, the Williamite wars reinforced Catholic discrimination by imposing the Penal Laws excluding Catholics from the army, preventing them from taking part in politics, and depriving them of access to education (Jenkins, 1997, p. 93). The Act of Union of 1800 put Protestants under the formal protection of the British- now the Union- Parliament.

In 1828–9 Roman Catholics were emancipated, the British Test Act provided political equality for most purposes, but did little to alleviate discrimination in Ireland for all but the landed gentry. The nineteenth century witnessed a succession of Irish crises. Foremost among these was the Great Famine of the 1840s which desolated the countryside (Hayden, 1997) leading large numbers of Irish people to migrate to the British mainland, North America, Australia and New Zealand.

In the late nineteenth century, a conservative Irish nationalist movement unsuccessfully prompted successive Liberal governments to introduce some degree of Irish self-government in the form of 'Irish Home Rule'. The peaceful and conservative Irish campaign for Home Rule found itself displaced by a radical Republican movement for Irish independence, which organised an abortive uprising in Dublin at Easter 1916 which declared the Irish Republic. The harsh English repression of the Easter Rising lead to the rise of Sinn Fein, the Irish Republican Army (the IRA), and the Irish War of Independence of 1918-22. Escalating violence further divided the country into the Republican majority and the Protestant minority located in the enclave of Ulster. It led to an unsustainable situation culminating in the 1920 Government of Ireland Act which divided the country into two self-governing parts.

In 1922, Northern Ireland was constituted by 6 of the 9 counties of Ulster which remained within the British state. Ulster Protestants opposed leaving the UK and rejected the possibility of becoming a minority within a largely Catholic Irish state. The three remaining counties of Ulster, together with the 26 counties of the rest of Ireland, left the UK to became a dominion of the British Empire known as the Irish Free State. Eamon de Valera became its first president. In 1937, De Valera replaced the title of the Irish Free State with the word Éire (Ireland) and in 1949 Britain recognized Ireland as an independent republic while consolidating the position of Northern Ireland as a united province with England. Sadly, the 1922 partition of Ireland did little to promote a political settlement between the Unionist majority and the Republican minority in Northern Ireland. This inevitably lead to widespread conflict and a de facto civil war in the 1970s and 1980s, widening a political chasm which the post-1994 peace process and the paramilitary ceasefires have only begun to bridge.

Post-1997 devolution in Northern Ireland has been an integral part of the post-1994 peace process, which aims to share power between the two divergent communities, the Unionist-Protestant majority and the Republican- Catholic minority. The Good Friday Agreement (10th April 1998) sought to reconcile the Unionist desire that Ulster remains a province of Britain with the Republican claim for an independent united Ireland. The two contradictory objectives, which have provoked years of intense violence and suffering for the people of Northern Ireland, were to be resolved in a internal power sharing accord in which Unionists and Republicans would be represented and an external agreement in which the UK and the Irish Republic guarantee the national aspirations of both communities.

The Agreement was endorsed by a referendum on 22 May 1998 when 71.1 per cent of the population of Northern Ireland (turn out 81.1 per cent) and 94.4 per cent of the population of the Irish Republic (turn out 56.3 per cent) provided strong support for the peace process.

In support of devolution

Among the English, 57 per cent support the current model of government for England, 22 per cent are in favour of English regions having their own assemblies, and 16 per cent consider that England as a whole should have its own new parliament (SN4766, 2001, p. 42).

When questioned about their preferences regarding the British model of state, 53 per cent of Scots, 25 per cent of Welsh and 12 per cent of Northern Irish are in favour of the current devolution settlement. In addition, 37 per cent of Welsh and 31.4 per cent of Northern Irish consider that their Assembly/Parliament should enjoy tax-rising powers and only 5.6 per cent of Scots think that their Parliament should not have tax-rising powers, as it indeed has. In addition, 18.6 per cent of Scots, 7.2 per cent of Northern Irish and 6.5 per cent of Welsh support the independence of their region within the European Union. Greater support for the *status quo* remains with Scotland while both Wales and Northern Ireland stand for greater devolution.

When questioned about whether the long-term policy for Northern Ireland should involve it remaining part of the UK, to unify with the rest of Ireland or to become an independent state, it is interesting to observe that 25.3 per cent of English people and 51 per cent of Northern Irish consider that it should remain in the UK. It is also quite striking to observe that 55.4 per cent of the English and only 25.8 per cent of the Northern Irish consider that it should unify with the rest of Ireland. Only 0.65 per cent of English and 6.4 per cent of Northern Irish think that it should become an independent state (SN4760, 2001, pp. 39-41).

When compared with results obtained in Spain, the percentage of British citizens in favour of a unitary state without devolution is greater in Britain (22.5 per cent in Wales, 13.3 per cent in Northern Ireland and 9 per cent in Scotland) (SN4766, 2001, p. 59). In Spain, the highest percentage against devolution is to be found in the autonomous community of Murcia (19 per cent) followed by Aragon (14 per cent) and Madrid (10 per cent) (*Datos de Opinión,* 2003).

## Canada

The Constitutional Act of 1791 imperfectly divided the British and the French Canadian population into Upper and Lower Canada, respectively. The English minority had considerable influence on political decisions, while the French-speaking residents of Lower Canada, the *Canadiens* as they were often referred to, formed a rural based majority.

After the French Canadian violent rebellion (1837-8) against the establishment led by Louis Joseph Papineau's, Lord Durham published a report (1839) calling for the assimilation of the French Canadians into the British community. He also recommended the union of Lower and Upper Canada.

The Act of Union of 1841 united Upper and Lower Canada into a single colony; Kingston became its capital. Initially French was denied official status as a language either of public record or of debate in the assembly, though this policy was to be reversed in 1848. French civil law and the religious rights of the Catholic Church were respected.

In 1867, the British government approved the British North American Act. It acknowledged the plurality of identity and advanced a federal solution as a means by which to achieve unity within Canada. From its founding moment, the Canadian federation was forced to face the conflicting imperatives of unity and diversity. Yet, while some regarded the union as instrumental in forging a single Canadian nation with strong central institutions, others interpreted the Confederation as a 'treaty' between the ethno-linguistic communities or between the original colonies. Gagnon argues that 'the constitutional space granted to collective identities in Canada began under controversial and badly defined terms, and the consequences of such ambiguity became heightened when linguistic matters came to the forefront of federal-provincial relations' (Gagnon, 2000, p. 13).

First Nations living within Canada were left on the margins of the system. They had remained autonomous until the Confederation, the British having recognized their entitlements under the Royal Proclamation of 1763. In 1857 a system of assimilation was imposed, its result was the socio-cultural disintegration of First Nations by the 1960s.

In the late nineteenth century, the waning of French outside the territory of Quebec became a source of resentment among French Canadians and contributed to the emergence of a nationalist movement advancing a defensive inward-looking identity based upon demands for the recognition of bilingualism and biculturalism. Simultaneously, English Canadians were increasingly influenced by the prominence of British imperialism.

In the period 1945-1968, Canada witnessed a gradual transformation of it symbolic order. According to Gagnon:

Following the grant of Dominion states under the 1931 Statute of Westminster, the social fabric of the country was challenged by the ever-present threat of American cultural intrusion and the recently landed flow of immigrants. Canada found itself in an identity void as a basis for unity. While Canada distanced itself from Great Britain, several initiatives were undertaken constitutionally to assert a pan-Canadian identity.

Cultural and scientific institutions were established, a law of citizenship enacted (1946), the Supreme Court of Canada displaced the Judicial Committee of the Privy Council in London as the highest court of appeal in the country (1949), and a national flag was adopted in 1965. Moreover, the influence of postwar Keynesianism in the Western world was conducive to an unprecedented expansion of the central government, resulting in the encroachment of spending powers into traditionally provincial areas of jurisdiction (Gagnon, 2000, p. 15).

Quebec

Federations should be regarded as a dynamic process which evolves as a result of internal as well as external transformations concerning its constituents. Substantial changes can be identified in the case of Canada, specially since the 1960s 'Quiet Revolution' (Fitzmaurice, 1985, pp. 201-239) took place in Quebec awakening a nationalist movement which denounced the second class treatment received by French Canadians within the federation (Brown, 1990). Education, employment and language appeared as three major areas in which French Canadians were discriminated against. The 1969 Official Languages Act granted equal status to French and English in federal institutions, guaranteed federal services in both languages across the country, and established the Office of the Commissioner of Official Languages to police implementation (Conway, 1992, p. 70). The same year, the Royal Commission on Bilingualism and Biculturalism revealed that the cultural and linguistic privileges of the English minority in Quebec were combined with a considerably better economic situation (Conway, 1992, p. 73).

In 1971 Pierre Elliot Trudeau, then Prime Minister, declared Canada to be a multicultural state, a measure highly disputed from Quebecois circles which argued that multiculturalism was an instrument to water down their nationalist claims and the primarily bilingual and bicultural nature of the Canadian federation.

The inclusion of a constitutional amendment, the Canadian Charter of Rights and Freedoms, was enacted in 1982 when Canada patriated its Constitution without the consent of the people of Quebec. This constituted an injustice from the Quebecers perspective because it violated one of the fundamental rules of federation: what affects all must be agreed to by all or by their representatives. The Charter protected individual rights and granted special status, to be defined at a later stage, to the First Nations. It also entrenched the policies of the Official Languages (Articles 16-20,23) and multiculturalism (Article 27).

In 1987 under the auspices of Prime Minister Brian Mulroney, the premiers of the ten provinces drafted the Meech Lake Accord which increased provincial power and contained a clause in which Quebec was defined as a 'distinct society' within the Canadian federation. Much concern and unease emerged about the meaning and significance of the term 'distinct society' exclusively applied to Quebec. The accord attracted growing opposition and it finally collapsed in June 1990.

The Charlottetown Agreement drafted in 1992 substantially increased provincial powers and weakened the federal government while granting Quebec a 'distinct society' status. Decentralization

went further than it did in the Meech Lake Accord. In the Charlottetown Agreement, the so called 'Canada clause' proclaimed the 'equality of the provinces', Canada's 'linguistic duality', and proposed to entrench the inherent right of aboriginal self-government in the constitution.

The most irreparable damage to the Charlottetown Agreement resulted from the stand adopted by the Native Women's Association of Canada (NWAC). Their major concerns were the exclusion of women from the negotiating table, and the primacy given by the Agreement to native culture and traditions over gender equality rights. Charlottetown gained further opposition from the First Nations'chiefs' caution about the possible erosion of treaty rights. In Quebec, the 'Canadian clause' insistence on the 'equality of provinces' re-awakened an ever present resentment which would re-emerge whenever Quebec was treated as a province just like the others. In the 26 October 1992 Referendum on the Charlottetown Agreement, Quebec and the rest of Canada (commonly referred to as ROC) voted 'no' for opposite reasons.

The 30 October 1995 Referendum on Quebec's sovereignty while maintaining a partnership with the rest of Canada was lost by only 54,288 votes which allowed for a 1.16 per cent majority for the 'no' (Quebec Chief Electoral Office, 1995). In 1996 and responding to a plethora of criticisms, the federal government referred three questions to the Supreme Court of Canada regarding the constitutional ability of the province of Quebec to unilaterally secede from Canada (Rocher and Verrelli, 2003, p. 208). In 1998, the Court rendered its opinion: Quebec could not proceed with a unilateral secession.

The detailed ruling of the Court indicated that the secession project is legitimate if it is supported by the people through a 'clear' referendum: 'the referendum result, if it is to be taken as an expression of the democratic will, must be free of ambiguity both in terms of the question asked and in terms of the support it achieves' (Supreme Court of Canada). As Rocher and Verrelli point out, the Court added that the democratic legitimacy of the secessionist project denoted a constitutional obligation to negotiate on the rest of the country insofar as 'the continued existence and operation of the Canadian constitutional order cannot remain indifferent to the clear expression of a clear majority of Quebecers that they no longer wish to remain in Canada' (Rocher and Verrelli, 2003, p. 209). The obligation to negotiate is based upon four fundamental principles: federalism, democracy, constitutionalism and the rule of law and the protection of minorities. Further to this, the *Clarity Act* (C–20) rests in the fact that the Canadian government becomes the sole judge of what constitutes a 'clear' question and a 'clear' majority.


For federation in spite of dissatisfaction with the government

While there are no outstanding movements questioning Canada's federal structure in the rest of Canada (ROC), the latest *Portraits of Canada Survey* (Opinion Canada, 8 May 2003) shows that the citizens in seven out of the ten Canadian provinces felt that they were poorly treated by the federal government. With 84 per cent of the population feeling that they were badly treated in

Labrador and Newfoundland, and 55 per cent in Quebec. Yet, 83 per cent of ROC's citizens and 80 per cent of Quebecers consider that the federal system is 'too slow' to make needed changes.

According to *Federation watch* (Opinion Canada, 6 November 2003), 75 per cent of Quebecers are favourable to their provincial government playing a very active role to help the Canadian federation work better, while 19 per cent are opposed. It is even more significant to see that 61 per cent of Quebecers think that federalism can satisfy both Quebec and the rest of Canada, a percentage which has remained unchanged since 1998. Also unchanged since 1998, is the 49 per cent of Quebecers who agree that 'Canadian federalism has more advantages than disadvantages for Quebec'. When questioned about their preferences, 41 per cent of Quebecers support a renewed federalism and 30 per cent declare themselves in favour of 'sovereignty- partnership' with Canada. Those who support the *status quo* represent 16 per cent of Quebec's population and, only 8 per cent stand for total independence. If a sovereignty-partnership referendum had been held in September 2003, 47 per cent say that they would have voted 'yes' and 53 per cent 'no'. When asked how they would vote in a referendum that did not mention partnership but asked simply 'do you want Quebec to become a sovereign country?', 38 per cent say 'yes', 54 per cent 'no' and, and 8 per cent were undecided.

State model: Quebecers preferred choice

| | | |
|---|---|---|
| Renewed federalism | 41% | (down 3 points from 1999) |
| Sovereignty-partnership | 30% | (up 4 points from 1999) |
| Support the status quo | 16 | (up 3 points from 1999) |
| Total independence | 8% | (down 2 points from 1999) |

*Source: Federation watch,* Opinion Canada vol. 5, no. 39, November 6, 2003.

## National Identity: single or multiple identities?

Political decentralization has strengthened regional identity in Spain, Britain, and Canada and, in the three cases, it has promoted the emergence or consolidation of dual identities – regional and national. I am aware that other types of identity such as local or transnational identity are often present and sometimes strong, but they are not being analyzed in this paper since they are beyond its limited scope.

*In Spain* (*Datos de Opinión,* 2003), the highest score corresponding to citizens who feel 'only Spanish', 30 per cent, is to be found among those living in the autonomous community of Madrid. In contrast, only 12 per cent of Catalans and 5 per cent of Basques display a single Spanish national

identity. In addition, 8 per cent of Catalans and 3 per cent of Basques feel 'more Spanish than Catalan or Basque'.

Citizens who identify 'only' with their autonomous community represent 25 per cent in the Basque Country, 16 per cent in Catalonia, 7 per cent in Galicia and 15 per cent in the Canary Islands. Those who confer priority to their identification with their autonomous community above identification with Spain ('feel more Catalan, Galician, Basque…than Spanish') receive the highest scores in Catalonia (24 per cent), Galicia (25 per cent) and the Basque Country (19 per cent). This clearly shows that a significant percentage of the population in Catalonia (40 per cent), the Basque Country (44 per cent) and Galicia (32 per cent) identify more strongly with their region than with the Spanish state.

Devolution has contributed to the consolidation of dual identity in Spain. The highest scores concerning equal dual identification, national and regional (this is those who feel 'as Spanish as Catalan, Basque, Andalucian, etc') are to be found in Extremadura (75 per cent), Aragon (73 per cent) and Andalucia (70 per cent). In contrast, the lowest correspond to Catalonia (37 per cent) and the Basque Country (34 per cent), while Galicia scores 58 per cent. Such data reflects the separate sense of identity manifested by Catalans and Basques when compared with that of Galicians, also citizens of a historical nationality although one with a much weaker sense of identity, and the rest of Spain.

In the Basque Country, those who feel 'only Spanish' plus those who feel 'more Spanish than Basque' and those feeling 'as Spanish as Basque' show that under fifty per cent of the population, 42 per cent, exhibit some sense of 'Spanish identity'. The above data points at the Basque Country as the autonomous community with the weakest sense of Spanish identity since identification as 'Spanish only' plus dual identification prioritizing identification with the state scores only 8 per cent. In the Basque Country, however, the overall percentage for those declaring some kind of dual identity is 56 per cent. In Catalonia, it corresponds to 69 per cent of the population.

In Spain decentralization has not resulted in the weakening of Spanish identity. On the contrary, the reconfiguration of post-Franco's Spanish identity as democratic, pro-European, secular, modern, industrialized and in favour of decentralization has promoted a dual identity among large sections of the population. For instance, it has made possible for many Catalans and Basques, as well as for other Spaniards, to identify with the Spanish state, for many an untenable position during the years of the dictatorship when they regarded Spain as an oppressive, limiting and alien state.


*In Britain* (SN4766, 2001) 17.7 per cent of English, 36 per cent of Scots and 23 per cent of Welsh identify solely with their region, this is, England, Scotland or Wales and not with Britain. In addition 13 per cent of English, 30.5 per cent of Scots and 22 per cent of Welsh prioritize their regional identification over identification with Britain. In contrast, those who feel 'more British than English, Scot or Welsh' correspond to 9 per cent in England, 3 per cent in Scotland and 11 per

cent in Wales. Very low scores are registered when citizens are questioned about whether they feel 'only British', 11 per cent of English, 4 per cent of Scots and 11 per cent in Welsh.

Equal dual identification represents 41 per cent in England, 23 per cent in Scotland and 29 per cent in Wales and it is much lower than in Spain. Those declaring some kind of dual identity (regardless of whether greater emphasis is placed upon regional or national identity) score 63 per cent in England, 56.5 per cent in Scotland (a similar percentage to that obtained in the Basque Country) and 63 per cent in Wales. Curiously and according to the above data, the overall Catalan's sense of dual identity is greater than that of English, Scots and Welsh.

Overall, identification with the region only is much higher in Britain than in Spain, except for the Basque Country and Catalonia. In my view, this could be explained by invoking the long-standing recognition of Wales, Scotland and England as nations constituting Britain and to the almost complete assimilation between British and English identity reinforced during the years of the Empire, time when Scots, and to a lesser extent Welsh, were permitted to cultivate their own separate identities and hold a strong influence in separate sections of the vast British Empire. In Spain, the unsuccessful assimilation of Basques and Catalans is connected to a history of oppression marked by repeated attempts to annihilate their specific cultures and languages while dismantling their autonomous institutions. Recent memories of exclusion and repression aimed at Catalonia as the last bastion, together with Madrid, in resisting Franco's troops and, above all, against the nationalist demands of both Catalans and Basques contribute to account for their separate sense of identity in contrast with that of other parts of Spain.

Similar percentages identify 'only' with the state (Britain or Spain) in both countries, and again similar percentages grant priority to state above regional identification. The English show the highest sense of dual identification as English and British, a feature connected with the long term unspecified distinction between English-ness and British-ness.


*In Canada*, regional attachments are very strong. In Newfoundland and Labrador, 97 per cent of the citizens feel attached to their province, 88 per cent in British Columbia, 91 per cent in Alberta and a slightly lower, 85 per cent in Quebec. When questioned about whether they also feel attached to Canada, positive responses account for 96 per cent in British Columbia, 95 per cent in Alberta, 92 per cent in Newfoundland and Labrador, and 79 per cent in Quebec (Opinion Canada, 2003). Such an attachment prevails in spite of the fact that the population in seven out of the ten Canadian provinces feels poorly treated by the federal government. The highest scores correspond to Newfoundland and Labrador where a striking 84 per cent feel badly treated, compared to only 16 per cent of respondents who feel that their province is treated properly. The respective data for Quebec is 55 per cent and 42 per cent for Alberta (Opinion Canada, 2003).

Overall, Canadians display very strong dual identities, provincial and federal, in spite of being highly critical of the federal government. National identity, this is identification with Canada, obtains much higher scores than identification with Spain and Britain respectively.

In conclusion, I argue that devolution strengthens pre-existing regional identities and fosters the emergence of novel identities where they did not previously exist. It promotes the development of dual identities – regional and national - invoked at different times. In the cases of Spain and Britain a further layer of identity, which I have not considered in this paper, concerns the rise of an incipient European identity.

It is to be expected that the strengthening of EU institutions will foster the genesis of a further layer of identity among European citizens. The current Western socio-political scenario points at the consolidation of strong dual identities, often accompanied by local and European forms of identity of various strength. This invariably seem to lead our societies to the coexistence of multiple identities of a cultural, territorial and, often but not necessarily, political nature. To coexist, such identities should be compatible, this is, individuals and groups should not face a situation in which they are forced to choose.

## Does devolution foster separatism?

Most Western nation-states have embraced some type of decentralization. Nevertheless, the rational for devolution varies according to each particular case and the aims and mechanisms to implement it are also specific to each country. Geographical, economic, administrative, cultural and historical reasons are invoked by states when they decide on the boundaries of their regions.

Spain, Britain and Canada share four main characteristics. First, they have opted for various models of decentralization encompassing symmetric and asymmetric devolution and federation.

 Second, decentralization models have not remained static, as I have shown when providing a brief overview of their historical background.

Third, the three cases contain one or more strong national minorities endowed with their own cultures and identities which have developed relatively powerful nationalist movements demanding self-determination, be it in the form of greater autonomy or secession.

Fourth, up to the present time, none of the three cases has witnessed the rise of a separatist movement sufficiently robust to force the independence of the region it claims to represent. This is, in spite of substantial support for Quebec, Catalan, Basque and Scottish nationalism, all these movements seem to have been somehow accommodated through the devise of particular devolution structures which, so far, have prevented secession and weakened pro-independence claims. Yet, the main nationalist political parties within these countries do not stand for outright independence, rather - and this may lead some to question their 'nationalist' character – they advocate greater devolution or some form of qualified independence such as the 'sovereignty-association' model defended by some Quebecers.

Should we then conclude that political decentralization acts as an antidote against secession? And if so, why? Secession entails the nation to self-determination and to wield sovereignty. This is, it

empowers the people to decide upon their political destiny by drawing their own laws, constructing their political institutions and national identity. At the same time, a newly created state, to function as such, requires the international recognition of its status as an equal partner by the international community of nation-states. There is a strong reluctance on the part of Western nation-states to contemplate the possibility of new states being created out of the break-up of their own territories, a reluctance which is considerably weakened when secession concerns Latin American, Asian, African or Middle Eastern countries.

Western nation-states fear secession and are strongly opposed to the idea of altering their own boundaries. They are also conscious that a single successful secessionist movement leading to the constitution of a new nation-state could trigger a domino effect and foster the intensification of nationalist movements seeking independence within the West. Should we then infer that hostility towards secession has prompted nation-states to regard decentralization as a remedial strategy to placate the nationalist demands of some of their national minorities? A cautious response is needed since each case study is subjected to specific nuances. Yet, while Catalans, Basques and Scots have demanded self-determination for a long time and Quebecers have called for greater autonomy and even secession, in Wales devolution was rejected in 1979 and supported by a narrow margin in 1997. In spite of this, I believe that I am justified to argue that the three cases considered here confirm that various models of decentralization have acted as a deterrent force against secessionism.

In Spain, nationalist movements for independence in Catalonia and the Basque Country are in favour of maintaining some kind of partnership with Spain and membership of the EU. In the UK, Scottish and Welsh political parties standing for greater autonomy obtain larger support than those advocating outright independence. A completely different scenario corresponds to Northern Ireland where the two successive suspensions of the Stormont Assembly since its re-establishment in 1997 reveal the profound difficulties of power-sharing within a divided society marked by many years of hatred, discrimination and violence. In Quebec, only a minority supports outright independence.

The cases considered confirm that political decentralization does not fully satisfy self-determination claims but it tends to weaken them. It locks-up regional movements and political parties into a dynamic which involves an almost permanent tension with the central state; an uneasiness generally grounded on ongoing demands for greater autonomy and recognition. Yet, decentralization also grants them the enjoyment of substantial devolved powers. In what follows I examine some of the outcomes of political decentralization which, in my view, contribute to explain its deterrent power against secession.

- The creation of autonomous political institutions - parliaments, assemblies, provincial governments, etc…- contributes to the dynamism of civil society due to two main reasons. First, it requires the reallocation of resources to facilitate discrete policies and regional budget planning. These processes, in turn, contribute to revitalize civil society encouraging local and regional initiatives including cultural, economic and social projects. Second, among other endeavors, devolved institutions tend to promote regional businesses, restore

and preserve the regional heritage, create regional cultural networks such as universities, museums and libraries. As I have shown in this paper, none of this is necessarily inconsistent with sustaining an overall national identity.

- The constitution of autonomous institutions invariably tends to foster a sense of common regional identity where it did not previously exist -as it is the case in the non-historical Spanish autonomous communities. In those cases where a pre-existing sense of identity was already in place, autonomous institutions tend to strengthen it by promoting the culture, language, regional art and selected meaningful landscapes of the area in question. But while some of these elements originate in the local cultures, others are the products of recent invention. Whether indigenous or invented, old or new, cultural distinctiveness both generates and restores regional collective identities. Often regional cultures question some national symbols if they are perceived as divisive. I argue that the devolution of power - and with it, the creation of regional institutions corresponding to communities with or without previous historical or cultural identities – leads to the emergence and, thereafter, the strengthening of separate regional identities. Nowhere more so than within communities where there is a clear connection between past and present experiences of self-determination, law and a separate political and /or cultural identity and language that accounts for the sheer force of nationalist feelings. Catalonia, the Basque Country, Scotland and Quebec are cases in point. As Max Weber argued 'shared political memories are elemental in the construction of a common national or ethnic identity, which are more likely to persist for long periods after these communities have lost their political independence.' (Weber, 1978, p. 389).

- Political decentralization generally results in the emergence of dual identities, regional and national. As I have shown above, the promotion of regional identity seems to be compatible with holding an overall national identity.

- Political decentralization reinforces the sentiment of forming a community at regional level. Citizens are enabled to participate in decisions concerning their common political destiny and usually feel better represented by their own regional leaders. Furthermore, projects to promote the culture, economy and well-being of the region's citizens tend to increase the individuals' self-esteem by encouraging a sense of leadership and protagonism among them. This is not to ignore the disappointment that some may sense when faced with insufficiently funded devolution settlements, self-interested politicians, occasional corruption and a growing bureaucracy.

- The construction and consolidation of a regional political elite enjoying various degrees of power and prestige. Such an elite benefits from some privileges and acquires a distinguished status within regional circles. Generally, only a few members of the regional

elite play a significant role at state level. Yet, their relevance within the region depends on whether they are perceived as politically, economically and culturally powerful and influential. A substantial degree of devolution when accompanied by sufficient -or even moderately generous- resources automatically raises the profile of regional political elites. Members of the political parties receiving greater public support, key figures among the indigenous bourgeoisie – if there is one – and some distinguished intellectuals dominate the elite, however, also selected political leaders representing various tendencies are almost invariably incorporated within the regional circle and enjoying the benefits of 'belonging'. Regional political leaders are usually engaged in an ongoing power struggle with the central state that often lacks a deadline. They are prepared to maintain, intensify and sometimes alleviate such a conflictual relationship, but only rarely are they prepared to risk renouncing the *status quo* in order to make a radical move of unpredictable consequences towards independence. In my view, political decentralization tames secessionist leaders by enticing them with some doses of political power and prestige. There is a certain 'comfort' arising from political decentralization, which tends to turn secessionist aims into never-ending demands for greater power and recognition.

- Political decentralization tends to strengthen democracy in as much as it brings decision-making closer to the people. Problems are identified, analyzed and resolved where they emerge. Regional politicians usually have greater awareness of the needs and aspirations of their electorates.

## Conclusion

In this paper I have argued that political decentralization, when accompanied by a substantial degree of autonomy, the constitution of regional institutions and access to significant resources - as it is the case in Britain, Spain and Canada -, promotes the emergence of regional identity without necessarily weakening the national identity.

I have also shown that political decentralization does not tend to foster secession, this is, devolution does not usually challenge the integrity of the nation-state's boundaries. The cases considered here confirm that decentralization tames secessionism by both offering significant power and resources to the national minorities it seeks to accommodate and by enticing regional political elites with the power, prestige and perks of devolution. I argue that political decentralization, if founded upon mutual trust, recognition and a sound financial arrangement, stands as a successful strategy in the accommodation of national minorities within liberal democracies.

But a certain degree of tension between central and regional institutions is likely to remain a constant feature in this complex relationship destined to fulfil what, at times, could be regarded as opposing aims. These are: (1) the state's determination to protect its territorial integrity and its will to foster a single national identity among its citizens; and (2) the national minority's (or nation without state) wish to be recognized as a *demos* capable of deciding upon its political destiny.

Notes

[i] This project was launched on 27 September 2002 by José María Ibarretxe, *lehendakari* or president of the Basque autonomous government, and obtained the support of the Basque Parliament.

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