

SHOULD CATALONIA BE INDEPENDENT?



Matthew Parish

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AUTHOR'S BIOGRAPHICAL NOTE

Matthew Parish is an international lawyer based in Geneva, Switzerland and a scholar of international relations. A graduate of Christ's College, Cambridge and the University of Chicago Law School, he has published several books and several hundred articles about international law, international relations, the work of the United Nations and international peacekeeping. He is an Honorary Professor at the law school at the University of Leicester in the United Kingdom. In 2013 he was elected as a Young Global Leader of the World Economic Forum. He has been named as one of the three hundred most influential people in Switzerland. He lives with his long-term partner and he has two children.

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DEDICATION

This book is dedicated to Artur Mas, President of the Generalitat of Catalonia from 2010 to 2015 and the principal figure in Catalan politics since the retirement of Jordi Pujol as Catalan President in 2003. Amidst a terrain of political pygmies that litter Spanish politics, Mas stood out as the most moderate, canny, intellectual, educated and well-intentioned of the political actors involved in the struggle over Catalan autonomy. At the time of writing, Mas is being harassed in his attempted retirement by vexatious lawsuits initiated by the Spanish government in Madrid as revenge for the many years in which he outmanoeuvred his political inferiors in pursuit of the Catalan cause. I admire him for his tenacity and grit, as much as his detractors in Madrid loathe him for it.

El peixos grossos sempre es menjaran els minuts.

Catalan proverb

PERSONAL NOTE

I ask the reader to take special note of all the persons listed in the Epilogue. These persons are all politicians. I do not agree with many or even most of the political views that they hold. Nevertheless they are all peaceful people, according to the evidence in my possession (and I have undertaken substantial research). While politics is a dangerous occupation, as I have myself discovered, the punishment for political miscalculation or acting upon one's beliefs, absent wilful incitement to violence, should not be incarceration or exile which is what the persons listed in the Epilogue have suffered. It does not matter in the slightest whether one agrees with any of them about anything. It does not matter if one loathes them politically or personally or both. Their fates paint all of us in an inglorious light. It is a disgrace to modern Europe that I have found need to write the Epilogue. We should all be ashamed.

ACKNOWLEDGMENTS

I gave vows of confidentiality to most of the people I met and spoke to when I was working on the Catalan crisis, and in Catalonia, between September 2017 and April 2018. There were two reasons why I did this. The first is that you cannot act as a peacekeeper unless people trust you, and therefore they must feel that they can speak to you in confidence. To earn their trust, you must keep their confidences. Catalonia is a particularly closed society, extremely difficult for foreigners to penetrate to its highest levels. To an extent, I was able to penetrate that far; to the degree that I was, that is because I promised confidentiality and I kept it. Secondly, as will become clear from this work, people in Catalonia were scared because they considered (rightly, as I came to conclude) that they live in a police state in which whispers can condemn a man.

Therefore I have taken the decision not to acknowledge any of the Spanish and/or Catalan people I interacted with in the context of my work in Catalonia, whether those people live within Spain, Catalonia, or outside the country altogether. To do so might be construed as a breach of confidence; in all likelihood they would not appreciate being so mentioned; and in certain cases my mentioning those people could expose them or their families to harm.

This means that the vast majority of people who ordinarily could and should be acknowledged in a work of this kind shall remain unnamed. All I can say to those people is

that they know who they are; and I am grateful to each and every one of them. I am sure that a great many of them will not agree with all of the conclusions I reach in this work; some may disagree vehemently with many or most of my conclusions. I hope those people will forgive me. I laboured hard before I reached the conclusions I have recorded in this work, and I have tried to be fair and balanced in my judgments above all else in a conflict that seldom sees fair and balanced judgments.

Another group of people I cannot acknowledge but that ordinarily would be acknowledged are those who mandated me to study the Catalan crisis and provide recommendations. I cannot do that for reasons of professional ethics.

Of the extremely limited remaining people I can acknowledge, my long-term partner Elena endured no doubt *ad nauseam* trips to Barcelona; meetings with Catalan politicians; and awaking each morning to diagrammatic analyses of Catalan political and financial trends daubed on posters across the walls. She is surely entitled to the most credit. I must also acknowledge my two daughters Mia and Leya, at the time 7 and 4 years old, who came with me to Barcelona over the Christmas period of 2017. Mia became very sick over that period, as did I. Particularly unpleasantly, during that stay my children were threatened with being poisoned by a very dangerous man who also threatened to kill me. I should probably not have exposed my children to such dangers, and I am sorry that I did.

Finally, my family and I must express my gratitude to Lina. She knows who she is and why we are so grateful.

EDITORIAL NOTE

This work is the child of my mandate in Catalonia in late 2017 and early 2018, as I shall come to describe in the preface. It is also the result of deeper reflections upon the contents of a series of essays I wrote during my mandate, seeking to collate some of the views set out in those essays into a more coherent work of political analysis. However it is not a substitute for those essays, all of which were written and published in the midst of a political crisis and therefore had a sense of urgency to them that this, more considered text, does not. At the current time I do not resile from the contents of any of the essays I wrote during the crisis. Indeed this work goes further in its conclusions than any of the essays I then wrote, because at its conclusion it will express a view upon whether Catalonia should be independent and I never expressed a view upon this issue in any of my prior written publications. That was, at least in part, because I did not think it would be desirable to do so in the context of my role amidst the crisis; and in part because I did not know what I thought about the issue. It is only now, after a short break from immersion in Catalan and Spanish issues, that I have observed the necessary period of reflection to reach a settled view upon this most contentious of issues.

Accordingly this work is not a replacement for the prior essays and publications I undertook, which I now list. They are, in chronological order, Reflection upon the Catalan Conundrum (9 October 2017); Sequestering Catalonia (27

October 2017); Catalan Independence (30 October 2017); The Catalan Crisis: An Update from Barcelona (2 November 2017); Catalonia Suppressed (9 November 2017); Catalonia: Why Should You Vote? (22 November 2017); Jean-Claude Juncker and the Catalan Crisis (3 December 2017), also published, in Spanish as Jean-Claude Juncker y la Crisis Catalana, in German as Jean-Claude Juncker und die Katalonische Krise and in French as Jean-Claude Juncker et la Crise Catalane; Matthew Parish: In Reply (8 December 2017), also published in Catalan as Matthew Parish: En Resposta; Ballot Fraud in the Catalan Elections: Could it Happen? (13 December 2017), also published in Spanish as Fraude Electoral en las Elecciones Catalanas: ¿Podría Suceder?; Controversial and Inappropriate Articles Published by El Robot Pescador (14 December 2017), also published in Spanish as Polémicos e Inapropiados Artículos Publicados por El Robot Pescador; In Reply to ESDiario (14 December 2017), also published in Spanish as Respuesta a EsDairo; The Need for Peace (18 December 2017), also published in Spanish as La Necesidad de Paz; The Catalan Regional Elections December 2017: A Primer for Foreigners (22 December 2017); Office of the International Supervisor of Catalonia: Proposal for Initial Support (3 April 2018), also published in Spanish as Oficina Del Supervisor De Cataluña: Propuesta Inicial de Financiación; A Plea against Violence (6 April 2018), also published in Spanish as Un Alegato Contra La Violencia; and, finally, How to Stop a Civil Conflict (I) (13 April 2018), also published in Spanish as Cómo Detener Un Conflito Civil (I).

These essays were written amidst rapidly moving events. This book is written during a period of calm, namely the hot Spanish summer of 2018. It is a better time to reach calm conclusions, outside the stream of fast-moving events. I decided to publish this work on the internet on 31 August 2018, in order that it be read before it become inevitably outdated by

the further passage of events, whatever they may turn out to be, in the later part of 2018.

In the dispute between Barcelona and Madrid about Catalan nationhood, culture and identity, even the language is contested. Even spelling the word “Catalonia” (in Catalan, *Catalunya*; in Spanish, *Cataluña*) can have political connotations. Spanish and Catalan are members of the same language group, but Catalan is distinctive and might loosely be described as derived from both Spanish and French. Because I speak French, I found it easier to understand people speaking in Catalan, whereupon I would reply in French, than I did to converse in Spanish although I learned to read Spanish fairly well. Within Catalonia, the question of which language one speaks (almost everyone speaks Spanish as though it is a native language; hence people who speak in Catalan with one-another are intentionally distinguishing themselves from mere Spanish-speakers) is politically loaded. In crude précis, the inference might be drawn that if you speak routinely in Catalan then you are in favour of Catalan independence or at the very least the Catalan autonomy movement; whereas if you speak routinely in Spanish then you are not. Although this is a gross over-simplification and prejudice, Catalan politics and culture, as I came to learn, is full of such prejudices.

This book is written in English. Where upon occasion I have used Spanish or Catalan words, expressions of sentences, I intend to convey no opinion, simply by virtue of the language I have elected to use, as to whether I think Catalonia should become independent. The use by me of the word “Catalonia” should not be taken to reflect any opinion on my part about whether Catalonia is, or should be, a province of the Kingdom of Spain or an independent republic. My views on these issues are expressed in the final chapter of this work. They should not be inferred from my use of language in the balance of what I write.

The fact that I have dedicated this book to perhaps the most prominent contemporary Catalan nationalist politician; and I have accompanied the dedication with a Catalan-language proverb, should not necessarily be taken as an expression of sympathy on my part with what any particular reader might imagine the views of the politician in question to be. That is the sort of simplistic political narrative (“he dedicated his book to Artur Mas and therefore Parish must be a Catalan nationalist”) with which Catalan and indeed Spanish politics are so unfortunately recurrently infected. I believe that to a good extent I know what the opinions of that politician are about the matters I describe in this work; although there are many aspects of his views that surely I do not know. But the reader would be foolish to assume that by reason of my dedication of this work to a politician I admire, I share any or all of the views that one might imagine that he himself holds. I am sure he would disagree with many of my expressions of opinion, in some cases vehemently. This is not a work of admiration of any specific politician. It is not a piece of political advocacy. It attempts to be a work of political science, studying a complex situation.

I have intentionally not included in this book a section including notes and references. In my experience a series of notes interrupts the narrative. It also encourages excessive quotation of passages written by other people who may not always be worth quoting. However I have kept all my sources. Any reader who wishes to enquire of my sources for any specific matter may write to me and ask me for them.

Throughout my engagement in the Catalan crisis, I was repeatedly pigeonholed as a Catalan nationalist by reason of the language I used in narrating events as they unfolded. To the pigeonholer, I beg that they read this work from start to end.

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DRAMATIS PERSONAE

I believe that while politics is not all about individuals - structures and trends are more important - nevertheless immediate events are often shaped by the personalities of politicians and the ways they interact with one-another. This work is not a biography of different Spanish politicians. I have limited myself to a series of photos of politically important people. I have intentionally chosen these photos to capture the actual personalities of the individuals: or, at least, those





aspects of their personalities most pertinent to their political relevancy.

Artur Mas; Carles Puigdemont; Mariano Rajoy; Luis de Guindos; Jordi Pujol; Oriol Junqueras; Inés Arrimadas; Jean-Claude Juncker; Pedro Sánchez; Albert Rivera; Carles Riera; Ada Colau; Juan Carlos I; Felipe VI; Quim Torra; Pablo Iglesias; Jordi Cuixart; Soraya Saenz; Jordi Sánchez; Roger Torrent. Carme Forcadell.

INTRODUCTION

This book arises out of my work in Catalonia between September 2017 and April 2018. These were momentous months, in which a controversial referendum was called upon the independence of Catalonia from Spain. The referendum was held in circumstances of social chaos on 1 October 2017. Following the referendum, the Catalan regional government declared independence from Spain. Madrid then invoked an obscure constitutional authority to rule Catalonia directly from the Spanish capital, and in theory abolished the Catalan regional government. A number of Catalan pro-independence politicians were arrested in waves. Under international pressure, Madrid called new Catalan regional elections for 21 December 2017. After pro-independence politicians obtained a (renewed) majority in the Catalan regional parliament, Madrid proceeded to a second round of political arrests to ensure that a renewed Catalan regional government reflecting the parliamentary majority could not be formed. For a while it appeared that direct rule from Madrid was being cemented and may continue in perpetuity. Nevertheless by early June 2018, the Catalans succeeded in forming another pro-independence regional coalition. Madrid was forced to relinquish direct rule under international pressure. By this time the political situation had stabilised; demonstrators had withdrawn from the streets, and life in Catalonia's capital, Barcelona, was apparently returning to normal.

It is difficult for me to explain how I became involved, because I am a lawyer and it is not always considered normal to reveal the source of one's instructions. I have decided not to state who asked me to get involved in the Catalan crisis. What I can say is that the persons who asked me to participate were western European interests.

The purpose of this work is to create a record of how what in my view is the gravest recent crisis of modern times on the European continent came to pass; to explain how close in my view Europe was to armed conflict or financial meltdown as a result; to issue a warning about the risks of a future crisis relating to the Spanish region of Catalonia; and to express my opinions about the Catalan independence movement. It was my experience that almost everybody who had any interest in the issue had extreme views about Catalan independence, sometimes expressed in racist or otherwise intolerant language and often dressed in the language of historical animosities or grievances. It was rare to find anyone with a moderate or nuanced upon the issue: you were either pro-Catalan or pro-Madrid, and there was no space for compromise. This in itself intrigued me. I concluded that there was something about the political system in modern Spain that discourages compromise. Everyone's positions are entrenched almost to absurd degrees. The level of dialogue between people of different views is apparently minimal. Why is it like this? I hope that this book will try to answer this question, but only to a degree. The answer is not easy to divine. Spanish and Catalan politics are much more complex, and indeed fiendishly difficult and therefore intractable, than meets the eye.

Therefore the material covered by this book is complex. This book is less easy a read than I would have liked. I was trying to balance the competing imperatives of a compelling narrative that would inevitably be over-simplistic; and a work of

political and electoral analyses that bore the risk of being very technical and hence very boring. I have probably erred on the side of including too many technical details. The reason I have done this is because the purpose of this book is not, principally, to re-immense myself in Catalan politics. Instead it is to create a record of what I learned about Spanish and Catalan politics that might be useful in the future either in Spain, Catalonia or elsewhere. If the consequence of this is that the reader is periodically confronted with a barrage of acronyms for ever-changing political alliances, and tables of political and economic data, then let it be. I have tried to ensure that this text is comprehensible to a person even with no prior knowledge of Spanish or Catalan politics or history.

This book has a broader goal than just to explain the complexities of Spanish and Catalan politics. This book is might indictment of the Euro as a currency. I believe that the very concept of the Euro was devastating for Spain and created substantial problems for Europe and indeed the global economy. There remains insufficient debate about the international macroeconomic damage the Euro did, and I wish to use Spain as an illustration of my theory of that damage. I also wish to hint at the measures now necessary on the part principally of Berlin if continuation of the Euro as a currency (and its abolition would surely now have worse consequences than its perpetuation) is not to create such macroeconomic damage again in the future. So that is a subsidiary purpose of this work. Chapter Two spends a substantial period setting out my theory of the dysfunctionality of the Euro as a currency, in complex language but hope using concepts that the non-economist can understand.

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Who am I to take any position on Catalan politics? That is a question that was often put to me during my engagement with

Catalonia, by people at every position on the political spectrum. I was typically challenged in this way whenever I expressed a view they did not concur with but not otherwise. I was a welcome foreign expert whenever I agreed with them but an unwelcome ignoramus whenever I did not. So let me explain the process by which I came to acquire knowledge of Catalan and Spanish politics.

I am a lawyer by profession and an international peacekeeper by occupation. Catalonia falls into the category of what I consider to be my area of generic expertise: ethnic and civil conflicts and secession disputes. My doctoral thesis was about ethnic conflict. My first book was about ethnic conflict in Bosnia and Herzegovina. I have published over 250 articles about international law, ethnic conflict and secessionism. Those articles have covered disputes all over the world. Areas of my focus have included Serbia / Kosovo; Russia / Ukraine; Syria; Iraq; Egypt; Israel and the Palestinians; Moldova / Transdniestria; Kurdistan: in short, I have studied many or even most of the globe's contemporary ethnic conflicts.

I characterise the Catalan crisis as an ethnic conflict because it has most of the characteristics of ethnic conflicts I have seen elsewhere: a secessionist, restive region of a larger state; a sense of division upon linguistic and cultural lines; uncompromising nationalist rhetoric on both sides; political parties whose attractiveness to voters is premised upon identity rather than policies; and poverty that divides people into groups who perceive that they are in competition with one-another. Contested referenda, of which as we shall see Catalonia has had plenty, are another recurrent feature of ethnic conflicts that I have experienced. People do not have to be shooting one-another in the street or murdering their neighbours in order for there to be an ethnic conflict. All there needs to be are the ingredients such that horrors of this kind are a possibility. I concluded that for Catalonia, they were.

When I was first asked to pick up the Catalan conundrum in September 2017, in the light of a forthcoming contested referendum on Catalonia's independence, I knew nothing about Spanish or Catalan politics or history. All I brought to the crisis was a conceptual framework for dealing with ethnic conflicts, based upon my experiences elsewhere. I had never been to Spain save on vacation. I knew virtually nothing about Spanish or Catalan culture(s), or the similarities or differences between the two. My Spanish language skills were basic. I had learned Spanish to a level of fluency in Latin America in 2003, but since then my proficiency had lapsed through want of use. The very first thing I did was to read the Spanish Constitution of 1978 - in Spanish, improving my Spanish on the way. As a lawyer, I thought that the Spanish Constitution would be a good place to start in understanding what is essentially a dispute about distribution of political authorities in a quasi-federal system of Spanish government. This dispute had been so poorly managed over decades that it had led to a referendum on the independence of a Spanish region whose legality was so contested that it would end up being fought out on the streets between demonstrators and local and national branches of the police. My first thought was that there was obviously something constitutionally dysfunctional about Spain, or this just would not be happening.

My next step was to go ploughing through various constitutional laws and court judgments, that I will refer to further in the subsequent chapters of this work. But let me convey to you now my summary of conclusions: the Spanish constitutional system is an archaic mess, and many of the country's problems derive from this. On the other hand, how to improve it is a much harder question to address than just to make the obvious diagnosis of catastrophic dysfunction. In order to work out how we might be able to change a system that is not working, we need to study the historical and political

currents that created the current structure, as well as asking why the current system survived as long as it did before reaching the crisis point exhibited in events towards the end of 2017.

Therefore I immersed myself next in Spanish and Catalan history books. My home became stacked with books about contemporary and historical Spanish and Catalan politics, in English, French, Spanish and Catalan. I started by assuming that I needed to begin only with the demise of the Falangist regime of Generalissimo Francisco Franco (Spain's fascist dictator from 1936 to 1975 who had won the Spanish Civil War). I realised that there was no way I could understand either Spanish politics in general, or the Catalan political crisis in particular, without going a lot further back. So I started burying into the history of the Franco era in Spain: something about which I was surprised that remarkably little of impartiality and quality had been written. But then I realised that I could not understand Francoism without understanding the Spanish Civil War to which it gave rise. Most importantly, I wanted to understand why Franco won and the Republicans lost. One could not understand the demise of the Second Republic (the early 1930's Spanish government whose collapse precipitated the Spanish Civil War) without understanding this question, because it became obvious to me that one group of people had gambled that they could win a civil war and they did. And so I went back, until about the middle of the nineteenth century. I even found myself immersed also in the politics of the loss of Spanish imperial possessions in the nineteenth century.

I did not go back much further. I suppose I could have done. To a foreigner insisting that he or she understand the history of ethnic conflict in their country, a Serbian may cite the Battle of Kosovo Polje in 1389. Some Catalans trace a tradition of democracy back to the establishment of an

institution called the Catalan Courts in 1027. These events naturally give rise to the question of what political forces caused this battle, or the creation of this primordial parliamentary structure, respectively. As a political analyst of contemporary events, one cannot just keep going back further to one reaches the Big Bang. There is a law of diminishing returns. You have a hunch when you reach the point that further historical research has no marginal benefit, and for me working on the contemporary political problems of Catalonia that juncture was something in the mid- to late-nineteenth century.

Spain was always an authoritarian empire, then nation, highly centralised, deeply corrupt, and with excessive influence of the Catholic Church in political structures. Spain has always been bad at dealing with devolutionary and secessionist problems, of which the country has had a number. Spain has no sustainable traces of a rule of law tradition that I could find. This is a profound problem in a country so large and that at one point had a substantial empire. Spanish constitutional traditions are dysfunctional; the country has never successfully established a legalistic method of balancing powers between the central government and the regions and its colonial possessions. The Catalan crisis - in one sense a very typical example of a crisis in the balance of constitutional authorities between the central government and its regions - is one in a long list of such crises besetting Spain. The Spanish constitutional system just doesn't work, and as far as I can tell it never has done. I studied Spanish history sufficiently far back to reach this conclusion, and then I stopped.

I am not an expert in Catalan politics, and I am not an expert in Spanish politics. That may be one of my advantages. I came to the Catalan crisis without any preconceived ideas, but with a view about the historical patterns typical of ethnic conflicts; the evolving features that spell danger, indicating that

such a conflict may escalate; and with a set of tools that a peacekeeper can try to use to defuse that conflict and create a cycle of decreased distrust. I want to explain what those tools are. Firstly, you must have superior historical and political knowledge of the contested region to your interlocutors, before you start your discussions with them. You must not permit them to obtain a psychological, moral or intellectual advantage over you by bamboozling you with facts and figures the truth or falsity of which you cannot determine.

Therefore I spent hundreds of hours studying every Catalan and Spanish source on the origins of the Catalan crisis. I analysed the election results for every election in Catalonia since the restoration of regional democracy in the 1980 elections, by party, candidate, constituency, voting rules, districts and any other relevant features I could find. I followed the electoral fortunes of each political party over 37 years since 1980. I was fascinated that the same political parties kept changing their names, and dividing them re-uniting, in an almost incomprehensible fashion. I wanted to understand why this was; whether anyone was actually changing their votes or all just voting for the same people (albeit with different party labels); and why one man, Jordi Pujol, managed to remain in power as President of the Generalitat, Catalonia's regional government, for 23 years without interruption. I wanted to understand how a system was created that permitted this to happen (and for this I needed to go back to Franco's Spain, because I came to realise that Pujol was a product of Francoism); then I wanted to understand why Pujol fell from power and, more importantly, why once he fell from power Catalan politics became so unstable.

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Before we consider these mysteries in the context of details specific to Catalonia and Spain, we should make a more

general observation. Regional Catalan elections are governed by what is known as the D'Hondt closed list system of proportional representation. I explain in more detail what that means later in this work, but for now I want to make the following observations in passing. This system of voting creates a series of constituencies, each of which elects a fixed number of parliamentarians to a parliament that elects a President or other executive leader. In each constituency, the system is highly proportional in the sense that the correlation between proportion of party vote and proportion of parliamentary seats allocated to that party is about as highly correlated as in any electoral system.

The system also has the benefit of simplicity: a voter need vote only for one political party, whereas some systems of electoral rules invite electors to vote for large numbers of individual candidates which leads to massive ballot papers listing lots of names and much confusion amidst voters. The downside of the D'Hondt closed list system is that political party bosses become very powerful, because they provide lists to the electoral authorities of the order in which their parliamentary candidates are to be elected depending upon the proportion of votes that party receives and the number of seats they are therefore entitled to. Because swings in voters' decisions tend to be relatively modest between elections - huge swings in absolute terms are relatively rare - people at the top of party lists are relatively invulnerable to rejection by the electorate. Therefore party bosses can decide, through their ordering of the names on the list of the party they control, who will stay and who will go - who is at risk and who is not - given the opinion polls.

The consequence of this is that an electorate easily gets disillusioned. Given the typically relatively small swings amongst so-called floating voters (the small proportion of voters who routinely change their minds about how to vote

from one election to another), in a highly proportional system in which the identities of parliamentarians are controlled by party bosses, voters get the impression that their votes just don't matter. Whoever they vote for, it's the same parties and the same people in power. The party bosses have incentives to do deals with one-another, not to rock the boat. More or less formal 'grand coalitions' (i.e. governing structures incorporating all political parties of significance) are encouraged. Even if from one election to the next the identity of the coalition partners periodically changes, the party bosses' grips on their own parties are more important for them to exercise patronage and influence than the risks of exposing themselves to genuine political competition.

The elementary critique of the D'Hondt closed list electoral system is therefore that it reduces the incentives to achieve what democracy is supposed to do, namely to create a vigorous competition in ideas between which the voters have to choose. Instead it incentivises consensual back-door deals in smoke-filled rooms between party bosses who perpetuate systems of hierarchy within their individual party structures to secure their own power in the system. As a result, the D'Hondt closed list system encourages political sclerosis; and the smaller the number of constituencies (for Catalan regional elections have only four), the worse the problem.

The debate can continue. For our purposes, aside from asking whether the Catalan electoral system exhibits these faults (as the reader will come to see, I think it does), the other phenomenon the D'Hondt closed list system incentivises is repeated changes of party name, manufactured intra-party disputes and factions, and changes of purported party allegiance on the part of individual parliamentarians. The reason why these things are incentivised is because they are the best bets a cabal of ostensibly competing party bosses - who in fact are incentivised to do private deals with one-

another behind the voters' backs - have to dispel voter apathy. 'Look, it's all different this time. We don't have any backroom deals; we keep falling out with one-another.' This is fictitious. The disputes, and changes of party allegiance (plus consequent changes of party name), are designed to give the voters the impression that there is genuine electoral competition when in fact there is not.

The reason I have undertaken this digression to explain the theoretical criticisms made against the D'Hondt closed list system is because Catalan regional elections are the best example I have ever found of these theoretical flaws occurring so brazenly. The change in political parties and allegiances of parliamentarians in Catalonia between elections, particularly in the second decade of the twenty-first century, is ludicrous. I counted some 20 distinctively named political parties or political groupings contesting elections in Catalonia, a region of some 7.5 million people, between 2010 and 2017, that actually won at least one seat in one of four elections each of which is for 135 seats, in an electoral system with a 3 per cent de minimis rule.

Catalonia is as close as one can get to the quintessential exemplar of everything that is alleged to be wrong with the D'Hondt closed list electoral system.

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What I realised is that Catalonia is basically not a democracy at all in the sense that I understand it. The best way of describing its political system might be chaotic, semi-feudal anarcho-fascism. If this sounds absurd, then my main response is that it is. Catalan politics are preposterously dysfunctional, and I intend in this work to describe the ways in which its politics are so dysfunctional and how they have come to be so. Perhaps the still more alarming fact, however, is that

the main reason Catalan politics are like this is that Spanish politics are even worse. I never imagined, when I started working on the Catalan crisis, that I would discover that Spain has much lower standards of rule of law than Romania or Bulgaria. I would never have imagined the extent of government-sponsored theft of public and EU funds presided over by a government of catastrophic malice and incompetence. My jaw fell to the floor when I started to understand the structural failings inherent in Spanish politics. Even now, it is hard to comprehend the scale of the problems facing contemporary Spain by reason of the fact that the country barely subscribes to European democratic standards.

The grounds for my making these extraordinary assertions are contained in this work. The reader may imagine I am guilty of gross exaggeration. The facts speak for themselves. Spain never had a proper transition from fascism. The state is kleptocratic and abusive of its government functions to an extent that in my view is worse than Russia. The legal system at every level - from the Police to the Judiciary to the highest courts - is corrupt, abusive, unjust and susceptible to the most debilitating political influences. Things are getting worse. The country is in danger of slipping back into fascism. The Catalan crisis will be back. While Catalan politics are feudal, they are not nearly as bad as the politics of Madrid. It is my view that while it has a variety of causes, the Catalan crisis is driven more than for any other reason by dissatisfaction in Barcelona with their citizenship of a large country governed by Madrid that is on the verge of being a failed state.

If the reader is not inclined to believe me, consider the following statistics. Officially, the unemployment rate in Spain at the end of 2017 was about 17% and youth unemployment is about 33%. However these figures are likely misleading, because they have been presented by the Spanish

government after a series of changes in the accounting methods by which unemployment is calculated. In January 2014, official records indicated that unemployment was at approximately 26% and youth unemployment was at some 55%. It is inconceivable that without statistical massaging, the unemployment rates could actually have dropped that much. The numbers have been manipulated. The fact is that we have no idea what the real unemployment rate is in Spain, but massive numbers of people are unemployed or are working on the black market in one way or another.

This is reinforced by anecdotal evidence. One of the many things I did when I visited Barcelona was spend time talking to normal people, both about their personal situations and their perceptions of the political problems in the country. It became apparent to me that corruption and fraud in individuals' relations with government authorities is so endemic that the collection of official statistics on virtually anything must be next to impossible. One experienced veteran political scientist told me that in his estimation 40% of Barcelona residents have not registered their correct addresses with the government authorities, for various reasons relating to tax evasion or bureaucratic inertia. The result is that it is impossible to collect accurate residence statistics; electoral rolls; unemployment statistics, or anything else. Many businesses seem to work principally or substantially in cash, for the purposes of evading official records. One thing is for certain. Spain is a country whose institutional structures do not work.

Consider now the following statistics. According to one study, 39% of Spanish men have admitted to paying for sex at least once. According to the European Drug Report, 17 percent of Spaniards admit to having used cocaine in the last twelve months; 4.5% of Spaniards admit to having used cocaine in at least 20 days in the last month. (Catalonia

routinely ranks as amongst the top of such surveys, along with the Balearic Islands off the coast of Catalonia). These figures (which, like all vice questionnaires, are bound to involve substantial under-reporting) beggar belief. At times it seems as though the whole country is high on drugs. Spain has a cocaine epidemic, and is also the highest user per head of cannabis in Europe. Spain is notorious as one of the principal centres for the import of illicit narcotics from abroad, although I could not find any reliable statistics for this. The rumours I heard about various politicians being involved in the trade in drugs and women (including persons named in this work) were too frequent to be ignored, although I will not name individual politicians because I cannot prove it in any specific case.

My experiences in Barcelona is that one is offered narcotics and paid-for sex so frequently, at virtually any time of the day or night, that the shock value of it wears off rather quickly. Although the following observations again are anecdotal, my experience is that almost any Spaniard under the age of 40, asked in the most casual of circumstances, has contacts for the supply of illegal narcotics. Young Spanish women are often not adverse to offers of sex for money. Spanish men are not adverse to making propositions of this kind. Prostitution *en masse* would be consistent with high unemployment rates and low wages in a country that is not substantially cheaper than European averages. I also observed that the society is quite sexist, so women may not be able to obtain good jobs and hence they may be more readily amenable to prostitution.

The Spain I saw is falling to pieces, with all sense of restraint and moderation abandoned, under massive financial pressure, poverty, unemployment, homelessness and despair. The macroeconomic problems, that I will discuss later on in this book, would confirm that diagnosis. The country has colossal national debt; a poor work ethic; a disgruntled youth

with few serious employment opportunities (particularly but not exclusively for women); corrupt, stretched and dissatisfied police services; atrocious courts; a broken political system; a creaking and corrupted administrative structure; and a political culture of fear in which family affiliations count for far more than politics, ideology or common interests.

Douglas Adams, in his series of novels under the rubric “The Hitchhiker’s Guide to the Galaxy”, described a scene that has become inscribed in literary and televisual history as “the restaurant at the end of the universe”. This was a superb restaurant in which everyone partied away like mad, knowing that things were soon to collapse as the universe exploded. There are a number of other allusions in literature to the same phenomenon. My recurrent experiences in Barcelona were reminiscent of this. The bars were full; the nightclubs were brimming; young people were intoxicated to the highest extent; yet it was obvious that this bubble would soon burst catastrophically and everything was going to collapse. That remains my prognosis for Spain. When it happens - and I think it will happen quite soon - then the question of Catalonia’s independence will again become acute.

It is the context of a potential imminent implosion of the Spanish economy, which I believe to be artificially inflated even at its current impoverished level, that I ask the question “Should Catalonia be Independent?”. It is an enormously complicated question, and it is only in the writing of this book that I reached the conclusion I did. When I was working in Catalonia I believed mostly that on balance Catalonia should become independent. By January 2018, I had reached the conclusion that the Catalans had made such a mess of their independence movement that there was no way that they should or could become independent. Then I changed my mind again, as I saw from afar the atrocious condition of the Spanish state. Then I changed back again, as again I saw

from afar the abysmal quality of contemporary Catalan political institutions.

And then, as I wrote this book and as I undertook some of the more detailed historical research required for it and I reread my notes of a few months ago, I changed my mind again and again and again. I flapped and I wavered. And I asked myself what I would do if I were the Chancellor of the Federal Republic of Germany. Would I support a Catalan independence movement if and when it once re-emerges upon some imminent crisis in Spanish central politics in Madrid? What policy would I then adopt? If I were advising the German Chancellor on what to say when (s)he telephoned the President of the European Commission to dictate a formal European line upon a rejuvenated Catalan independence movement, then what advice would I give? The answer I settled upon is in the final chapter of this book.

In the intervening period, I am proud of the work I did in Catalonia between September 2017 and April 2018. I have tried my best, despite all the politics involved in the reason why I was asked to study Catalonia and why I agreed, to provide my objective opinions about the problem as a political analyst. I am proud of the work I did because I believe that my presence and participation in the Catalan crisis contributed to defusing the risk of confrontation more violent than in fact it was. The Catalan crisis during the period I describe was not very violent. I cannot take too much credit for this, but I believe I can take some. I was vocal, and my opinions became known amongst a number of politicians.

Many of those politicians were wary of me, or even afraid or hostile. As a peacekeeper, you must not care too much whether people like you. Your job is not to be liked. Your job is to keep the peace. You do this by studying the details of what is always a very complex situation. Then you work out

where the pressure points are. Then you apply pressure in just the right ways: charm here, threats there, attacking people where necessary but never more than is proportionate. Sometimes you must be just; sometimes you must unjust. But the goal is to keep the peace at any cost. Any peace is better than the most just war. Although I abhor appeasement, in my work I am a pacifist. Once people start firing guns, I have failed in my work and a period of violence must begin until the circumstances are propitious for a peacekeeper again to return to mediate a resolution. The reason I am proud is that I think that in the small number of decisions I took (and truly I made a very small number of decisions, and this book records none of them because they cannot be recorded and the secrets of my sorcery - which upon several occasions was necessarily ruthless - must be kept secret) contributed in substantial part to the resolution of the Catalan crisis without incremental violence.

The very short answer to the question, “should Catalonia be independent?”, is “I don’t care; I am willing to use every means, no matter how vicious, deceitful, unpopular or frightening, against anyone I consider appropriate, irrespective of how powerful they may think they are, to minimise the number of deaths in an ethnic conflict situation”. I am proud because I believe that in my work in Catalonia I did exactly that. I am not saying that there would have been a civil conflict in Catalonia more violent than in fact there was at the end of 2017, but for my actions. But I hope that my actions contributed to the fact the problem was then solved peaceably. I may have to seek my rewards in heaven. Let it be. My young daughters’ grandmother was murdered in the context of a civil war in the Balkans, on 18 December 1992. If anyone asks why I undertake such thankless tasks, that is the answer I give them.

The peacekeeper's profession is not a happy one. Often, the best way of keeping the peace between opposing parties is to give them something else that they hate even more than they hate one-another: in other words, the peacekeeper. While the peacekeeper is a mediator, he may or may not be smiling as he mediates. That depends upon his assessment, in each particular instance, of whether the best way of getting what he wants out of the person with whom he is engaging is to massage their egos, reason with them, or threaten them: for these are the three primary tools of the peacekeeper's toolbox. With a handful of exceptions (and they know who they are), I did not like most of the politicians I met while I was engaged in the Catalan crisis. It was a dirty business. Like the solicitor Mr Tulkinghorn after a meeting with clients in Charles Dickens's novel "Bleak House", I came away wanting to wash my hands very thoroughly. I was unimpressed with it all. The level of gratitude shown to me for my work was depressingly low.

That stands in stark contradistinction with the Balkans, for example, in which although the politicians with whom I engaged were unrelenting bastards, they were grateful for my efforts. They knew what war tastes like. It tastes bad. They knew that I was there to try to stop it from happening again. They knew I didn't have to do that. So they appreciated it. The Catalans weren't at war. They were acting like buffoons, threatening secession and the inevitable military conflict that would have entailed but without being willing to risk their brothers, sisters, sons and daughters in the fight. The Catalans don't know what it's like to have your mother shot by the neighbours; your sister raped by militias; tanks crushing your brother or your friends. That is what their actions, on both sides, would have entailed had they gone through with the confrontation they had created between one-another. And then they begged the international community to come and get involved, and they got me. And I saw where they were going,

and I tried to calm it down by telling them all “this is where it’s going and you don’t want that”. I believe that they got the message. They didn’t want it. And they didn’t do it.

That is why I would have appreciated more of them saying “thank you”. This is particularly so given that the conflict may be re-ignited again, given the crisis in Madrid politics that I will describe later during this work. It is an unfortunate feature of human nature that people don’t really understand how bad life can be until they’ve reached the bottom. I fear that the people who live in Catalonia have not yet reached the bottom; sooner or later they will do so; and then the international community will have to react to a crisis exponentially more severe when just a little bit more support and attention during the late-2017 period might have been able to help avert what I predict is later to come.

There is something else I want to record in this work, and I don’t know where to record it except the preface. I spent a week in Barcelona, including Christmas, during the period of the Catalan regional elections on 21 December 2017 that, as the reader will discover, were forced upon then Spanish Prime Minister Mariano Rajoy by German Chancellor Angela Merkel. During that period, I was the subject of two unpleasant approaches and threats. I will record only one of them here, because the other pales in comparison. A man approached me, and in the course of conversation, threatened to murder me and poison my two infant daughters who were with me so that the family could be together over Christmas notwithstanding my work. This was just before my family and I left Barcelona. Although I have been the subject of threats and unpleasantness during the course of my work before, I have never received a threat so serious either before or since.

I recorded and reported the matter, of course. I do not know who asked this man to do this. The circumstances of the

approach, that I shall not relate further, render it inconceivable at least to me that he made such threats other than upon the initiative of someone else. The only party I can imagine to have a motive to make such a threat is an agency of the Spanish state. There is nothing more I can say about this matter that would not be speculation. I mention this because in my judgment this is evidence of how serious the Catalan crisis was. The fact that anyone would make such threats to me is indicative that the matter was being treated with extreme gravity by someone, somewhere.

For the mistakes I made in my decisions relating to the Catalan crisis, for the record I regret those mistakes. I always do. But I am not going to record the mistakes that I made. Peacekeepers always make mistakes; they come to dangerous, chaotic situations with insufficient information and hence it is virtually inevitable that they make mistakes. Hindsight is a wonderful thing. I tried to keep the mistakes I made to a minimum. That is enough for me to sleep at night.

And with those thoughts, we need to go back to the causes of the Spanish Civil War. Without understanding them, we have no hope of making sense of modern Spain or Catalonia's anomalous position within it.

CHAPTER ONE

REPUBLICANS, FASCISTS AND JORDI PUJOL

Spain has always had a complex relationship with religion. Spanish people are pious. Genuine atheism is rare. There are people who describe themselves as atheists, but they don't mean it. What they mean is something like "shoot the priests, and it's probably a good idea to shoot the King as well". In Spain, atheism has little to do with metaphysics and not necessarily an awful lot to do with whether you go to Church. It's more a statement of your objection to the fact that an elite cabal of Catholic priests hold political power and money to the exclusion of an unequal and mostly impoverished society.

The same approach holds true for people who describe themselves as "Republicans". While these people do mean "shoot the King", it is more important for them to shoot the priests. I think the King probably comes second. In Spain, Marxism is similar to Republicanism in this regard. The first person I met in Barcelona who described himself as a Marxist was wearing a well-tailored suit and an expensive Swiss watch. He started talking to me eloquently about Marxist theory; but what I realised, after some minutes, that he really meant was "capitalism is a very good thing; notwithstanding, Marxists shoot priests; therefore I am a Marxist". In Spain, Marxists often equate themselves with Republicans and/or with atheists. These are all much the same sorts of people. They may or may not be socialist or left-wing; there are left-wing Marxists and free-market Marxists. In Spain, Margaret

Thatcher would have been a Marxist. But what they all have in common is that the priests should be shot. This is the principal dynamic of Spanish politics. You are with the priests, or you are against them.

I do not know how Spanish society acquired an elite social class of persons associated with the Church (which includes only some priests, not all of them), many also associated with organisations such as the now near-mythical “Opus Dei” (whose reputation was enhanced by a recent popular novel but whose reality is much more prosaic - it is 90% devotion and 10% money-laundering) that divided Spanish people so fundamentally at least as far back as the early nineteenth century. That is beyond the scope of my enquiry. But I do know that understanding this dynamic is essential to understanding both contemporary Spanish politics in general and the situation in Catalonia in particular.

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The Peninsular War of 1807 to 1814 was a military conflict for the control of the Iberian Peninsula over which Napoleon sought control. One of the principal political divisions that arose out the Peninsula War, which Spain ultimately won as Napoleon’s Empire collapsed, was the question of adherence to the 1812 Constitution of Cádiz, an early liberal written European constitution that espoused principles of constitutional monarchy with an elected parliament. Although the Constitution of 1812 was promptly repealed by the prevailing monarch Ferdinand VII upon conclusion of the Peninsular War, divisions over the desirability of the principles enshrined in the Constitution set the stage for the division between those who supported the monarchist-clerical establishment and those would supported constitutional monarchy and would eventually become Republicans. The

reign of Ferdinand VII involved heavy foreign borrowing as Spain sought to rebuild itself after the Peninsular War.

Upon Ferdinand's death in 1833, the Carlist Wars dominated Spanish politics until 1876. These wars were internecine conflicts amidst groups within the Spanish Royal Court. A series of changes in Spanish monarchs were accompanied by a series of demands upon the international community that prior Spanish foreign debts be written off. The Carlists supported accession to the throne of Infante Carlos, a supporter of absolute monarchy and the power of the Church. The Carlists' opponents, who consistently prevailed in the Carlist Wars, supported the infant daughter Isabella II whose associates were identified with promotion of the Constitution of 1812. The Carlist Wars were particularly important for our purposes because the Catalans supported Carlism, in return for which the Carlists invested in the industrialisation of Catalonia in the second third of the nineteenth century. This was the beginning of the relative wealth of Catalonia compared to other regions of Spain, that would ultimately render Catalan independence an economically plausible option.

We should note that at this stage the Catalan autonomy and/or regional identity movement was essentially a right-wing cause, associated with Carlism, absolute monarchy and deference to ecclesiastical power structures. Catalan nationalism would not long remain so confined, and this is one of the complexities of Catalan history that has given rise to the unusual contemporary situation. With the benefit of hindsight the Carlists had to lose each of the Carlist wars, because the result of the Carlists winning any of them would have been that Spain's sole avenue for repaying its foreign debt, namely Catalan tax revenues, would have been lost as the Catalans extracted their price in autonomy for supporting Carlism. Throughout history, Catalonia has suffered from the curious disease of being inseparable from Spain by

virtue of its comparative wealth. Catalans have often supported minority political positions in Madrid's periodic internecine conflicts, extracting economic concessions as a result of doing so which have rendered Catalonia's political autonomy ever less palatable because those very conflicts have created debts that could only be paid for by use of Catalan treasure that the Catalans extracted from the minority political alliance they supported in Madrid as a condition of their support.

If the reader wants to understand why the Catalan autonomy movement has always been so problematic in the context of Spain's recurrent civil conflicts, the most succinct explanation is the one just given.

King Alfonso XIII of Spain was crowned in 1886, the year of his birth, because his father Alfonso XII had allegedly died of dysentery in 1885 at the age of 27. As part of the Carlist saga, Alfonso XII had married Maria Christina of Austria in 1879. Unfortunately his first wife had died precipitously just before. Conveniently, Alfonso XIII had been conceived just two months before Alfonso XII died. Hence Alfonso XIII was a mere infant when he came to the throne. Therefore Maria Christina (ergo the Austrian Royal Family) ruled Spain as regent. Unfortunately this didn't work out too well. The Spaniards didn't much like being ruled by the Austrians.

The Spanish-American war (1898) resulted in the loss of Cuba and the Philippines as Spanish colonies. This encouraged the Catalans, who with a distinctive language and national identity had never thought much of being part of an impoverished Spain, to push for a Catalan nationalist cause. The *Lliga Regionalista de Catalunya* was a Catalan nationalist political party formed in 1901 in readiness for cessation of Maria Christina's regency as Alfonso turned 16 in 1902. The

Lliga Regionalista was pro-monarchy, hence pro-priests, but the price for Alfonso XIII was that the Catalans got to manage their own affairs. This pattern - of the Catalans supporting Madrid in exchange for regional autonomy - would become recurrent throughout the twentieth century. Perhaps the predominant cause of the 2017 Catalan crisis was the fact from 2000 onwards, the prevailing powers in Madrid no longer needed the Catalans to maintain power. Why, bucking a long-term historical trend, Madrid no longer required Catalan support from this juncture, we shall come to explore.

For an extended period from 1902, Alfonso XIII kept Spain together with a tolerable degree of political stability. He tolerated a series of more or less Republican Prime Ministers, but his biggest problem arose with a Moroccan independence movement resulting in the Rif War that began in 1920. Although Spain, with French support, eventually won this war in 1927, in the meantime the costs in blood and treasure for the Spanish had resulted in a military coup in favour of a new Prime Minister, imposed by the army under Alfonso XIII, called the Marquess of Estella. Estella's dictatorial style upset the delicate balance in Spanish politics between Republicans and monarchists; the Republicans had effectively been excluded by the military who had made such a mess of the Rif War. Global economic decline at the end of the 1920's made the Spanish military fearful of a popular uprising, so they decided to dispose of both Estella and Alfonso XIII. After elections, the Second Spanish Republic was formed in 1931 and Alfonso XIII fled for Rome. Also in 1931, the ERC (Republican Left of Catalonia) was formed.

The ERC was a Catalan nationalist / autonomy movement associated with Republicanism rather than with monarchical absolutism or ecclesiastical authority. As such, it represented a break with the Carlist traditions of Catalonia. The likely reason why the politics of Catalan separatism swung

from Carlism to Republicanism is because in the intervening period prior to the establishment of the Second Republic Spain had - again - gone bust due to all its conflicts and Catalonia was needed for its tax revenues. Hence the monarchy-clerical establishment turned against Catalonia in the period of financial crisis prior to establishment of the Second Republic, and an ideologically distinct left-wing version of Catalan nationalism emerged to take the place of Carlist Catalan nationalism.

The new arrangement under the Second Republic, while again being a period of relative Catalan prosperity (because ERC's support for the Second Republic preserved the balance of power), proved unsustainable. After a short period of co-existence between pro-clerical and anti-clerical movements, there was an anarchist (anti-clerical) insurrection and then a 1936 election won by anti-clerical forces of which ERC was a part. At this point the military stepped into overthrow the Republican regime, that was threatening its clerical power interests. This initiated the Spanish Civil War that was won by the military-clerical establishment in 1939 but with high loss of life, and near-total devastation of a country that was never particularly prosperous: there was wealth in Spain, particularly arising out of the fruits of empire, but it was very unequally distributed. Catalonia was one of the last provinces in Spain to fall to the so-called "Falangists": the political movement of Spain's fascist dictator, Francisco Franco, that emerged victorious from the Spanish Civil War. That is because Catalonia had always been more equivocal about monarchism and clericalism than the rest of Spain. Due to their distinctive national identity, when things got bad in the rest of Spain, such as during the Rif War, the Catalan attitude was to wonder what this had to do with them as a separate group of people. In general, Catalan nationalism has found itself ever more potent a force as Spain's political and economic travails have declined. Hence Republicanism has

found greater traction amongst the population of Catalonia than is typical elsewhere in the country. Catalonia has also always had ports, and is the region of Spain more proximate with the rest of Europe. It has always had maritime connections with Italy. By reason of these distinctive economic features, the Catalans have traditionally resented the obligation to share the rest of Spain's economic burdens as from time to time have befallen the country in accordance a historically inept standard of government.

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The fascists won the Spanish Civil War. This is perhaps hardly surprising. Republicanism had never had a particularly flourishing history in Spain, save where it had been supported by foreign interests: and amidst the Great Depression, there was little appetite for supporting Spanish Republicanism in a conflict against the Spanish military. The only foreign country that provided significant support to the Spanish Republics was the Soviet Union under Stalin. This support was half-hearted at best, and evaporated once Stalin realised the Republicans had no hope of winning.

Moreover the authoritarian nature of the Spanish state enabled oppression by an upper class dominated by clerical interests and enforced by the military. The military had always been key to deciding the balance of power between pro-clerical / monarchist forces and Republicans, and in the Spanish Civil War the military came down in favour of the clerical power structures. But it was an extended and bloody business. That was because in 1930's Europe, the spectre of fascism was apparent and a number of European interests decided to intervene in support of what they saw as the anti-fascist forces of democracy and/or republicanism. An equal or greater number of European interests decided to intervene in support of the conservative order. Spain became a proxy

battleground for the ideological confrontations that would be fought out during the course of World War Two, that began just as the Spanish Civil War came to an end.

The net result of the Spanish Civil War was that a military dictator came to power determined to erase the delicate and unstable balance of power between clerics and Republicans the collapse of which had catalysed the conflict. There would be no more monarchy, with the clerics pulling its strings. There would be the *Caudillo*, in theory an absolutist personal leader who fused political and military power, including authority over the clerics, into a single institution. Hence the debate between Republicans and clerics would be suppressed. There are parallels here to the resolution of ethnic conflict in Yugoslavia by Tito, the wartime victor who from 1945 fashioned his own brand of communism into a common ideology the prevailing feature of which was suppression of all ethno-nationalist ideologies. The divisions of the past would not be the source of renewed conflict, because they were abolished by way of autocratic leadership. Fascism under Franco was therefore rather different from that under Hitler or Mussolini, which is why the rest of Europe would mostly leave it alone.

Franco's fascism was not ideological; it was militarism used to suppress former ideological divisions. Everybody in Spain could just go about their daily business, as long as they didn't talk about these historical ideological enmities. Although Franco had a lot of Republicans shot, the prevailing political culture during the Franco years immediately after the war was one would expect of a nation entirely ruined by civil war; stripped of its colonial possessions; and amidst a Europe at war with one-another. Franco's Spain did not have the resources to get involved in the Second World War and would have to stay neutral, simply because it did not know who was going to win and it could not participate. In the meantime,

Franco persuaded the Americans to provide financial and other support during the war under the ostensible threat that otherwise he would become a Nazi.

Franco paid for this after the end of the Second World War. From 1945 Spain was plunged into autarchy. He managed partially to rehabilitate Spain in the eyes of the Allies by playing precisely the opposite card with the onset of the Cold War; without western support, Spain could go Republican which means Communist. But it didn't really work. Spain remained poor and neglected. The imperative to reconstruct the rest of Europe, and keep Communism at bay, outweighed the importance of economic reconstruction of Spain that the country still sorely needed after its gruelling civil war, that itself had ended just as the Second World War had begun and that in the meantime the rest of the world had forgotten about.

The consequences of Franco's victory for Catalonia were predictable. Franco abolished political parties, as they were inconsistent with his principle of national reunification as *Caudillo*. The leader of the ERC was shot, along with many other ERC members. However the *Lliga*, that represented Carlists who had supported Falangism during the Civil War, survived as long as they agreed to be assimilated into Franco's *Movimiento Nacional* (an ostensibly non-party government authority that Franco established to run Spain in the aftermath of the Spanish Civil War). Someone had to run Catalonia, and a Catalan nationalist yet pro-clerical and pro-monarchist political movement was going to be the best bet to keep this geographically distant yet important region (almost 20% of Spain's population) operating tolerably within the writ of Madrid and yet with the acquiescence of the population to the new regime. Therefore the *Lliga* politicians were coopted, at least informally, into the Francoist political structures. Even though the *Lliga* people were Catalan nationalists, most people of importance in Catalonia were nationalists and at least they

weren't Republicans. It was possible deal with the *Lliga*, whereas it was not possible to deal with the Republicans.

One of the most important features to note about Catalan politics, that does not immediately strike the outsider, is that most Catalan politicians are from a small set of families and they are related to other Catalan politicians throughout Catalan history. People's loyalty in Catalonia is to families. Catalonia is a very closed society in this regard. Democracy becomes an exercise in voting for the member of the family standing for office that your family has always supported. The *Lliga* and the ERC represent(ed) different families or groups of families, even though they espoused the common cause of Catalan nationalism. The *Lliga* espoused Catalan nationalism under terms of accommodation with the Church and the clerics, whereas the ERC espoused Catalan nationalism without any such accommodation and instead in association with Marxism (as I have defined it for the purposes of this work). Out of two groups for Franco to deal with, the *Lliga* were obviously the people Franco was to going to work with. And so he did.

The history of Franco's Spain is fascinating but mostly irrelevant for our purposes. A few comments are important however. The most important observation one should make is how little most people know about it who did not live through it. In contrast with Hitler's Germany for example, that lasted for a shorter period, the quantity of high-quality literature studying Franco's Spain is sparse. It was a fascinating and complex period in the history of one of Europe's most important nations, about which there has been very little impartial historical research. The amount written about Franco's Spain in languages other than Spanish is minimal. The number of scholars of Franco's Spain are few. The literature written about the subject in Spanish is mostly of poor quality and biased in one direction or the other. Because Franco was not an

ideological purist and did not engage in genocide pursuant to his own absurd fantasies of racial purity or anything similar, there has not been as much focus as one might otherwise expect of what in fact is the longest-standing fascist regime there has ever been. It is remarkable how potent a source for the study of fascism Franco's Spain might be; and yet how little that source has been tapped.

There are reasons for this. Franco's regime ended peacefully, with his death in 1975 and with pre-existing arrangements in place for transition back to what had existed before. Although Franco wanted to hand over absolute power to his hand-picked heir to the Spanish throne Juan Carlos I, the King refused. He insisted that the regime he would inherit after Franco's death would be congruent with the parallel balance of powers between the clerical establishment and Republicans that had collapsed with the onset of the Spanish Civil War. In other words, Juan Carlos insisted that the government of Spain after the conclusion of Francoism would be a renewed attempt to get the system of balancing power in the early twentieth century right. There would, as there had been, a constitutional monarch overseeing a democratic system that balanced authorities between Republicans and the clerical establishment. That was the system that Juan Carlos installed after Franco died. Therefore Franco was the only fascist dictator who died peacefully and whose regime thereafter evolved into something approximating to a constitutional democracy. Because there was no radical break, the dirty deeds of the past were hidden. Governmental records were not made available to historians, and the Spanish establishment on both sides, with a vested interest in making the new system work, covered everything up. They wanted to join the European Economic Community, and talking about their fascist past wasn't going to help. In 1986, the European Economic Community let them in.

In light of the events in Spanish and Catalan history that have most recently come to pass, it remains to be seen whether Franco's instincts were realistic and those of Juan Carlos unrealistic. In trying to comprehend this cryptic comment, the reader may catch a glimpse of some of the provisional conclusions of this book.

The regime ushered in at the end of Francoism was therefore a compromise that smoothed everything over. A new Prime Minister, Adolfo Suárez, who was formerly a Francoist Minister, would lead a government of national unity. The Republicans were reformed into a Socialist Workers' Party. The Francoists were formed into the *Alianza Popular*, later to be renamed *Partido Popular*. The Catalans were allowed to form their own parties. There would be three: *Democratic Convergence of Catalonia* (CDC), who were right-wing free-market anti-clerical Catalan nationalists (i.e. right-wing Marxists); *Democratic Union of Catalonia*, who were pro-clerical Catalan nationalists (i.e. Francoists); and ERC (i.e. left-wing Marxists). Jordi Pujol was the son of Franco's banker. The deal his father had done with Franco was that he would keep Catalonia calm of nationalist sentiments during the *Caudillo* period, provided he could manage the bulk of the Franco regime's money, and Francoist Spain's access to the international financial markets more generally, under the auspices of a bank called Banca Catalana effectively owned by the Pujol family. Pujol was appointed as an interim minister under Suárez, and he swept to power in the first post-Francoist regional election in Catalonia in a coalition called *Convergence and Union* (CiU). And then he kept winning under this moniker: again, and again, and again. Pujol's coalition won Catalan regional elections in 1980, 1984, 1988, 1992, 1995 and 1999. Catalonia has a parliamentary, not a presidential system of democracy. Pujol must stand as perhaps the most successful leader in a parliamentary system in the recent history of European democracy. The man just couldn't lose.

Before we turn to understanding the secrets of Pujol's remarkable electoral success - and he was undoubtedly a political genius to achieve what he did, because although these elections probably weren't any of them fair by contemporary standards it would not have been straightforward for any electoral candidate just to keep winning them again and again in light of Spain's flat and mostly hopeless economy during the era - we need to make a few remarks about the system Pujol inherited. Francoism left several long shadows. The most important was a culture of political secrecy. Most Spanish people considered Francoism shameful. As one senior economist and political scientist said to me, "life under Franco wasn't bad, but when we went abroad we were ashamed". The prevailing view held by the Spanish intelligentsia of the period had been one of acute embarrassment. Spain is not a society of stupid or uneducated people. It has some excellent universities and some brilliant thinkers. And they were ashamed. Spain was a country with so poor a tradition of political compromise between different points of view that they had needed a cruel civil war and the imposition of a second-rate *Caudillo* to keep the peace. As a result, the Spanish were looked down upon as subjects of fascist subjugation and people felt sorry for them. But the reality was that economic and political isolation aside, Spain under Franco was just a somewhat more impoverished version of what it had always been: a peninsula of extremely nice, relaxed, friendly people. The Spanish are proud of their hospitality, friendliness and generosity with foreigners, and the Catalans share these qualities. And everyone was embarrassed by the fact that their political culture was so inept that their international status had degraded to rock-bottom.

The consequence of this is that Spanish political society is very much conducted in the shadows. Francoism, and the historical and ongoing conflict between Republicans

and the clerical establishment, are hidden from view. Francoism is a subject off-limits for most newspapers, journalists, intellectuals and professors. There is very little discussion of the Franco era and its impacts upon modern Spain in popular media. Everyone lives under the shadow of Francoism, because even if they were not alive when Franco died their parents, grandparents or other relatives were; and Spain is a society knitted together closely by family relations. Due to the relatively rapid yet discreet transition of Francoist fascism to ostensible modern European democracy undertaken in the aftermath of Franco's death, Francoism remains as an unspoken trauma not only in the Spanish body politic but even amidst families who may harbour hidden internal divisions as to the principal clerical / republican fissure that so infects Spanish political society.

The result of this is that to a large extent, and particularly in the political sphere, Spain is a society of whispers. Everyone knows what is going on, and how politics really works. But nobody wants to explain it. That is because Francoism was genuinely totalitarian: freedom of speech and thought was suppressed, latterly with arbitrary imprisonment but formerly with torture and even execution. This is maybe the longest shadow of Francoism. Read from a textbook, contemporary Spanish politics looks like a badly-designed democracy. The reality is that it is a system of hidden and sometimes insidious power centres: branches of the clergy; branches of business interests; specific families, and unspoken Republican associations, all of which have inherited from the Francoist era a culture which means that nobody talks about what is really going on. It goes without saying that for a foreigner, this makes political analysis formidably difficult because nobody will tell you what is happening. You have to work it out, often from the most obtuse data sets. Things in Spanish politics almost never make sense unless you are willing to engage in atypically lateral thinking.

Because political association was suppressed in Franco's era, the importance of the family, and associations with influential families as vehicles of political allegiance and expression, became fortified (although they had always been important in a devout Catholic country). This means that Spanish politics has as an usually high level of what economists call path-dependence: the propensity to act in the future as one did in the past. The conservatism of the family - the principal political unit of activity in a society that repressed political association - dictates this. That is one reason why, in my judgment, political parties keep changing their names in Catalonia (and, to a lesser extent, elsewhere in Spain) - but it doesn't seem to make a lot of difference to electoral outcomes. The people don't change. (Or maybe one finds oneself voting later for the son rather than the father.) You are voting a family, or in accordance with a family allegiance, and not for an ideology *per se*.

Franco's was a police state. The Spanish are an admittedly anarchic lot. They don't have huge respect for rules or bureaucracy. Spanish society is very corrupt. Franco's solution to this was widespread use, or threat, of force to compel the mostly peaceable and agreeable Spanish people to remain that way and not to stray into the world of politics or otherwise to misbehave. Even over forty years since Franco's death, the Police remain both very community-orientated - they know the local power brokers, and can be friendly and accommodating, yet they can also be brutal and corrupt. They may act as partial enforcers of local gangsters' territorial claims. This is the way policing was done under Franco and, to a large extent, it is the way policing is done now.

Under Franco, as previously, political power was wielded primarily through networks of families. Political pluralism as it is conceived of in contemporary Europe existed

only as a network of underground shadows of the Republican movement. Francoist Spain was a bit strange in its attitudes towards political diversity. Expressions of regionalism were tolerated, or even encouraged, provided they were circumscribed and controlled by family oligarchies loyal to the Francoist state. Although officially expressions of Catalan nationalism were banned, use of the Catalan language in state-owned universities continued in Catalonia. The Francoist view was that it was better to tolerate moderate expressions of regional identity within a controlled environment than to drive popular movements underground where they could not be monitored and might pose a threat to the authoritarian nature of the regime.

In adopting this model, Franco's Spain was not massively different either from what went before - although the era of the Second Republic was vastly more chaotic - or from what came after. The Spanish Civil War was not an attempt to restructure Spanish society from top to bottom, and the Republican movement was not revolutionary in the sense that many of its foreign intervenors came to imagine it. The Republicans amidst the Spanish Civil War adopted an ideological lexicology, but that was mainly to attract foreign interest. The Republican movement was in reality driven by wealthy or aspirant Spaniards who were excluded from the mostly hidden informal network of clerical authority wielded through the institution of the Catholic Church. Not all Church-goers or priests were part of this network, or they were closer to or further from the centre of it. But connections through the Catholic church had been, and remain, the premise of central and regional government; funds flowing from the colonies; banking; law; in short, virtually all senior institutions.

It is difficult for a foreigner to capture the sense of how the Spanish theocracy worked and still works. I appreciate that I am rather stretching the use of the word "theocracy" in

applying it to Spain, but I hope the reader will forgive me. That is because I can find no better word to describe the very unusual way in which a lot of power relations are exercised in Spain - informally, through church circles. Moreover there are very few actual theocracies: only Iran and the Vatican City. To give the non-Spanish reader an idea of how the power relations to which the Spanish Republicans were so opposed operates, let me give an example that one interlocutor offered to me. It is entirely anecdotal and I do not know whether it is accurate, although the interlocutor appeared to be speaking openly and honestly with me. You are a PhD student. You want to become a Professor in the university. A lot will turn upon your father's relations with the senior Church fathers. A donation may be required. The family may need to be in good standing with the Church. (I think this means that they have cordial relations with relevant persons in the Church hierarchy; they contribute to the Church generously; and the Church establishment are not of the view that they harbour deviant political or social opinions.) The matter will be raised with officials in the Church. If they are favourable towards the idea, then they will speak with other people in some other branch of the Church who will speak with the head of the faculty in which you want to become a professor; and your application will be received positively.

This is not Russia. You do not walk into the Dean's office with an envelope of cash and watch while he signs the papers. Nevertheless it is corrupt. It does involve payments in the way of corruption. At some point in the process, somebody is paying something in return for or anticipation of a public appointment. It is opaque, and it is unfair. And it facilitates the implementation of institutional prejudices on the part of the Church, such as discrimination against women occupying senior roles. Spain is a very sexist society, and this may reflect the fact that the Catholic Church is sexist and imposes its prejudices upon society using the power relations it holds.

Although imperfect, Catalonia appears substantially less sexist, and this may be by reason of the fact that what I call the theocratic substructure within Spanish society is substantially less entrenched in Catalonia. That may be why Catalonia was amongst the last provinces to fall to Franco's Falangist movement in the Spanish Civil War.

The theocracy extends far further than appointments to public service. It extends into the private sector as well. This is how management positions in private companies, large and small, may be filled. Some companies fall within the theocracy; others are outside of it. But even they tend to have their own parallel Republican theocracies, if one can put it like that: private networks of families, excluded or intentionally self-excluding from the monarchist theocracy, that operate by much the same sorts of principle. Political parties work via the theocracy, at least for the theocratic political parties. These include *Partido Popular* and *Ciudadanos* ("Citizens"), a fascinating Spanish political party of the twenty-first century that I am going to describe as neo-Francoist or neo-fascist, and that will receive detailed attention later in this work in order to justify these serious labels. For now, the point to be emphasised is that if you want political office, your first stop is the Church. This is what the Republicans have always been fighting against. They wanted to replace the established theocracy with their own similarly structured set of undocumented power relationships that had prevailed during the Second Republic.

Perhaps the most insidious aspect of Franco's long arm is the deplorable state of Spain's legal system. This was one of the most surprising aspects of my initial experiences of both Catalonia and Spain more broadly. The legal system is dominated by theocrats and is not just corrupt and politically influenced (that is true of more European legal systems than one might care to admit) but also heavy-handed. Politicians

step into court rooms to be questioned by investigative judges over crimes they have not been charged with, just to disappear and be incarcerated in maximum security prisons. This happened to several peaceful Catalan politicians, and the Epilogue to this work is devoted to the plights of a number of them as well as to other Catalan politicians who, facing the same fate, fled Spain into exile. Spain still has an offence on its statute books of criminal defamation, and it is used more or less only to silence controversial political speech. Common criminals tend to be dealt with, at a low level, by police bribes or beatings. Much criminality, particularly that relating to vice, is institutionalised through police tolerance via corrupt payments. Civil litigation is a farce. No serious Spanish businessperson would dream of resolving their disputes using the Spanish courts, unless he owned the Judge (which in some cases he may do).

This want of justice feeds into every aspect of dealing with the administration. The formalities relating to immigration are a trade-off of inconvenience against bribery. The more one is prepared to bribe, the quicker and less inconvenient the process will be. Spain may be one of the easiest countries in Europe to emigrate to for those prepared to pay bribes, and Catalonia is particularly favourable in this regard, its tourist-based economy being powered by a workforce of young, cheap immigrants. Given the high levels of unemployment amongst young Spanish people, one wonders why everyone working in a bar, restaurant or shop in Barcelona is a foreigner. I do not know the answer to that. It may be due to a perception that the Spanish are lazy, unreliable or dishonest employees; or it may be due to racism (it is better to hire foreigners, even illegally, than Spaniards who potentially pollute the Catalan gene pool). This is one many strange features of Catalonia to which good answers cannot be found because the administrative system is so corrupt, and real power relations so hidden beneath the surface of the Spanish legal

infrastructure, that it is impossible to investigate. The idea of making a Freedom of Information Act request to a Spanish administrative organisation, in order to obtain data to assist in social science research, is mostly laughable.

The legal system must be like this, if the real power structures are to remain hidden. Nobody seems to pay their full amount of taxes. Many people avoid bank accounts, in part because the Spanish government can take money out of your bank account if it considers that you owe them money, without first telling you. You just find a debit applied to your account balance in favour of the Spanish state, and good luck finding out why they have done that. People seem adverse to registering at the right address. At times it feels as though the entire society, judges and the Police included, are determined to operate comprehensively outside the established legal system. Spain is a country without law as I understand it. This was basically how Franco's Spain operated. Judges and courts were places for political prisoners who had said something the government decided was outside the very limited scope for political expression afforded by Francoism. You were expected mostly to be quiet about your political opinions, and discuss them just with your family. If you really wanted to, you could take part in limited, closed-door local cultural expressions. But if you started expressing your opinions in public, then you would be made an example of by the Judiciary. Aside from that, the police dealt with people who overstepped the admittedly generous boundaries of ordinarily criminality.

This culture continues to infuse modern Spain. Nothing has really been reformed. Nobody will have political discussions in public, for fear of legal repercussions. To participate in Catalan politics, on any side of it, you almost need to create quasi-family relations with the individuals involved or they will not trust you and will not speak to you. At

the same, almost everybody seems to be involved in breaking virtually every law on the statute book. Nobody pays the right taxes. Money is laundered (I assume money relating to vice) through a panoply of small businesses. The police are paid off; if their payments are insufficient, they may cause harassment. The majority of administrative issues are resolved by means of corrupt payments. Judges are advised how to rule, by members of the hidden power structures, in advance of their decisions. The police can be advised that they should harass one sort of person but another sort of person may be considered untouchable. In my estimation, it is accurate to say that there is virtually no rule of law in Spain at all.

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Now I want to initiate a short digression, because we already understand enough to frame the events that this book is about. The earlier I introduce the framework of my theory of twenty-first century Spanish politics, the easier I hope it will be for the reader to understand the context of the events I will describe and why they are relevant. In other words, I want the reader to understand why I am selectively choosing some events with which to populate the narrative of the Catalan crisis, rather than others. This will also make it easier for a critic, who disagrees with my theory of how the Catalan crisis came to take place and the consequences it is likely to have, to criticise me. If they wish to do so, they can point out facts or evidence that I have missed that are indicative of the fragility of my theory, or point in favour of some other theory. That is how political science, pursued with integrity, ought to be done.

A very simple version of the narrative of twentieth and twenty-first century Spanish politics is that it is a history of a country in which all genuine power relationships are hidden; there are two competing sets of those power relationships (the “theocracy” and the “Republicans”); and at times they have

lived in peaceful coexistence but at other times they have not. The reign of Alfonso XIII, at least initially, represented a period of peaceful coexistence. Estella did not have the political skills to maintain the peace. The Second Republic represented domination of the Republicans, but the theocrats would not accept that and this led to the Spanish Civil War. Francoism was an authoritarian means of imposing peace upon the theocrats and Republicans, and forcing them to live together using the admittedly flabby machinery of a Spanish police state. After Franco died, a group of relatively moderate Francoist politicians decided to move back towards peaceful coexistence because they realised that Francoist authoritarianism had no place in modern Europe that had comprehensively overtaken Spain in every way since the end of World War Two. That coalition of politicians, that included Juan Carlos, Suárez and Pujol, maintained the equilibrium between the two alternative power bases until it was disrupted by the introduction of the Euro in 2000 and the subsequent banking crisis of 2008 (banks are particularly important in understanding the Catalan crisis, as shall be explained below).

The eponymous Artur Mas, Pujol's protege to whom this book is dedicated and who was President of the Generalitat from 2010 to 2015 but always the most powerful politician in Catalonia from Pujol's resignation in 2003 until the present day, engaged in a brave but essentially lonely battle to recreate the equilibrium between theocrats and Republicans, but the theocrats in power in Madrid, by then represented by Spanish Prime Minister Mariano Rajoy (2011-2018), refused to engage with him in this effort. There were two reasons for this. There was a traditional Republican political party, the Socialist Workers' Party. In most of Spain it is known as *Partido Socialista Obrero Español* or "PSOE". But in Catalonia it is known as *Partit dels Socialistes de Catalunya* or "PSC". The distinction between the PSOE and the PSC is for virtually all purposes irrelevant, save to create debates over Spanish

versus Catalan languages. Hence I may henceforth from time to time call this political party “the Socialists” rather than PSOE or PSC. The Socialists lost important support as a result of the rise of a popular left-wing youth movement called *Podemos* (in English: “We Can”) after the financial crisis of 2008. Hence the theocrats represented by *Partido Popular* felt strong because their traditional opponents were weakened. *Podemos* is a party of political neophytes who could not govern effectively in their current composition. But their rise upset the balance between theocrats in *Partido Popular* and the Socialists. That is why Mas’s mission to recreate peaceful equilibrium failed.

At the same time, *Partido Popular* saw itself as being in danger of out-flanked by *Ciudadanos*, a political party that had emerged to national prominence at about the same time as *Podemos*. *Ciudadanos* was adopting a “government of authoritarian national unity” platform, which is why I say it is a neo-Francoist party. So *Partido Popular*, under its leader Mariano Rajoy, remained in government in Madrid only because the Socialists were divided and with *Ciudadanos* an omnipresent threat, Rajoy subsequently came to feel that he could not deal with Mas. The Catalan crisis was a miniature version of the Spanish Civil War: not nearly so serious, but with the same causes: an inability for theocrats and republicans to reach accommodation. And its consequence, I will predict later will be the rise of neo-Francoism in the form of *Ciudadanos*.

One question this book does not attempt to answer is this: how did Spanish politics acquire this structure, of two rival hidden power structures that periodically attempted to live in peaceful coexistence but then from time to time fell into conflict? I don’t know the answer to that. It is a question for expert Spanish historians to consider, and I am not one of those. The answer is probably buried somewhere in distant history, and may have something to do with the height of

imperial Spanish power, and the tensions between Spain as a trading nation and as a nation willing to go to war over Roman Catholicism (as the war with England in the sixteenth century illustrated). But these are just guesses. I may very well be wrong. What I am sure of, however, is that the perennial conflicts between hidden Spanish power structures, and the absence of an institutional mechanism to resolve them, are principal explanations both of the genesis of the 2017 Catalan crisis and the wider malaise nay crisis in the broader contemporary Spanish body politic.

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Franco anointed his successor as Juan Carlos I. Juan Carlos was a titular military officer and member of the Spanish Royal Family, who Franco anticipated would replace him as *Caudillo*. In the event, however, Juan Carlos decided to return Spain to constitutional monarchy in a delicate balance of power between the clerical establishment and the Republicans. He did this by promptly replacing Franco's last prime minister, Carlos Arias, with Adolfo Suárez who had also been a Francoist minister. In the latter years of Francoist Spain, when Franco had been sick and not himself exercising significant power, Jordi Pujol had been the *de facto* leader of Catalonia even though Franco had formally abolished the *Generalitat*, the historical name for the Catalan regional government within Spain, during his period as *Caudillo*. Due to Pujol's position as the leading Francoist in Barcelona, Pujol had himself elected to the *Cortes Generales*, the lower house of Spain's protean post-Franco elected legislature, in 1977. The purpose of this initial parliament, the election of which was convened under more or less *ad hoc* rules crafted in negotiations between the European Economic Community and the clique of Francoist politicians that emerged under Juan Carlos I, was to craft a new post-Franco Spanish Constitution.

The basic problem with writing the Spanish Constitution of 1978 was that Spain, a large country, had an authoritarian tradition of centralised power in Madrid together with a vaguely defined and anomalous set of authorities in the possession of the nation's various regions, and the principles for division of powers between the two were and always had been unclear. While a federal constitution might have been ideal for the new Spain, prescribing a division of powers between central government and that of the regions, there was no historical precedent for granting all Spanish regions the same local powers. Moreover the Francoists with custody of the process of constitutional design would never have countenanced such a thing, deriving as they were from a tradition of centralised authority that may be considered as having always been one of Spain's burdens. The constitutional approach adopted was therefore a highly centralised state, providing however for devolution of power to regions of Spain in certain instances pursuant to statutes of autonomy distinctive to each autonomous region. It would be difficult to negotiate any such statute of autonomy other than in coincidence with the adoption of the initial constitution, because the Spanish central government could subsequently block new statutes of autonomy and it would have every incentive to do so in order to preserve its own powers. And so it came to be in the Catalan case.

In his negotiations with Suárez, Pujol arranged for a substantial statute of autonomy for Catalonia. The 1979 Statute of Autonomy created an electoral regime in which Barcelona had a disproportionately high number of seats compared to the rest of Catalonia. The wealthy urbanites of Barcelona would vote for one or other of his two political parties. The Carlists / *Lliga* supporters would vote for CDU. The anti-clerical commercial classes would vote for CDC. Together this made the CIU party list. In coalition with ERC, that would collect left-wing Catalan nationalists, a majority was

more or less guaranteed. Or if Pujol didn't like the ERC's leadership at the time, he would enter into a coalition with somebody else. He had no scruples and no principles about the matter: he would accept the lowest bidder. Pujol reigned through such coalitions for 23 years. He was an extraordinary politician. Table I below, while inaccurate insofar as it elides certain political parties and factions (Pujol had various factions he controlled even though they were formally separate from his party list, and party names changed in a way likely uninteresting for the reader and hence they have been glossed over), illustrates Pujol's grip upon Catalan politics.

To understand the following chart, one must understand that the Catalan regional parliament is a D'Hondt closed list system of proportional representation with four constituencies whose vote allocations are biased in favour of Barcelona such that, of the four constituencies, that Barcelona obtains the maximum number of seats per registered voter. The D'Hondt system means that for each constituency, the number of seats within that constituency assigned to each political party list is proportionate to the number of votes for each party list in that constituency. "Closed list" means that each party creates its own list of candidates that it numbers in order of preference. Voters are allowed to vote for a party, not for a candidate.

Once the electoral authority has determined how many seats each party is entitled to in each constituency, it assigns as MP's (or, in Spanish, "*diputados*" or "Deputies") the MP's on the party lists in the order prescribed by those lists. Hence a party leader can effectively guarantee his own re-election on each occasion by placing himself at the top of a party list for one of the constituencies. The Catalan regional parliament has 135 seats divided between the four constituencies of Barcelona, Tarrogon, Girona and Lleida in the proportions 85 (63%), 18 (13%), 17 (12%) and 15 (11%). This is prescribed in

legislation and applies irrespective of population. As an increasing proportion of Catalonia's population has come to live in Barcelona, the bias in favour of Barcelona has come to be ameliorated over the years.

Table I: Pujol's support and coalition partners, 1980-1999

Election year	Pujol's seats (/ 135)	Pujol's coalition partners
1980	61 (45%)	ERC
1984	72 (53%)	ERC + PP
1988	69 (51%)	None
1992	70 (52%)	None
1995	60 (44%)	None (PSC, PP and ERC all abstained)
1999	56 (41%)	PP

How did he do it? The very short answer is that notwithstanding the collapse of the Pujol family's Banca Catalana in 1982 amidst unexplained debts (essentially the institution had been used as a vehicle for Franco's regime to borrow money on the international markets, and ultimately the bank simply could not pay its foreign debts, something the international community swallowed as part of the price of incorporation Spain into the European Economic Community), Pujol kept the purse strings on Spanish sovereign borrowing through his control of the network of Catalan banks that by international standards were relatively developed. Pujol also used his substantial minority in the *Cortes Generales* in Madrid to prop up the government of the day. This is demonstrated as follows, the *Congreso de Diputados* (being the D'Hondt closed list multiple constituency set by province system lower house

of the *Cortes Generales*, the Spanish parliament, and the *Congreso* being responsible for appointment of the Spanish Prime Minister and hence the government of the day, that has 350 seats and hence 176 votes is required to form a government and appoint a Spanish Prime Minister):

Table II: Election results in the *Congreso de Diputados*,
1977-2018

Election year	UCD	PP	PSOE	Marxists	Party of Prime Minister	Pujol
1977	167	16	118	26	UCD	11*
1979	168	9	121	23	UCD	13/A/N
1980 (NC)					Failed	A/N
1980 (MC)					Passed	Y/Y

*** Coup d'état attempt 23F (23 February 1981) ***

1981 (NG)					Failed	N/Y
1981 (NG)					Passed (UCD)	Y/Y

*** Coup d'état attempt *MN* (27 October 1982) ***

1982	11	107	202	4	PSOE	12/A/N
1986	19	105	184	7	PSOE	19/N
1989	14	107	175	17	PSOE	18/N

1993		141	159	18	PSOE	17/Y/Y
1996		156	141	21	PP	16/Y/Y
2000		183	125	8	PP	15/Y/N
	ERC **					
2004	8/Y/Y	148	164	9	PSOE	10/A/N
2008	3/N/ N	154	169	2	PSOE	10/A/Y
2011	0	186	110	11	PP	16/N/N
2015		123	90	69	PP	17/N/N
2016		137	85	71	PP	17/N/N
2017 (NC)					Failed	Y/N
2018 (NC)					Pass (PSOE)	Y/Y

To explain this table, it is necessary to make the following observations. UCD, *Unión de Centro Democrático*, was the party of Adolfo Suárez. This party, having split and changed names in the interim, had disappeared entirely by 1993, merging into *Partido Popular*. UCD purported to be centrist, in the Francoist (“national reconciliation”) sense. *Partido Popular* started out as *Alianza Popular* headed by Manuel Fraga, a former Franco-era Minister of the Interior who was a somewhat harder-line Francoist than Suárez but ultimately UCD’s and AP’s clericalist agendas were co-aligned against PSOE. “Marxists” is a general term I used to describe any party to the left of PSOE. “Pujol’s vote”, the column we are really interested in for these purposes, describes the number of seats in the *Congreso* that could be expected to vote upon his

instructions; “Y/Y” indicates Pujol’s voters supported the vote for the Prime Minister and that his vote was determinative (i.e. the Prime Minister needed Pujol’s votes to reach 176); “Y/N” indicates that Pujol’s voters supported the vote for Prime Minister but that his vote was not determinative; “A/N” indicates that Pujol’s people abstained and this was not determinative; “N” indicates that Pujol’s people voted against formation of that government.

One *Congreso* party grouping intentionally omitted is the Basque nationalists, because their votes were not determinative of government formation as a rule. The asterisk (*) indicates that in 1977 there was no determinative vote for the government; the Prime Minister was appointed by the King. “NC” means a vote of no confidence. “MC” means a motion of confidence. “NG” means a vote for a new government. The double-asterisk (**) indicates the first time when ERC started to acquire significant presence in the *Cortes Generales* independent of Pujol’s patronage, and the letters after the number of seats obtained by ERC indicate their support for the Spanish government of the day together with the relevance of their support, just as for Pujol. ERC disappears from the table at the point at which it received no further seats in the *Congreso* independent from those received as a result of Pujol’s patronage.

These results reveal the course of Spanish-Catalan political relations from the death of Franco to the present day. Pujol first exercised his power definitively in Madrid in the tumultuous period of 1980-1981, supporting UCD against various attempts to unseat it (including by military coup). Pujol was supportive of UCD by reason of his relationship with Suárez and could be relied upon to vote with him against PSOE, and was not willing to support the overthrow of Suárez in favour of Fraga’s more militaristic supporters. The first time Pujol voted to support inauguration of a Socialist government

was 1993, after Suárez had effectively retired and his UCD people had merged into *Partido Popular* under its new leader José Maria Aznar, a Franco-era fascist who became leader of the PP in 1990. However by 1996 Pujol had switched his support to Aznar, who by reason of his slender majority was kept in office at Pujol's sufferance. Pujol's power in Madrid started to wane when Aznar achieved an absolute majority in Madrid in 2000, and this may have been one of Pujol's reasons to decide that it was time to step back and ultimately resign in favour of Artur Mas in 2003. By 2004 CiU had become irrelevant in Madrid; ERC had eclipsed it as the Catalan kingmaker. By 2008 CiU had reacquired its power in the *Cortes Generales* at ERC's expense. By the 2011 elections, PP had a sufficient majority to win outright, and the financial crisis was creating tensions between Madrid and Barcelona such that CiU voted against PP even though it was a fruitless endeavour. ERC had been mostly wiped out as an independent force by this stage. (In the remaining columns of the table, ERC votes are lumped in with those of "Pujol" who by this time was actually Mas.) The Catalan vote remained mostly irrelevant in Madrid until the June 2018 vote of no confidence brought down Mariano Rajoy and replaced him with a PSOE Prime Minister.

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Most importantly, while Catalonia was an important tax base for Madrid to service its sovereign debt by reason of the tax paid by its banks and its industrial base, Pujol was generous. The 1979 Statute of Autonomy, while seizing substantial control over local policing, cultural identity and regional government, did not create a separate Catalan treasury. Catalan tax revenues would be paid directly to Madrid, who would reimburse Catalonia in the amounts the region needed to run its own affairs. Hence Catalonia enjoyed a status near to independence in every way except fiscal. Even the fiscal

dependence upon Madrid was to an extent fictitious, because if Madrid wanted to borrow money in Spanish Pesetas on the international markets then it would have to go via the banks in Barcelona that had the international standing and credit rating by reason of their long relationships with the Franco regime and the Pujol family. Pujol kept an iron grip upon Madrid's access to finance. That is what kept him in power, whatever the weather in Madrid.

There was little talk of independence. There was no talk of fiscal autonomy. Independence was a deferred Catalan dream; the Statute of Autonomy was the Catalans' imaginary declaration of independence. There was no need for fiscal autonomy; in practice Barcelona controlled the finances of Madrid, not the other way around. If Madrid needed to borrow money - and it always did because Madrid has never been good at managing its finances - then it had to go to Jordi Pujol and ask him to arrange for the loan.

And then, in 2002, something happened that destroyed the system of peaceful coexistence between Madrid governments of whatever colour, theocratic or Republican, and Barcelona. It was called the Euro. It was an unmitigated disaster for Spain and for Catalonia, and like many seismic events in politics the full extent of its effects have still not been felt. Jordi Pujol understood what the Euro meant for Catalan politics, and he took the first opportunity he could to resign and retire.

CHAPTER TWO AFTER PUJOL

The Euro was a catastrophic idea, and the reason why can be summed up straightforwardly: the currency entailed a common monetary policy without a common fiscal policy. If we are to understand what happened in Spanish politics in the first decade of the twenty-first century, then we need to understand why the Euro was such a bad idea. Jordi Pujol understood why it was a bad idea; he was a banker. The Euro would ultimately bankrupt Spain and lay waste to the post-Franco peaceful political coexistence from which Spain had benefitted in the some 25 years since Franco's death. Because Pujol anticipated this, he quit politics and retired into banking where he realised there was easy money to be made by foreseeing how introduction of the Euro would play out whereas other people could not see that at the time. And with Pujol's retirement, Spain lost its most important, and perhaps its best, twentieth century politician.

Monetary policy is the means by which a central bank controls the very short-term cost of borrowing a currency. It does this by setting the interest rate at which it will lend to other banks. The purpose of monetary policy may be to control inflation and stabilise prices. The higher the interest rate, the lower inflation ought to be because people will be able to borrow less to buy things; hence demand for consumption will drop; hence prices will stay lower. There may be other goals of monetary policy, for example ensuring predictable exchange

rates with other currencies to facilitate international trade. If a currency becomes too valuable compared to other currencies, the central bank can lower interest rates so that acquisition of the currency becomes less attractive because they will obtain less of a return upon holding the currency as an asset. A third example of the use of monetary policy is to influence levels of unemployment. If unemployment is too high, then you drop the interest rate so as to devalue the currency and thereby encourage exports so as to employ more people making things that can be sold abroad. These are simplistic examples of some of the things governments can do with monetary policy, although monetary economics - the theory and study of good monetary policy - is a complex discipline.

The interest rate at which a central bank lends money is not an interest rate at which any normal person or business can typically borrow money. Central banks only lend money to other banks and also to governments. Above the central bank rate for certain sorts of short-term loans, there will be various inter-bank interest rates: rates at which banks lend money to one-another, which will typically be connected to the central bank lending rate but higher. Above that will be various interest rates at which banks lend money to private people and businesses, and also public institutions and governments. These will typically be higher still than inter-bank interest rates, but all these interest rates are connected to the monetary policy interest rate that the central bank sets. Nevertheless because ultimately the central bank serves as a lender of last resort, all interest rates are connected to the rate set by the central bank. For the Euro, introduced in non-physical form in 1999 and in physical currency in 2002, the central bank is the European Central Bank in Frankfurt.

Why do banks care what interest rate a central bank - which is really just an office full of government officials - will lend the money at? The answer is that the central bank can

decide how much money it prints - either physical bank notes or “notional” (i.e. electronic) currency. Central banks have a monopoly on the production of money in that currency. Therefore they can set an interest rate and either lend or take back (or even borrow) limitless quantities of money. Their power to do this means that they have the power to set a market base rate for lending money in the currency in question. If the inter-bank interest rates are not congruent with the central bank’s base rate, then people will borrow money from the central bank and not from one-another. Because a central bank has this state-sanctioned monopoly, it can exercise an iron grip over interest rates in pursuit of the government’s social policy goals such as managing price inflation, maintaining predictable exchange rates and reducing unemployment. At least some of these things are things that people who use money (i.e. all of us) actually want. If we didn’t want these things, and we didn’t see the value in central banks, then we could all opt out using government-issued currencies and instead hold all our assets in Bitcoins: a currency in respect of which there is no central bank. In practice very little of the world’s money is held in Bitcoins or other crypto-currencies. The stability given to a currency through prudent exercise of monetary policy by governments’ central banks is clearly very valuable to people.

The Euro was basically the Deutschmark, Germany’s currency, expanded to a series of other countries in Europe. The fixed exchange rate upon introduction of the Euro was that one Euro equals one Deutschmark. The net result of introducing Euro was that every country in the Eurozone suddenly adopted Germany’s currency, albeit renamed.

One aspect of this idea was dubious, and another aspect of it was just plain dumb. The dubious aspect of it was the assumption underlying the Euro project that every Eurozone member state had a need for the same monetary

policy: because with the Euro, there would necessarily be only one central bank (if there is not a monopoly on printing a currency then it will soon become worthless after a quick race to the bottom) and that central bank can fix only one base rate for lending. If it tries to set lots of different base rates for different sorts of borrower, then the market will produce a race to the bottom again as people with the right to borrow at lower rates sell that right to people who only entitled to borrow at higher rates. But the economic circumstances in each Eurozone member state may be different from one-another in ways that mandate balancing the often competing social policy goals underlying monetary policy decisions in different ways. Every Eurozone country is different, but they all must have the same monetary policy.

I say that this critique of the Euro was dubious, rather than critical. It was the stated reason for the United Kingdom not to join the Eurozone; the British government's position was that the United Kingdom was at a different point in the economic cycle of boom and bust compared to the Eurozone countries of continental Europe, and therefore it needed to retain control of its own monetary policy. This critique of the Euro was dubious, and the British position was at least partially disingenuous, because the logical consequence of this argument is a *reductio ad absurdum*. Every city in every country has a different economic position. Therefore every city requires control over its own monetary policy. Soon we get down to the result that my economic position as an individual is different from yours and therefore I need control over my own monetary policy. In other words, I should be allowed to print my own banknotes and so should you. This argument entails ultimately that nobody uses money and we are reduced to a barter economy.

The advantages to trade of having currency backed by a government outweigh the inconvenience of loss of control of

monetary policy in respect of different regions or countries. Colossal countries, with huge economic differences between their regions, all work well with common currencies. Three examples are the United States, China and Russia, all of whom use single currencies across massive land areas occupied by hundreds of millions, if not billions, of people engaged in highly varied economic activities. Indeed the stability imported by their having single currencies in respect of which monetary controlled by persons in a wealthier capital or principal city virtually invariably outweigh the ostensible advantages of local control of monetary policy. The argument that one region or nation might be at a different place in the economic cycle to join a common currency is back to front. Once that region or nation has a common currency, its economic cycle will gradually converge with the economic cycle(s) of the rest of the common currency bloc.

But the far more damning criticism of the Euro - which, one imagines, may really have laid behind the United Kingdom's refusal to join, is that a central bank cannot - as it must if there is to be any monetary policy - offer in principle to lend unlimited amounts of currency by producing more of it through exercise of its government monopoly, unless it also has the power of coercive taxation over the persons in the territories to whom the money may be loaned. That is because if you lend money without in principle having the power to force your borrowers to return it to you, then your loans will become a joke. Everyone will borrow money from you and they won't repay it. They will steal that money, promising to pay you back and then making up excuses. Eventually they will simply tell you that they don't have any intention of paying it back, because they've spent it all.

As a central bank, you then say "in that case we won't lend you any more money". This is called exiting the Euro. As soon as the European Central Bank stops being prepared to

lend money to somebody associated with a particular state, that state is no longer the subject of a common European monetary policy. Moreover if the European Central Bank does this, then banks will stop lending to one-another - and hence to any ultimate borrowers - in that currency. The only way the state in question can then continue to operate using money is to create its money, with control over its own monetary policy. This is called (in the event of Spain) “re-Pesetafication”. The government of Spain passes a law saying that henceforth the lawful currency of Spain is the Peseta, just as it was before Spain joined the Euro; all debts are now re-denominated in Pesetas; lots of Pesetas are printed so the Peseta is relatively worthless; and the European Central Bank, and the various foreign banks who made loans to Spain in Euros, never get repaid.

The way a government forces people to pay back central bank loans is by taxation. They send tax bills to citizens and companies, to force those citizens and companies to pay back the money that their governments or their banks have borrowed. If those citizens or companies do not pay, then the Police come round and exercise violence. This is an effective method of restraining central bank lending that in principle is unlimited. If too much money is borrowed, whether by the government or by banks, then at some stage the Police are going to get involved with individual citizens who cannot pay their increased tax bills. People don't want this, and hence they exercise their democratic mandates to elect governments who will not let this happen. This is called fiscal policy: setting tax rates at levels sufficient to ensure that the government has enough money to meet its obligations, including its monetary policy role as a central bank.

The reason the Euro is such a bad idea is that while the European Central Bank (read: Germany, because the Euro was just the Deutschmark in disguise and the European

Central Bank is located opposite the German Central Bank in Frankfurt) had control over Eurozone monetary policy, it did not have control over Eurozone fiscal policy. The government of Germany could not decide how much tax Spanish citizens or companies ought to pay, and could not force them to pay it. At least not in theory, and we shall return to this thought shortly.

By now it is surely fairly clear how the European financial catastrophe, that culminated in 2008 with the insolvency of a number of banks in London, Europe's leading financial centre (just before the United Kingdom was not in the Eurozone did not mean that banks based in London could not trade in the Euro), was going to play out. Countries with poor institutional standards of governance, such as Spain, whose monetary policy in the past was disciplined straightforwardly by the fact that their fiscal policy was ineffective (they could not collect substantial taxes because Spain is full of tax-dodgers), would start borrowing money that they didn't have to pay back because their currency would not collapse if they didn't. The Euro had France and Germany backing it. Hence both the Spanish government and the Spanish banks, and hence Spanish individuals, went on borrowing sprees with money ultimately backed by their wealthier and more institutionally robust European neighbours.

There was no possible prospect of their paying all this money back. That did not deter them, because they didn't care. Nobody was able to force them to. Or so they thought. Eventually all the banks involved in this went bust; bogus Spanish government infrastructure and construction projects ground to a halt; the myth of a Spanish economic boom in the early years of the first decade of the twenty-first century came to a juddering halt; Spain found itself in colossal debt, both sovereign and private (debt owed by banks and hence ultimately owed by individuals and companies); and nobody

knew what to do. The amount of money that had been borrowed and stolen was so colossal that the mostly German and French banks that had served as intermediaries in the lending process could not afford to write it off. The collapse of banks causes major economic shocks in a country. The solution was the European Central Bank making more loans, but ultimately the solution was for German and French taxpayers' tax rates to go up because nobody could get any money out of the Spanish who had stolen it all. If the reader wishes to understand what happened to Spain after the retirement of its most capable and shrewd politician Jordi Pujol, then the summary appears above. The rest is just details.

All of this was predictable at the time the Euro was conceived, and many economists warned of the consequences of creating a Europe-wide currency with so critical a flaw. Why then did Germany and France do it? The simple answers are hubris; and short electoral cycles (you do something now that ends up being a mess after you've left office so you won't be blamed for it). The more sophisticated answer is that in the short to medium term, the Eurozone project was a fantastic success for both Germany and France who experienced disproportionate economic growth. The European Central Bank's monetary policy was not of course "designed" just for them. It took into account the relative economic disadvantage of Europe's southern states, of which Spain is the largest (if we discount Italy which is a special case because while Italy likes to present itself as a financial basket case it is far less of one than is conceived in the popular perception). Keeping interest rates low is attractive if you are a poor country with high unemployment, because it devalues your currency; promotes exports; and decreases unemployment. Germany and France were more than willing to go along with the idea that ECB monetary policy ought to be tailored to assist Europe's poorer

southern states. This meant that they themselves could export more and undergo their own economic boom.

The Euro was the Deutschmark but with a number of poorly-performing southern European economies affixed as limp appendages to devalue the Deutschmark on international currency markets, facilitate commercial lending to German and French enterprises at historically low levels, and thereby provide massive boosts to those countries' economies. That is why Germany and France thought it was all such a good idea. They could promote their own economic welfare by trading off the fact southern Europe was poorer, and thereby abandon all responsible monetary policy in favour of the stated goal of a united Europe. It was as irresponsible as it was ingenious.

But it created a race to the bottom. The challenge became whether the Spanish and the Greeks could steal money they had borrowed quicker than the Germans and French could enjoy economic strong times. Once it all collapsed, the question arose as to who was going to pay for it all and that question remains outstanding. Logically, there are only two options. One is that the Germans and the French pay a tax equal to Spain's national debt for example, to maintain the Euro. The other is that these countries create a fiscal policy for Spain - in other words, they force Spain to pay through imposing new taxes. The reality, of course, is that if the Euro is to survive in its current form there is only one option: a combination of options one and two. If option two is not undertaken, then Spain will start borrowing / stealing money again. You must have control over fiscal policy (i.e. the power to impose taxation and to force people to pay their taxes) in order to prevent this.

Hence the choice now facing Germany and France over Spain is either (a) permit Spain to engage in re-Pesetification, and write off all the debts that will never be

repaid; Spain will exit the Euro; some other countries may follow; the value of the Euro will, after a short panic in the markets, increase (because the Eurozone has disposed of its useless appendages); Germany and France will thereafter suffer from long-term economic depression because their currency is too strongly valued for their exports; or (b) take over Spanish government institutions to impose their own fiscal policy, keeping the Eurozone together but adopting responsibility for disciplining the Spanish financial markets and essentially engaging in a massive exercise in institutional state-building to ensure that new government structures are existed to make sure that this sort of thing never happens again.

That is the choice facing Germany and France, and at the time of writing I do not know which way they are going to jump. I think a crisis may arise soon, and then Germany and France will be forced one way or the other. And now a spoiler for the conclusion of this book: I think that the direction in which they ultimately jump will be determinative of Catalan aspirations to become an independent state.

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There had been a Catalan regional parliamentary election in 1999; they were supposed to take place every four years, a principle Pujol observed save where he decided it was convenient for him not to do so. As was usual, Pujol wiped the floor with everyone, himself taking 41.5% of the seats and deciding to enter into a coalition with whosoever he deigned to imagine would cause him least inconvenience, on this occasion *Partido Popular*. But as the table in the last chapter shows, he had lost some electoral popularity from 1995 onwards. The reason for this at the time had principally been a gradual rise in support for *Partido Popular*, which at the time

was standing on an anti-corruption ticket against the Socialists in Madrid that Pujol had been supporting.

Although the Socialists lost the 1996 *Cortes Generales* election in Madrid after Pujol withdrew his support for them, Spain was swinging left while Pujol remained what he had always been: a moderate Catalan nationalist right-wing banker. Spanish *Partido Popular* Prime Minister José Maria Aznar was deeply unpopular in consequence of his support for the US invasion of Iraq in 2003, and he would ultimately lose the *Cortes Generales* election in 2004 to the Socialists. Nevertheless Pujol had swung back in 1999, confidently entering into a coalition with the *Partido Popular*. And then suddenly, in 2003, Pujol announced ahead of the November regional Catalan election that he would be stepping down as leader of CiU and would not be serving as President of the Generalitat of Catalonia once a new Catalan government had been formed. The new head of CiU would be his protege Artur Mas. In the event, although Mas lost seats to both ERC (a proportion of the Catalan nationalist component of CiU's electorate) and PP (a proportion of CiU's conservative component), he could have formed a coalition or understanding with ERC as had Pujol on a number of occasions in the past. Instead the Catalan socialist leader Pasqual Maragall, who was in the early stages of Alzheimer's, formed a coalition although the Socialists had secured fewer seats than CiU.

One of the most profound mysteries within Catalan politics is why Pujol stepped down at this stage. He was elderly, 73 years old. But he did not retire. He went onto run a bank, and was still active in politics as late as 2014 (as shall be discussed below). He had been President of the Generalitat for 23 years. He may stand as the longest ever-serving democratically elected head of an executive institution in European history. Most such positions have term limits that

exclude such longevity. Margaret Thatcher was Prime Minister for only 11 years, Tony Blair for 10, Angela Merkel has been Chancellor of Germany for 13 years at the time of writing, and Jean-Claude Juncker was Prime Minister of Luxembourg for 18 years. Even Vladimir Putin has only achieved 18 years at the time of writing, and his position is rather different.

We will probably never know precisely why Pujol stepped down just before the election - rather than shortly after it, which would have made more electoral sense given his personal popularity and recognition amongst voters. Nor will we necessarily know why the ever-dominant CiU permitted a dysfunctional Socialist-led coalition to govern Catalonia for the next seven years despite the Socialists coming behind CiU in the Catalan elections in both 2003 and in 2006, when the PSC President of the Generalitat Maragall's degenerative medical condition became so serious that he was forced to step down. Indeed there has never been an election in Catalonia in which CiU (or its various subsequent derivative party names) has not come top of the ballot. CiU, or a renamed version of it, has always been in government in Catalonia save during the period between 2003 and 2010, and Jordi Pujol then Artur Mas have always been the most powerful politicians in Catalonia. What led to the 2003 to 2010 aberration?

When we consider political puzzles of this kind, it may be best not to focus upon the personalities or intentions of the individual politicians involved but instead to divine the structural forces at play in Spanish politics. With the introduction of the Euro the Spanish banking system, dominated by the Pujol family, had been thrown into chaos but with myriad new opportunities. Suddenly there were huge amounts of free money to be borrowed from European banks at low interest rates, and the Pujol family and their associates no longer served as near-exclusive gatekeepers to the riches of the international capital markets. The experts in Brussels

and Berlin might have thought this to be a good thing, but they were wrong. The Pujols were the conservative gatekeepers of Spanish macroeconomic stability. With the introduction of the Euro, they could and would be bypassed.

We need to consider the timeline. The Euro was introduced in electronic form in January 1999, whereupon it became possible for businesses and governments to transact and borrow money in Euros. The Spanish property bubble, as it became known - a colossal increase in real estate construction and market prices for property in Spain - commenced almost immediately. The Euro was introduced in paper form in January 2002. Between these two events, Spanish property prices increased by approximately 55%. The Catalan regional elections that CiU curiously lost to the Socialists despite coming first (CiU would not form a coalition) were in November 2003. The Socialist government of Zapatero won a Spanish general election in March 2004. Catalan regional elections that CiU again curiously lost to the Socialists despite coming first (CiU again declining to form a coalition) were in November 2006. Spanish property prices reached a peak in late 2007, when they averaged an estimated 190% of their prices in January 1999. Spanish Prime Minister Zapatero won again for the Socialists in Madrid in March 2008, just before Spanish property prices started to ease off. The European banking crisis started with the collapse of Lehman Brothers in September 2008, whereupon Spanish property prices tumbled and Spain was plunged into recession. In November 2010 there was another Catalan regional election in which CiU formed a minority government with the abstention of the Socialists, who it would appear did not want to be in power in Barcelona anymore (or were told not to be). In November 2011 an early Madrid general election installed a *Partido Popular* government.

The picture that emerges from the foregoing is that Spain borrowed massively on the international capital markets, more or less immediately upon introduction of the Euro in 1999, and the psychological effect of the introduction of the Euro as a paper currency in 2002 compounded this effect exponentially. The fiscally conservative CiU political group, based in Spain's banking centre Barcelona, understood what was happening and did not want to take responsibility for it. They therefore stepped back from the electoral field in the Catalan regional elections in 2003, permitting a Socialist victory and predicting the Socialists' broader success in the subsequent *Cortes Generales* elections in Madrid a few months later in 2004. The Spanish property bubble, that was premised upon irresponsible lending and borrowing, was left as a Socialist mess. Pujol retired from politics to work full-time in banking, to do his best to prevent the Catalan banks from succumbing to the enveloping financial chaos.

The Zapatero government presided over a massive scheme of state and private Eurozone borrowing from European banks, the funds from which were ploughed into construction schemes of dubious provenance. The reason property prices went up in Spain was not due to increased demand; there were not lots more people wanting to buy property in Spain for inflated prices. Instead the construction boom, and increased property prices, were a method for laundering money borrowed in Euros that nobody had any intention of paying back. The Socialists were responsible for this, because they were in government; they were the ones who could have done something to prevent it; they either intentionally did not do so or they did not understand the issues or they were corruptly profiting from what was going on; and the massive levels of Spanish debt, both public and private, incurred over just a few years after introduction of the Euro, ultimately contributed to the European banking crisis and

may indeed have been its principal cause or one of them. The Pujol view was surely this: “not on my watch”. Once the extent of the crisis was realised, the electorate went back to fiscally conservative political parties - CiU in Barcelona and PP in Madrid - to hope that they could sort out the mess.

The means by which money was stolen were fairly straightforward. There were two methods. One was use of the private sector. A private company buys a piece of land and starts an ostensible construction project. The project land value is inflated for the purposes of borrowing money from a Spanish bank. All Spanish banks now denominating their balance sheets in Euros, they have access to the international capital markets and they borrow money in turn from foreign bank, often in Germany or France. The loans are syndicated and the risk is spread across the capital markets, until there is little accurate assessment of the underlying risk. Some buildings are finished, and some of the apartments are sold but many are not. Some constructions are never finished. The loans are defaulted upon. By reason of international syndication of the loans, this eventually creates a European banking crisis once property prices are repeatedly artificially inflated to borrow ever more money to cover losses on prior investments. Eventually the state starts to underwrite the banks' debts under international pressure (the German government is being pressed by its own banks to secure return of their loans into Spain and hence the German government insists that the Spanish government guarantees its banks' debts using its control over Eurozone monetary policy as a tool of threat), so a lot of the private debt becomes public debt.

Simultaneously with this explosion in private sector junk debt, the apparatus of government are playing their own parallel game. Government institutions borrow from the Spanish central bank (and/or from Spanish private banks) and even directly from foreign banks in order to invest in public

works schemes. Due to a technical curiosity in Spanish public tender law, it was (and is) easy to structure public infrastructure contracts to avoid an open competition; and even competitions can and could be fixed. There was a proliferation of borrowed public money to engage in a thorough rejuvenation of Spain's ageing transport, road, telephony, information technology and government infrastructure across the nation. Corrupt facilitation payments and contracts with companies owned by politicians' families appeared throughout. The Spanish were unending in the ingenuity for siphoning off borrowed public money.

During this period, a lot of people became wealthy - at least on paper, owning shares in unfinished construction projects. Spanish youth unemployment dropped, because the young were engaged in a slew of new jobs related to the burgeoning construction industry and a range of professions arising out of the explosion in public works projects. This was all achieved in the name of Zapatero's remarkable socialist reconstruction of the country. From 1999 to 2008, Spanish youth unemployment dropped from approximately 35% to approximately 17%. Overall rates of unemployment dropped from around 19% to approximately 7%. The average monthly wage increased from approximately €1,100 to as high as €2,000. The Spanish thought they were living in a dream. They were. It was obviously a bubble, and it couldn't be sustained.

This phenomenal growth was achieved because the families that owned Spanish banks had informal connections with the families that owned Spanish companies borrowing, and these connections would be used to over-extend loans upon the basis of artificially inflated property prices. Spanish public works contractors secured the lucrative Spanish government contracts again through the informal power relations shot through Spanish society. Unwise banking

practices, such as lending off the collateral of unfinished construction projects that themselves had been funded through borrowing, were covered up for the same reason. On the international capital markets, the fiction persisted that Spain was creditworthy and the spread between interest rates on Spanish government borrowing and those on (for example) German and French government borrowing. Why? Because they have the same currency and the same monetary policy and hence the same central bank-set interest rate. Therefore the interest rates for sovereign lending to each of Spain and Germany ought to be not too far apart from one-another, just taking into account the highly unlikely (so it was imagined) risk of Spanish sovereign debt default.

Throughout history, bankers have made huge amounts of money for themselves selling into the market products that rest upon a presumption that some imagined debtor, such as a state or a large corporation, will never default. Their bonuses are a proportion of the book of business they write. Then they retire. Then there is a default. This is how Europe's bankers managed to lend so much money into so un-creditworthy a nation. Spain was a large European country; it could never default; it was virtually risk-free lending; therefore lend. This was of course absurd: no lending is risk-free, save lending that the borrower does not borrow.

One revealing index of the fact that this was an unsustainable bubble was that absence of parallel foreign investment in Spain. Bankers have short-term incentives to under-quantify risk: they want to make money for themselves as individuals quickly, and they will have moved on by the time the risk is realised. International capital markets are poor at assessing risk by the time the loans have been multiply parcelled and syndicated, insured and re-insured and bounced across the global amidst a panoply of finance lawyers' ingenious legal instruments for risk-sharing. The persons

trading in international capital market risk often have little understanding of the details of the underlying investments the original loans were financing, and can do little other than take a macroeconomic view of the country's financial position. On paper, Spain appeared to be a bull market. Moreover international capital markets act like sheep: once a few actors are investing in Spanish debt, everybody decides to do it and the principal determinant of the debt's price becomes not the value of the underlying investments (which have all been mixed together so much that it may be impossible to assess what those investments even are) but instead just the prices at which speculators are prepared to buy and sell the international debt instruments to one-another.

However foreign direct investors in a country have a much stronger incentive to quantify the risk of the country in question accurately. That is because they are themselves proposing an investment, and the bearing of a risk, over the long-term, and for foreign direct investment amortisation and sale of risk is much more difficult because banks are good (or they think they are good) at assessing the risk of lending to other banks, whereas they can be more conservative in assessing the risks of lending directly into a major foreign direct investment project. The point is that there was very little foreign direct investment into Spain during the Zapatero years; indeed there has always been very little foreign direct investment into Spain. Hotels and coffee shops are franchised; foreign investors do not put their money into Spain, which is why so few of the overpriced apartment buildings were sold. Save for a limited spike in 2007, as Spanish banks, anticipating the financial crisis that had started in the United States, started offering terms of foreign direct investment on exceptionally favourable terms, FDI in Spain between 1998 and 2008 remained fairly flat. There were investments, of course, but they were occasional and they seldom yielded decent returns. The people investing in the Spanish property

bubble were Spaniards, borrowing foreign money to do so. Foreigners were so bewildered by the meteoric Spanish economic growth of the era that, on balance, as investors they wanted nothing to do with it.

The reason there has been so little foreign investment in Spain is that foreign investors know what this book is saying to be true: Spain is an institutional and financial basket-case with an antiquated and fragile banking system; no rule of law; a precarious government structure marred with corruption; a lack of transparent power structures as everything is dealt with through informal institutions based about the family, the church and other groups that foreigners find challenging if not impossible to penetrate; and an inadequate tax structure in which nobody seems to pay taxes save as a tool of government persecution (particularly of ambitious foreigners). The Spanish, operating within their tightly knit power structures based around the family and the church, do not want to let foreigners share and foreigners do not particularly want to share in a system that does not offer international standards of investor protection. If something goes wrong, or even if it doesn't, the informal institutions of Spanish society will come together to favour themselves and prejudice the foreign participant in an investment, almost as a matter of straightforward political logic.

In this regard the Catalans are at least as bad as the rest of Spain, and they may be even worse. Catalonia, a region of approximately 7.5 million people, is run by a clique of a dozen families. One way of seeing the Catalan independence movement is a wrestle for power between those families (some of which represent neo-Carlists and others of which represent the ERC) and family / ecclesiastical interests based in Madrid, who are seeking to break the power of the Barcelona-based families. However it is probably impossible to fracture their grip through mere political power struggle; they

are too deeply ingrained. Only institutional improvement leading to government and financial transparency and an economic renaissance can break the grip of such families. The reason Catalan society is even more closed than the rest of Spain is precisely because there is an increased concentration of wealth in the hands of those families as a result of their negotiating industrialisation and then concentration of the banking sector in Catalonia as a precondition for Barcelona's support for one side or the other in Spain's various historical political disputes.

Accurate statistics about exactly how much money was lost, wasted, borrowed or stolen during this period are hard to come by. One phenomenon was that amidst the optimistic economic indicators of the early 2000's, Spanish households were becoming horrendously over-indebted. By the end of 2010, private debt had reached €1 trillion, an alarming approximately 75% of GDP. Official sovereign debt (not including off balance sheet financing, a way of the government borrowing money via creating contracts with private companies who fund government infrastructure projects the government has to pay for later; the private companies then borrow the money on the international financial market) was some €861 billion, about 60% of GDP. In 2008, property sales collapsed by some 25% across Spain and 42% in Catalonia. The economy was in free-fall, and it is a fair inference that most of the fall represented money that should never rationally have been invested.

Bubbles eventually burst, and the Spanish bubble would too. To be fair to the Spanish they were not the only ones at it. The 2008 European financial crisis was preceded by a 2007 US subprime mortgage crisis, also premised upon the notion that it is in bankers' short-term interests to lend on bad risks in order to line their own pockets; by the time the problem had reached catastrophic levels such that banks were at risk of

systemic failure, all the individual bankers had moved on. The Greeks were up to much the same thing as the Spanish, but the difference was that they were doing it on a much smaller scale. Hence Germany could and did effectively colonise Greece, because it could afford to. Germany imposed swingeing public sector budget cuts upon Athens to force the Greek government to balance its books and its banks to repay their international counterparts. Greek fiscal policy would become managed from Berlin. The Greeks would pay for their theft and profligacy.

The difference between the Greeks and the Spaniards was, to use a cliché, that Spain is “too big to fail”. Greece was too big to fail as well, and it did not fail. Its debts were partially absorbed by Germany, but at a high price for Greek financial and therefore political autonomy; and the money the Greeks had stolen would now be taken back away from them, at least in part, amidst years of foreign-imposed austerity. The Spanish by contrast could hang on for longer, precisely because Germany did not (and does not) have as much leverage with Spain as it does with Greece. Spanish Eurozone default might ruin Spain; but it would ruin Germany (or, at least German banks) as well. Whereas the game of chicken between Athens and Berlin was not really a game of chicken at all - the Greek dolphin would always have to yield to the German eagle - the Spanish, one of whose cultural curses is a predilection towards mutually destructive political brinkmanship - thought that their charging bull might stand a better chance.

Of course they were wrong. The Spanish had been so merciless in their levels of unprincipled theft from the international capital markets that sooner or later it was all going to stop. Once the 2008 financial crisis was triggered, the international banking system reviewed the creditworthiness of virtually every asset in the system. Spain was denominated as virtual junk. Short-term inter-bank loans dried up. The cranes

of Spain's construction projects stopped moving. Salaries stopped being paid. The whole country was in danger of grinding to a halt. The only way to stop Spain collapsing completely, with the riots and civil unrest that inevitably attend people's inability eat or place roofs over their heads, was for the government to lend, itself being the borrower of last resort. Hence everything of value effectively had to be nationalised through government bail-outs. As we shall see, even the Spanish government ceased to be perceived as creditworthy after a while, and by the time we reached 2017 Madrid was having to borrow from the European Central Bank to roll over its private short-term debt that was not being renewed by the international private sector. In other words, the Spanish government ended up keeping the Spanish economy afloat only in the barest terms by borrowing from the German government (that in turn was effectively financing the European Central Bank for this purpose).

But before we discuss this natural apex of Spain's total economic collapse and its current precarious position in which it is leaning over the precipice of financial obliteration, let us turn to what the governments in Madrid and Barcelona tried to do, in the intervening period, to stabilise the situation; and in particular we need to study how badly the two capitals jointly failed to deal with the problem that was so obviously facing them. This is important for two reasons. Firstly, we cannot possibly hope to understand how the Catalan independence movement arose (Jordi Pujol was not in favour of Catalan independence, at least not openly), and how a referendum on the issue in October 2017 resulted in violent police intervention to try to prevent its taking place, without understanding why the joint Madrid-Barcelona efforts to stabilise the Spanish economy after the Zapatero years failed. Secondly, in understanding why Spanish politicians could not resolve their economic problems themselves, we come to acquire a more accurate assessment of the rot at the heart of the Spanish

political system. Only once this cancer has received a thorough diagnosis can we tentatively decide how we should treat it; and predict (with some certainty) what will happen if the international community does nothing in response to it. The prognosis is a catastrophe of even greater proportions than those hitherto seen; and the medicine required to prevent this is strong and harsh. But the reader cannot hope to be persuaded of my admittedly draconian conclusions without following my narrative of the systematic failures of the Spanish political system in the second decade of the twenty-first century.

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There is another issue we need to discuss, at least in passing, in the context of this period. During the boom years, and by means of a compromise with the Catalans for their acquiescence in his Socialist-led government in Madrid, Zapatero arranged for a new Statute of Autonomy for Catalonia to replace that inaugurated by Pujol.

One of the first things the Socialist government did in Madrid was to try to cement relations with Catalan politicians, hoping themselves to acquire the benefit of any future Catalan kingmaking minority in the *Congreso de Diputados*. A 2006 revised Statute of Autonomy was negotiated, and approved by the *Congreso de Diputados* as well as by an unprecedented 120 / 135 members of the Catalan Parliament.

In fact most of the revised Statute was improvements in legal drafting to clarify the rights of constitutional autonomy Catalonia already enjoyed. The document was always intended to be a political football with which everyone else, no matter what their political hues, could give *Partido Popular* a public beating; and it proved to serve its purpose admirably well. The reader will not appreciate a lesson in the legislative

drafting nuances of the 2006 Statute, and I do not propose to offer one. I highlight just two issues, to give a flavour of the debate that ensued. The preamble to the revised Statute declared that not only (as the prior Statute had stated) Catalans are a 'nationality' but now also that Catalonia was a 'nation'. The practical effects of this were zero, but it made the Catalans feel good. The other text it is worth observing in passing was a vague promise over fiscal autonomy. This was apparently the idea that at least some of the taxes Catalans pay actually get paid to an authority in Barcelona rather than all of them being paid to Madrid, although even that wasn't certain. If that is what the fiscal policy provisions of the 2006 Statute meant, then they were never implemented.

In a manoeuvre that sums up everything wrong with Spanish politics, *Partido Popular* now initiated a rearguard action against the 2006 Statute by challenging it before the Constitutional Court, that they controlled. The case took four years, dead and retired Judges, and heavy doses of judicial political intrigue before in 2010 the Constitutional Court declared various parts of the Statute legally void, including the 'nationhood' and 'fiscal policy' provisions that had no practical legal effect anyway. The Constitutional Court's judgment, that was jurisprudentially incomprehensible (at least to me, an international lawyer with over twenty years' experience in constitutional legal issues), put over a million demonstrators on the streets in Barcelona.

This entire exercise was perhaps the best instance of which I am aware of the lamentable state not just of Spanish politics but of the politicisation of the Spanish Judiciary even over the most trivial of issues. There was nothing intrinsically wrong with the 2006 Statute of Autonomy. It didn't change the constitutional status of Catalonia in any legally relevant way whatsoever. But sometimes there is political value in enacting legally impotent laws; it can give effect to a popular impulse

that 'something must be done' about a problem in light of the fact that nobody actually knows what ought to be done (or nobody can agree to the requisite political majority).

Meaningless laws can be an effective tool in defusing impossible political disputes. But in hijacking the Constitutional Court to invalidate a meaningless law intended as a solution to a problem for which they had no better solution was petty, spiteful and did grave and long-lasting damage to an already fragile legal and constitutional order. It also revealed just how politically brittle the Spanish judiciary really are. The judges of the Constitutional Court - generally elderly, close to retirement, highly experienced and hence as independent as any judge can be - were forced to buckle on an issue that didn't actually matter to anybody in any concrete terms and would obviously just inflame the Catalan autonomy crisis when every level-headed person understood (at least in the first decade of the twenty-first century) that this was a crisis more in word than in deed that merited de-escalation at every possible opportunity.

If the highest judges in the land could not resist political pressure over an issue that did not matter, what were ordinary members of the judiciary supposed to think about important cases with political dimensions that would periodically come before them? In its actions the *Partido Popular* acted in accordance with their Franco-era fascist instincts of authoritarianism even to the extent of using the Judiciary to suppress public acts that made no practical difference to anyone. This tendency on the part of right-wing politicians in Spain - the reversion to Francoism - confirmed the want of integrity on the part of the Spanish Judiciary and did severe damage to Spain. In my opinion, it proved that party unfit to govern in a modern European democracy.

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Finally, before we turn to the narrative of Catalonia's intractable series of independence referenda in the second decade of the twentieth century, I want to make an observation about why CiU, Jordi Pujol and Artur Mas lost the 2003 election. Pujol and Mas are a banker and economist respectively. Although I have posed the question to them, I did not receive answer. Therefore I feel entitled to engage in a piece of admittedly quasi-journalistic speculation. I think Pujol and Mas intentionally either lost, or failed to form coalitions, in the 2003 and 2006 Catalan regional elections. They could have formed coalitions with ERC notwithstanding the diminished support for their political party grouping CiU, but they elected not to do so. I think that is because they understood, at least in outline, the catastrophe unfolding that I have described in this chapter and they did not want to be associated with it. I think their view was that they would pick up the pieces after the catastrophe had played through.

If I am right, then I think their joint judgment on this issue was wrong. It is very tempting for a politician to step back in the face of a grave situation. But they should have stepped up. Zapatero, for all his economic incompetence, was politically talented. He is one of the few politicians of the era to escape the period I am describing without a financial or political scandal enveloping him. He would have done well with the wisdom of Pujol and Mas to help steer Spain more adequately in the first decade of the twenty-first century. Had their knowledge been engaged within the Spanish body politic, the gravity of Spain's subsequent economic collapse might have been mitigated. By the time Artur Mas picked up the mess in 2010, as we shall see in the next chapter, the situation was so bad as to be beyond domestic resolution given the poor institutional quality of the Spanish political system.

In politics, it is easy to leave the impossible jobs to others. Sometimes you need to take them for yourselves. This

is just a glancing criticism, however. The efforts of Artur Mas to straighten the Spanish economy from 2010 onwards were more or less the efforts of a one-man army. Nobody else had the wisdom and insight both to understand quite how dire the Spanish economic predicament was and what it would take to solve. Mas's wisdom and tenacity in this regard are the reasons why this book is dedicated to him, not his devotion to Catalan nationalism: a cause which, personally, I do not care about emotionally because I am neither Catalan nor Spanish. When it came to the crunch, Mas was prepared to take the hard decisions to rectify the economic catastrophe that was enveloping Spain. The problem was that he was the only person prepared to do this, and his inability to agree the necessary measures with the Spanish government, through want of insight and other utterly ignoble reasons on the part of a small group of uninspired and narrowly self-interested Madrid politicians, were the predominant causes of the Catalan crisis in late 2017.

CHAPTER THREE

THE REFERENDA YEARS

Following Spain's comprehensive economic collapse from 2008 onwards, something had to change. Governments in Madrid and Barcelona fell, and they were replaced with new regimes that said they could do something about it all. Unfortunately - and I think it is unfortunate, because it could all have been avoided - the something that the new regime of politicians in Barcelona ultimately came to say should be done was for Catalonia to be independent from Spain, the logic being that by this means Catalonia could leave all its debts behind. From 2012 onwards, the principal dynamic of Catalan politics became the issue of whether Catalonia should become independent, whereas it should have been the atrocious economic malaise blighting both Spain as a whole and Catalonia in particular.

Because this book attempts principally to be a work of political science and not of history, I am not going to proceed chronologically in describing the events during this momentous period. The very simple chronological overview is that Catalonia had elections in 2010 that resulted in a coalition installing Artur Mas as President of the Generalitat. Mas attempted to impose an austerity budget to balance Catalonia's books. It turned out that the situation was so bad that he could not do so. Mas therefore turned to Madrid for assistance and to find a common solution to a problem facing both Barcelona and Madrid. Madrid rebuffed him, preferring its

own solution which was to bleed the Catalan taxpayer in an attempt to stay afloat. In the meantime Catalan politics were becoming anarchic, as were those in Madrid, with the rise in popularity of various far-left movements in response to the social problems, particularly those affecting the youth, that Spain's economic collapse had caused. In the absence of a financial deal with Madrid, the only way to stop Catalan politics from collapsing completely was to find common cause across the political spectrum on the promotion of Catalan nationalism and Catalan independence. Positions, pro and contra, became entrenched. As soon as the question of Catalan independence ceased to be the principal political issue upon which any Catalan politician stood, that politician would inevitably meet his or her professional demise.

Hence the period this chapter will describe, stopping in early 2016, is a period of Catalan politicians repeatedly igniting the Catalan nationalism issue because they had no solution to Catalonia's financial problems and this in turn was because Madrid was unwilling to engage with them upon the Spain's acute financial emergency. The escalation of a fiscal crisis into a nationalist one aggravated still further relations with Madrid, that ever since Franco had until approximately 2010 remained fairly placid. The reason a potential civil conflict and secessionist movement came out of nowhere is because there was a shortage of money and the parties with common interests in the same money - Barcelona and Madrid - could not agree how to divide it. And with that overview, we should now turn to the political details of the period.

The slightly more complex narrative, that interweaves political events, elections and referenda results, is as follows. Upon retaking power in 2010, Mas discovered a huge hole in the Catalan regional budget. He immediately applied austerity measures, as did a number of right-leaning governments across Europe. However his austerity measures could not

possibly work. That is because under the terms of the Catalan Statute of Autonomy, Catalan tax revenues are paid into a central treasury in Madrid that effectively then, through a series of complex inter-department statutory mechanisms, has a wide margin of discretion as to how much money to go give back to Barcelona. The net result of Mas applying austerity measures in Barcelona was just that less money was sent back to Barcelona from a new *Partido Popular* government in Madrid, who kept Mas's savings for themselves to cover both their far worse sovereign debt problem and also the fact that the Madrid government was being forced at this stage to underwrite Spanish banks' debts to prevent the Spanish banking system from collapsing. *Partido Popular* was also propping up its support elsewhere in Spain using subsidies crisis-ridden Spain could barely afford, and those subsidies were coming from Barcelona.

Mas therefore went to Madrid in 2012 to discuss the problem with the new Spanish *Partido Popular* Prime Minister Mariano Rajoy. Their discussion was a notorious catastrophe. Mas understood the numbers, and had a solution. A liquidity fund would be established, funded by Eurogroup, the meeting of the Eurozone financial ministers with responsibility for oversight of the European Central Bank, that would enable Madrid and Barcelona to fix the proportion of Catalan-sourced tax revenues refunded by Madrid to Barcelona without Madrid going bust (and also without Barcelona going bust). Rajoy rejected the scheme, for straightforward political reasons. Domestically, he didn't need Barcelona to stay in office. The mathematics of the *Congreso* had changed because PSOE was in decline in view of the rise of far-left movements. Moreover Rajoy's political allies, the Spanish Minister of Economy Luis de Guindos who sat on Eurogroup, and the then President of Eurogroup Jean-Claude Juncker, were against it. De Guindos and Juncker were fellow senior members of the shadowy theocratic power structure Opus Dei. Juncker had

ambitions to become next President of the European Commission (which he succeeded in achieving) and De Guindos had ambitions to become the next President of Eurogroup (in which he was ultimately thwarted by a left-leaning Dutch Protestant). Neither Juncker nor De Guindos wanted to preside over Eurogroup / European Central Bank responsibility for large quantities of unsustainable Spanish sovereign debt in the midst of these political machinations, even though by 2017 the ECB had to do exactly that because there was no alternative to avoid Spanish default on Euro-denominated debt.

Accordingly Rajoy, who in theory should have been Mas's ideological counterpart in Madrid (a right-wing, conservative free-marketeer who ran for office on the premise that only his party could take the remedial measures necessary to stabilise Spain after the years of excess of Zapatero followed by bubble-bursting and economic collapse), rejected Mas's proposal and instead made his own proposal: he would continue to take as much of Barcelona's tax revenues as he liked, in order to service Spanish sovereign debt and subsidise the impoverished Spanish regions which were his political support base. Mas, dissatisfied with this response as not particularly attractive for Barcelona, therefore decided that the pressure of a now healthily developing Catalan independence movement was the only way to persuade Rajoy to change his mind. The 2012 Catalan regional elections were called early upon an independence ticket. Mas won. He then returned to Rajoy to invite him to discuss the matter again. Rajoy again refused. So Mas decided to hold an informal referendum on the issue on 2014, to press home the point. King Juan Carlos was sympathetic to the Catalan point of view, and tried to persuade his Prime Minister to negotiate with Mas. To punish Mas for holding his referendum, the King was then exposed for various misdeeds, including legal persecution of his family. He had to abdicate.

The next act of persecution was the exposure of Jordi Pujol's offshore bank accounts, that were all connected with those of the King.

Nonetheless Mas carried on with his referendum, which he won. When it was ignored, and Madrid began legal persecution of Mas for holding such a referendum (charging him with bogus crimes), Mas held another Catalan regional election, in 2015, on precisely the same issue (independence). He won again, and that is what put in train the events leading to the 2017 Catalan referendum on independence. All the time, the Catalan nationalist cause was becoming ever more entrenched, eclipsing traditional divides between theocracy and Republicanism. The Catalan independence movement was a monster of Rajoy's, De Guindos's and Juncker's creation, because they would not try to find a compromise with Mas over the fact that Spain was bankrupt and there was not enough money to go round.

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To understand the political events in Catalonia between 2010 and 2017, it is desirable to study a simple table showing the election results for the various Catalan elections that took place from 2003 onwards. Again, this chart elides the names of certain constantly-changing political parties. It is an oversimplification. For example, CiU changed names to CDC, JuntxsSi, JuntxsCat and PdeCat during this period, while CDU dissolved at one stage. Even that explanation is too simple, because (for example - and I do not want to belabour the point as even the most patient of reader will already be getting confused) - at one point there was a political party called Cat-Si that although formally part of the ERC party list was actually Mas's people.

The narrative of Catalan political party name changes is both uninteresting to the general reader and is not explicative of the most important political events that were underway in shaping this period of Spanish politics. The various changes of name and was mostly due issues relating to the personalities and agendas of individual politicians and that is why I am glossing over it. Many political parties in Catalonia underwent similar such revolving name changes and again they are uninteresting for the same reasons. The important point is that in the chart below compared to the chart in Chapter One, Pujol has now become Mas. For the sake of completeness, I have also included the results for the 21 December 2017 elections which will be discussed in greater detail in Chapter Four.

Table III: Mas's election results from 2003

Election year	Mas (/ 135)	Mas coalition partners	CUP	C's
2003	46 (34%)	None (Mas in opposition to PSC)		
2006	48 (36%)	None (Mas in opposition to PSC)		3
2010	62 (46%)	None (PSC abstained)	4	3
2012	71 (53%)	ERC	3	9
2015	62 (46%)	CUP	10	25
2017	34 (25%)	ERC (CUP abstained)	4	36

One complication of note was that in 2015, Mas's party(ies) and ERC stood on the same party list, which was ostensibly intended to increase the number of seats they would receive in the Parliament. In fact this policy ended up decreasing the

number of votes they received, because a disproportionate number of the additional votes (Mas said) they expected to receive by virtue of the express independence agenda upon which the 2015 elections were run ended up being received disproportionately outside Barcelona. Because the D'Hondt constituencies in Catalonia are rigged in favour of Barcelona, and the independence movement bulged outside Barcelona (which is more cosmopolitan or ambiguous over the independence cause), merging party lists to focus upon the independence cause would be prejudicial in Barcelona. Some people, particularly in Barcelona, voted for Mas or ERC for reasons unrelated to independence, and you would lose their votes by merging lists. The lists were de-merged for the 2017 elections.

To see what was going on with these results, and bearing in mind that Artur Mas was, because Pujol's people supported him, always the most powerful politician in Catalonia throughout this period (and possibly remains so notwithstanding his formal resignation as head of the Pujol / Mas political party in January 2018), we need to make the following observations. Firstly, Pujol and Mas always had a number of people inside ERC who were truly loyal to them. That is why, at the end of Chapter Two, I speculated that Pujol and Mas intentionally lost the 2003 and 2006 elections. They could control ERC if they wanted to. In the 2003 and 2006 elections they used ERC as their proxies to support a PSC government, even though PSC had not won the polls, and the most persuasive explanation of why they did this was to ensure that they were not formally in office during the Zapatero eras that they anticipated would backfire so seriously.

The seemingly extraordinary levels of fluctuation in support for Mas derives from two things. Firstly Mas could effectively control how many of his candidates would stand on ERC lists and how many on the list of his own party (whatever

its name might be at the time). Therefore if he wanted to take responsibility for something and promote himself, as he did in 2012, he could secure a resounding majority for his party or lists associated with his party. On the other hand, if he wanted to abdicate responsibility for something - such as the disastrous 2017 referendum, then by realigning party lists he could transfer voting support to ERC so as to appear to minimise voters' support for people under his own party name. That became particularly useful when he had to distance himself from the frantic and incoherent actions of his successor as President of the Generalitat, Carles Puigdemont.

The next point to make is that Mas was not as politically powerful as had been Pujol, notwithstanding his having Pujol's backing. Pujol was always completely in control of Catalonia, because he was in control of the banking. Hence it was a bad idea to fall out with him, at least if you lived in Catalonia and possibly even if you did not but wanted access to finance. Therefore even if a lot of people did not like him - he was aggressive, assertive and even bullying - there did not dare express it. He was going to be President of the Generalitat for as long as he decided that he would be. By contrast Artur Mas, although an impeccably cynical and proficient political manoueverer, was in his personality an academic economist. He was just as right-wing as Pujol, but in an intellectual rather than instinctual way. Mas's ideological commitment to capitalism and neoliberalism - reinforced by his family connections with free-market economists in the United States - made him objectionable to people who were actually left-wing. (Although I never heard him describe himself as a Marxist, I am sure he could have done so - but he was a right-wing Marxist, not a left-wing one.)

One of the things that changed Spain's political landscape from 2010 onwards was the rise of a genuine socialist movement across Spain, as opposed to the nominally

socialist Republicanism of PSOE / PSC. Genuine socialism in Spain as it exists now is a predominantly youth-driven movement with relatively little historical understanding of socialism as it existed in Eastern Europe during the Cold War. Contemporary Spanish socialism emerged from the catastrophic effects of Spain's economic collapse upon Spanish youth, who found themselves unemployed, impoverished, often having to live with their families, unable to marry and establish their own families because the financial means were unavailable to them, yet fairly well-educated. Contemporary Spanish socialism, founded with the *Podemos* movement in the early part of the second decade of the twentieth century, was an angry revolt by Spain's youth against the economic hardship and loss in living standards suffered by them in consequence of the financial crisis of 2008.

In Catalonia, two brands of youth-based socialism emerged: youth socialists in favour of Catalan independence, and young socialists closer to the Madrid-based *Podemos* party line who were more equivocal over the issue of Catalan independence. Both of these groups emerged from miscellaneous pre-existing green and left-wing political movements dotted across the Catalan political landscape. The latter, *Podemos*-allied group, seized the Barcelona Mayoralty in 2015. Like most Catalan political players, their political party or movement has had various names, but perhaps the most illustrative is *CatSiQuEsPot*, which roughly stands for "Catalans for yes (i.e. independence) if that's what they decide". This stood in contradistinction to one of the Artur Mas strains of political branding, *JuntsxSi* ("People for Yes" - i.e. for independence). Because *Podemos*, as a Madrid political party, must adopt a position against Catalan independence (because that is what the vast majority of Spaniards think about the issue), its Barcelona branch had to fudge the issue by becoming a pro-referendum party (to attract Catalan nationalist votes) but trying its best not to take a position on what the

outcome of the referendum should be (because that would upset the *Podemos* head office).

The former group were more radical, dismissing the *Podemos* hostility to Catalan independence and the *CatSiQuEsPot* equivocation on the issue as absurd. They wanted both angry youth socialism and Catalan nationalism / independence. They established themselves as a party called *Candaditura d'Unitat Popular* (Popular Unity Candidacy, or CUP) and they became known principally for their slovenly or erratic styles of dress in the Catalan parliament. Some would wear politically-branded t-shirts. CUP emerged out of nowhere, and as of the December 2017 elections it seems to have collapsed as dramatically as it emerged. Perhaps Catalans prefer to see their elected representatives wearing suits. But it is an important political party for our purposes - much more important than *CatSiQuEsPot* in its various iterations (in all cases the Barcelona branch of *Podemos*), that I am intentionally leaving out of a narrative already perilously close to reaching a level of excessive complication.

The reason the Barcelona branch of *Podemos* is not an important political party in Catalonia, save for the way its emergence has weakened *PSC*, is because nobody will enter into coalition talks with it. In this regard it suffers the same fate as *Podemos* in Madrid: it is so extreme, and has nothing to offer to anybody, that it suffers the indignity of being ignored. *CatSiQuEsPot* is not a Catalan nationalist party, and therefore no Catalan nationalist party (whether a *Mas* party or *ERC*) will touch it. *PSC* will not touch it, because it has eroded *PSC*'s parliamentary base. Hence despite its candidate Ada Colau being Mayor of Barcelona since 2015, she can do precisely zero with this theoretically powerful position. That is because she is incapable of forming alliances with anybody else of importance.

By contrast CUP, notwithstanding its quixotic approaches to sartorial issues and the fact that it generally has had less popular support than *CatSiQuEsPot*, became a power broker. That is because the three parties who came to represent Catalan nationalism and to support the cause of Catalan independence, were (1) Mas's people; (2) ERC (also to a substantial extent Mas but a bit more left-wing); and (3) CUP. The proportion of Catalan voters who support Catalan independence to the extent that they are prepared to go to ballot boxes and vote for the cause has been demonstrated to be fairly constant since 2010, at about 55%. The political history of the period after the 2010 Catalan regional election is a history of different ways that Catalans voted repeatedly over exactly the same issue. All of the 2012, 2015 and 2017 Catalan parliamentary elections were *de facto* referenda on Catalan independence. Mas also held his own 2014 referendum on Catalan independence, as to which we will come to shortly. And then there was the ill-fated 2017 referendum on the same issue, that will be covered in the next chapter.

It followed that if you were a member of the 55%, you had three choices in how you could vote. You could vote for Artur Mas if you were right-wing, an entrepreneur, a conservative or sympathetic to the ecclesiastical hierarchy. You could vote for ERC (which was mostly just Artur Mas pretending to be a Republican / Marxist) if you felt left-wing. Or you could vote for CUP if you were a disgruntled young socialist inspired by the *Podemos* movement but who also wanted Catalan independence. CUP voters had mostly peeled off ERC, because they saw through the fact that ERC was just another way of voting for Artur Mas. The net result was that CUP was inevitably hostile to Artur Mas; the point of division between ERC and CUP was whether or not you liked Artur Mas. CUP was the "we are Catalan nationalists but we don't like Artur Mas" party (although in fact they did - they just

pretended they didn't). And in a parliament in which just 5% is the difference between a Catalan nationalist coalition majority and something else, CUP became the power brokers in 2015.

It will not therefore surprise the reader now to learn that while Artur Mas was President of the Generalitat from 2010 to 2015, after the 2015 elections he had to step down in favour of a proxy, Carles Puigdemont, who at least looked like he might be a bit left-wing: he wore sloppy suits and had chaotic hair, in contrast to Artur Mas who always dressed impeccably in the way that right-wing politicians usually do. Puigdemont's appointment as Mas's proxy in 2015 was because CUP insisted upon it as a condition for their joining the coalition between Mas (right-wing) and ERC (i.e. basically Mas (left-wing)). That is how we would get to Carles Puigdemont being Mas's successor from January 2016.

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The other political party it is important to introduce at this stage, because the history and future of this political party is critical to understanding the future of Spanish politics, is *Ciudadanos*, also variously known as "C's". This political party has its origins in Andalusia, another region of Spain with a distinctive national identity. But the party used elections in Catalonia to cement its distinctive method of electoral engineering, with extraordinary success, before moving onto dominate, as I will predict in Chapter Five of this work, at the national level. This is the party I associate with neo-fascism or neo-Francoism in contemporary Spain, so it is important that we understand where it came from and how it works.

The official platform of *Ciudadanos* is modern, economically and socially liberal, promoting a new brand of Spanish politics that discards traditional classifications of identity whether regional (Catalan, Basque or Andalusian) and

also traditional categorisations of persons as affiliated with or rejecting the Church. The party's principal electoral position to date has been against federalisation of Spain in general, and the party has always been strongly against Catalan independence in particular. *Ciudadanos* is cautiously Republican in theory, saying that there should be a nationwide referendum on whether to abolish the Spanish Monarchy. The party also urges "political regeneration" and Spanish nationalism, in an intriguing echo of the language used by Franco's *Movimiento Nacional*.

Most of the members of *Ciudadanos* are young. Its leader, Albert Rivera, at the time of writing is 38. He was the first leader of the party at the age of 26: an extraordinary age to become the head of an entirely new party. He occupies a seat in the *Cortes Generales* for a suburb of Madrid. A rumoured although not admitted homosexual (and I ought to add that no insult is intended by reference to his sexuality), rather bizarrely he has appeared in Catalan regional election posters topless. He has attended the Bilderberg group of elite financial leaders as the companion of Luis de Guindos, when the latter was Spain's Minister of the Economy. De Guindos, a powerful Spanish politician of the theocratic variety suspected to stand behind *Ciudadanos*, shall be returned to later on. The leader of the party in Catalonia, Inés Arrimadas, is 37 years old at the time of writing. She was 31 when she was first elected as a member of the Catalan regional parliament in 2012. This strain of youthfulness dominates *Ciudadanos*, the average age of whose members of parliament is their mid-30's and the greater majority of whom appear to have been picked out of successful careers in banking or law following comparatively high levels of education. Prior to admission to *Ciudadanos*, they have typically had no political experience. Their political speeches are anodyne, generally giving the suspicion of being ghost-written. They do not much engage in question-and-answer debates.

Evidentiary trails indicate that the party has been supported financially through European Regionalism Fund grants routed via Andorra, a micro-state wedged between Catalonia and France notorious as a money-laundering centre. The European Regionalism Fund is a system of grants to regions of countries managed by the European Commission to promote regional development. It has a poor reputation for serving as a slush-fund, and until the resignation of De Guindos to become Vice President of the European Central Bank, European Regional Fund monies were distributed via the Ministry of Economy in Madrid via Luis de Guindos. Indeed his Ministry of Economy seemed to have no function of substance except distributing European Regionalism Fund monies, of which Spain is and was the principal recipient across the EU. The Ministry of Economy did not exist during the Zapatero government; it was re-merged into the Finance Ministry from which it had emerged during Aznar reign. European Regionalism Fund monies are banned from being spent upon political activities.

One of the principal mysteries surrounding the meteoric rise of *Ciudadanos*, at least in Catalonia, was the question of where their votes were coming from. Which parties were losing votes to them? If we cannot answer that question, then we ought to be suspicious. It seems unlikely that voters from any of CiU / Mas, ERC, or CUP would ever lose votes to *Ciudadanos*, because *Ciudadanos* stands on an overt platform in opposition to Catalan independence whereas all three of those parties stand on over platforms in favour of Catalan independence. It also seems unlikely that either PSC or *CatSiQuEsPot* would lose votes to *Ciudadanos*, because these parties are different brands of socialism whereas *Ciudadanos* is a free-market party. Finally it seems unlikely that *Partido Popular* voters would switch to *Ciudadanos*, because *Partido Popular* voters, at least in Catalonia, are

extremely conservative and monarchist, whereas *Ciudadanos* is a republican party (at least in the non-Spanish sense of the word). In other words *Ciudadanos* appears to be a political party created for a constituency which, while in theory it looks plausible by European standards might exist, in the practice of Catalan politics does not appear to exist.

This is reinforced anecdotally by my experiences. In all the time I spent in Barcelona (and I accept that I did not spend significant time in Catalonia outside Barcelona during the field trips that resulted in my writing this work, but the support for *Ciudadanos* if we look at election results comes principally from Barcelona which, due to Pujol-era fine-tuning of the D'Hondt method of closed list proportional representation for the Catalan region is over-represented in the number of seats it holds in the Catalan regional parliament) I never met a single person who admitted to me either that they ever had voted for *Ciudadanos*, or that they intended to do so. I found this bizarre, given that ultimately in December 2017 *Ciudadanos* acquired more than one in four of the votes and indeed came top of the polls. My anecdotal experience was that of the ten people I asked “in the street” for their voting intentions, as it were, the number of people out of ten who said they would vote for *Ciudadanos* was zero. The question that therefore arises is to explain the extraordinary electoral success of C’s, from being founded and standing for the first time in 2006 to becoming the largest party list in parliament in 2017.

Admittedly, *Ciudadanos* might be a party voting for whom is a “dirty secret” to which nobody wants to admit. But I couldn’t understand why it might be a dirty secret. On paper, the party’s agenda appears fairly reasonable for a person who does not support Catalan independence (of which there is admittedly a substantial proportion of Catalan residents, even if in my experience on balance it is a minority). Now look at the following statistics. In each case, the number of seats in the

Catalan Parliament (of which there are 135) is followed by the number of votes received (rounded to the nearest 100,000). The percentage of voters registered in each case is expressed as a proportion of the registered voters in the 21 December 2017 elections.

Table IV: The growth of *Ciudadanos* in Catalonia

Election year	Pro-ind's	PP / PSC / CSQEP	C's	Turnout	Registered
2003	69 1352	66 1666	0	62.5% 3319	95.6% 5307
2006	67 1352	63 1395	3 90	56% 2982	95.8% 5321
2010	76 1518	56 1193	3 106	58.8% 3153	96.6% 5364

Note that until 2012, no party except “*Si*”, an embryonic version of CUP that won 4 seats in 2010 before the party in essence transformed itself into CUP, campaigned upon an overt platform of Catalan independence except, at least notionally, ERC. However it was not until the 2012 elections that independence became the predominant voting pattern in Catalan politics. The reference to “Pro-Ind’s” above refers to the combination of Mas’s votes and ERC; plus, in 2010, the votes for *Si*. For the entries below, the reference to “Pro-Ind’s” is a reference to votes in support of Mas, ERC and CUP together.

Now let us continue the table for the subsequent election years.

Election year	Pro-ind's	PP / PSC / CSQEP	C's	Turnout	Registered
2012	74 1740	52 1357	9 275	67.8% 3668	97.4% 5414
2015	72 1966	38 1240	25 736	75% 4130	99.2% 5511
2017	70 2078	29 1119	36 111 0	79.1% 4393	100% 5554

The most obvious feature that emerges from these data is that absent C's, the number of people who voted for the anti-independence parties remained roughly static (at approximately 1,200,000); the number of people who voted for pro-independence parties kept on growing; the number of registered voters remained roughly the same. The question therefore is where did all the *Ciudadanos* voters come from that resulted in an increase in the number of *Ciudadanos* voters of 947% in a mere seven years between 2010 and 2017? The only answer can be that these voters were all new voters, in the sense of being a product of the ever-increasing voter turnout. In other words, increase in voter turnout from 2010 to 2017 was to the enormously disproportionate advantage of *Ciudadanos* as against all other political parties.

This is supported by two other analyses. Firstly, let us consider the fortunes of *Partido Popular* during this period, in order to assess the extent to which *Ciudadanos* may have been gaining the votes of disaffected *Partido Popular* voters. Then let us consider the manner in which PSC support collapsed during the same period, and where those votes went, to establish the extent to which any of those votes went to *Ciudadanos*. To repeat, anecdotally we should consider both of these hypotheses unlikely because PSC is left-wing

whereas *Ciudadanos* is right-wing and *Partido Popular* is conservative in the clericalist sense of the word whereas *Ciudadanos* is averredly Republican. Nevertheless these anecdotal hypotheses can be considered in light of a more detailed analysis of voter activity. In case the nuances of the chart below become of tangential interest to the reader, the conclusions drawn from it are summarised more succinctly in the text beneath.

Table V: Detailed electoral analysis for Catalonia since 2003

Election year	PP	Mas (ex ERC)	ERC	PSC	Podemos	CUP	C's	Turnout
2003	15 393	46 1024	23 544	42 1031	9 241	0	0	62.5% 3319
2006	14 316	48 935	21 416	37 796	12 283	0	3 90	56% 2982
2010	18 387	62 1203	10 219	28 576	10 231	4 103	3 90	58.8% 3153
2012	19 472	50 1116	21 498	20 525	13 360	3 126	9 275	67.8% 3668
2015	11 349	62* 1629*	0* (32)	16 523	11 368	10 338	25 736	75% 1629
2017	4 186	34 948	32 936	17 607	8 326	4 195	36 1110	79.1% 4393

Note that I have now started to describe *CatSiQuEsPot* in its various iterations simply as *Podemos*, although the leaders of that party might find such a title unsatisfactory. I have also taken a liberty in describing election results for parties that

later became *Podemos* in Barcelona even before *Podemos* was conceived under the rubric of the name *Podemos*. In one sense, Catalonia was somewhat ahead of the rest of Spain in conceiving of an electoral taste for a popular youth-led socialist movement. Before the arrival of *Podemos*, these groups operated typically under the unpithily-named *Iniciativa per Catalunya Verds-Esquerra Unida i Alternativa*, “Initiative for Catalonia Greens - United and Alternative Left”, or ICV-EUiA.

The reason CUP has no entries for 2003 and 2006, whereas *Podemos* does, is because 2010 was the first election at which there was any inclination of a Catalan independence movement that people would express their electoral preferences for. Accordingly *ICF-EUiA* split and lost some of its votes to *Si*, which also appeared to pick up some other voters from particularly hard-line nationalist traditionally ERC circles. *Si* would then evolve into CUP, after some of its members merged (some temporarily, some permanently) with ERC to become the equally unpithy *ERC-CatSi* in the 2012 elections.

If the reader’s head is by now spinning, the good news is that the majority of the details in the prior two paragraphs are irrelevant for the purposes of political analysis. Instead I have written them as explanations firstly of why I have included intentional formal inaccuracies in the foregoing chart (thereby frustrating the critique of the pedant); and secondly to help the reader understand just how confusing and complex Catalan party politics actually are and therefore why I have undertaken this exercise in over-simplification. Thirdly, I hope that the reader might have some sympathy for what I had to go through in comprehensively understanding these political parties’ exercises in obfuscatory nonsense.

The important things that these more detailed results show are the following. Firstly, to understand the changes in

Catalan political currents from the 2010 elections onwards, it is mostly not useful to look at the number of seats because, by reason of the (changing) disparities between seat numbers and population count in Catalonia's lop-sided D'Hondt closed list system of proportional representation there is no easy connection between proportion (or number) of votes and number of seats. There is a rough correspondence, to be sure; but the most important inference to draw from the number of seats acquired by each party in the election was that irrespective of the result, the government would be formed by a coalition dictated by Artur Mas.

Secondly, the asterisk (*) indicates that for the 2015 elections, Mas persuaded (instructed?) ERC for the first and only time to stand on a common party list with him (that was called *JuntsxSi*, "people for Yes"). Therefore ERC obtained no votes and no seats. The figure 32 in brackets is an indication of how many Deputies, out of the 62 people in Mas's common list, were members of the political party ERC. But that in itself does not reveal anything. The fact that 32 is more than the proportional or typical number of seats ERC receives in comparison to Mas may have been (1) a consequence of the fact that ERC had sufficient bargaining power over Mas to insist that their people, as a rule, went higher up the common D'Hondt closed list than Mas's people; (2) it may have been intentional on the part of Mas to lay the blame on ERC for what came next, knowing that the subsequent referendum presided over by Puigdemont would be a disaster and therefore it was best if ERC took as much responsibility for it as possible; and/or (3) it may have been an idea, cooked up by Mas / Oriol Junqueras (head of ERC) to create a D'Hondt party list that approximately alternated between Mas's party and ERC. (50% of 62 is, after all, 31 rather than 32.) On balance, my preferred hypothesis is a combination of (2) and (3).

From this we can infer that the sudden jump in support for CUP in 2015 was the number of voters who were so disgusted with the fact that ERC had joined lists with Mas that they preferred to move to CUP. Once ERC de-coupled from Artur Mas in 2017, CUP's votes collapsed. This was helped by ERC renaming itself *ERC-CatSi*, that the observant reader will have noted was a prior name for ERC when it was trying to pick up voters who might otherwise have voted for CUP but didn't like Artur Mas and therefore wanted to associate themselves with people who expressly disliked Artur Mas.

Thirdly, combined with the second observation we can form a view as to how many people vote for ERC because ERC is a left-wing version of Artur Mas; and how many people vote for ERC despite their dislike for Artur Mas. Also we can form a view about how many people vote for CUP because they dislike Artur Mas so much that they loathe the idea of his being associated with ERC; and how many people vote for CUP for some reason exogenous to Artur Mas - they would always vote for CUP anyway because they like their parliamentarians to wear t-shirts, for example. What we note from examination of the figures is that the number of people who turn out to vote in favour of independence is remarkably similar in each election, and very approximately amounts to the sum of voters falling into each of the various foregoing categories.

So now I am going provide some very rough figures for late 2017. They are all conservative. In elections, a guesswork figure for the number of people who vote(d) for Artur Mas's party because Artur Mas is the President of that party is 1,000,000. A similar rough figure for the number of people who vote(d) for ERC but who are loyal to Artur Mas or who acquiesce in his leadership of Catalonia is approximately 500,000. CUP's traditional support base, exogenous to their feelings about Artur Mas (i.e. it can be inferred that they would

have voted for CUP even if Artur Mas didn't exist), is slightly shy of 200,000. The number of people who support ERC but will not vote for them if they appear too close to Artur Mas is perhaps 150,000. This makes the total electoral support base for people who will attend a ballot box to vote for a pro-independence political party approximately 1,850,000. This is not too far off the number of voters who participated in the 2017 Catalan independence referendum that, on a registered electorate of 5,314,000, 2,044,000 voted "yes". From the foregoing analysis, we have a fairly good breakdown of how many pro-independence voters there are and how they divide their votes.

Fourthly, we can also draw some generalisations about the number of voters who traditionally vote for the anti-independence parties. Since the rise of *Podemos*, the number of PSC voters might be estimated at 550,000. The number of *Podemos* voters is around 350,000, these numbers approximately tally with the number of voters who supported PSC before *Podemos* become a substantial electoral force and for the most part, in Catalonia as in Spain as a whole, *Podemos* voters are disaffected young PSOE-PSC voters. One can hypothesise some movement between PSC and ERC voters in the first decade of the twenty-first century, but it is far harder to consider that as substantial in the second decade given the two parties are on opposite side of the independence debate. The question therefore outstanding is where did all the new *Ciudadanos* voters compared with 2015 - and there were 1,100,000 of them in December 2017 - come from?

It is certainly the case that to an extent, there has been a collapse in support for *Partido Popular* coincidentally with increased support for *Ciudadanos*. This is particularly observable in undertaking a comparison between the 2015 and 2017 election results, in which what we might call the "typical" *Partido Popular* level of electoral support - 350,000 -

declined by some 160,000. It is a fair bet that all of those voters went to *Ciudadanos*. Mas and *Partido Popular*, by this point, were so separated that it is fanciful to imagine that any lost *Partido Popular* votes went to Mas. But support for *Ciudadanos* was increased by 400,000. Where did the balance of those votes come from? They did not come from PSC - its number of votes substantially increased (from 523,000 to 607,000). The idea that ERC, *Podemos* or CUP voters switched to *Ciudadanos* is quite unrealistic. The notion that some of Mas's voters switched to *Ciudadanos* is marginally credible. That Mas had a minority of hard-right voters within his bloc was plausible: people who care more about authoritarian conservatism (in the Carlist tradition) than independence - is potentially plausible but not hugely so given the division of Catalan politics into those in favour of and against independence (and I never met anyone during my periods in Catalonia around the time of the election who was equivocal on this issue).

The sole remaining hypotheses are that (1) the overwhelming majority of the voters in the higher turnout in 2017 almost uniformly voted for *Ciudadanos*; (2) different people were registered to vote in 2017 compared to 2015; or (3) there was some sort of ballot fraud. I exclude (2) because Spain does not have a system of voter registration just before each election. Instead the country relies upon an official population register which, while believed to be highly unreliable, was not going to change sufficiently between 27 September 2015 and 21 December 2017 to justify such a dramatic swing. If we exclude hypothesis (2), we must become alert to the fact that hypothesis (1) is actually a variant of hypothesis (3). If turnout increases, and all the new voters vote the same way, this is highly indicative of ballot fraud. Normally one would expect new voters to vote at least in some identifiable proportions to the way people previously voted upon essentially the same issue just two years ago.

Now let us repeat this exercise to compare the elections between 25 November 2012 and 27 September 2015 (again a prorogued parliament). This is even more illustrative of the foregoing phenomenon, in which *Ciudadanos* almost tripled its popular vote (from 275,000 to 736,000). This shift, of 461,000, cannot be explained by the entirety of *Partido Popular*'s lost 123,000 voters moving *en bloc* to *Ciudadanos*. Nor can it be explained by the hypothesis that part of Mas's support included Carlist ultra-conservatives who moved: Mas's support went up, as we see when we control for ERC. The hypothesis that *Ciudadanos*'s extraordinary increase was attributable to a loss in support for PSC is implausible: PSC lost only 2,000. Again the hypotheses that *Podemos*, ERC or CUP voters switched to *Ciudadanos* are all implausible. Hence the only possible inferences are (1), (2) or (3) above; and by virtue of Ockham's Razor again the only actual possible inference is (3). The conclusion is that both the 2015 and 2017 Catalan regional elections were infested with ballot fraud. I have undertaken the same analysis for the performance of *Ciudadanos* in Andalusian elections, where they may have tested their methods on a prototypical basis before exercising them in the more publicised context of the Catalan regional elections, and I have drawn the same conclusions. I will spare the reader my analyses of the performance of *Ciudadanos* in Andalusia unless anyone asks for them in which case I will provide them.

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What sort of ballot fraud might Catalonia have suffered from? Peacekeepers are aware of the different sorts of ballot fraud that take place and can recognise them rapidly. The first sort is what might be called "ballot box stuffing". This means that ballot boxes are taken away to be counted at the end of the polling day, the ballot papers in the ballot boxes are destroyed,

and they are replaced with some other ballot papers. This typically happens in remote polling stations, where fewer people are watching. It requires the connivance of someone involved in counting the ballots or transporting the ballot boxes. It cannot be excluded, for two reasons. Firstly, the private company involved in arranging the ballots for the December 2017 Catalan election had prior financial arrangements with *Partido Popular*, which is a clear conflict of interests. Secondly, international observers were excluded from those elections upon a legal pretext although they were permitted in prior Spanish elections. I have relayed these matters in one of my prior essays. Nevertheless I have no direct evidence for ballot box stuffing. Evidence for ballot box stuffing often emerges after the event, because somebody snitches. A hypothesis of ballot box stuffing in Catalan elections would require a theory that Spanish institutions are so shadowy and so strong that nobody would dare snitch. While I cannot exclude this hypothesis, I consider it unlikely. It is the stuff of African dictators from half a century ago, and it is fairly rare nowadays.

The second sort of ballot fraud is sometimes called “carousel voting”, and involves people taking into polling stations and inserting into a ballot box a pre-marked ballot paper. The typical way it operates is as follows. A party operative goes into the polling station in the morning. They take their ballot paper. They go into the polling booth. They mark the ballot paper in favour of their party, but then they put the ballot paper into their pocket. They take out of their pocket another (blank) piece of paper of the same size. They fold that piece of paper in two, as though it were a ballot paper. They come out of the polling booth. They place the blank piece of paper in the ballot box. They walk out of the polling station with a duly completed ballot paper in their pocket. They stand at a distance from the polling station with an indication that they are a party member. A person going to vote approaches them.

That person is given the pre-marked ballot paper. They go into the polling station. They collect their unmarked ballot paper. They go into the polling booth. They fold the unmarked ballot paper in two and put in their pocket. They come out of the polling booth and place the pre-market ballot paper in the ballot box. They leave the polling station and return to the party operative, who gives them a sum of money (for example, a €20 note) in exchange for the blank voting paper they have left the polling station with. The party operative then places a cross in the correct place on the blank voting paper. And the procedure continues. This method of ballot fraud is expensive, because every voter you corrupt has to be paid. International observers can spot it immediately, because it involves people standing suspiciously and engaging with people coming to vote, typically at an unusually far distance from the polling station. There were no international observers (except me and a few NGO representatives from Scotland; I do not know how experienced they were in electoral fraud in divided societies, which is a relatively rare knowledge set). I did not observe evidence of carousel voting on 21 December 2017, but I was hardly undertaking a rigorous experiment using an empirically reliable data set. Moreover I was present at a polling station in central Barcelona. Like ballot box stuffing, carousel voting is more likely to take place in remote polling stations where fewer people are watching. I cannot exclude carousel voting. The one piece of evidence I have that might indicate it is that political parties' December 2017 electoral budgets seemed far too high given the poor quality of electioneering activity going on. Spanish electioneering seems to involve little more than lots of posters daubing public surfaces of any kind with pictures of politicians' heads on them. I cannot be satisfied that the cause of any Catalan ballot fraud is carousel voting, but I cannot exclude it either.

The third sort of ballot fraud is voter identity fraud. This involves people going to polling stations, pretending to be

people on electoral lists that they are not; they vote on those other persons' behalves. To the extent there is any electoral fraud in the country of my nationality, the United Kingdom (and every country has electoral fraud to some degree), the vast majority of it is ballot fraud. As an example, my friend John Smith goes to the polling station where he infers I am registered to vote (it is typically fairly easy to work out which polling station this is), and says his name is Matthew Parish and he would like to vote. This is a fairly stupid sort of fraud, rarely executed on a systematic scale, because it needs the organiser to have a list of people who are registered to vote but who one can be certain will not vote: typically because they are dead. If the person whose identity one is stealing has already voted or votes later, the imposter is going to be caught out. Therefore it is very risky and the fee for serving as an imposter is surely going to be high. Moreover the easiest way of preventing voter identity fraud is to require all voters to present identity documents at polling stations. In Catalan regional elections, that is a requirement. Therefore I exclude voter identity fraud as a substantial means of fraud in the Catalan regional elections.

The fourth sort of ballot fraud is voter registration fraud. This involves people who should not be voting, making a declaration that improperly entitles them to vote. The ease of this depends upon the nature of the voter registration system. In the United Kingdom, this type of ballot fraud is virtually impossible to organise on a systematic basis because before each election, the authority responsible for organising the election writes to every residential address on its records and asks the head of the household to list on a form the people who reside there and are entitled to vote. It is virtually impossible for a person seeking to fix an election to create a systematic incentive for persons completing this form to lie. One would have to go to every home and bribe the householder to include on the list names of people who do not

in fact live there. Someone would snitch. So there is an insignificant level of voter registration fraud in the United Kingdom, for example. Another reason why voter registration fraud is insignificant in the United Kingdom is that a local tax (called "Council Tax") is assessed upon the head householder depending upon the number and identities of the persons (s)he writes upon the voter registration form. Therefore the incentive in the United Kingdom is not for voter registration fraud but rather to under-declare the number of eligible voters. This is the opposite result of what a person seeking to fix an electoral result is looking for.

Societies in which one may find significant levels of voter registration fraud include those where the way the authority composes the electoral roll is from self-declarations of residence for purposes other than voting and taxation. Spain fits precisely that category. Spain has a centralised database of citizens with national identity cards. That database also contains a field for a person who has a national identity card to register their address. They must register some address. But it is not very important which address is registered. The only correspondence they may receive at that address is about matters such as renewing their national identity card (which they will do anyway if the current one is lost or about to expire); receipt of criminal and civil process issued by the state (something most people do not want to receive); and execution of police arrest warrants and the like (likewise). Taxes are deducted either by the employer upon payment of a properly documented salary, or directly by the government from one's bank account without prior written notice to the account holder. Therefore the individual has an incentive to ensure that the address with which their national identity card is associated is wrong; and the state has no particular incentive to ensure that it is right. (The state is not usually interested in initiating legal process against its citizens if it can just take money straight from their bank accounts - it will wait for the citizen to initiate

legal process against them. And most people who need to be arrested are arrested on the spot by the police.)

The net result is that there is every incentive for the register of addresses associated with national identity to be inaccurate. It will follow from the foregoing that because nobody much cares whether the address one gives is accurate (or even prefers that it is not accurate), the bureaucratic procedure for changing one's address is extremely cumbersome. That is the explanation for the anecdote I previously relayed that some 40% of Barcelona residents are registered at the wrong address. Now add to this the fact that a Spanish identity card does not identify one's address. It includes a photograph, a number, a date of birth, and a name. From this it follows that polling station staff do not check a registrant's address when they come to vote. It would be excessive for them to do so, because they would need to ask for things like utility bills in voters' names (the matter not being recorded on the identity card which the voter must provide). And lots of persons will not have things like utility bills in their names. Spanish people live in families, or young people live in groups of friends. A lot of them will not have documentation identifying their actual address.

The mechanics of a voter registration fraud now surely become simple to perceive. Prior to the 21 December 2017 elections, I was deluged by persons living in Catalonia with pre-completed voter registration forms, received just a few days before the election, to their addresses, and including the names of persons registered to vote at their addresses but who did not actually live there. There was one such card for each residential address, that might list multiple names. The actual residents did not recognise these peoples' names. It is not necessary to present this card when one votes (it may contain more than one name and it is not realistic that more than one person takes such a card to a polling station when

they may all be voting at different times of the day); it is only necessary to present a person's identity card. Therefore the voter registration fraud underway in Catalonia is one in which persons register with the national identity card authorities as living at addresses they do not actually live at. No proof is required of one's address when one does this. Of course one need not be resident in Catalonia at all; one just informs the national identity card authority that one does reside there. And then one goes and votes. There is no system for objection; if I actually live at the Barcelona address, and I see an unrecognised name on the ballot card, then what am I going to do? I could complain in writing that this person does not actually live with me. But this is a lot of hassle; there are only a few days to go; I myself may be officially registered as living somewhere else, so complaining could cause me problems. I have no incentive to register the fraud. And neither does anybody else.

This is a systematic type of ballot fraud that I believe it is indicated takes place in Catalonia. If it took place in the elections on 21 December 2017, then surely it took place in prior elections as well. I do not know how many political parties engage in it, or to what extent. I do not know how many buses of non-Catalan-resident voters were shipped in in September 2015 and December 2017 respectively, to inflate the vote of *Ciudadanos*. My conclusions are simply the following. The electoral statistics suggest to me that *Ciudadanos* could not have achieved the extraordinary results that it did in Catalonia in 2015 and 2017 without a substantial element of ballot fraud. As to 2012, that might have been a "dry run"; I do not know and this is speculation. If *Ciudadanos* was engaged in ballot fraud, then it is overwhelmingly likely in my view that the type of ballot fraud it was engaged in was voter registration fraud.

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Ciudadanos has no politicians of note aside from its head Albert Rivera, most known for his nudism and proximity to Luis de Guindos; and Inés Arrimadas, the party's head in Barcelona who is originally from Andalusia and who typically dresses in the Catalan Parliament as though she is ready for a nightclub. It is a party of political neophytes that nobody in their right minds would vote for and I have never met anyone who admitted voting for them. And believe me, I tried: I asked everyone I met, of every social class, from cocktail waiters to business executives, whether they had any sympathy for *Ciudadanos*. Nobody said they did. Even young Spanish economic migrants to Barcelona, who loathed the Catalan nationalist cause, gainfully employed, unemployed and working on the black market (i.e. undeclared, for cash), said that they had no sympathy for *Ciudadanos*. Those people generally told me that they would vote for PSC or *Podemos*. This was despite *Ciudadanos* having by far the largest quantity of on-street advertising; in December 2017, the picture of Inés Arrimadas hung from what at times seemed like every second lamppost. If virtually no significant group of young people support this party, then I infer that no significant group of people at all support them. Nevertheless in the December 2017 election it transpired that 25% of voters supported them and they became the largest party group in the Catalan parliament, many of their youthful new Deputies with no political experience whatsoever and no idea what they were supposed to be doing there. The party has been the beneficiary of massive financing. In the *Cortes Generales* in Madrid, *Ciudadanos* currently holds 32 seats out of 350: almost 10%. There must be another *Cortes Generales* election before 2019, and *Ciudadanos* has declared its intention to fight the election across the country. One can only wonder how successful *Ciudadanos* is going to be, and why.

If the reader is wondering why I suggest that *Ciudadanos* is neo-fascist or neo-Francoist movement, then

the short answer is that I heard this opinion almost universally during the course of my mandate from the politicians and analysts whose opinions I respect and take seriously. I consider a party that engages in voter registration fraud in modern Europe to be reprehensible and this in itself a tentative indicator of fascism. I also consider a number of quotes from Albert Rivera to be indicative of fascism. I will provide some examples (all translations are mine). “There are victors, who we call democrats; and the defeated, who we call terrorists.” “I want a strong state programme that puts an end to the lies of regionalist discourse.” “Regionalism looks to the past, the two-party system looks to the owner of the day and that is why liberals have to look to the future.” Parallels have been drawn between the political personality of Albert Rivera and Alejandro Lerroux, leader of the so-called “Radical Republican Party” during the era of the Second Republic who combined virulent anti-Catalan nationalism with conservatism and who fled Spain at the onset of the Spanish Civil War but who returned with Franco’s blessing afterwards. Rivera has talked of the “triple division within Spain”, a phrase used by Francoists before the onset of Spain’s Civil War to refer to Republicans, theocrats and Francoists (the third being the unifying force). His speeches are replete with references to Spanish exceptionalism under a unifying force in which all divisions between Spaniards are swept away. An example is this. “We true Spaniards are the best of Spain. We are a Spain unrestrained. A Spain that will return to lead the world.” This is language remarkably similar to that used by Primo Rivera, Albert Rivera’s Grandfather, a prominent Falangist. None of this is determinative that a government run by *Ciudadanos* would pursue a fascist agenda. That is an issue we will return to in Chapter Five. But it is alarming.

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Most of the story of the referenda years is described in the election results to which the majority of this chapter has been devoted. But there are three events that need to be mentioned in greater detail. One is Mas's meeting with Rajoy in 2012. The second is the near-simultaneous abdication of King Juan Carlos I and the exposure of Jordi Pujol's offshore bank accounts in mid-2014. The third is Mas's informal referendum on Catalan independence in late 2014. All of these events are linked, and they are the principal political events of these years prior to the September 2015 Catalan regional elections.

We should set begin by setting out in briefest detail the progression of the Catalan movement for autonomy and then independence as it progressed from 2010. Over 150 municipalities had arranged so-called "popular votes" on 13 December 2009, organised by popular committees associated with CUP (or what would become CUP). The stated basis for these referenda was non-implementation of the 2006 Statute of Autonomy, and they were part of the political pandemonium surrounding Spanish economic collapse and anticipation of the 2010 Catalan regional elections. Turnout was low in all these votes, and the yes-vote was overwhelming. Wisely, everyone ignored these referenda. (One question that always came to my mind when addressing the Catalan crisis is why everyone did not simply ignore all of the Catalan independence referenda. It was obvious that none of them were going to be implemented, so why spend any political energy engaged with them?)

On 10 July 2010, there was a demonstration in central Barcelona in favour of Catalan autonomy. The Spanish Constitutional Court had announced its decision on the 2006 Statute of Autonomy on 28 June 2010. It released its full judgment on 9 July 2010. Between 425,000 and 1.5 million people (depending upon whose count one believes) flooded the streets in protest on 10 July 2010. The demonstration was

organised by *Òmnium Cultural*, an organisation that would subsequently become prominent in the context of the 2017 referendum and about which we should say something now. *Òmnium Cultural* was founded in 1961 and was basically the Catalan branch of the *Movimiento Nacional*, the one-party political organisation into which Franco assimilated all political movements. It was associated with Pujol, and acted as a *de facto* semi-autonomous regional government structure for Catalonia.

It is asserted that Pujol spent a period in prison for being a Catalan nationalist, his seven year sentence being commuted by Franco. It is not clear whether he ever actually served any prison time; the hypothesis has been aired that this was a fiction created by his father to give him credibility with Catalan nationalists to occupy a dominating position in post-Franco Catalan politics. In any event, *Òmnium Cultural* retained close ties with the Pujol / Mas political movements upon the demise of Franco, changing its role subtly to become an instrument to arrange demonstrations and create public pressure outside formal government structures. Nevertheless it was substantial. In 2015, when Jordi Cuixart became President, it had some 40 branches across Catalonia. Cuixart is a character to whom we shall return later. Mas prevailed in the Catalan regional elections on 28 November 2010, as already recorded.

The next event of note was the *Conferència Nacional per l'Estat Propi* ("National Conference for a Catalan State"), a "popular meeting" that took place on 30 April 2011 in Barcelona. This was an assembly of 1,500 political and civic leaders who resolved to create a new organisation called *Assemblea Nacional Catalana* (the "ANC", or "Catalan National Assembly"), essentially a parallel structure to the Catalan regional parliament but dominated by persons sympathetic to Catalan separatism. The ANC was initially

headed by Carme Forcadell, an ERC politician close to Mas. The ANC was intended as a protean political structure for a new Catalan state, with 10 regional branches across Catalonia and 37 foreign “branches” that were presumably to become an independent Catalan Republic’s foreign embassies. The first event of note the ANC organised was on 11 September 2012, just in advance of the 20 September 2012 meeting between Mas and Rajoy to attempt to agree a fiscal pact. The 11 September event was a so-called popular demonstration in Barcelona, with an estimated 1.5 to 2 million participants, on a Tuesday afternoon. Even on conservative estimates, this was a major event: 20% of the population of Catalonia emerged to demonstrate in favour of independence on a working weekday. On 13 September 2012, Forcadell was received by President Mas with a petition to organise a referendum on independence. This was precisely seven days before Mas’s meeting with Rajoy. Mas was holding a gun against Rajoy’s head: agree to my fiscal proposals or I will bring the Catalan heavens down upon your head.

Mas’s fiscal plan, that he proposed to Rajoy formally on 20 September 2012, to the effect that Catalonia would “revert” (as under the never-implemented 2006 Statute of Autonomy) to a fixed ratio of distribution of tax revenues between Catalonia and Madrid, thereby in effect creating a Catalan treasury (because the tax revenues could be split according to a fixed proportion before Madrid ever got its hands upon them), was rejected by Rajoy. The reasons were straightforward, aside from the irritant that Mas and his people were threatening a protean independence movement under the auspices of the ANC. Mas’s “liquidity plan” required the European Central Bank to fill the gap between the amount of money Catalonia wanted / needed and the amount of money Madrid wanted to take from Barcelona. Rajoy was under instructions not to agree to this, because neither his Minister of the Economy Luis De Guindos, nor Rajoy’s clericalist friend

Jean-Claude Juncker, wanted it. Mas's plans would have transferred political risk for Spain's interminable sovereign debt crisis onto the financial institutions of the European Union, at just the time that Juncker had political ambitions for his own promotion to the EU's highest job and he wanted to bring De Guindos into Juncker's then current position as President of Eurogroup, essentially the governing committee of the European Central Bank. So Mas's programme was rejected outright because it would have ruined these men's political aspirations.

Mas's idea was economically fair, in a sense. Germany had created a system that enabled Spain to over-borrow. The Catalans had not been nearly so profligate in their theft as had the rest of Spain. Now the Catalans were being asked to shoulder a disproportionate burden of the costs of servicing Spain's sovereign debt. Mas's solution was to transfer part of the responsibility for Spanish sovereign debt to the country(ies) that had created the Euro, the ill thought through international currency that had enabled the Zapatero-era profligacy to perpetuate. But Juncker and De Guindos had been part of the conspiracy that had created so dysfunctional a currency as the Euro; and they had Rajoy's ear. Having realised the consequence of their prior errors; and now occupying posts and harbouring political aspirations within the bureaucratic structures responsible for the Euro, they did not want to take political responsibility for what they had done. Therefore Rajoy, who was in office much on their sufferance (if European Regionalism Funds dried up then Spain was economically done for), was instructed to reject. It is fair at this point to criticise Mas. In committing an error typical of Catalan politicians, he should have taken account of the broader, pan-European consequences of the political course he was proposing. His idea of a liquidity fund made perfect sense to Barcelona and potentially made some sense to Madrid. It just made no sense to the rest of Europe - at least not as conveyed

to them through the medium of Mariano Rajoy. Mas and Rajoy subsequently found themselves immersed in a personal feud. But Rajoy's rejection of Mas's proposal was not entirely Rajoy's fault. He may well have had no choice. Mas had thought that he could railroad Rajoy into it, in the authoritarian and confrontational style typical of Spanish politics, through the use of the ANC. But Rajoy was a servant to higher masters. Therefore all Mas did, which inflamed his feud with Rajoy, was to render Rajoy's position ever more impossible and politically unpleasant.

The argument Mas should have used was an argument that he needed to take to the European capitals, not to Madrid (and not to Brussels). His meeting on 20 September 2012 should have been in Berlin and Paris, not in Madrid. The argument in favour of Mas's liquidity fund was that Spain was in such financial dire straits that indefinite EU financial subsidies to Spain, to gradually write down its sovereign debt that was of such a level, in absolute terms, that nobody wanted to get to grips with it, was a nettle that needed to be grasped as soon as possible because otherwise everything was only going to get worse. Mas, in all likelihood Spain's top economist (Andreu Mas-Colell, co-author of one of the principal worldwide graduate textbooks in microeconomics at the time served as Catalonia's Minister of the Economy - it is inconceivable that Mas-Colell did not have a significant hand in devising Mas's proposed fiscal pact), surely understood that the only way out of Spain's Eurozone tragicomedy was for Madrid to abdicate substantial fiscal, and with it political, responsibility to Berlin (or its proxy Brussels - but in that direction: Berlin had to come first, and Brussels to come second). Mas and Mas-Colell had the right idea. But they sold it to the wrong person. Rajoy could not buy their product. Mas, although hugely urbane, articulate in multiple languages, and in another life capable of international rather than mere domestic greatness, did not realise that he was addressing his

political argument to the wrong audience. Even if he could not achieve an audience with Germany's Chancellor, he should have been trying to achieve one. As Chapter Five will show, that is what is going to be needed now. And the financial and political conditions for such a meeting now are far less auspicious than they would have been in 2012.

What happened next is somewhat predictable. Various municipal councils started declaring themselves as "Free Catalan Territory"; this continued until the middle of October 2012. Mas called a snap election for November 2012, on a "self-determination" agenda. What he meant by this was establishment of a Catalan treasury - i.e. an authority based in Barcelona that collects taxes, to avoid the interminable situation of confrontation in which Catalans pay taxes to Madrid and Madrid decides how much to pay back to Barcelona. But these details being somewhat lost on the general population, it was presented as an election to determine whether Catalonia should continue a path to independence. After Mas won, the ANC began a "fiscal sovereignty campaign", essentially being an invitation to Catalan residents to pay voluntary tax contributions into a Catalan fund. This mostly failed, for the obvious reason that taxes are not paid if they are voluntary. Hence the referendum / independence mantra was returned to. In June 2013 the ANC began a petition for independence, while ANC and *Òmnium Cultural* organised various rallies. On 11 September 2013 ANC organised a 400 km-long human chain of people holding Catalan flags covering the entirety of Catalonia from north to south, involving between 1.6 and 2 million people. Mas was now out to prove that he could make Catalonia an irrevocable headache if Rajoy did not agree to his fiscal pact. It is important to note that in all of Mas's actions, I do not doubt for a moment that he was acting in what he perceived to be the best interests of Catalonia. Again, he was just speaking to the wrong audience. Spanish Prime Minister

Mariano Rajoy had no room for manoeuvre in the face of his demands. And for the rest of Europe, this was just a bit of fun. Millions of people creating a human chain across Catalonia are good for the international media, but obscure the real problem namely that the Spanish books could not be balanced.

Mas had committed to the concept of a referendum on Catalan independence in his coalition agreement with ERC leader Oriol Junqueras after the 2012 snap election, but a political (non-legislative, and without legal force) declaration to this effect on 23 January 2013 had been mysteriously suspended by Spain's Constitutional Court on 8 May 2013. (How can a court suspend an agreement that has no legal effect?) Notwithstanding the jiggery-pokery of 2013, the idea of actually having a referendum did not really come to crystallisation until 12 December 2013 when the Generalitat declared that there would be a referendum on 9 November 2014. The events of 2013 may have been an attempt by Mas to hold off upon his referendum commitment, demanded by Junqueras, but eventually the pressure to hold a referendum had become overwhelming. The Constitutional Court declared, on 25 March 2014, that while a referendum with any legal force would be void, a referendum that merely asked peoples' opinions was acceptable. A Catalan law authorising a non-binding consultation process by way of voting was then passed on 19 September 2014, and annulled by the Constitutional Court on the very day of the referendum Sunday 9 November 2014. Mas also decreed, then proposed some equivalent initiatives on 27 September and 14 October 2014, which were blocked by the Constitutional Court. The referendum itself was indeed held on 9 November 2014, and it was called a "Citizens' Participation Process on the Political Future of Catalonia". The legal status of the referendum was unusual. The Generalitat announced the official results, which were overwhelmingly in favour of independence (but on low turnout). Allegedly no public funds were used and no public officials

were involved. In practice ANC and *Òmnium Cultural* organised the referendum, as they did the 2017 referendum.

But Madrid was going to fight back. What was really an international crisis about Eurozone finances was doomed to become a petty domestic one. On 2 June 2014 Mariano Rajoy announced on television that King Juan Carlos I intended to abdicate. The fact that the Prime Minister, appointed by the King, made the announcement before the King himself had even issued a press release, was unusual. It gave rise to the suspicion that the King was pushed. Nevertheless Juan Carlos took his time. On 18 June 2014 he signed the law confirming his abdication. The reasons circulated for the abdication in official media were that the King was tired, at the age of 76; he regretted a 2012 hunting trip in Botswana that was unpopular with the Spanish public; and his son-in-law was involved in a corruption investigation. The fact that the King had gone on a hunting trip at all at his age rather suggests he was not tired; and at the time of writing he continues to be active. The notion that the nation that invented bullfighting had a sudden fit of animal rights compassion likewise seemed bizarre. Also interestingly, the King insisted as a condition of his abdication a law confirming his full continued legal immunities. Juan Carlos I was replaced by King Felipe VI. Felipe, while he spoke Catalan, unlike his predecessor who was an old friend and ally of Pujol, had no sympathy whatsoever for the Catalan cause and was thoroughly in favour of Madrid. Moreover the natural line of succession would not have mandated Felipe VI; the abdication law was specially engineered to install him over his genealogical predecessors.

The next thing that happened was that in early July 2014 Jordi Pujol spontaneously confessed to the tax authorities that for the last 34 years he had been maintaining offshore bank accounts and he was very sorry about it all. Then he made a public confession in a note, again saying how

much he regretted it. All this at the age of 84. Then on 26 September 2014 he gave a voluntary presentation to the Catalan Parliament some two hours in length, the contents of which might be summarised as “if you’d like to have some problems with me, please go ahead”. The precise euphemism he used was that if a branch were cut, then all nests would fall. A connection reported in the media between the abdication of Juan Carlos and the public shaming of Jordi Pujol. It was alleged that they shared the same Swiss banker. The theory is that Juan Carlos was forced to abdicate because otherwise his Swiss bank accounts would be disclosed. Then Jordi Pujol was made an example of, just to reinforce the point to Mas.

The interconnected offshore financial dealings of various politicians associated with the end of the Franco regime could make for a book of its own. For our purposes it is probably sufficient to note that the same banker as was involved in both Pujol’s and Juan Carlos’s affairs was arrested in connection with the *Gürtel* affair, a *Partido Popular* corruption scandal that involved scraping off public works contracts during the Zapatero years. The whole thing was a mess beyond all imagination, and its details may or may not be resolved by the lumbering and partial mechanisms of Spanish justice in the future. The important point for our purposes is that *Partido Popular*, by virtue of its participation in scandals involving offshore bank accounts connected with Pujol and Juan Carlos I, had enough information to punish Mas, and his backers associated with Pujol, for their independence-related shenanigans.

At this point a moral judgment might be in order. Pujol’s reputation was spoiled by the events of the summer of 2014, and the contemporary Catalan view of him is low. Juan Carlos I has also had his reputation tarnished. It is not necessary for me to express a moral view upon either of these individuals in a work of political science, but I have decided to do so. I think

that both Jordi Pujol and Juan Carlos I deserve to be commemorated in the history books of post-Francoist Spain for their efforts to keep Spain united and preserve the delicate balance between clerical and Republican factions. I think the destruction of their reputations in 2014, as levers amidst the Catalan independence crisis, was unwarranted. I am quite sure that they both had plenty of money in offshore bank accounts that, in a perfect democratic political system, ought not to have been there. But these were two Franco-era politicians, and one must ask what else one might have expected of them on the assumption that they were acting rationally. Had I been a senior politician in the autarchy that was Franco's Spain, I doubt I would have wanted to keep my money in Spain either. I do not know how much money either of them misappropriated or did not pay tax on. But what I do know is that everybody was up to this, including senior officials of the *Partido Popular* as the *Gürtel* affair illustrates.

It would of course have been preferable if no Spanish politicians in the late-Franco and post-Franco era had been misappropriating money. But the shadowy nature of Spanish society and politics made it virtually inevitable that senior politicians would do such things, involving offshore accounts, and that they would likely conspire with one-another to achieve it. I have seen such things in every civil conflict scenario with which I have any experience. Sometimes, sharing the loot is the best glue one can have in aid of the goal of political stability. The reason I cannot condemn Juan Carlos I or Jordi Pujol for their actions is because I cannot with confidence say that in their circumstances I would not have done the same thing. I hope I would not have done what they did. But had I not, I would probably not have been a successful post-Franco Spanish politician because the mutual misdeeds these politicians knew about one-another was what made Spanish politics work and, to the extent that it still works, that remains the glue. The system is quite ghastly. It must be reformed. But

the fault is principally with the system, not with the individuals. I believe that both Juan Carlos I and Jordi Pujol were patriots, notwithstanding their faults. They tried to do the best for Spain, working together, and for a long time they did.

In any event, the net result of all of this domestic excitement was that Artur Mas declared that the November 2014 referendum would proceed nevertheless. On a low turnout, there was an overwhelming majority for independence. On this occasion, everyone did (mostly) the right thing: they ignored the referendum. Mas declared that the referendum was “a lesson in democracy”. Mariano Rajoy described the vote as a “deep failure”. The various institutions of the international community hedged their bets, making ambiguous statements while being sure not to encourage the Catalans to do anything precipitous. The EU said that an independent Catalonia would not automatically be part of the EU; NATO said the same thing. So the crisis was averted through everyone pretending that it hadn't really happened. This worked for everyone except Artur Mas. That is because in the political run-up to the referendum, he had mobilised the likes of *Òmnium Cultural* and the ANC to assist in organising the referendum and a lot of the members of these organisations actually believed that the result of the referendum was going to be Catalan independence. Given that Catalonia had made no preparations whatsoever for independence - they had no borders, no treasury (the ANC's half-hearted attempt at creating a voluntary treasury had failed), no military and no court system (that was all controlled by Madrid), the 2014 referendum transpired to be an empty gesture.

This is a pattern typical of Spanish politics. Throughout history, rather than negotiate and find a reasoned or balanced compromise, Spanish politicians have overplayed their hands. Neither Barcelona nor Madrid had thought through the

consequences of having a referendum the outcome of which was certain before it ever took place and the legal consequences of which were precisely zero. The political consequences were twofold, and they could and should have been predicted. In Catalonia, a large group of citizens reached the view that they were now politically entitled to have an independent state. That was why they went to vote. In the rest of Spain, the prevailing view was formed that the Catalans were spoiled brats trying to get something that nobody else was entitled to or had asked for. Ethnic, linguistic and cultural divisions became aggravated. The 2014 referendum was an exercise in both sides of the Spanish political battle doubling down in domestic confrontation, seemingly continuously oblivious to the international context in which their confrontation was taking place. The European perspective was that irrespective of a referendum, Catalan independence was a bad thing if it rendered Madrid less likely to be able to service its sovereign debt. So the dispute would remain domestic, and increasingly entrenched.

The only solution for Mas was to have another election. After winning the 9 November 2014 referendum, Mas declared on 25 November 2014 that he would be holding a new parliamentary election in 2015 as a step on the way to independence. At one point Mas even declared that the 2015 election would be the true referendum on independence. Mas declared that he required ERC to stand on a joint list with him if the 2015 parliamentary election were genuinely to serve as a true referendum. CDU, the more conservative branch of CiU, was conveniently dissolved. Ostensibly CDU had lost popular support. The Mas rationale for his remaining party loyalists CDC needing to enter into a joint party list arrangement with ERC was that in the absence of CDU, this was the only way of winning an election for the Catalan independence movement that according to him was a formal re-run of the informal November 2014 Catalan independence referendum. ERC

ultimately agreed and Mas announced an early election on 3 August 2015, the election itself being held on 27 September 2015.

The joint Mas-ERC list, called *JuntsxSi*, won the September 2015 election but could only form a coalition with CUP that had a sudden spike in support resulting in its obtaining 10 seats. CUP's condition for creating a pro-independence coalition, which would have as its explicit mandate the organisation of a legally binding referendum on Catalan independence, was that Artur Mas would not continue to be the President of the Generalitat. Hence Mas found the Catalan nationalist journalist, an ardent advocate for Catalan independence and Mayor of the strongly Catalan nationalist city of Girona, to take his place. Puigdemont became President of the Generalitat on 11 January 2016.

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Before we turn to Puigdemont's tenure, I want to make an observation about how Carles Puigdemont became President of the Generalitat. He was quite hopeless for the task of negotiating an equitable separation of Catalonia from the rest of Spain, as we shall see. Yet the reason he was elected as President of the Generalitat with effect from 11 January 2016 may have been more complex than it seems. I believe that Puigdemont was Mas's fall guy. A repeat of Mas's 2014 referendum was bound to be a disaster. Madrid would be ready for it this time. Mas was not going to expose himself to the same legal and political jeopardy, involving multiple Constitutional Court decisions ruling against him and all the political threats that inevitably accompanied that, two times in a row. But neither could Mas simply resign from being the Chair of his own political party, CiU (or CDC as it now was, Mas having disbanded CDU). Mas was heading towards an election that he was obliged to hold; that he was inevitably

bound to win; but after which he did not want to be President of the Generalitat because what was going to have to happen after the September 2015 election would be a catastrophic mess it would be better if he were not associated with it to the maximum degree possible.

Therefore I infer that what Mas broke up one of CiU's two arms, CDU, casting it to the winds on the spurious pretext that there were no more Carlists that would support it. All he was left with, so he could say, was CDC, and that could not win an election premised upon an independence vote on its own. Therefore the only way the pro-independence movement could win the September 2015 election, he suggested, was for CDC to form a common pro-independence D'Hondt closed party list with ERC, anticipating that this would result in the faction of ERC voters who did not like him abandoning ERC and joining CUP. Under pressure from CUP, he could say, he would then step down from candidacy for continued occupation of the position of President of the Generalitat in favour of a candidate more palatable to CUP. In this way, he outmanoeuvred ERC and CUP, and placed the hapless Carles Puigdemont into office on a grim and diabolical agenda of pursuing a legally binding Catalan independence referendum that Mas must have anticipated would be a disaster because he had already tried it before and it had not worked. In the process, Mas calculated, Puigdemont would become a self-sacrificing national hero just as Mas would himself step back from the precipice he foresaw. Mas had hitherto been the principal guardian of the Catalan independence cause. Were he to continue in that role from 2016 onwards, he would be devoured by his enemies in Madrid. Hence by sleight of hand he engineered a 2015 election result in which he would be able to extricate himself from the poisoned chalice of continued Presidency of the Generalitat and continue to pull the strings of Catalan politics from the background.

This was cynical, in part cruel (because it was inevitable that Puigdemont would ultimately throw himself under a bus), absolutely rational, and the best possible thing Mas could have done for Catalonia. That is why this book is dedicated to him. Unfortunately it did not save him. He probably foresaw that it would not. Mas would be crushed in the end, but he would be crushed more slowly; he would have more time to arrange his exit; and instead of being irreversibly decimated the Catalan cause could live on after his retirement and political demise.

Now we must turn to examine just how all of these events played out.

CHAPTER FOUR

PUIGDEMONT'S ADVENTURES

The new Catalan President Carles Puigdemont had been absolutely serious about his platform when he accepted election as President of the Generalitat in January 2016. He was a true believer. He fully intended that Catalonia become an independent republic on his watch. An extremely shrewd Catalan nationalist journalist, he had no experience of national politics; no experience of international relations; and no experience of state-building. He thought that creating a new state in the middle of the European Union would be simple. All you do is perform your campaign pledges. Firstly you organise a referendum. Then people vote in ballot boxes. Then you win the referendum, and then you declare independence. After all Jean-Claude Juncker, President of the European Commission, had said that Catalonia had a right to be independent if that was what the majority of its citizens decided in a referendum. The problem was that when Juncker said this, nobody expected that Puigdemont would take him at his word and actually decide to organise one. It was all brinkmanship, and Artur Mas, who at first was pulling Puigdemont's strings, would soon step back.

But Mas had lost control of Puigdemont. Although the cynic might attribute to Mas the desire to set Puigdemont up for catastrophe, I do not believe this hypothesis to be correct. Mas believed, and believes, in the Catalan nationalist cause. Permitting Puigdemont to hold a repeat referendum, the

obvious result of which would be Spanish suppression, could not be in the interests of a cause that without doubt drove Mas on an ideological level. Moreover Puigdemont's failure would surely ultimately result in Mas's punishment for the travails it would bring upon Spain. Madrid were no fools, and even if the installation of Puigdemont who thereafter pursued an unrealistic agenda delayed Madrid's exaction of its revenge upon Mas then the magnitude of that revenge could only be amplified as a result. Mas had every incentive to put in place a Catalan nationalist who would promise a referendum and then fail to deliver one. He just got it wrong.

Unfortunately Puigdemont had cut the puppet's strings controlling him. There was a disaster waiting to happen. Puigdemont spent most of 2016 extracting himself from Mas's political grip and establishing himself as a popular figure amongst the Catalan electorate. He did this by advocating more fundamentalist a line about a Catalan independence referendum and the consequences of its inevitable success than Mas had ever imagined. For Puigdemont, a referendum on Catalan independence would be enshrined in law passed by the Catalan parliament; it would be legally binding; it would be paid for from the budget of the Generalitat; and the Generalitat would be legally obliged to declare the independence of Catalonia from Spain once the referendum had succeeded. The EU listened politely, but Puigdemont never imagined that they were not serious when they generously nodded in agreement to his polemics. On 24 January 2017 Puigdemont, Oriol Junqueras (his Deputy President of the Generalitat) and Raül Romeva (his Catalan Foreign Minister) gave a presentation about Catalan independence to 500 people in the European Parliament building in Brussels. They were received politely. Puigdemont took this as a green light. At this stage things started to go awry, and by this stage there was nothing Mas could do to stop it. He had chosen the wrong man to stand in his stead.

In March 2017, a Court convicted Mas of abuse of power and banned him from holding public office for two years. At the time he probably appreciated this because it would excuse him from culpability for what was going to happen; but this conviction would come back to bite him. On 24 March 2017, the Public Prosecutor (controlled by Madrid) opened an investigation into whether an illegal referendum was being organised. (The conclusion, predictably, was yes.) In July 2017, Puigdemont started firing any of his government ministers who expressed hesitation over what he was intending to do. On 17 July 2017 the Chief of the Catalan regional Police, the *Mossos d'Esquadra*, resigned without reason. On 6 September 2017 the Catalan government passed a decree mandating the referendum. The next day the Constitutional Court annulled it. A dispute arose about ballot boxes. Madrid said that only it was entitled to provide ballot boxes. Nevertheless ballot boxes appeared across Catalonia, supplied by the Catalan government. It was never established conclusively who paid for them. The Mayor of Barcelona, Ada Colau, refused to say whether she supported the referendum or whether the Barcelona government would provide logistical support for it. On 9 September 2017, the Spanish national police, the *Guardia Civil*, raided newspapers and printing offices looking for evidence that ballot papers were being printed. On 19 September 2017, the *Guardia Civil* raided a postal service to seize mail intended to direct ballot station supervisors on how to conduct the referendum. On 20 September 2017, the *Guardia Civil* raided various Catalan regional government offices claiming to seize almost 10 million ballot papers: something that sounded intrinsically unlikely given there were only 7.5 million residents of Catalonia of which perhaps 4 million were eligible to vote.

In the events leading up to polling day, 1 October 2017, things became entirely out of control. The *Guardia Civil* tried to

raid the offices of CUP but were prevented by a human chain. Private companies suspected of complicity in the referendum had their offices raided and their staff arrested. Three ships were sent by the Spanish navy to the Catalan coast to house over 6,000 *Guardia Civil* officers to enforce Madrid's writ, in substantial part because Catalan hotels and lodging houses were refusing to accept Spanish police officers as guests. *Òmnium Cultural* and ANC organised demonstrations outside buildings subject to search by the *Guardia Civil*. The *Guardia Civil* were unable to manage the unprecedented levels of civil disobedience, and they called upon the local Catalan police the *Mossos d'Esquadra* but the *Mossos* in general failed to assist. Demonstrators began to surround *Guardia Civil* officers and vehicles. Barcelona became an anarchy. By the last week in September 2017, the entirety of the international media had descended upon Barcelona wondering what on earth was going on. The fiasco degenerated into a public relations disaster for both Barcelona (as a tourist centre, nobody wanted to visit under these circumstances) and also for Madrid (whose heavy-handed use of police forces imported from other regions of Spain, using violence to prevent people from voting, was hardly attractive).

The polling day itself was the apex of the *melée*. Television footage of the *Guardia Civil* trying to prevent people from entering polling booths was screened across the world. The *Guardia Civil* stood in tense stand-offs with the *Mossos d'Esquadra*. Images were relayed of protesters atop *Guardia Civil* vehicles. The *Guardia Civil* went to close the polling station at which Carles Puigdemont was expected to vote. Puigdemont evaded a helicopter Police trail by switching vehicles on a highway under a bridge, and emerged at a different polling station smiling and casting his vote. The prevailing atmosphere was one of unrelenting chaos. Law and order was breaking down, at least in Barcelona, even more than was usual. Madrid drastically underestimated the

resources that Catalonia's shadow government institutions, *Òmnium Cultural* and the ANC, had devoted to ensure that the referendum could take place notwithstanding *Guardia Civil* interference. Polling stations had included schools, and voters had turned out in the middle of the night with their children to wait for the polls to open. Although in a few isolated incidents the *Guardia Civil* tried to lock and bolt these polling stations, there was little they could do to prevent peaceful people accompanied by their children from trying to vote in a referendum organised pursuant to a Catalan law. Madrid thoroughly underestimated both the police resources needed to suppress a referendum undertaken through informal institutions within a region of some 7.5 million people, and also the adverse international public reaction to the police doing so. 1 October 2017 was a public relations catastrophe for Madrid. The impression left by that evening was of peaceful Catalans seeking to exercise their democratic mandates being violently repressed by paramilitary Police sent by Madrid who, inconveniently, also dressed in the garb of riot police when there was no need for this.

The result of the referendum goes without saying. As before, turnout was low and the proportion of the vote in favour of independence was very high. That is because, as with the 2014 referendum, those Catalan residents who did not support independence abstained from the vote on the grounds of its illegitimacy. The referendum itself resolved nothing upon a democratic basis that had not been resolved in the course of the miscellaneous elections, votes and referenda earlier in the second decade of the twentieth century.

The referendum of 1 October 2017 was an undisputed victory for the Catalan nationalists. They had won the referendum. The referendum was reasonably legitimate, in the sense that it was sanctioned by legislation (irrespective of the Constitutional Court's suspension of that law) and it was

carried out in accordance with the law. The low turnout could be excused simply: had people wanted to participate in the referendum and vote against independence, they could have done. The reason they did not is only because they knew that voters in favour of independence stand in a (moderate) majority. Madrid had exhibited brutality against peaceful voters. Catalonia had used its shadow institutions to superlative effect. The international media narrative emerging from the referendum suggested that the Spanish government had used disproportionate and unseemly force. Spain's reputation as a modern democratic European country was compromised. The Catalans had a point.

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The problem with all of this, however, is that nobody who organised the referendum seemed to have given the slightest thought as to what to do after they had won it. Creating an independent state is not just a matter of sending a letter to the United Nations, stating that we have just had a referendum on the issue and that is the end of the matter. As is often the case for misconceived referenda, no preparations had been made for the actions necessary to implement the referendum result in the (in this case inevitable) result that it passed. Catalonia had no control over its borders. It had no control over its tax revenues. It was occupied by an admittedly inadequate force of militarised Spanish police. Various government offices had been occupied by those Police. Its President had become a fugitive overnight, as is inevitable for someone who switches vehicles under a freeway bridge in order to avoid 24-hour police observation. The Catalans might have won their referendum, but what were they going to do next? Horrified by the speed of events they never imagined would actually come to pass (because Barcelona had taken the international community's support for granted and had grossly underestimated the level of international lobbying required to secure

recognition by foreign governments of what they had purported to do), European countries were united in their refusal to recognise the Catalan referendum as affecting the sovereignty of Spain over their territory.

The Catalans missed completely what should have been obvious had they a greater level of experience of international relations. The only possible reaction on the part of the international community, faced with a legally controversial referendum on the independence of a Spanish region that had made no credible preparations for a declaration of independence, was to pronounce that this was an internal Spanish matter that had nothing to do with them. And this turned out to be the common position of virtually every country in the world that took any position on the matter. They had to take this position. The referendum, and its result, were frankly irrelevant. It made no difference whether the Catalans had conducted a proper referendum, or any referendum. Catalonia simply was not and is not a state. As a factual matter, it was and is subject to Spanish laws; Spanish courts; the force of the Spanish central Police; potentially the force of the Spanish military; it has no control over its finances or its borders; and it has not established what relationship, if any, it would have with the EU or with NATO of which its parent country Spain is a member. For the rest of Europe, the idea that Catalonia could become an independent state was wholly unrealistic. You could have a dozen referendums. None of them would make the slightest difference. Catalonia is not a state, no matter what the voters might say and no matter what the Spanish Constitution might dictate. And it is a very long way from being one.

The Catalans bemoaned the lack of European support for what they had done. What did they expect? The European Union is replete with problems. Creating a state out of a region of Spain, that has none of the trappings of statehood and does

not even have control over its finances, is something the European Union has no experience of save in the direst of post-conflict situations such as Kosovo. In that instance it required an extended exertion of military force, political will and financial support for the creation of new government institutions, over the best part of a decade. Still the result was far from ideal, and Kosovo remains a long way from joining the European Union. Catalonia would be far vaster a project, and its dismemberment from Spain would have consequences for Spanish politics that the other countries of Europe could only speculate about but in all likelihood would not be attractive given the importance of Catalonia as a tax base for the rest of Spain. The idea that Catalans seemed to harbour, that the European Union would just fit an independent Republic of Catalonia into its pre-existing supranational structures, was surely a fantasy.

Once again, the story now becomes predictable. Having been chastised by the international media for using Police violence to prevent the referendum movement; but being reinforced in its belief that nobody outside Spain would take the monumental steps needed to cement Catalan independence after the referendum, Madrid resorted to more subtle means of repression of the Catalan autonomy movement that harked back to the bygone days of Spanish legal authoritarianism. The Catalan government declared provisional independence on 27 October 2017. Madrid used an exceptional constitutional power to dissolve the Catalan government. It then used its intrusive system of investigative Judges to incarcerate the principal culprits. Investigative Judges opened investigations, and subpoenaed pro-independence politicians to appear at closed-door hearings for questioning. But there were no questions; the suspects of inchoate investigations into vaguely defined political crimes such as sedition, rebellion and misuse of public funds were incarcerated and they never returned from their judicial

hearings. Many of them languish in prison at the time of writing. A number of politicians, on notice of judicial subpoenas that amounted to one-way tickets to prison cells, fled Spain to avoid arrest. Those politicians likewise remain in exile.

This was as catastrophic for the Catalan independence movement as it was a predictable consequence of holding a referendum that, while tactically ingenious in the detail involved in frustrating the intentions of the Spanish central authorities, was a strategic disaster. Puigdemont was one of those who fled. He escaped by car overnight to France, then flew to Belgium, and placed himself at the mercy of a Flemish Judge in resisting extradition proceedings. Flanders seeking to secede from Wallonia, and Brussels being the seat of the European Union, by confluence of political fortune he managed to escape extradition. He tempted fate a second time when he decided to drive from Belgium to Helsinki to give a student lecture. Spanish intelligence officials were following him. The Finns had no desire to arrest him, so the Spanish waited until he reached German territory whereupon the Germans dutifully undertook the task. After miscellaneous German legal machinations, in July 2018 the German courts decided that they would be prepared to extradite Puigdemont to Spain on the misuse of public funds charge but only on the condition that the other charges, of sedition and rebellion, were dropped. At this stage Madrid realised that perhaps they did not actually want Puigdemont in prison in Madrid on any pretext, and dropped all international arrest warrants against the various exiles. This meant that they would be free to travel to anywhere except Spain. If they returned home, they would be arrested. They would be exiles for life.

How did things ever reach these catastrophic depths? I have reflected upon this a great deal. In my judgment, the only explanation for Puigdemont's actions is that he was an inexperienced fanatic who insisted upon pursuing his long-

harboured and essentially irrational desire for Catalan independence and the establishment of a Catalan Republic separate from the Kingdom of Spain whatever the cost, and knowing nothing about how credible states are formed or can subsist. He should have known that in general, referenda take years to organise and execute successfully. But Catalonia is not some general place. In many ways it seems to operate as an open-air asylum, replete with some of the hottest-tempered people on the Iberian peninsula run under a series of family fiefdoms. To circumvent the fiefdoms, Puigdemont went to the people who came out onto the streets. Once he did this, Mas could not stop him. The problem with Puigdemont's plan was that it came to a conclusion on the night of the referendum vote count. The weather would be cooler the next day, and he wouldn't have the slightest idea what to do next. And so it proved.

Mas's referendum in 2014 had been advisory, voluntary and undertaken outside Catalonia's official institutions. The ballot boxes were made of cardboard from local factories. They had no official government symbols on them. The ballot stations were not in public buildings. An elaborate scheme of funding had been created so that no public funds appeared to be used upon the exercise. After much to-ing and fro-ing, no legislation or parliamentary instrument had been enacted to sanction the event. The whole thing had been executed so as to look like a private and voluntary, if substantial, affair. Still, Mas had been prosecuted for violating the constitutional order.

Although Puigdemont had been preparing for the independence referendum to be held on 1 October 2017 for some months, nobody had bothered to speak out to the effect that this was an express train heading directly towards the buffers. Artur Mas surely understood that Puigdemont's project would be a disaster. But it was all too late by the time that Mas realised Puigdemont was both cleverer than he had imagined

(he pulled off a successful referendum in the face of violent hostility from Madrid) and less clever (he had not thought through what a successful referendum at this stage of Catalan history actually would mean for him and his people). Because Puigdemont and his colleagues knew little of international affairs (Puigdemont does not speak English), there was little international attention directed towards the Catalan nationalist movement. Puigdemont was conducting state-building in a vacuum. To build a state requires not just the participation of one's own people. At some level, the acquiescence of the state from which one is seceding is generally important. And the approval and even assistance of the international community more broadly is essential and cannot be taken for granted. Puigdemont did not think of these things, and that is why, in my considered view, he does not deserve a generous treatment by historians. Whether he receives one, we shall see.

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Mariano Rajoy had found an obscure provision in the Spanish Constitution that seemed to allow him to abolish a regional government in circumstances of *extremis*. This is the sort of constitutional provision that constitutional lawyers write into constitutional documents on the assured assumption that no politician will ever be damn fool enough to try to use it. In the Spanish case the provision had been copied, more or less *verbatim* (but with poor translation), from the *Grundgesetz*, Germany's Basic (constitutional) law, written by the Allies after they overran West Germany in the aftermath of World War Two. Whereas the allies anticipated a situation in which they would have to take over a part of Germany due to a resurgence of Nazism (the relevant provision of the *Grundgesetz* has never been invoked), Rajoy decided to use the equivalent Spanish constitutional provision to abolish the historical autonomous regional government of Catalonia

because it had held a democratic referendum. Soraya Saenz, the uncompromising but inexperienced Deputy Prime Minister of Spain, was anointed as Catalonia's colonial governor.

This turned out to be a tactical error on the part of Madrid; Spanish politics seems to repeat the cycle of one blunder after another by each side in turn. Saenz had no idea how to govern Catalonia, that anyway was governed through a whole host of institutions loyal to Artur Mas that were parallel to the official Catalan regional government structures loyal to Artur Mas. She tried sending new government ministers into buildings controlled by Artur Mas, but all she met was people loyal to Artur Mas who anyway were not in control because another group of people, also loyal to Artur Mas, were actually in control of whatever she was trying to take charge of. In the end she descended to signing decrees confiscating artefacts from Catalan museums. The only thing she really needed to take control of - Catalan tax revenues - she had no *de lure* control over anyway. That is because in theory Catalan tax revenues were paid directly to Madrid. Hence she had no tax revenues to expropriate. When Artur Mas's people invited major Catalan businesses to stop paying their taxes to Madrid, and instead suggested that they make voluntary contributions to *Òmnium Cultural* and/or ANC, Saenz was left with empty pockets, Catalan businesses had a semi-voluntary tax holiday, and Artur Mas had a smile on his face. The Saenz reign was a disaster. The *Guardia Civil*, shipped in (literally) on an emergency basis from other parts of Spain, eventually had to leave. The *Mossos d'Esquadra* were hardly going to follow Saenz's law. She ended up looking like a drip.

Perhaps more fundamentally, German Chancellor Angela Merkel found her interest piqued. Born in Eastern Germany under the Stasi, Merkel found the idea of special police units using violence to prevent people from voting or expressing their peaceful political opinions unsatisfactory. She

also considered extra-constitutional abrogation of the Spanish federal system akin to legal actions she associated with the darker periods of Germany's history. (If the readers wants a hint as to how I became involved, the motivations of this most singular lady might provide a hint.) Merkel was having none of it. Contrary to Rajoy's publicly-expressed fantasies of six to nine months of direct rule over Barcelona by Madrid pending new Catalan regional elections - something Madrid was incapable of executing anyway by reason of lack of resources - Merkel insisted upon elections before the end of the year. In the event, Rajoy called new Catalan elections for 21 December 2017, the very last working day before most people would take off for the Christmas vacation. Nevertheless the results were just the same as every prior election: the Catalan nationalists won by approximately a 55:45 margin.

The principal difference between the 21 December 2017 elections and prior elections, apart from the rise in support for *Ciudadanos*, a party nobody admitted voting for (I must have asked between 50 and 80 people on 20 and 21 December how they intended to vote or had voted, and I heard every answer except *Ciudadanos*) but somehow won 25% of the vote, was that the pro-nationalist parties all deliberately stickied the wicket by placing at the top of their electoral lists either people in prison or people in exile. A somewhat tedious debate subsequently emerged about whether people in prison or exiled on international arrest warrants could vote in the Catalan Parliament or stand to be President of the Generalitat. At this stage Artur Mas seems to have got sick of it all and, at the age of 62, he resigned as the head of his political party on 9 January 2018. Nevertheless the nonsense continued until 15 May 2018, by which time the various imprisoned and/or exiled elected parliamentarians had either agreed to forego their seats in favour of more credible candidates further down the party lists or had been removed from office by judicial decree. And thus on 15 May 2018 Quim Torra, a thoroughgoing

nationalist under Mas's umbrella, was appointed as 131st President of the Generalitat. In the meantime Roger Torrent, a youthful firebrand, had been appointed in January 2018 as 15th President of the Parliament of Catalonia.

In credit to Mas, these two politicians can only have been chosen by him on the grounds of their maximum objectionability to Madrid. They are by far the most extreme Catalan nationalists not to be currently imprisoned or fleeing from justice. The first three candidates elected as President of the Generalitat after the December 2017 elections, all of whose appointments were annulled by the courts, were Carles Puigdemont (in exile abroad), Jordi Sanchez (imprisoned) and Jordi Turull (imprisoned). Torra was the fourth choice, an unrelenting nationalist and totally uncompromising just as is Torrent. To give just one example,

Notwithstanding Mas's ostensible retirement, his scorpion's sting has been to leave these delectably uncompromising individuals a double-pronged thorn in Madrid's side. Mariano Rajoy's parting shot of gratitude against Mas, before he himself was deposed as Spanish Prime Minister on 2 June 2018, was to start some new spurious criminal legal proceedings against Mas. But we should note in passing that Pujol and Juan Carlos got their revenge. On 24 May 2018 the *Audencia Nacional*, a special court in Madrid with a spurious International jurisdiction and dominated by Republican Judges, made various findings of guilt against the *Partido Popular* in respect of the *Gürtel* affair including criticisms of the honesty and integrity of Spanish Prime Minister Mariano Rajoy. The *Gürtel* affair was intimately intertwined with the offshore bank account arrangements that had sunk Juan Carlos I and Jordi Pujol.

The court's judgment led to a no confidence motion against Mariano Rajoy's minority government in the *Cortes*

Generales. It was led by PSOE, but they barely had 25% of the seats. Rajoy was removed from office by a bizarre coalition of PSOE, *Podemos* and Catalan nationalists and replaced with Pedro Sánchez, leader of the PSOE, on 2 June 2018. To fortify himself, he immediately started conciliation talks with the Catalan nationalists. But this would be facile. There are insufficient Catalan nationalist seats (17 / 350) in the *Cortes Generales* to sustain an unstable coalition between PSOE and *Podemos*. The prior minority government of Mariano Rajoy was sustained by PSOE abstaining because they preferred a *Partido Popular* government in power in Madrid to forming a coalition with their rivals for the left-wing vote *Podemos*. It is difficult to see why the judgment of the *Audencia Nacional* in the *Gürtel* affair has changed that fundamental logic. The sole rationale for PSOE grouping with *Podemos* to remove Rajoy would be to call an early election, in which they anticipate *Partido Popular*, their common enemy, being eliminated.

The position is that as of the summer of 2018, an unstable minority Socialist government sits in Madrid, purporting to negotiate Catalan autonomy concessions with a novice hardline government in Barcelona but ultimately with those negotiations due to fail because there is nothing the Catalans can give PSOE in the *Cortes Generales* that they are not already giving them. The idea that the Catalan nationalists would shift their 17 votes towards a government led by *Partido Popular* / *Ciudadanos* is unrealistic, and therefore there is little to be gained in PSOE granting Barcelona more than token concessions. The only exception to that is if PSOE anticipates it is soon to fall in early *Cortes Generales* elections, and wishes to leave as inconvenient a Catalan smell as possible under the noses of its successors.

This is the result of Puigdemont's adventures. He exiled himself, which admittedly is something that should never have happened to him. A number of good Catalan politicians

have been removed from politics through imprisonment and exile. Catalonia lacks good-quality politicians in the first place, so this is tragic. The Catalan independence movement is impotent: it is now headed by belligerents, but stymied by legal threats. Should its belligerents step out of line, they can expect incarceration and exile in the vein of their predecessors. Moreover the new generation of Catalan political leaders are novices. Artur Mas seems to have got tired of it all, and may be destined to pursue his retirement discussing court papers with legal counsel. Puigdemont was a true believer, but pursuing what he believed did not help either Spain or Catalonia one bit.

It is my opinion that the 1 October 2017 referendum was an unmitigated disaster for both the Catalans and the Spanish. It did nothing to address the underlying cause of the dispute, which is fiscal. It aggravated cultural and ethnic tensions at the most inauspicious time. It cemented a Spanish reputation for judicial fascism which, while always there, has now become a more intoxicating elixir. If Madrid can deal with the Catalan political dispute like this, the natural inference is that it can deal with future political disputes in a similar manner. The 2017 Catalan crisis contributed to what I am now going to argue is the slippery slope of reversion to a distinctively Spanish form of fascism. It is the creed from which Juan Carlos, Pujol and Mas were struggling to save the nation. Now it is a risk once more.

CHAPTER FIVE THE FUTURE

Writing about the future is easy, because one has the defence of excusable error should matters not come to pass in the way one predicted. Nevertheless there is little point in writing a work of this kind unless one is to draw lessons from it for what will happen next. My predictions are inevitably speculative, but I hope they may be reasoned. Whether they turn out to be correct, time will tell.

In one sense, nothing will change. Torra and Torrent will go about their business, no doubt taking uncompromising stands upon everything short of ordering another referendum. Madrid won the fiasco of 2017 in one straightforward sense: it showed that notwithstanding the Catalans' best efforts, Madrid was able to stop a referendum. If they could not prevent it from being carried out without unacceptable displays of police violence broadcast around the world, then they could inflict sufficient legal punishment and the shadow of judicial fear upon the perpetrators of the referendum so as to suppress efforts to organise another one. In this regard, Madrid had achieved an advance upon their reaction to the 2014 referendum that Madrid had to ignore rather than suppress. In Spanish terms, the relative ferocity of Madrid's reaction to the 2017 referendum compared to the 2014 referendum might be measured as a success. Indeed Madrid might imagine that in the event of a 2020 third-time re-run, they would and could take the necessary legal, judicial and coercive measures to

stop a Catalan referendum before it happened, simply by arresting all the organisers in advance. Astute to some sense of progress, Madrid would be learning from its prior experiences and become ever better at managing Catalan deviance.

Sadly, I think that this is precisely the lesson Madrid has learned from the 2014 and 2017 experiences. At the time of writing, the new Socialist Prime Minister in Madrid, Pedro Sánchez, has initiated talks with Quim Torra on devolution of further authorities from the central Spanish government to Barcelona. This appears intrinsically implausible, just as did the 2006 Zapatero devolution of powers in the revised Statute of Autonomy. Everything is negotiable except the only thing that matters, namely distribution of tax revenues.

At the time of writing (July 2018), Sánchez has managed to agree with Torra that Catalonia is a “nation” (something Catalans have always insisted upon but Madrid was curiously insisted on denying, an example of the pettiness inherent in a lot of Catalan politics) but this, being mere semantics, is not particularly important and in any event will be overturned eventually by the Constitutional Court if it follows its 2010 precedent. Moreover the Sánchez government in Madrid is destined to fall. No government can survive working to a 25% minority, supported only by its natural arch-enemy *Podemos* that is seeking to steal its ground and a ragtag coalition of provincial nationalists. The current government serves only at the pleasure of *Ciudadanos*, who can force an election at any time by withdrawing their *de facto* support for *Partido Popular* (that will surely lose heavily, and probably to the benefit of *Ciudadanos*, at the next Spanish general election). So *Ciudadanos* is just buying its time until it is ready to call another election. Should *Ciudadanos* achieve a substantial victory, I predict that it will enter into a modern “liberal” coalition with PSOE, of the centre-left combining with

the centre-right (or so it will be presented). At that stage, the current era of Spanish politics, in which clericalists and Republicans have lived in uneasy compromise with Catalans serving as periodic power-brokers, will come to a close.

Consider the following chart of electoral outcomes in the *Congreso de Diputados*, the lower house of the Spanish parliament the *Cortes Generales* that selects the Prime Minister and whose members are elected under a D'Hondt closed list system. The *Congreso* has 350 seats and therefore, in the absence of abstentions, requires 176 votes to form a government. In the following chart, “Y” means that the party voted in favour of a governing coalition; “N” means that they voted against; “A” means that they abstained; “NC” refers to the June 2018 no confidence vote in Rajoy’s government, that succeeded; “PM” means their leader because Prime Minister. The chart is worth studying because it reveals the possible structure of a political coalition after the next *Cortes Generales* elections, that cannot be later than June 2020.

Table VI: Seats and government support, *Congreso de Diputados*, 2011-2016

Year	PP	POSE	Catalans	Podemos	Basques	C's
2011 Gov't	186 Y (PM)	110 N	16 N	11 N	7 A	0
2015 Gov't	123 N	90 Y	9 N	69 N	6 N	40 Y
2016 Gov't	137 Y (PM)	85 A	17 N	71 N	2 N	32 Y
2018 NC	N	Y (PM)	Y	Y	Y	N

The net result of this is that PSOE as currently in a 25% minority government with the support of arch-enemy *Podemos*.

To predict one possible outcome of the next Spanish general elections, we should start with an assessment of the electoral support for *Ciudadanos* in the *Congreso de Diputados*. To the extent that we suspect *Ciudadanos* in ballot fraud, the 2015 elections are likely a better indicator of their extent of their fraud whereas the 2016 elections, being a snap poll called on short notice, may be a better indicator of their actual levels of support. Therefore consider the following. This is a complete list of Spanish provinces where *Ciudadanos* obtained one seat or more in the *Congreso* in either election.

Table VII: Support for *Ciudadanos* in the *Congreso* by Spanish province, 2015 and 2016

Province	2015 R		2016 R	
Andalusia	13.8% / 8	0.58	13.7% / 7	0.51
Aragon	17.2% / 1	0.06	16.2% / 1	0.06
Asturias	13.6% / 1	0.07	12.6% / 1	0.08
Balearics	14.8% / 1	14.8% / 1	14.6% / 1	0.07
Canaries	11.4% / 2	0.18	12.0% / 2	0.16
Cantabria	15.2% / 1	0.07	14.4% / 1	0.07
Castille / Leon	15.4% / 3	0.19	14.2% / 1	0.07

Province	2015	R	2016	R
Castilla-La Mancha	13.8% / 3	0	13.0% / 0	0
Catalonia	13.0% / 5	0.38	10.9% / 5	0.45
Galicia	9.1% / 1	0.11	8.6% / 0	0
Madrid	18.8% / 7	0.37	17.8% / 6	0.36
Murcia	17.7% / 2	0.11	15.7% / 2	0.12
Valencia	15.8% / 5	0.31	15.0% / 5	0.33
Total	40		32	

The foregoing table lists each province in Spain in which *Ciudadanos* acquired seats in the *Congreso de Diputados* in each of the two Spanish general elections in 2015 and 2016 that were spaced six months apart. Remember that *Ciudadanos* had no national political coverage before 2011, and its presence was confined to Catalonia and Andalusia. Each entry in the table lists the percentage of votes in each province that *Ciudadanos* acquired, followed by the number of seats the party acquired in the *Congreso de Diputados* as a result. It is normal to expect, as between provinces, a wide disparity between provinces in the number seats that a given proportion of the votes buys for a party. Aragon has a population of only 1.3 million, whereas Andalusia has a population of 8.4 million. However what it is not normal to see is a variation, within a province, of the proportion of the vote that you need per seat. The D'Hondt closed list system of proportional representation is supposed to preclude exactly that. It is the most proportionate of the systems.

I have therefore created a ratio R , for each province and election, which represents how powerful each percentage point of the vote in the province in question is in buying a seat in the *Congreso de Diputados*. R is obtained by dividing the number of seats obtained by *Ciudadanos* by the percentage of the vote received. Electoral maps were not redrawn in the six intervening months between the two elections, and therefore there should be minimal change in R between the two elections. The principal reason for any (small) change in R is that in each of 2015 and 2016 different numbers of people may have voted for political parties each of which scored so low that they failed to obtain any seats due to a *de minimis* threshold. (There are a remarkable number of such political parties in Spain, presumably by reason of the fact that it is very easy and cheap to register a political party and stand in an election; all one really needs is to pay a very small fee and provide a list of candidates. And if by some quirk you beat the *de minimis* threshold for a seat, you find yourself eligible for state funding of a political party. So registering a political party is a sort of risk-free gambling.) But where there is a high difference in the value of R between the two elections, this would indicate that something is, to put it mildly, highly amiss. The other observation one should make is that where R is very low, there is barely any point campaigning in that province given limited resources. A party, particularly a new political party, ought to focus its resources upon provinces in which R is high.

The first inference I am going to draw is that for all regions of Spain where R is approximately 0.1 or less, *Ciudadanos* didn't do any campaigning at all. It just picked up votes there by accident. The only provinces of Spain in which *Ciudadanos* campaigned in 2015 / 2016 were Andalusia, Catalonia, Madrid, Castilla-La Mancha and Valencia. *Ciudadanos* is a political party that clearly takes electoral engineering very seriously. Given limited resources, it focuses

its attentions upon provinces where it can obtain the “biggest bang for its buck”. While this might appear rational electioneering in modern Europe, I have not seen evidence of any other political party undertaking the sorts of electoral analytics of the kind that I have undertaken and, by inference, I believe that *Ciudadanos* has undertaken.

While political party funding is a somewhat opaque subject in Spain - certain parties seem to be heavily subsidised by the state, while others are not and it is hard to find a rational policy-based account for the differentials; all political parties seem to have off balance sheet sources of funding disguised as something else such as public information campaigns - my best guess is that the comparatively modest results - and efforts to achieve seats - of *Ciudadanos* in the 2015 and 2016 elections were driven by a need to focus resources upon success in the 2015 and 2017 Catalan regional elections, which as we have already seen achieved the most extraordinary results. Of the rationale for focusing upon the five provinces it did, I can understand for three but not four. The rationale for focusing on Catalonia and Andalusia was that *Ciudadanos* already had a footprint in each of those provinces; it was founded in Andalusia and it has been using the contemporary electoral battleground in Catalonia as an experiment in the party’s distinctive field of electoral analytics. Madrid (and by extension Castilla-La Mancha, which includes prosperous and therefore right-wing Madrid suburbs) was essential, because if *Ciudadanos* aspires (as it certainly does) to become a dominant national political party eclipsing *Partido Popular* for the right-wing vote, then it must have a solid Madrid footprint. (As an anecdotal aside, Madrid is the only place where I have encountered people who have actually admitted voting for *Ciudadanos*.) At the time of writing, I can see no rational basis for *Ciudadanos* choosing the province of Valencia, in which it had no obvious prior footprint, as its fourth experimental electoral region for its entry into Spanish national

politics. Perhaps the answer to that conundrum will become clearer with time.

The next results that reveal one of *Ciudadanos's* specific mechanisms of electoral engineering are those for *Castilla-La Mancha*. This is a large province, parts of which are Madrid suburbs but most of which, at least geographically, stretches almost to Valencia. The point here is that a 0.8% drop in the popular vote between 2015 and 2016 reduced the number of seats *Ciudadanos* received from three to zero. The only explanation I can see for this is that *Ciudadanos* knew more or less exactly the number of votes it would need to secure a single seat in D'Hondt constituencies within the province; it therefore engineered votes in those inner constituencies, perfectly in 2015 but with an amount of effort just the wrong side in each case of the line a mere six months later. I have confirmed this analysis via review of individual constituency votes, but in the interests of not further complicating an already dense narrative I will spare the reader those details. This sort of "house-counting" electoral analytics is more common in marginal constituencies in "first past the post" electoral systems but they can occur in D'Hondt systems where, as in Spain, there is a minimum percentage of the votes a party needs to be eligible for any seats whatsoever in an individual constituency. There are two ways of "house-counting". One is literally going house-to-house, and creating a chart of how many voters in each house are going to vote in each direction, and how many voters are "floating" voters (i.e. voters liable to change their minds from one election to the next). One creates these lists by going to each house and asking the occupants. Lists such as these take multiple electoral cycles to develop with any degree of accuracy. Creating lists of how each household votes, and who might change their vote; and therefore lobbying them individually, is virtually never done in a proportional representation system because, unlike in a "first past the post" electoral system (in

which the overall outcome of an election may depend upon the decisions of a very small minority of voters in a small number of marginal constituencies) the effort required to make a substantial difference to the outcome of an election is not just disproportionate but actually impossible. You cannot house-count an entire country. There just aren't enough electoral volunteers in the hands of every political party.

The other way of creating razor-edge results is through ballot fraud, and we have already explored one way in which *Ciudadanos* might be engaging in voter registration fraud in Catalonia. It is possible - and on current data I can say no more than that - that *Ciudadanos* is engaging in voter registration fraud elsewhere in Spain and it has chosen a series of provinces with which to test its methods, pioneered in Andalusia, then rolled out to the more contested region of Catalonia, across Spain. The particular reason I consider that the results in Castilla-La Mancha may be indicative of an experiment in voter registration fraud is because a loss in 0.8% of the vote resulted in *Ciudadanos* falling below the *de minimis* threshold not just in one individual constituency in Castilla-La Mancha but in three, simultaneously. We are talking about just a few hundred votes in each case out of three, dropping *Ciudadanos* from just above the line to just below the line. None of this is determinative of voter registration fraud, and I have not seen (as I have in Catalonia) ballot papers with the names of people who do not live at a given address registered to vote there. Far more detailed electoral analytics would be needed than are within the scope of this work. But they give grounds for concern.

In the event that *Ciudadanos* achieves a sudden explosion in support in the next *Cortes Generales* election, then the issue of potential country-wide voter registration fraud may need to be revisited.

Why create a political party to take the votes of *Partido Popular*? The idea, promoted by *Ciudadanos*, that it is a young people's version of *Partido Popular* is surprising, because all political parties need to rejuvenate themselves with young people who they then bring up through the ranks thereby acquiring experience. The idea of voting for a party almost entirely populated by young political novices is bizarre. The only reason one would do such a thing is because one did not want one's politicians to have any experience of politics. They are intentionally to be installed in political positions just to read out pre-prepared speeches and vote as instructed. There can be no effective dissenters in a party composed almost exclusively of political neophytes. Whether or not *Ciudadanos* is guilty of the misconduct I have suggested may be indicated by analysis of the party's electoral record data, it seems far from clear to me that a strong contemporary Spanish democracy can be formed with a party of this kind in government. *Ciudadanos* is a proxy for hidden Spanish political interests: a political party that can be easily controlled by its hidden masters. It is also a party whose ostensible agenda is to heal clerical-Republican wounds: precisely the promise made by Franco.

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My view is that the economic crisis affecting both Spain and Catalonia has not changed in structure since 2010, but only in magnitude. Let us consider the following approximate statistics for Spain as between 2010 and 2017. In the following table, "N/A" means that the data was not available or could not be found in a reliable source.

Table VIII: Indicators of Spain's economic outlook, 2010 - 2017

	2007	2010	2013	2017
GDP per capita (non-adjusted), US\$	33000	30736	29210	28174
Unemployment (December)	7%	20.5%	27%	17.4%
Youth unemployment (December)	17%	40%	55%	36.6%
Sovereign debt (% GDP)	38%	60.1%	95.5%	98.3%
Off balance sheet sovereign debt (% GDP)	N/A	N/A	N/A	35.6%
Private debt (% GDP)	275%	268.6%	241%	200.1%

According to these figures, in 2017 the situation is much the same as, or slightly improved in comparison 2010 after a grave trough that reached its depth in 2013. However this is optimistic, because it fails to take into account the long-term macro-economic shocks caused to the Spanish economy during that trough. Nevertheless Spain remains bankrupt and grossly over-indebted. Perhaps the most alarming statistic is that in 2017 the European Central Bank (of which Luis de Guindos, who *Ciudadanos* party head Albert Rivera accompanied to the Bilderberg conference in 2017) took on some € 0.7 trillion of Spain's sovereign debt, a breach of its own rules that say the ECB should never be a lender of more

than 25% of a Eurozone member's sovereign debt. One cannot help thinking that Mas's liquidity plan is being invented, only without Mas and therefore to the exclusion of continued Catalan political leverage over the institutions of Spanish central government.

In the ECB bearing a proportion of Spain's sovereign debt, the financial risk of default is transferred back to the other Eurozone economies whose banks over-leaned, in particular Germany and France. The cost of doing this may be an abdication of political responsibility over Spain's domestic affairs to the European Union at the same time. In other words, the original error inherent in the Euro of creating a common monetary policy without a common fiscal policy is rectified, as it was for Greece, by privately conditioning ECB support upon political interference in a country's domestic affairs and the imposition of an austerity budget across Spain.

If that is where things are going, then Spain is in for some tough years, as taxes go up; efforts at collecting them are enhanced; and public services (and benefits for public servants) are reduced. These are the pains undertaken by Greece, and they caused substantial social unrest as a result. Spain may see the same. But there seems little other choice. Given the unpalatability of re-Pesetification, the notion of writing off debts arising out of former Spanish profligacy in a way that would not require interference with Spain's internal political autonomy seems unlikely. Even if Germany could afford to write off all that debt, then what would there be to stop the Spanish from doing it all again? It is only the crushing pressure of debt that now disciplines Spanish macroeconomics and its financial institutions. In this context, the Catalans might very well ask, why should this have anything to do with us? We were comparatively lean, even during the Zapatero years. The exercise in state-building - a polite term for political interference with a sovereign state's governing structures by

the governments of its creditors, as the cost of partial debt relief is not an agony we Catalans should be enforced to endure. That was precisely the point behind Artur Mas's position at the Rajoy-Mas negotiations in 2012. The point was not accepted then. But now things have become sufficiently worse, and there has been a change in political chairs amongst the institutions of the European Union, that such a solution might be tolerable. Certainly German Chancellor Angela Merkel, in a comparatively weaker position in 2018 than she was in 2012 and holding on only tenuously to a fragile coalition in Berlin, will not be predisposed to show Madrid fiscal leniency.

So we return full circle to the question: should Catalonia be forced to continue as part of the next stage of undoubtedly uncomfortable history, or should they be allowed to escape the net of contemporary Spain? It is to this question that we now, finally, must turn if we are to do justice to the title of this work.

CHAPTER SIX

SHOULD CATALONIA BE INDEPENDENT?

How should we go about trying to answer a question as vague as whether a region of an established country ought to secede and become an independent sovereign state? It is a strange question and, notably, international law has no answer to the question. It is silent. In his 800-page magnum opus “The Creation of States under International Law”, the well-known professor of international law, James Crawford, does not answer this, the most obvious question arising from the title of this book. Instead he writes at length about what other people thought about the subject; he analyses how other people rationalised the creation of new states once they were in the process of creation or once they had been created; and he observes that the best way for a new state to be created is with the consent or at least acquiescence of the state from which it is seceding. But that is rather obvious. The far more difficult question, to which ultimately he has no answer, is when a region should be allowed to secede and become a new state without the consent of its parent state. Eight hundred pages of analysis from the world’s foremost scholar on the subject does not much assist us in resolving matters of principle. Perhaps his only conclusion is that there is no answer of principle.

We could simplify the question into facility by asking “who are we?” when we ask the question “do we think the region ought to secede?”. Most people in Madrid think one

thing; many or most people in Catalonia, depending upon what one thinks of the reliability of recent Catalan referendum and election results, think another. The politics of identity - insisting that one affiliates themselves with “them” or “us” as a precondition to taking a position upon so divisive an issues as Catalan secessionism - is an intellectual dead-end. As soon as one has identified oneself in one group or another, the question of whether any particular referendum or election, or the result thereof, was fair, representative, lawful, appropriate, just or the like becomes pre-determined. For a person opposed to Catalan secessionism, it is obvious that the Spanish Constitution forbids a regional referendum upon the issue and that is the end of the matter. For a person in favour, it is obvious that the combination of the right to self-determination enshrined in international human rights law, combined with regional Catalan parliamentary legislation, authorises such a referendum. It is also obvious that for a person with the former views, the referenda that actually occurred were fixed, faulty, unrepresentative or bogus; while for a person with the latter views, those referenda were fair, representative and legitimate.

Arguing about referenda and parliamentary elections that, in essence, reflect referendum results because the choice facing voter is between pro-independence parties and anti-independence parties, is to a substantial extent inutile if the issue of secession is so divisive that the divided parties cannot agree that it be resolved by way of referendum. There is no point having a referendum unless there is some guarantee that whichever party loses the referendum is going to accept its outcome, either because they realise that this is the best possible way of solving a problem or because they effectively have no choice. A referendum where the result is not obvious in advance and/or whose result may not be accepted or may cause political chaos or disaster should not be undertaken.

Perhaps the best illustration of this was the 2016 referendum in the United Kingdom on whether the country should leave the European Union. Nobody planned for the eventually that the referendum result would be in favour of leaving the EU. Based upon prior opinion polls, nobody thought that the vote would even be close. When in fact the outcome revealed a slight majority in favour of British exit from the EU (principally because British people used the referendum as a proxy for dissatisfaction with the British government's economic policies in the absence of a credible opposition to the government in power at the time), everyone was horrified. British politics from then until the time of writing have been a disastrous exercise in wrestling with an attempt to execute an essentially absurd policy - the United Kingdom's departure from the world's biggest free trade zone - confirmed by referendum. The principal problem facing the United Kingdom now is that democratic traditions are so enshrined in the country's historical constitutional structure that it is extremely hard to reverse what is obviously an absurd referendum mandate.

For equivalent reasons, trying to answer the question "should Catalonia be independent?" by holding a referendum is, as has been shown, entirely destructive if Spain as a whole is not prepared to respect the result of a referendum that could in principle yield an affirmative result no matter how fair the procedure might be. In this context, what the Spanish constitution says about the matter is irrelevant if the contents of the constitution do not represent a consensus between the competing groups as to how a contested secession issue ought to be resolved. The Spanish constitution states, in fairly clear terms, that the territorial integrity of Spain is unimpeachable against secessionist movements, and it must be inferred that this applies notwithstanding a contrary regional referendum result. But given the prevailing politics in Madrid, it would not help matters if the Spanish constitution actually said

exactly the opposite and explicitly averred that any region of Spain is entitled to become an independent state if there is a regional referendum that approves such a move. These issues cannot be resolved simply by citing laws, unless the laws reflect a consensus between the parties as to how these issues can be peacefully resolved.

This is the difference between the events relating to the Catalan independence referendum in 2017 and the Scottish independence referendum in 2014. Like Spain, the United Kingdom had no constitutional or legislative apparatus to resolve issues of regional secession. Instead the government in London and the Scottish nationalists agreed an *ad hoc* procedure to resolve the issue. The Scottish referendum did not have a precedent in the law of the United Kingdom, and it was agreed by the competing parties. The procedure went relatively smoothly, and the result was accepted by the losing party. It was not necessary to make detailed preparations in the event that the referendum result went in favour of Scottish independence, because British democratic constitutional traditions would have rendered a referendum result in favour of independence impossible to reverse and a way would necessarily have been found of implementing it, just as the British government is now struggling to find a way to implement the marginally positive result in favour of British exit from the European Union. The politicians (most British MP's) who were in favour of the United Kingdom remaining within the European Union have likewise had to participate in the exercise of finding a way to give expression to the voters' democratic will.

None of this political substructure exists in Spain, and that is why the 2017 referendum was destined to fail. The Spanish state could and would use whatever force was necessary, subverting the court system, using the police, and potentially even the military, to prevent Catalan independence.

Therefore the notion that the Catalans could follow a hypothetical Scottish model (that had not been tested because the Scottish voted to stay in the United Kingdom by a substantial margin; and had been created in the context of a very different constitutional system with a long history of democratic compromise) was misconceived. The idea that the necessary steps to achieve Catalan independence following an affirmative referendum would just fall out of Spain's constitutional system by means of negotiation was misconceived. There had been no negotiations so far, and hence there was no reason to expect that there would be any in the future either. Spain has a history of using force to quell secessionist movements. The Catalans had no reason to imagine otherwise. To suppose that the European Union would force such a post-referendum process upon Madrid was naive at best. The European Union did not, and never has had, the political power to do such a thing to one of its member states.

From the foregoing discussion, one might be tempted to draw the inference that in questions of state secession might makes right. Because Madrid had the military, judicial and law enforcement means to suppress the Catalan secession process, Catalonia has no reasonable prospect of independence and it should not attempt to be so. That would also be wrong. The reason the 'might is right' principle is wrong is not because might is not right. In one sense, might is always right. That is why people have conflicts; their outcomes matter. If 'might' just means 'the side that prevails in a conflict' and 'right' means 'the side that writes the canonical account of who was morally superior, then 'might is right' becomes as obvious as Winston Churchill's well-known aphorism that history is written by the victors. What I find more concerning about the 'might is right' approach to political science is the fatalism it might be perceived to engender. It might be taken to imply that there is no point trying to change an outcome, because it is all pre-ordained. I totally disagree with that. I believe I made

something of a difference during the Catalan crisis. It would be an exercise in self-aggrandisement to attempt to quantify it. But I made some difference. And I did not have to. I could have stayed at home, and at some points I got close to deciding to do that. Because I did not, fatalism is wrong.

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How then do we answer a question such as that posed by the title of this book? Having experienced several ethnic conflicts and secessionist disputes, I do not believe there to be a uniform framework applicable to all such disputes out of which an answer may neatly fall. However I will make two observations. In my opinion, they are both critically important.

My first observation is that the consistent contemporary trend is towards a proliferation of states. There are far more states than there were one hundred years ago, and several of the most recent (for example South Sudan and Kosovo) are far more institutionally wanting than Catalonia, so we cannot exclude Catalan independence on the basis that, like the rest of Spain, the greater proportion of its political institutions are thoroughly dysfunctional.

Why are there so many more states now than before? A simple answer is the collapse of empires. But why did empires collapse? That may be because technological advances made the capacity for cultural self-expression through internationally recognised political movements ever easier than it had been. Images of the *Guardia Civil* using violence against peaceful Catalan voters in a referendum were flashed across the world virtually instantaneously in a way that would have been inconceivable 50 years ago. It is more likely than not that there is a causal connection between technological advances rendering ease of communicating political events ever easier and successful crystallisation of

cultural and political movements into recognised new sovereign states. If this is right, then the Catalan independence movement may be on the right side of the historical direction of the politics of Westphalian sovereignty.

This leads into the second important point, namely the importance of history in understanding the feasibility or even inevitability of a secessionist movement. You cannot pull a credible secessionist movement out of nowhere if there is no historical precedent for it. I was born in Leeds. Imagine that I initiated a movement for the independence of Elmet, a long-forgotten name for a region of northern England that some historical sources aver to have existed as an independent kingdom between the fifth and seventh centuries and which might have had Leeds as its capital. To suggest that Elmet has a contemporary case for secession would be laughable. That is because there is no historical continuity in a claim for the independence of Elmet. So history matters. We must ask whether there is a historical case by which Catalonia has justifiably acquired the trappings of an independent state, and in respect of which a declaration of independence is the final formal step.

Here is an argument against Catalan independence. It is the strongest argument I can muster against the Catalan nationalist cause. It is an argument not from laws, constitutions, elections or referenda, but from history. It is this argument, I think, that the Catalan nationalist has to answer as a necessary step in advancing his or her case for independence.

Throughout recent history, Spain has been continually going bust, borrowing foreign money and then finding itself unable to repay it. The perennial dispute between theocrats and Republicans has been used as an excuse to evade Spain's financial obligations. Catalonia has intentionally

immersed itself in these distinctively Spanish ideological disputes, with a view to obtain financial leverage. Since at least as far back as the Carlists, Catalonia has conditioned its support for one side or another in a pan-Spanish ideological dispute which ultimately comes down to a question of how to pay off foreign debt that has reached intolerable levels, by insisting upon financial year incentives, such as industrialisation, concentrating of banking, or fiscally advantageous constitutional autonomy, as a condition of its backing.

Catalonia has often been on the losing side of these ideological disputes that wrack Spain. But Catalonia was cynical. That didn't matter. Whatever the outcome of the broader Spanish dispute, Catalonia then conditioned acquiescence in the peace imposed by the prevailing pan-Spanish party upon maintaining or even enhancing its advantageous financial status. That is why economic indicators for Catalonia are superior to those for Spain as a whole. It is not the product of Catalans' intrinsic superior work ethic or entrepreneurial spirit. Instead it is the result of Catalans ruthlessly exploiting their role as power brokers to enhance their own economic welfare in the context of broader Spanish political and economic woes.

The urge for Catalans to seek independence is realisable even in theory only by reason of Catalonia's privileged economic position compared to the rest of Spain. But the reason Catalonia occupies that privileged position is because it has taken the economic fruits of a game in which the broader Spanish body politic has been recurrently fractured by profligacy leading into insolvency, and the Catalans have exploited those fractures for their own advantage.

In other words, throughout history, whenever Spain, an admittedly recurrently dysfunctional state, has found itself short of money the Catalans have taken advantage of the situation to enrich themselves. It follows that it does not now lie in the mouths of the Catalans to say they have the right disengage themselves from a pan-Spanish political dynamic they have profited from, at precisely the point when Madrid needs their tax revenues in order to balance its books. If Catalonia wanted to be independent, it should never have taken Spanish money and it might well have been independent a long time ago. Instead it pursued a course of self-enrichment the corollary of which is that it must share the current difficult times with the rest of Spain because it is holding Spanish money which in part, and by way of taxation, Spain needs as it seeks to alleviate itself from yet another economic crisis.

I find this argument compelling. If I were Spanish, I would be outraged with the movement for Catalan independence. The Catalans, I might well think, have acted obnoxiously throughout history. They have taken every advantage to borrow the family jewellery and now they want to run off with it, during our darkest hour. Why should my government in Madrid let them? We can stop them, using force. Although the international community has set limits upon what Madrid can do, it has been made clear to Madrid that we are entitled to use instruments of law and even state force to prevent Catalonia from seceding.

Nevertheless, on balance I think the foregoing argument is absolutely wrong notwithstanding my sympathy with the Spanish point of view. I want to help the reader understand why I think it is wrong. This will involve my seeking to persuade a Spaniard of the value to them of the cause for Catalan independence. It is obvious that I am now speaking to Spaniards, not to Catalans. Firstly, Catalans will surely be livid with what I have written above. Secondly, it is obvious to

me that if the Catalans cannot persuade the broader Spanish body politic of the merits of their case for independence then the Catalans will never obtain independence. That is because the Spanish have more guns than the Catalans, and they always have done and they always will do, and the international community is never, in the last resort, going to intervene to stop the Spanish from using those guns in order to suppress to a Catalan independence movement. That is due to the persuasive narrative on the part of Madrid that a Spain absent Catalonia is less likely to repay its international debts than a Spain with Catalonia.

Therefore, having first acknowledged the Spanish view at its strongest, and surely infuriating many or most Catalans, I am going to start with some observations about arguments from history. We need to do this because we need to change the entire terms of debate. The argument I am going to advance for Catalan independence is unvarnished, even discourteous or disrespectful. I accept that. I opened this book with some observations to the effect that peacekeeping is not a profession for those who wish to be widely liked. It involves delivering unpleasant truths.

I have seen arguments from history in every ethnic conflict I have ever dealt with. They are always the same. They proceed as follows. Look at what these people did to us in the past. Therefore we are morally superior to them. Therefore we are entitled to do things to them that we would not do to our own families, friends or colleagues.

These arguments imply as axioms racism of a kind modern Europe has been trying to move away from, and also uncompromising authoritarianism: treating people with force by reason of the state's or their identification with a political position or a given ethnic identity. They likewise involve condemning or holding accountable people of today for things

that happened in the past, either before those people were born or when they were too young to be responsible for anything, or for actions those people had nothing to do with even if they approved of them. But thinking, or having political ideas, is not a crime.

We have examples of this. Peaceful politicians in favour of Catalan independence have been incarcerated without charge upon suspicion of anachronistic offences. Peaceful politicians opposed to Catalan independence have not been. This is the authoritarian exercise of prejudice. It is what characterised Francoism and it did Spanish politics no good at all. While history is important because it defines individuals' beliefs and individuals ought to be treated with dignity and respect, history is not a prison for new ideas about how to conceive the future.

There is a Catalan historical counter-narrative in opposition to the Spanish narrative I outline above, about how the Catalans have been oppressed at the hands of Madrid down through the ages. I am not going to recreate that argument here. A Catalan reader might be incensed that I have advanced coherently the Spanish side of the historical narrative, no doubt the Catalan will assert in a biased and unfair way, while giving no space to the Catalan counter-narrative. The reason I have not done so is because the goal of this chapter is not to weigh and assess competing historical narratives between the two sides stuck in an intractable conflict. Instead the purpose of this chapter is to attempt to persuade everybody that engaging in competing historical narratives is quite the wrong way to go about addressing the problem.

The reason I have decided to give no space to the contrary pro-Catalan historical narrative, which involves an account of subjugation of democracy and free market

institutions going back hundreds of years, is because the conclusion I have reached is that Catalonia should become independent. And I have reached that conclusion without reference to a historical narrative I consider irrelevant, even if I agree with it (and to a large extent I do not). I have given space and respect to the Spanish historical narrative, precisely because I feel that in the interests of fairness I owe this to the Spanish side given that I have finally decided to come down against them.

History is not a prison. It is something to be learned from. The principal lesson I have drawn from Spanish history is that a nation of very nice people - whether they identify themselves as Spanish, Catalan or something else - have been atrociously badly ruled for a very long time. To the Spaniard who resents the Catalan desire to run off with the Spanish jewellery, the excuse for Catalan cynicism in taking that jewellery in the first place is that Spanish politics has always been so dysfunctional, not operating in the interests of its citizens but instead in the interests of two groups of rival elites, that had I been a Catalan during the Carlist Wars, I would have supported the Carlists in exchange for industrialisation of Catalonia as well. It was obviously the rational thing to do amidst a very bad political system indeed.

But we cannot helpfully craft contemporary domestic Spanish policy upon a foundation of historical grievances. To do so just compounds those grievances and reinforces the dysfunctional institutional political structures that permitted Spain to have so bloody and frankly vile a political history in respect of which the persons principally suffering have always been the ordinary Spanish (and Catalan) people. We have to cast off these historical shadows, having recognised them for what they are, if we are to progress.

Spanish political culture has so many flaws it is difficult to list them, although I attempted to do so in Chapter One of this work. The principal such flaws, however, are authoritarianism and shadowy institutional structures that operate outside contemporary European standards of rule of law and institutional transparency. The only way Spain will dig itself out of a recurrent historical cycle of unrealistic foreign borrowing leading to ideological disputes, conflict, authoritarian imposition of solutions and generalised penury for the majority of the population is by abandoning both its authoritarian instincts and its inclination towards shadowy power structures. Spain needs to become a modern European country. Currently it is not.

This is easier said than done. You can't change centuries of political history and culture overnight. Spanish people won't elect politicians who will change things via the ballot box. All Spanish politicians say they will make the necessary reforms. And they are all lying. They always were. That is because given the system, it is rational that they lie. The system doesn't hold them to their promises, and the existing structures are better for them once they are in office than transparent ones would be. Spanish citizens know this. Hence they are cynical about democracy; or they just use democratic votes as proxies for things, like Catalan independence, that actually don't make any difference to anyone.

For as long as Jordi Pujol was in power, and after, Catalonia has always been virtually independent. Any formal independence deal is not going to be strike terms with Madrid better than those Pujol struck in the 1979 Statute of Autonomy. That is precisely why he struck the terms he did. Catalonia was at its maximum position of political leverage at that time, with Pujol a principal power broker in the Juan Carlos-Suarez compromise for peace in post-Francoist Spain. Catalonia's

political leverage has been going downhill ever since. Even with independence, the Catalans are not going to get a better deal than that Pujol struck with Madrid at the height of his powers.

Breaking with the unhealthy Spanish political traditions of authoritarianism and operation through shadow institutions is a massive task. It must be given impetus through crisis, because most major changes can be forced through notwithstanding inertial resistance only amidst crisis. Spain is about to lapse into another crisis, with the coming to power of a neo-fascist government and prospective default on Spanish sovereign and/or private foreign debt. One action to be pushed through amidst this crisis, as a first step against authoritarianism and shadow institutions, should be a mutually agreed referendum on Catalan independence subject to international standards and scrutiny.

We already know the result of such a referendum. If we didn't, Madrid would already have permitted such a referendum to take place. Voters in favour of Catalan independence will prevail, likely with a small majority. There will be celebrations in the street. There will be speeches. There will be talking heads on the television. And then nothing will change. Everything will go on as it did before. Catalonia is nowhere near ready for juridical independence. It has no court system, no treasury, no army, no foreign embassies, no diplomats and no border controls. And in the course of whatever discussions might arise out of the post-referendum discussions, none of these institutions would be credibly established. *Plus ça change.*

But what would have changed is that Spanish politics would have enjoyed a much-needed breath of fresh air and openness. The buds of a culture of political compromise, displacing authoritarianism, would have been planted. The

referendum could be an opportunity to breathe transparency into the Spanish system of residency, voter registration and immigration. It could hail the possibility for open cooperation between federal and regional police authorities responsible for supervising the referendum. Agreement might even be reached upon legal delineation of federal versus regional law enforcement, along the way. First steps might be initiated on the route to dispelling the pervasive perception of Catalonia's, and Spain's, sense of lawlessness.

None of this can happen without an international state-building project aimed at constructing a modern Spanish state in order that Spain can remain in the Eurozone without risk of repetition of its catastrophic banking crisis. That requires German and, to a lesser extent, French will and most importantly money. But the price may be less than the costs of re-Pesetification upon Spanish default on its sovereign debt. Germany adopted Spain as its orphan, and now it must accept the consequences with as well-intentioned a smile as it can muster. The alternative is too bleak to contemplate.

The reader may criticise me for being hopelessly optimistic. I really don't know. Maybe they are right. But if the Spanish get this opportunity to reform, then they should take it. If they carry on like this, the Spanish are heading back to Franco. In the interim, people may die or be subject to further legal persecution. In any event the enduring youth poverty will continue. And the Spanish will be ashamed. They can do better, and their chance is coming soon.

EPILOGUE

This work concludes with an expression of disgust, which is intended to reinforce within the reader the sense that Spain is slipping back into fascism. The disgust I wish to express is that a significant number of peaceful Catalan politicians remain in Spanish prisons or in exile, having fled from Spain under justified fear of arrest, their crimes being nothing more than peaceable performance of their democratic mandates. These are all politicians who, duly elected using democratic procedures under manifestos to pursue Catalan independence, did precisely what they had promised to do to their voters, before being elected; did so without using violence or threatening it; and were then incarcerated in prison upon suspicion of criminal offences as vague as violating the constitutional order, sedition or rebellion, but without being charged with any such crime and without the prospect of any imminent trial or release. Basically these people are being left to rot in maximum security prison facilities.

The indifference on the part of the international community and the greater majority of the international media is a disgrace. Peaceful politicians should not be at risk of incarceration. The power of the political word, save where it is used to induce corruption, theft of public funds or violent insurrection, should not be criminalised in modern Europe. It is a disgrace that any of these people have suffered, and continue to suffer, the fates they have. It is therefore proper that they be listed. Some of these names are well-known;

others are less so. Irrespective of what one thinks of my conclusions in Chapter Six - even if one disagrees entirely with my reasoning - nobody should tolerate meekly the fates these people have incurred. It is shameful that the international community is not forcing the Spanish state to release these people and alleviate them from Spain's fiendishly unjust criminal process. The individuals affected, at the time of writing (July 2018), are as follows.

Carme Forcadell

14th President of the Parliament of Catalonia, 2015-2018
President of the Catalan National Assembly, 2012-2015

Married, two sons

Currently incarcerated at the Centre Penitenciari Mas Enric
Travessia Comella Moro 15, s/n, 43764 El Catllar, Tarragona, Kingdom of Spain.



Dolors Bassa

Minister for Labour, Social Affairs and Families of Catalonia, 2016-2017
Member of Parliament of Catalonia for the Province of Girona, 2015-2018

Two daughters

Currently incarcerated at the Centre Penitenciari Puig de les Basses, Mòdul de dones, Raval disseminat, 53, 17600, Figueres (Alt Empordà), Kingdom of Spain.



Oriol Junqueras

Vice-President of the Republic of Catalonia, 2016-2017

Member of Parliament for Catalonia for the Province of Barcelona, 2012-2018

Member of the European Parliament for Spain, 2009-2012

Mayor of Sant Vicenç dels Horts, 2011-2015

Married with two children

Currently incarcerated at the Centre Penitenciari Lledoners, Mòdul 2, C-55, km 37, 08250, Sant Joan de Vilatorrada (Bages), Kingdom of Spain.



Raül Romeva



Minister for Foreign Relations of Catalonia, 2016-2017

Member of Parliament of Catalonia for the Province of Barcelona, 2015-2018

Member of the European Parliament for Spain, 2004-2014

Married with two children

Currently incarcerated at the Centre Penitenciari Lledoners, Mòdul 2, C-55, km 37, 08250, Sant Joan de Vilatorrada (Bages), Kingdom of Spain.

Jordi Sànchez

President of the Catalan National Assembly, 2015-2017

Member of Parliament of Catalonia for the Province of Barcelona, 2018

Married, one son, two daughters

Currently incarcerated at the Centre Penitenciari Lledoners, Mòdul 2, C-55, km 37, 08250, Sant Joan de Vilatorrada (Bages), Kingdom of Spain.



Jordi Cuixart

President, Òmnium Cultural, 2015-2018

Married, one son

Currently incarcerated at the Centre Penitenciari Lledoners: Mòdul 2, C-55, km 37, 08250, Sant Joan de Vilatorrada (Bages), Kingdom of Spain.

Joaquim Forn

Minister of the Interior
of Catalonia, 2017

Member of Parliament
of Catalonia for the
province of Barcelona,
2017-2018

First Deputy Mayor of
Barcelona, 2011-2015

**Married with two
children**

Currently incarcerated at the Centre Penitenciari Lledoners,
Mòdul 2, C-55, km 37, 08250, Sant Joan de Vilatorrada
(Bages), Kingdom of Spain.



Jordi Turull

Spokesperson for the
President of the
Generalitat of Catalonia,
2017

Member of Parliament of
Catalonia for the province
of Barcelona, 2004-2018

Married, two daughters

Currently incarcerated at the Centre Penitenciari Lledoners:
Mòdul 2, C-55, km 37, 08250, Sant Joan de Vilatorrada
(Bages), Kingdom of Spain.

Josep Rull

Minister of Public Works of Catalonia, 2016-2017

Member of Parliament of Catalonia for the province of Barcelona, 1997-2018

Married, two sons

Currently incarcerated at the Centre Penitenciari Lledoners, Mòdul 2,C-55, km 37, 08250, Sant Joan de Vilatorrada (Bages), Kingdom of Spain.



Lluís Puig

Minister of Culture of Catalonia (2017)

Director of Popular Culture of Catalonia (2011-2017)

One daughter

Currently in exile in the Kingdom of Belgium,

location not disclosed for reasons of personal safety

Meritxell Serret

Minister of Agriculture of Catalonia, 2016-2017

Municipal Councillor, Vallfogona de Balaguer, 2007-2011

Currently in exile in the Kingdom of Belgium, location not disclosed for reasons of personal safety



Antoni Comín

Minister of Health of Catalonia, 2016-2017

Partner and daughter

Currently in exile in the Kingdom of Belgium, location not disclosed for reasons of personal safety



Carles Puigdemont

130th President of the Generalitat of Catalonia, 2016-2017

Member of Parliament of Catalonia for the province of Girona, 2006-2017

Mayor of Girona, 2006-2017

Married with two children

At the time of writing in exile in the Federal Republic of Germany but anticipated shortly to return to exile in the Kingdom of Belgium, location not disclosed for reasons of personal safety





Anna Gabriel

Member of Parliament of Catalonia for the province of Barcelona, 2015-2017

At the time of writing in exile in Switzerland, location not disclosed for reasons of personal safety

Marta Rovira

Member of Parliament of Catalonia for the Province of Barcelona, 2012-2018

General Secretary, ERC, 2011-2018

Married with one child

At the time of writing in exile in Switzerland, location not disclosed for reasons of personal safety



Clara Ponsatí

Minister of Education of Catalonia, 2017

Previously Head of the School of Economics and Finance at the University of St Andrews, Scotland

At the time of writing in exile in the United Kingdom, having returned to teaching at the University of St Andrews

In each case these are modern European political prisoners or wrongful political exiles. This is the sort of thing that has not been seen in modern democratic Europe in significant quantities since the late 1930's when political opponents of Hitler's National Socialist movement fled Germany in fear of their lives and liberty. It is happening again. This is an alarming crisis that Europe needs to wake up to, or its system of values is at risk.

In his short but influential work of prose *Areopagitica*, published in 1644, the political writer John Milton with whom I shared lodgings in Christ's College, Cambridge some 350 years later, advanced the argument that bringing forth constructive complaints before the authorities of the day is inevitably better than false flattery. He argued against government regulation of political speech and ideas, and hence in favour of the freedom to express political opposition to the status quo. "*Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties.*" My book has been written with Milton's spirit in mind. The persons named in this Epilogue are victims of persecution by the Spanish state of by reason of their acting in accordance with Milton's imperatives. That is why they deserve Europe's attention. It is not just for their own sakes or those of their families and loved ones, important as those are. It is because the very system of European values is at stake as a period of indefinite economic depression endangers the liberal democratic values Europe learned only with utmost pain through two World Wars.

For my part, I did not understand the footsteps in which I was treading until I found myself treading them. That is why I

wrote this book. Whether I contributed something of value, merely stated the depressingly obvious, or engaged in damaging fantasy, is for others to judge.