

Democratic Accommodation Under Pressure

A comparative study of the ethno-political accommodation in
the Basque Country and in Catalonia (1975-2017)

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Abstract

1975 marked the end of the Spanish dictatorship under the rule of General Francisco Franco, as well as the transition to democracy. Yet, the Basque ethno-political militant group Euzkadi ta Askatasuna (ETA) continued its violent struggle until 2017, several years after the end of the dictatorship, while the otherwise peaceful independence movement in Catalonia began escalating following an illegal referendum. This study examines why certain ethno-political groups' violently rebel, while others use do not through the use of Ted Robert Gurr's theoretical framework of democratic accommodation under pressure, which addresses institutional democracies' policies on accommodating cultural pluralism and its impact on ethno-political rebellion and protest. The findings suggest that the recognition of political actors and collective rights were higher in the Catalan region, while the Basque Country was less included in the negotiations as well as in the institutional system.

Key words: Basque Country, Catalonia, ethno-politics, rebellion, accommodation, recognition, inclusion, collective rights

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1 Introduction

2017 marked an eventful year for both the Basque Country and Catalonia. On April 8th 2017, the Basque ethno-political militant group Euskadi ta Askatasuna (ETA) handed over their remaining weapons to the Spanish and French Authorities, thereby officially ending the Basque conflict (Canellas et al. 2017). Although ETA was created in 1959, as a result of what many scholars claim to be the strict cultural and political oppression initiated under the right-wing dictator General Francisco Franco (Conversi, 2000: 80; Canellas et al. 2017), ETA's operations continued after his death and throughout the democratization process that followed in Spain. In fact, during its active years, the Basque conflict was one of the most violent ethno-political conflicts in the Western World: since its first attack in 1961 until its last ceasefire in 2011, the group caused the death of 829 people and was labeled a foreign terrorist group by the both the United States and the European Union (Whitfield, 2015: 1) The disarmament was in pending status from the self-announced ceasefire in 2011 until March 2017 when ETA finally announced the date for surrendering all arms (Canellas et al. 2017).

Only a few months after the ETA disarmament, Catalonia made worldwide headlines as the police force was used following a referendum that was deemed illegal by the Spanish Constitutional Court, thereby polarizing an otherwise peaceful ethno-political movement. Catalonia has similarly to the Basque Region been characterized by a strong ethno-political agenda since the beginning of the 19th century. However, in the Catalan case, the numerous attempts to break free from Spain have been conducted through non-violent methods, despite the indiscriminate repression with which General Franco targeted separatist groups (Conversi, 2000: 222).

Ethno-politics have been portrayed as a frequently contributing factor to conflicts of the Post-Cold War era (Karklins, 1994; Brubaker & Laitin, 1998; Gurr, 2000; Kaldor, 2013). The subject of ethno-politics have regained momentum in Europe during the last years and both Catalonia and the Basque Country qualify in the category of "driving forces of Europe's separatist movements in 2014" (Bieri, 2014: 2). Nevertheless, numerous scholars have also pointed out that the majority of ethno-political conflicts have been settled through peaceful means since the end of the 1990's (Gurr, 2000; Marshall & Gurr, 2003; Walter, 2006), and in 1998, out of 59 ethno-political conflicts, the number of de-escalating conflicts outnumbered the escalating ones by 23 to 7, and the remaining 29 "showing no short-term trends" (Gurr, 2000: 43). These findings have been connected to the increasing number of democratizing states and according to the scholar Ted Robert Gurr, this trend can be understood through the principle of democratic accommodation under pressure, which refers to the tendency of institutional democracies to grant collective rights and accommodate ethnic groups that make all sorts of ethno-political demands (Gurr, 2000: 84). Nevertheless, how does this comply with two strong

ethnopolitical movements who's outcome differ within the same institutional democracy?

Hence, the following question will be asked:

Why do some ethno-separatist movements use violent means while others do not?

The purpose of this study is to test the principle of democratic accommodation under pressure in order to examine whether higher levels of ethnic accommodation are correlated with ethnopolitical groups relying on non-violent protests instead of violent rebellion. Thus, by applying the theoretical framework provided by Ted Robert Gurr, this study will examine whether ethnic accommodation can differ within the same state, and thus if such a premise can contribute to explaining the Basque ethnopolitical movement's continued use of violent strategies despite the democratization, in contrast to the reliance on peaceful means in Catalonia. Furthermore, this study aims at filling the gap in the field on ethnic accommodation as a method of ethnopolitical conflict management. Moreover, as the Basque Region and Catalonia have been subject to the studies of Gurr until the early 2000's, this study aims to contribute to his findings.

The study starts by presenting the historical and academic context of ethnopolitical conflicts, followed by the theoretical explanation of grievance and democratic accommodation under pressure. Thereafter, the research design and methodology part will be presented, followed by results of the assessed accommodation in the two regions. Finally, a between-case analysis of the two cases will be discussing whether the results comply with the theoretical framework.

2 Theoretical framework

This chapter contains the historical and academic context on the subject of ethnopolitical conflict, followed by a presentation of the findings of Ted Robert Gurr on ethnopolitical conflicts and the concept of democratic accommodation under pressure

2.1 Previous research

During the 19th century, the nationalist ideal of “one nation one state“ made its mark on western policies and for the following two hundred years, the notion of the nation-state shaped the international system on which our modern societies are currently founded (Giddens, 1985; Benedikter, 2009; Friend, 2012). However, this right of national self-determination was primarily reserved to the majoritarian peoples who could then proceed to create a state, whereas the minoritarian peoples were forced to fight for the recognition of their rights (Castellino & Gilbert, 2003; Benedikter, 2009). Hence, the decades following World War II and the Cold War witnessed a dramatic growth of ethnopolitical disputes (Gurr & Moore, 1997; Wolff, 2003; Benedikter, 2009; Kaldor, 2013). In 1995, 49 out of 58 armed conflicts were fought over ethnopolitical disputes i.e. ethnic groups¹ “who make claims on behalf of their 1 collective interests against either a state or other groups“ (Gurr & Moore, 1997:1081).

Consequently, numerous writings on the subject emerged and multiple different underlying causes of ethnopolitical claims and conflicts have been researched such as cultural and identity-based aspects (Lilli, 1994), the construction of ethnic narratives (Fearon & Laitin, 2000; Kaufman, 2006), ethnic entrepreneurship (Brubaker & Laitin, 1998), the ethnic security dilemma and emotional-based explanations (Posen & 1993; Roe, 2004), regime and institutional design (Lijphart, 1969; Norris, 2002; Paris, 2004), rational-, strategic choice- and game theories (Kaufmann, 2005; Cunningham, 2013) as well as grievances and state repression (Gurr, 1993; Gurr, 1994; Gurr, 2000; Regan & Henderson, 2002; Davenport & Inman, 2012). However, the field of ethnopolitical conflicts is as broad as it is

¹ One often used definition of an ethnic group is Hutchinson and Smith’s definition as a group with “a proper name, a myth of common ancestry, shared historical moments, a common culture, a link with a geographic homeland and a sense of common cause or solidarity” (Joireman, 2003:9; Hutchinson & Smith, 1996)

divided. Indeed, the very nature of ethnicity and ethnopolitics remains largely unsettled among three school of thoughts; the primordialists who argue that ethnic conflicts are unavoidable in heterogenous states, as ethnicity is biologically rooted and unchangeable (Vanhanen, 1999:58, Joireman, 2003:155), the instrumentalists who claim that ethnicity is politicized and changeable in order to correspond to certain political goals or achievements (Fearon & Laitin, 2000:837; Joireman, 2003:35) and the constructivist approach who argue neither of the aforementioned: according to constructivists ethnic identity is “partly ascribed and partly volatile”, i.e a combination of a set of traits such as language, appearance and birth combined with social inputs (Joireman, 2003: 55; Souleimanov, 2013: 17). Numerous scholars have pointed out the recent shift away from primordialism and towards more contextual and structural approaches (Eller & Coughlan, 1993: 183) due to the inability of the primordialist approach to explain the lack of conflict in ethnically diverse states as well as “ignoring the structural, economic and political processes within which these conflicts erupt “ (Williams, 2015: 147). Yet, criticism can also be directed to the instrumentalist and constructivist approach. As noted by Williams:

“because each of them focuses on a one-dimensional perception of ethnic identity, their explanations of the origin of ethnic identity and its role in ethnic conflict appear over simplistic making the theory incapable of comprehensive and meaningful analyses [...] [A] narrow focus on a single dimension will continue to produce ineffective intervention or post conflict peace building strategies that are insensitive to other significant factors” (Williams, 2015: 149-150)

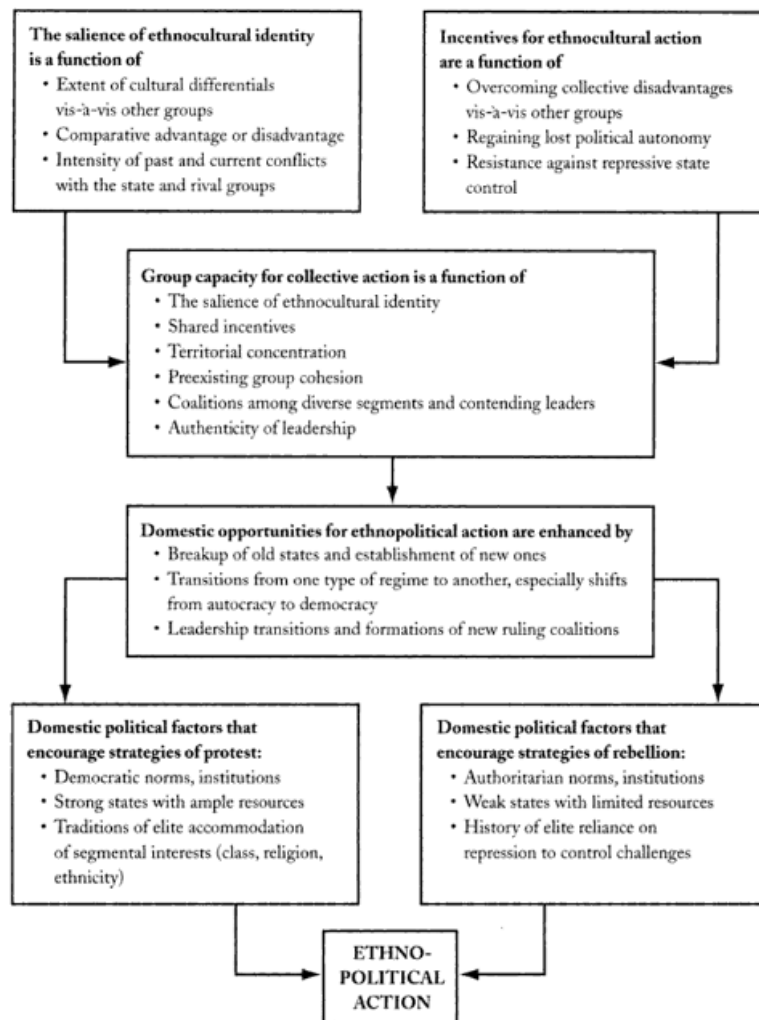
For instance, the instrumentalist approach fails to explain salience of ethnic identity and the unhesitant mass mobilization in ethnic conflicts (Smith, 1996). However, while the constructivist can be criticized for mainly focusing on macro-level theories, it does provide the ability to take into account numerous aspects and dimensions, while “reflecting both underlying and proximate causes of ethnic conflict and exposing the role of agency within these historical processes showing how the interests of actors, the socio-economic and political environment interact to produce ethnic violence“ (Williams, 2015: 149).

2.2 Grievances and democratic accommodation under pressure

Among the constructivist explanatory models, numerous findings seem to support the fact that grievances tend to play an important role in ethnopolitical conflicts (Gurr, 1993; Gurr, 1994; Gurr, 2000; Williams Jr, 1994; Bermeo, 2002; Wolff, 2003, Østby, 2003; Hannum, 2011; Richmond, 2010). Grievance is referred to as “widely shared dissatisfaction among group members about their cultural, political, and/or economic standing vis 'a vis dominant groups” (Gurr & Moore 1997: 1081) and as it coincides with ethnic cleavages, it is said to both augment feelings of resentment, as well as group adherence among the disadvantaged (Gurr, 1993; Gurr & Moore 1997; Østby, 2003). Thus, according to grievance-related theories, at least

one of the conflicting parties will argue that they are not able to fulfill their interests due to factors such as discrimination, repression, political exclusion, or lost autonomy (Gurr, 1993; Østby, 2003; Hannum, 2011; Wolff, 2011). Such claim is supported by, among others, Ted Robert Gurr, one of the leading scholars in the studies of ethnic rebellion. During his work with the Minorities at Risk project, he has developed a framework for understanding ethno-political conflict through looking at both the circumstances “under which ethnic groups define themselves using ethnic criteria”, as well as the factors that determine “the shape, intensity and persistence of their actions” (Gurr, 2000: 65). According to Gurr, the model consists of four general factors that provide the answers to the model above: (1) the salience of ethnocultural identity, (2) the groups collective incentives for political action; (3) the group’s capacity and (4) the availability of opportunities (Gurr, 2000: 65-66).

Figure 2.1 “The Etiology of Ethnopolitical Conflict”² by Ted Robert Gurr (2000:70).



² For the purpose of this study, the international dimension of the figure has not been included.

The salience of ethnocultural identity answers the question of what determines people defining their identity in ethnopolitical terms, while the collective incentives refers to the types of incentives that gathers the required support and participation in political action³. Together with other variables such as territorial cohesion⁴, the two aforementioned factors determine the capacity of the group: the greater the cohesion and mobilization of group, the more frequent and sustained political action (Gurr, 2000: 66ff). For example, objective conditions such as discriminatory treatment facilitates leaders to mobilize collective action, and the bigger the difference between groups, the easier it becomes to gather support to “protect themselves and improve their situation” (Gurr & Pitsch 2003:231). In such cases the importance of group identity increases and consequently grants strong incentives for the group to mobilize as mass publics support their leaders’ aggressive policy due to discriminatory treatment by the state (Gurr & Pitsch, 2003: 231; Grigorian & Kaufman, 2007). As noted, these factors are all interdependent and the connection between the dimensions is illustrated in Model 2.1.

However, whereas 1) salience, 2) incentives and 3) group capacity are elements connected to how an ethnopolitical movement is internally built, the 4) political opportunity structure is external to the group and refers to extrinsic factors that may “influence the decision of how to pursue the ethnopolitical objectives”. Gurr differs between durable and transient opportunity factors. Durable factors refers to the political character of the state and its resources, while changes in this structure is are transient opportunity factors, such as shifts in government policies. The importance of these opportunity factors lies within the fact that “The states’ political institutions and capabilities structure ethnopolitical groups’ choices about the objectives to pursue and the means to do so” (Gurr, 2000: 81). Thus, while repression is expected to have a positive impact on rebellion as it is a direct source of grievance and resentment, the international arena has since the 1990’s witnessed a notable shift away from violent methods and a tendency to settle ethnopolitical conflicts, which Gurr claims is correlated to the increase of democratic regimes (Gurr, 2000: 277). Democracies are expected to respond to, and channel, protests through a dense network of institutions. In fact, although grievances may give rise to dissatisfied political movements, scholars argue these do not necessarily use violent strategies or even the same type of violence. Moreover, violence is typically not the first measure taken to express such grievances and demands (Gurr & Pitsch, 2003: 157). In most cases, the outbreak of violence is the sequel of a long period of escalating tensions. During this time, there are typically several occasions in which it would be possible to diffuse the rising tensions. Although the process of democratization can be destabilizing at the outset, the democratization processes eventually lead rebellion to turn into protests and contention of conflicts (Woods et al. 2013; Gurr & Pitsch 2003). However if the issues are not properly addressed, the confrontation might end by bursting into violence. Hence, as ethnic conflicts are a chain of action and reaction, it becomes increasingly difficult with time to contain the violence (Gurr 1993:189). In other words, if the regions demands can be accommodated through conventional means, there is lesser reason to resort to violent methods but instead to rely on reforms and concessions.

³ Referring here to any organized activity in pussuit of groups’ objectives.

⁴ For the complete list of other factors, see Figure 2.1

According to Gurr, two elements that can be identified as crucial in the way institutional democracies manage ethnically heterogeneous societies with ethnopolitical movements that make claims against the state; (1) “universal norms of equal rights and opportunities to all citizens, including ethnoclasses” and (2) pluralistic accommodation of indigenous and regional people's’ desires for separate collective status (Gurr 2000: 84). The first dimension is motivated by the fact that democracies tend to take into account the dissatisfaction of minorities and address them through institutional reforms and political policies. Indeed, democratic values tend to recognize that all people should have equal civic and political rights (Gurr, 2000: 279). Thus, one of the first steps to contain the conflict is to address and eliminate discriminatory policies, as they often are the incentive for the use of violence in the first place (Richmond, 2010:). Past discrimination needs to be addressed through consistent and long-term policies that are accepted by all parties (Gurr, 2000). However, Benedikter (2009) claims that anti-discrimination policies have often been reduced to guarantee freedom from discrimination on an individual unit level and as stated by Hurst Hannum, “equal access to public administration may be insufficient to guarantee an effective minority voice” (Hannum, 2011: 6). Groups desire collective rights that insures recognition, access to the decision-making and inclusion in the political decisions in order to ensure the survival of their identity despite the lack of discrimination. Moreover, groups are also in need of institutional measures that helps protecting collective rights, as well as some form of autonomy within the state, especially if the groups are regionally concentrated and thus constituting majority in a certain area (Gurr, 2000: 278), which leads us to the pluralistic accommodation of indigenous and regional people's’ desires for separate collective status.

Accommodation is a term frequently spotted in the literature on ethnopolitics and ethnopolitical conflict management, however only a few scholars clarify the theoretical implication of the term, causing a lack of consensus on the definition of the concept. However, the scholars tend to agree on the central aspects of ethnic accommodation as negotiation and compromise, as exemplified by Lijphart's description of the politics of accommodation as the “settlement of divisive issues and conflicts” where the consensus is minimal (Lijphart, 1968; Lluch, 2014: 2). The theories of accommodation take part in the category of theoretical approaches on how to best deal with different minorities and ethnic groups within plurinational societies, together with integrationalists. As a difference to integrationists who aim at equal treatment of all citizens without regard to ethnicity, culture or religion, accommodationists promote the existence numerous identities in a society and encourage respect and protection of the people affiliated with specific ethnic or religious minority groups (Lluch, 2014: 2-3). In the literature on ethnic accommodation there is a noticeable tendency to translate the term in practice into various institutional and political approaches to deal with ethnic diversity, which usually comprises different forms of power-sharing or territorial autonomy arrangements (McGarry et al. 2008; Lluch, 2014: 3). However, according to Gurr (2000: 209) there is an infinite varied ways in which authority can be devolved to an ethnopolitical group, what matters are the objectives of the group as they determine what peacebuilding strategy is the most likely to be accepted by the minority group. Gurr differentiates demands for access and autonomy, as demands for access comprises “greater opportunities to protect and promote their shared

cultural, political and material interests with existing societies“ while autonomy includes “collective governance of their own affairs, usually in an autonomous region of a decentralized state” (Gurr, 2000: 151). No matter the demand, if middle ground cannot be found, it increases the risk of ethnic conflict over non-negotiable issues, such as independence. Nonetheless, separatists who are prepared to remain within existing states usually seek, in addition to territorial autonomy, access to central decision making, a greater share of state resources, and official recognition and protection of their culture and their separate status. Thus, if these requirements are properly met, self-determination movements can settle peacefully for less than independency (Gurr, 2000: 151).

3 Method

3.1 Research design

In this thesis I intend to examine the role of ethnic accommodation as a method of containing ethnopolitical rebellion in the Basque country and Catalonia from the end of the Franco-regime in 1975 until 2017. In particular, I will look at governmental responses to ethnopolitical mobilization during democratization processes as well as the consequences thereof and their consequences to investigate whether a varying ethnopolitical accommodation is a possible explanation to the use of violence in the Basque Country, versus the non-violent methods in Catalonia.

To investigate whether ethnic accommodation can contribute to the explanation of ethnopolitical mobilization I will be conducting a disciplined-configurative study, which aims at using already existing theories to explain the empirical results (George & Bennett, 2005: 75). Thus, the aim is to analyze whether Ted Robert Gurr's assumptions regarding the effects of ethnic accommodation can contribute to explaining the occurrence of ethnopolitical rebellion.

As this is a comparative study, it is important to choose an adequate research design. According to Esaiasson et al. (2012: 101), when aiming at completing an explanation model while applying it to a limited number of interesting cases, one of the preferred methods is the controlled comparison, otherwise known as the focused structured comparison (George & Bennett, 2005: 67ff), which consequently will be used in this study.

3.2 Selection of cases

When selecting cases within the controlled comparison design, one of the preferred methods of choice is the most similar method, otherwise known as Mill's method of difference (George & Bennett, 2005: 81; Esaiasson et al. 2012: 117). According to this method the cases, which are strategically chosen, should be as similar as possible except for the independent variable whose variation might contribute to a possible explanation of the outcome. According to the most similar system the cases can be chosen based on either the independent or the dependent variable (George & Bennett, 2005 : 80) and here the choice of cases is based on the dependent

variable, namely ethno-political action⁵. The chosen units of analysis in this study are the Basque Conflict and Catalan ethno-political movement. Spain has often been used as experimental area in the studies of ethnic politics due to its favorable conditions such as a multitude of numerous diverse ethno-political movements and an important regime change (Lilli, 1994; Saxton, 2004; Gillespie, 2015). Moreover, as the Basque Country and Catalonia are two of the Spanish regions with the most prominent independence movements, a comparison between the two makes possible the exclusion of many independent variables such as a historical tradition of self-government, a distinct cultural identity, high economic growth and “structure of the nationalist movement [...] with both a traditionally pragmatic mainstream party and more radical pro-independence forces“ (Gillespie & Gray, 2015: 3). However, the two autonomous communities differ concerning the dependent variable of ethno-political action: during the Basque Conflict, violence has been used multiple times as a method of pursuing self-determination goals (Whitfield, 2015; Conversi, 2000), while Catalonia has exclusively relied on conventional political methods or protests (Durán & Trillas, 2016; Abadie & Gardeazabal, 2003).

The chosen time interval for the two cases starts from the transition to democracy following the death of Francisco Franco in 1975 until the end of 2017. The time period of interest is a result of the official end of the Basque Conflict, combined with the recent events concerning the independence referendums in Catalonia.

3.3 Variables and operationalization

As the theoretical framework suggests that the accommodation of ethnic diversity is expected to have a positive impact on the de-escalation of ethnic conflict, the variables that will be examined here are ethnic accommodation as the independent variable and is ethno-political action as the dependent variable.

This essay is a continuation and complement to the work on ethno-political conflicts by Ted Robert Gurr. Thus, the coding of variables is inspired by Gurr’s original coding to the greatest possible extent. Although different codings of the dependent variable ethno-political action have been provided in Gurr’s studies⁶, the coding of the term that will be used in this study is based on the distinction between the definition of protest and rebellion. Thus, protest will be referred to as *non-violent methods ranging from verbal opposition such as public letters and petition, scattered acts of sabotage to demonstration, strikes, rallies and rioting* while rebellion refers to *violent methods ranging from political banditry, sporadic terrorism and to large scale guerrilla activity and civil war*.

⁵ The definition will be provided in section 3.3.

⁶ For instance, the variable has been coded as “Political strategies” ranging from limited political action, mass political action, small-scale rebellion to large-scale rebellion (Gurr & Pitsch, 2003: 234)

The method of operationalizing the independent variable ethnic accommodation has been inspired by the criteria from Gurr’s article “No Easy Solutions: Comments on the Resolution of Self-Determination Disputes Through Complex Power-Sharing Arrangements” (2001) as Gurr himself does not provide a specific coding of ethnic accommodation. However, Gurr retrieves and modifies the following indicators from Lapidoth and applies them to the three different case studies: Bosnia, Northern Ireland and Corsica. Table 3.1 indicates the criteria that will be used in this study.

Table 3.1 Operationalization of Ethnic Accommodation

Dimensions	Indicators
Recognition	According status to the minority as a political actor
	Acknowledgement that the minority has collective rights and interests
Process	Inclusion in the negotiations
	Agreements arrived at by consent, not duress, i.e. agreements that employ and promise positive incentives for all parties
Arrangements	Institutional means to protect the rights
	Implementation of institutional means allowing for an effective governance

Although this operationalization is not specifically coded as ethnic accommodation, it contains all the central aspects of ethnic accommodation which are included in the theoretical approach of ethnic accommodation under pressure⁷. For the scope of this study, the first dimension of the theoretical framework of ethnic accommodation under pressure will not be regarded due to its proneness to focus on individual discrimination. Nonetheless, the indicators in each dimension require further specification in order to conduct the research and code the results and some of the indicators have been changed and excluded from the study to more accurately ascribe to the purpose of the study. As this study aims at examining the correlation of ethnic accommodation and ethnic violence, only three the latter dimensions, *Recognition*, *Process* and *Arrangements* will be examined. The choice to exclude the dimension of Violence management thus relies on the aim to analyze the

⁷ For the scope of this study, the first dimension of the theoretical framework of ethnic accommodation under pressure will not be regarded due to its proneness to focus on individual discrimination.

possible effect of the ethnic accommodation as a method of managing violence such as presented by Gurr.

The dimension of *Recognition* addresses the need of both recognizing the actor well as its collective rights as legitimate. No indicators have been subject to change in this dimension. Thus, to measure the dimension, the following question will be posed: *Was the political actors representing the autonomous community as well as its possession of collective rights and interests recognized by the Spanish State?*

Process refers to giving minorities the possibility to impact the political agenda and the outcome of policies and come to a solution that is accepted by all parties. To further emphasize the importance of disincentives and sanctions, Gurr also includes the lack of duress and coercive methods into the dimension of inclusion (Gurr, 2001). Consequently, the following question will be posed : *Was the process of accommodation inclusive of all affected parties and were agreement arrived at by consent. i.e not through coercive methods, such as threat or use of force?*

Arrangements refers instead to the inclusion in the system through the institutional means that provide a stake in the system. Yet, it is important not only for the solutions to be engineered, but for these solutions to be correctly implemented so that the negotiated settlements efficiently work. Consequently, the following question will be posed: *Does the institutional arrangements provide the institutional means necessary to effectively secure the rights and to pursue collective interests?*

3.4 Material

As the purpose of this essay is to analyze the governmental policy of Spain towards the Basque Country and Catalonia, the material needed to conduct the research rests mainly on legislative documents on which these policy stances are grounded. For the purpose of this essay, the only policy stances that will be looked at are the official decisions issued from the institutions representing the will of the Spanish State. Hence, I will be looking at the Spanish Constitution, the Autonomy Statutes and Spanish governmental publications with the purpose of examining which status and collective rights that have been recognized, as well as the institutional arrangements that have resulted during the chosen time period. However, due to the long period of comparison, focus will also lie on the material that can confirm historical events and in the eventual shortcoming of legislative texts, i.e. timelines and periodical newspapers in both Spanish and English, as well as NGO-reports and academic articles. Although the preferred languages to use by the ethno-political groups is their own language i.e. Catalan and Euskadi, the official and measurable events have been covered by both Spanish and English media. As for the content of the negotiations, greater focus will be put on news articles, NGO-reports and

academic articles, due to fact that the process of negotiations are not included in official documents.

The material will be scrutinized through a qualitative content analysis, frequently used when analyzing subject matter of a given text in many different subfields of social studies (Bergström & Boréus, 2012: 51) . Due to the complex nature of the chosen material, the documents will be analyzed manually.

3.5 Limitations

The Basque Country entails the geographical territories of Álava, Biscay and Gipuzkoa. Many discussions have taken place regarding the role of Navarre as well as the homeland Euskal Herria⁸ (Bothen, 2014, Conversi, 2000), however, as the Spanish governmental policy is of main interest in this study, only the Spanish geographical territories of the Basque Country will be regarded in this analysis. Furthermore, Navarre will not be included as part of the Basque Country as Navarre has expressed refusal to do so (Conversi, 2000). As for the political actors, both mainstream Basque parties and the more radical factions will be examined here. The motivation is to include political actors who claim to represent the Basque ethno-political movement, which includes the moderate political parties, the Abertzale left as well as ETA and the military factions. Although often reluctant to name these as legitimate political actors and although using methods that have been questioned by other Basque parties, their demands have represented the will of the Basque people on several occasions (Friend, 2012; Conversi, 2000), besides being the main source of violence. As of the will of the people, the Basque Country as an autonomous region will be used as a unit level.

Concerning Catalonia, the autonomous region concerns the geographical territory of Catalonia only. The political actors representing Catalonia here mainly concern the representatives of Catalan political parties due to the absence of radical political forces in the region.

It is important to mention that this paper does not aim to construct a new paradigm for defining ethnic accommodation or even to evaluate its success but rather to investigate the potential role that ethnic accommodation can come to play in governmental policies torn by ethno-political conflicts as well as a contribution to the field of ethno-political conflict management.

⁸ Euskal Herria refers to all seven regions of the Basque Country, including those located in France. The unification of the seven regions has been one of the main claims of the ethno-political movement.

4 Cases

4.1 Historical background

4.1.1 The Basque Country

During the 14th-17th century the Basque region possessed a certain degree of autonomy and were the last of the autonomous regions to keep its foral system⁹ (*fueros*), which was abolished after numerous attempts (Conversi, 2000: 45-46; Martí & Laborda, 2014). However, the 19th century marked the birth of Basque nationalism as Sabino Arana (1865-1903) became father of Basque nationalism and creator oldest Basque political organization and party Partido Nacionalista Vasco (PNV) (Nordberg, 2005: 10). His idea was to unite all seven Basque territories divided between Spain and France, using rhetorics of the nationalist movement based on racial exclusiveness and the portraying Spain as the oppressor (Ruiz, 2004; Nordberg, 2005: 10). Hence, 20th century marked a growing yet tumultuous path for the Basque region. Although the military dictatorship by King Alfonso XIII between 1923 and 1931 forced the PNV into “clandestine activity”, it was reintroduced after municipal elections in 1931 as during the Second Republic (Conversi, 2000: 73). The Second Republic also granted the Region a Statute of Autonomy, although being reinstalled only nine months prior to a military coup in 1936 that initiated the three-year Civil War, ending in a right-wing dictatorship under the rule of General Franco (Lilli, 1994: 333; Conversi, 2000: 76). During the Franco-regime political opponents were persecuted, media was controlled and censored in order to gain complete control over the state and minorities were severely oppressed. In fact, the following years are described by many as the worst in Basque history: political parties were suppressed, books in Euskara were burned, and social and cultural associations were banned (Conversi, 2000: 80-81). Numerous nonviolent actions were taken but due to their failure and fear of

⁹ Defined as “medieval financial arrangements established between the Kingdom of Castile and new annexed territories [which] would have the responsibility of collecting taxes and, in exchange for military protection and other, possibly less important services, would pay an exaction to Castile.” (Martí & Laborda, 2014: 4).

government repression as a consequence of expressing euskadi culture, a group of students formed the group ETA (Euzkadi 'ta Askatasuna). ETA's goal was that the seven Basque provinces should be independent from Spain and France, and to protect the Euskera culture (Lilli, 1994: 333-334). The first act of ethno-political rebellion occurred in 1961, when ETA failed to derail a train carrying Francoist Civil War veterans, the state responded with killings by the police and the Guardia civil and in 1973 ETA killed the successor of Francisco Franco (Bothen, 2014: 30-31; Conversi, 2000: 106). After General Franco past away in 1975 and Juan Carlos was declared King, the transition to democracy (known as *la Transicion*) officially marked its beginning (Bothen, 2014: 31).

4.1.2 Catalonia

The Catalan region has been a part of Spain since the 15th century when King Ferdinand of Aragon and Queen Isabella of Castille united the two realms through marriage. The region enjoyed a degree of autonomy until 1716, when the Royal Decree "Nueva Planta" dismantled and banned most of Catalan institutions, laws and even the language, bringing Catalonia under the direct law of Madrid (BBC, 2018) . Consequently, the Catalans made several attempts to break free, none of them successful (Conversi, 2000: 11-13). The bases of the nationalist movement however began with the Cultural movement of la Renaixenca, initially a literary movement during the 1830's, but which soon became a flourishing cultural movement spreading from Barcelona. The cultural movement laid the ground for the movement of Catalanism aimed at protecting the Catalan moral and economic interests. Consequently, LLiga de Catalunya, the first politically affiliated regional group as well as Unio Catalanista, the first union gathering all the regional voices, were created (Conversi, 2000: 13-21) . However, at the time Madrid did not tolerate any autonomy aspirations from regional entities and severely repressed the political and cultural life. Still, the repression caused the nationalist movement to grow stronger and the the 20th century came to mark ulterior tumult. Following an explosion of social conflicts in Catalonia during the beginning of the century, the Spanish State began addressing the Catalan question, leading to the creation a vast number of Catalan institutions (Conversi, 2000: 32). Catalonia became one of the most flourishing region until the dictatorship of Primo de Rivera, which was responsible for arresting political leaders and dissolving the Catalan institutions such as the Mancomunitat. However, with the return of democracy during the Second Republic of 1931-36, Catalonia was granted its first statute of autonomy in 1931 and a "Generalitat", also known as the catalan Regional Government in 1932 (Lilli, 1994:333). However, during the Spanish Civil War, Catalonia became a key Republican stronghold, and the fall of Barcelona to General Francisco Franco's right-wing forces in 1939 marked the beginning of the end of republican resistance. Catalonia was submitted to a special occupation zone of six months and under Franco's ultra-conservative rule and as similar to the Basque country the autonomy was revoked, Catalan nationalism severely repressed and the use of the Catalan language restricted (Conversi, 2000: 40-41).

4.2 Recognition

4.2.1 The Basque Country

The future of the Basque Country began being discussed already from the end of 1975 through the creation of a Commission that would study the future of Biskaya and Guizpukoya (Appendix B). The work of the Commission gradually led to two different decrees, both extending the political influence as well as the economical independence of Biskaya and Guizpukoya according to the foral historical rights of the geographical territories. Further, a provisional and symbolic Basque Government was established in January 1978 (Appendix B). Yet, the mere existence of the autonomous communities were not recognized until in the 1978 Constitution (C.C), which stipulates in art. 2 C.C. that the State “recognizes and guarantees the right to self- government of the nationalities and regions of which it is composed and the solidarity among them all” and the Basque Autonomous Community was officially recognized in the 1979 Statute Of Autonomy Guernika as consisting of three geographical territories: Álava, Guipúzcoa and Vizcaya. Moreover, due to its history of regional autonomy, the Basque Country is entitled to a different process of autonomy devolution. Art. 151 C.C. as well as Art. 1 of the Transitional Provisions of the Constitution recognize that the autonomous regions with a history of regional autonomy are entitled to an immediate process of self-government through an appointed statute of autonomy, whereas the other autonomous communities that need to wait five years in order to expand their Autonomy Statute (Art. 143.2). In addition to a faster process of autonomy devolution, autonomous communities are entitled to a certain other collective rights and responsibilities according to Art. 149 C.C. and the specific collective rights of the Basque Country are specified in the Statute of Guernika (Appendix B). As can be noted in Appendix A, efforts have been made to level out the differences of the “fast-track” communities and the rest of the communities through the Law of *Ley organica de la armonizacion del proceso autonomico* (LOAPA) in 1983 as well as the Organic Law on Regional Transfers in 1992, and although LOAPA was declared unconstitutional, the Organic Law on Regional Transfers did pass, thus harmonizing the differences between the autonomous communities. However, what further differentiates the status of the Basque Country from other regions with a history of autonomy is their foral past. Indeed, the Constitution recognizes the historical rights of the autonomous communities that have a history of foral autonomy, referring to the Basque Country and Navarre, and “the general updating of historic rights shall be granted where appropriate, within the framework of the Constitution and of the Statutes of Autonomy” (Art. 1 C.C. Transitional Provisions). Due to its foral history, the Basque Country is entitled to levy taxes through the so called *concierto economico* (Appendix B), a right that has granted the region a substantial financial independence in comparison to the other autonomous communities.

As for the political parties, the first Law 21/1976 on the right of political association did not legalize any of the Basque parties (Appendix A). However, with the 1977 Law on Political Associations both the PNV and (EE) entered into the political sphere. Yet, not all of the parties and groups have been recognized and Herri Batasuna had to wait for the courts intervention to be legalized in 1986, after being repeatedly being deemed illegal by the government and ETA, defined as “a political organization that practices the armed struggle” (Whitfield 2015:2) has never been acknowledged as a legitimate political actor but merely a police issue, which then turned into an insurgency group (Clark 1990:235). Moreover, in 2002 Spain passed the so-called *Ley Orgánica de Partidos Políticos* (LOPP) that determines various grounds for banning political parties, and this permits courts to ban and dissolve parties that have “violated democratic principles in a repeated and grave form, or aimed to undermine or destroy the regime of liberties, or injure or eliminate the democratic system” (Art. 9.2). This law authorized the Spanish Government to ban the Abertzale left, (the commonly used nomination of the leftist, pro-independence parties) consisting of, among others, the coalition Herri Batasuna (HB), Euskal Herritarok (EH) and later the political party Batasuna created from HB from their political activities based on the fact that they have all “explicitly or tacitly supported, excused or minimized the significance of terrorist actions” by supporting ETA (Art. 9.3;). The following years were also subject to the illegalization of other Abertzale Left-parties such as the EHAK-PCTV Partido Comunista de las Tierras Vascas, the Coalition Sortu and Bildu, on the same legal grounds, as well as the Magazine Egin. HB and Sortu were not legalized until after ETA’s ceasefire (Appendix B).

4.2.2 Catalonia

4.2.2 Catalonia As the democratic transition began, the recognition of Catalonia as both a regional entity and political actor was an almost immediate action. Catalonia recovered a provisional autonomous government (Generalitat) in 1977 such as declared before the Civil War and the president of the Catalan government in exile, Josep Tarradellas, returned into power until the regional election, during which Jordi Pujol, leader of the party Convergencia i Unió (CiU) became the first president of the Catalan parliament in the first democratic election after the dictatorship of General Franco (Appendix C). Similarly to the Basque Country, both the Constitution of 1978 and the Statute of Autonomy of 1979 recognizes Catalonia as an autonomous community, with all the same collective rights of the Basque Country as stated in Art. 143 C.C. Moreover, Catalonia also has a history of regional autonomy, and is thus comprised by Transitional Provisions of the Constitution to be allowed to negotiate certain rights, powers and responsibilities that are not exclusively reserved to the Spanish State. However, after 25 years the conclusion that Catalonia’s Autonomy Statute of 1979 was in need of being updated was accepted by both the Catalan Parliament, the Catalan referendum as well as the

Spanish Government, giving way to the political process that led to the recognition of an amendment of the 2006 Autonomy statute. Except for the multitude of collective rights in comparison to the old Statute, the new statute also recognized Catalonia as a sub-state nation. However, the Statute was immediately challenged by a number of other political parties, and the content was altered before passing. Furthermore, in 2010 the verdict of the Court came and many of the rights that had been recognized were now taken back. 14 out of 223 articles were erased, and other 27 were altered and as for the nation-status, it was allowed in the preamble as it lacks of any legal value (Appendix C). As for the political parties, Catalonia has never suffered the banning of any political parties, meaning that all the catalan parties were legal and included in the political process starting from the beginning of the transition to democracy. However, the outset changed when the unilateral independence efforts were declared on numerous occasions. In March 2017 the former Catalan President of the Generalitat Artur Mas was banned from holding public office two years due to his involvement in the organization of the illegal referendum (Appendix C). Moreover, the Spanish High Court ordered the arrest of 8 ministers following the 2017 referendum, as well as a European warrant for the newly appointed Carles Puigdemont. In addition, the State assumed the responsibility over the Autonomous Community according to Art. 155 C.C. and dissolved the Catalan Parliament (Appendix C).

4.3 Process

4.3.1 The Basque Country

Appendix A and B illustrates the main decisions and decisions-making processes between the Basque Country and the Spanish state that have been identified during the chosen time period. As it can be seen, several decisions have been of unilateral nature, meaning that they been taken singlehandedly by the Spanish State in the form of laws, decrees and ministerial orders, or through the interpellation of the Constitutional and Supreme courts (See Appendix A on Outlawing Batasuna 2002). Further, when consultation occurred, not all affected parties were included in the consultations. Given that not all political parties and actors were recognized or legalized by the Spanish state, ETA is one of the groups that were excluded from negotiations several times, and similarly the parties perceived as fraternizing with ETA. Negotiations concerning ETA and the use of violence have either taken place without ETA or through secret meetings or occasionally only with the basque nationalist parties as the national parties refused to join, as happened during the Lizarraga-Garazi pact (Appendix B). Moreover, the results seem to indicate that although relying on a number of newly created democratic platforms and assemblies, the inclusion and consultation of the other Basque political actors has also varied. For instance, the negotiations prior to the Constitutional draft (1978)

were a compromise between both left and right governmental groups. The only member of the seven-member drafting subcommittee supposedly representing the interests of the Basque Country was in fact primarily representing Catalonia. Not surprisingly thereafter, the Constitution was not approved in the Basque Country and the PNV, EE and HB urged to the Basque citizens to either abstain or vote against the proposal at the constitutional referendum, which resulted in 55% abstention. By contrast, the statute of 13 autonomy was mainly the result of negotiations between y the PNV and PSOE. Nevertheless, the Statute received more than 50% of the census. As regards bargaining means, while the negotiations between ETA and the Government have been pressed by the constant threat of ETA's resort to violence, the Spanish government has also relied on coercive methods such as the heavily violent counterinsurgency methods (1983-1987) Moreover, the results seem to indicate that different policies have been adopted when dealing with prisoners as a negotiation tool to offer incentives and disincentives. In fact, only one month after the 1999 ceasefire collapsed, the government adopted the dispersion policy that would relocate convicted ETA members to prisons all over Spain, and the government has been criticized internationally for the 2006 Parot doctrine (Appendix B). The findings suggest that no coercive methods have been used when negotiating with mainstream political parties, however strict penal policies such as the closure of the newspaper Egin (1998) and the outlawing of Batasuna (2002) have been adapted to political actors allegedly connected to ETA. Additionally, the negotiations have generally been characterized by inflexibility concerning the content, as certain issues of particular importance such as blanket amnesties never left the negotiating table (Appendix B). In the beginning of the transition, numerous amnesties were granted, but the Suarez government was reluctant to grant full amnesty to the Basque political prisoners guilty of violence and murder, less than 10% of Basque nationalists were pardoned. Instead, the government initially offered an "estrangement" amnesty which was passed despite the unwillingness of ETA, displayed through the kidnapping of Ybarra.

4.3.2 Catalonia

The findings resumed in the appendix A and C indicate that marginally fewer decisions and negotiations have occurred concerning the demands of Catalonia, yet the inclusion of Catalan political actors has occurred early in the process, with a broad inclusion from the very start. In fact almost all decisions of bi- or multilateral nature has included at least one Catalan representative (See Appendix A and C). Moreover, certain decisions in favor of Catalan interests have been taken by the state without long negotiations or decision-making processes prior to them, such as the amnesty civil servants decree of 1978 and the installment of the provisional Generalitat (1977). One of the more questionable negotiation processes during the early years however regards the Constitution draft which, due to a long period of amendments and political compromises, resulted in vague and ambiguous text. Two material differences can be distinguished in the case of the Catalan negotiations;

first of all, the committee member representing Catalonia was Miquel Roca Junyent, who in addition to representing Catalonia also represented the Basque issues. That Junyent was a representative of the *Grupo parlamentario de la Minoría Catalana* indicates a better representation of Catalan issues. Second, the support by the political parties voting in favor of the 1978 Constitution, in the Spanish Parliament, as well as the referendum turnout (Appendix C) indicates an expressed consensus for the content of the Constitution in Catalonia. The collected data seems to indicate no gaps in the consultation of Catalan parties until the Statute Reform (2006) and the majority of the decisions were subject to bargaining and compromise by both parts, although the political opinions normally differed. For example, the Law of Linguistic Normalisation (1983), passed in the Generalitat, was up for deliberation in the Constitutional Court for almost one year before passing (see Appendix C) and other contested issues such as amnesty and autonomy were accompanied by peaceful demonstrations prior to settlement. However, a noticeable shift can be noted in the results following the Statute Reform of 2006 and the 2010 Constitutional Court sentence, whereas a number of issues remain unsettled between Catalonia and the central government and an action-reaction spiral begins to develop. One example of unsettled issues is the eventual financial agreements, which the government of Catalonia brought up to negotiation on numerous occasions, while continuously being dismissed by the central government. Moreover, the results indicate that the issue self-determination also became a sore subject as exemplified by the number of Resolutions unilaterally adopted by the Catalan Parliament since 2012 (Appendix C). Hence, the Spanish government begins using methods of coercion and threats with the use of force which was used during the day of the illegal referendum, in spite of the absence of violence on behalf of the Catalan Autonomous Community.

4.4 Arrangements

4.4.1 The Basque Country

As aforementioned, the Spanish autonomy agreements are based on an asymmetrical devolution system and all powers devoted to the autonomous communities are to be negotiated with the Spanish state. Indeed, the results in Appendix A and B indicates that concept has been practically applied, such as the Statute of Autonomy (1979) and the granting of the *Conciertos Económicos* (1981). However, the results also indicate that the institutional means to ensure a stake in the system and the possibility to pursue collective interests does lack in certain aspects, first of all among others the possibility to reform the Statute of Autonomy. According to Article 46 in the Basque Statute of Autonomy, the process of amending the statute requires for the draft to be 1) approved by the Basque

Parliament by an absolute majority; 2) approved by the Spanish Parliament and 3) approved by the Basque people through a referendum. However, after successfully passing in the Basque Parliament, the Ibarretxe Proposal (2003) was rejected the Spanish Parliament by 313 votes against, 29 in favour and two abstentions, and thus never reached the vote of the people. The motivation for the ruling lies in the content according to the Government, as one of the articles claimed the right of self-determination, which cannot be written in any official text due to its legal value and must therefore be declared unconstitutional and cancelled (Appendix C). Second, disagreement has occurred regarding the distribution of competences between the Basque Autonomous Community and the Spanish state. The Spanish Government has been accused of not being transparent and expanding its scopes, but also limiting appointed competencies of the historical autonomous communities. As mentioned in section 4.2.1, one example was the LOAPA law which was later declared unconstitutional (1983), but also the provisions stated in the Constitution and later legalized in form of the 1992 Organic Law on Regional Transfers, which harmonized the asymmetrical devolution and erased. Additionally, official reports of the Basque Government indicates that the Spanish government has still not transferred the competencies belonging to the Basque Country according to the 1979 Statute, as requested on several occasions. Such defiance is in direct conflict with the Second Transitory Provision in the Statute of Autonomy stating that:

“On the coming into force of this Statute, the powers and resources that have by that time been transferred to the General Basque Council shall be deemed to have been turned over definitively. All acquired rights of any kind or nature held at the time of the transfer by civil servants and staff attached to state services or other public institutions due to be transferred shall be respected. “ (Art. 2. C.C. Transitory Provision).

4.4.2 Catalonia

The autonomy arrangements granted to Catalonia are very similar to the Basque region due to their shared historical autonomy. Hence, several of the issues mentioned in 4.4.1 are equally applicable the Catalan case, such as the attempts to erase the differences between the autonomous communities (LOAPA and the 1992 Organic Law on Regional Transfers). However, there is one important difference that can be identified between the institutional means of the two regions, i.e. the Statute Reform of 2006 which was passed successfully in the Generalitat, and although subjected to numerous amendments in the Spanish Constitutional Committee, it was approved by both the central parliament as well as by the people in the following popular consultation. Despite being revised by due to certain paragraphs being deemed unconstitutional, the remaining articles passed. However, it is arguable that the revisions of the Constitutional Court eliminated a crucial part of the Statute, and the results visible in the Appendix C seem to indicate that, as event mobilized a wave of discontent channeled through mostly conventional

methods,. In fact, Catalonia has attempted as aforementioned to negotiate the outcomes of a fiscal pact inspired by the Basque Country in many occasions without succeeding, as well as the identity and the self-determination of the Catalans, which leads us to the second issue concerning the ambiguity of the Constitution regarding the “nationalities” in contrast to the Spanish unity. Art. 1.2 C.C. recognizes “the right to self-government of the nationalities and regions of which it is composed and the solidarity among them all.” Yet, Art. 2 C.C. states that “The Constitution is based on the indissoluble unity of the Spanish Nation, the common and indivisible homeland of all Spaniards”. The latter article was designed to rule out any possible self-determination aspiration, which has resulted both in the disagreement about the interpretation of statute and the meaning of the term “nationality”.

5 Between-case analysis

5.1 Recognition

- *Was the political actors representing the autonomous community as well as its collective rights and interests recognized by the Spanish State?*

In the Basque case, although the majority of mainstream political actors have been recognized through either the Political Reform (1976), the Constitution (1978) or the Statute of Autonomy (1979), not all political actors have been affected nor protected by these laws. For instance, the 2002 Organic Law and the outlawing of Batasuna demonstrates the governmental persecution of any group or party connected to ETA. This has created a dilemma of recognition. On the one hand, the actions taken by the radical parties and the Abertzale left were often taken through unconventional methods including the threat of use of force whereas on the other hand many of the demands put forward by the actors did in many cases represent the will of the people, and the demands put forward by them were often supported by conventionally operating groups. In the Catalan case, the lack of violent factions appears to have favored a faster and more extensive recognition of political actors and collective rights, exemplified by the targeted amnesties and the quick granting of the provisional Generalitat. Although departing from mostly the same starting point concerning constitutional recognition and autonomy statute content including the LOAPA and Organic Law on Regional Transfers (with some differences in favor of the Basque country regarding their fiscal autonomy) the main differences can be attributed 2006 Statute reform. Yet, when looking closely, the results seem to indicate little difference regarding the content of the Catalan amendments., the ones of value to the region were deemed unconstitutional such as the Fiscal agreement, and as the term “nation” in the preamble lacks of juridical value what separates the status of the two autonomous communities is in fact the Basque collective rights connected to the foral system. In fact, it would seem as the two regions have been favored in different ways, although a clear difference between the acknowledgement of the political parties can be extinguished.

5.2 Process

- *Was the process of accommodation inclusive of all affected parties and were agreement arrived at by consent. i.e not through coercive methods, such as threat or use of force?*

The findings seem to suggest that in the Basque Case, the negotiation process has lacked of all points. First of all, concerning insufficient number of bilateral and multilateral decisions but also the governmental refusal to acknowledge ETA and the parties allegedly connected to them. In addition the low inclusion of the negotiations seems to have caused protracted political stances and stalemates concerning certain issues, such as total amnesty of ETA prisoners, the legitimacy of political actors and the future of the Basque Region. Second, negotiations have been accompanied by counterinsurgency methods, coercion and negotiating incentives and although never explicitly threatening the mainstream Basque political parties, the different penal policies were used as political leverage toward the parties allegedly connected to ETA. There is a noticeable shift however towards the end of the use of violence and a broader inclusion of political parties. However In the Catalan case the findings seem to indicate the opposite: Negotiations with the government have been inclusive of numerous Catalan actors since the very start, and terms between Catalonia and the Spanish government have generally been better, which has been exemplified by the Catalan representative in the pre-constitutional draft and granted amnesties. However, as the relationship began to deteriorate following the 2010 Statute Reform, the granted concessions also become fewer as well the multi- and bilateral negotiations, and at the worst point of the conflict, coercive and threatening methods are used. However, although both the Basque Country and Catalonia have encountered varying levels of inclusion and consent in the negotiation process, the results would indicate a higher inclusion of Catalan political actors, as well as higher levels of consent between the negotiating parties.

5.3 Arrangements

- *Does the institutional arrangements provided the institutional means necessary to secure the rights and to pursue collective interests?*

In comparison to the aforementioned sections, the results concerning the institutional means display greater similarities between the Basque Country and Catalonia as some of the actions taken by the government have been taken indiscriminately against the fast-track autonomous regions such as the LOAPA and LOOP laws, which target both Catalonia and the Basque Country. Yet, there are certain differences, between the two regions that suggest a differential treatment,

first of all concerning the constitutional right to pass a Statute reform. Whereas the bill for reforming the Catalan Statute of Autonomy was passed by both the Catalan Parliament, the Spanish Parliament and by the following popular referendum, the Basque equivalent never passed the scrutiny of the Spanish Parliament. As aforementioned, the argument concerning the initial content of the two statutes have been used to explain such a variation, yet it impacts the level of ethnopolitical collective empowerment of the Basque Country. In the Catalan case on the other hand, it can be argued that the outset is similar as the wished content was declared unconstitutional. Yet, there is a visible difference in the adaptation of the right of the Statute Reform. Secondly, the results indicate a difference in the transfer of competences. Although the Basque Country has repeatedly asked formally for the transfer of competences such as promised in the Constitution, the transfer has continued being in pending status. As for Catalonia, the veritable issue concerning the arrangements has mainly concerned the Constitutional Court sentence of 2010, which gave way to the legal conflict concerning the self-determination process ending in the events of the legal referendum 2017. Yet, although in line with the Constitution, it is argued that this event initiated a feeling of discontent among the Catalans, which arguably contradicts an institutional arrangement that provides the means necessary to secure the movements collective rights.. Thus, the results seem to imply that although there is a difference between the regions, neither of the regions have been provided the necessary institutional arrangements to secure the rights and pursue the collective interests of the group.

6 Conclusion

This thesis has aimed at exploring the relationship between ethnic accommodation and ethnopolitical action: more precisely what drives some ethnopolitical movements to use violent methods, while others do not. The question at issue has been examined by using Ted Robert Gurr's theoretical framework of democratic accommodation under pressure which supposes that ethnopolitical violence may be a sign of unaddressed grievances. These grievances can however be addressed through the recognition and inclusion of ethnopolitical groups, together referred to as ethnic accommodation (Gurr 2000).

The empirical findings here provided seem to partially support the premises provided by the theoretical framework of democratic accommodation under pressure. When looking at the levels of political recognition and inclusion, the findings indicate that the overall levels of exclusion towards the Basque political parties and actors in the negotiations, as well as the use of coercive methods is higher in comparison to the negotiations with Catalan political actors. The findings do also indicate differences regarding the recognition of political actors and consequently the prospects of securing their rights and pursuing their interests. Thus, the identified differences between the Basque Country and Catalonia in terms of recognition and inclusion support the existence of unaddressed grievances in the Basque case, and while grievances have also been identified in the Catalan movement, they have not been perceived as being of the same extent.

However, as previously stated, the scope of this essay is not to establish the causal relationship between ethnopolitical rebellion accommodation. Due to the action-reaction nature of the relationship between ETA and the government, it is not possible, on the grounds of these findings, to establish whether the Basque ethnopolitical rebellion is an outcome or a cause of the lack of political accommodation. Thus, further research is needed on the causal mechanisms between violence and ethnic accommodation. Moreover, in view of the recent events connected to the Catalan independence referendum, further monitoring of the situation may be required.

7 References

Scientific books and articles

- Abadie, A. & Gardeazabal, J. 2003, "The economic costs of conflict: A case study of the Basque Country", *American economic review*, vol. 93, no. 1, pp. 113-132.
- Benedikter, T. 2009, *Solving ethnic conflict through self-government: a short guide to autonomy in South Asia and Europe*, EURAC.
- Bergström, G. & Boréus, K. 2012, *Textens mening och makt: metodbok i samhällsvetenskaplig text-och diskursanalys*, Studentlitteratur.
- Bermeo, N.G. 2002, "The import of institutions", *Journal of Democracy*, vol. 13, no. 2, pp. 96-110.
- Bieri, M. 2014, "Separatism in the EU", *CSS Analysis in Security Policy*, vol. 160.
- Bonafont, L.C., Baumgartner, F.R. & Palau, A. 2015, *Agenda dynamics in Spain*, Springer.
- Bothen, A. 2014, "An Analysis of the Basque Independence Movement and the Political Position of the Basque Country Within the Spanish State", .
- Brubaker, R. & Laitin, D.D. 1998, "Ethnic and nationalist violence", *Annual Review of sociology*, vol. 24, no. 1, pp. 423-452.
- Castellino, J. & Gilbert, J. 2003, "Self-determination, indigenous peoples and minorities", *Macquarie LJ*, vol. 3, pp. 155.
- Clark, R.P. 1979, *The Basques, the Franco Years and Beyond*, University of Nevada Press.
- Conversi, D. 2000, *The Basques, the Catalans and Spain: Alternative routes to nationalist mobilisation*, University of Nevada Press.
- Cunningham, K.G. 2013, "Understanding strategic choice: The determinants of civil war and nonviolent campaign in self-determination disputes", *Journal of Peace Research*, vol. 50, no. 3, pp. 291-304.
- Davenport, C. & Inman, M. 2012, "The state of state repression research since the 1990s", *Terrorism and Political Violence*, vol. 24, no. 4, pp. 619-634.
- Durán, I.M. & Trillas, F. 2016, "Is Something Really Happening? Separatist Movements in Modern Democracies and the Stock Market: The Case of Catalonia",.
- Eller, J.D. & Coughlan, R.M. 1993, "The poverty of primordialism: the demystification of ethnic attachments", *Ethnic and racial studies*, vol. 16, no. 2, pp. 183-202.
- Esaiasson, P., Gilljam, M., Oscarsson, H. & Wängnerud, L. 2012, "Metodpraktikan (3. uppl.)", *Stockholm: Nordstedts Juridik*, .
- Fearon, J.D. & Laitin, D.D. 2000, "Violence and the social construction of ethnic identity", *International organization*, vol. 54, no. 4, pp. 845-877.

- Friend, J. 2012, *Stateless Nations: Western European regional nationalisms and the old nations*, Springer.
- George, A.L. & Bennett, A. 2005, *Case studies and theory development in the social sciences*, mit Press.
- Giddens, A. 1985, *The nation-state and violence*, Univ of California Press.
- Gillespie, R. 2015, "Between accommodation and contestation: The political evolution of Basque and Catalan nationalism", *Nationalism and Ethnic Politics*, vol. 21, no. 1, pp. 3-23.
- Gillespie, R. & Gray, C. 2015, *Contesting Spain? The dynamics of nationalist movements in Catalonia and the Basque Country*, Routledge.
- Grigorian, A. & Kaufman, S.J. 2007, "Hate narratives and ethnic conflict", *International Security*, vol. 31, no. 4, pp. 180-191.
- Gurr, T.R. 2001, "No Easy Solutions: Comments on the Resolution of Self-Determination Disputes Through Complex Power-Sharing Arrangements", *Eur.YB Minority Issues*, vol. 1, pp. 327.
- Gurr, T.R. 2000, *Peoples versus states: Minorities at risk in the new century*, US Institute of Peace Press.
- Gurr, T.R. 1994, "Peoples against states: Ethnopolitical conflict and the changing world system: 1994 presidential address", *International Studies Quarterly*, vol. 38, no. 3, pp. 347-377.
- Gurr, T.R. 1993, "Why minorities rebel: A global analysis of communal mobilization and conflict since 1945", *International Political Science Review*, vol. 14, no. 2, pp. 161-201.
- Gurr, T.R. & Moore, W.H. 1997, "Ethnopolitical rebellion: A cross-sectional analysis of the 1980s with risk assessments for the 1990s", *American Journal of Political Science*, , pp. 1079-1103.
- Gurr, T.R. & Pitsch, A. 2003, "Ethnopolitical conflict and separatist violence" in *International Handbook of Violence Research* Springer, , pp. 227-245.
- Hannum, H. 2011, *Autonomy, sovereignty, and self-determination: the accommodation of conflicting rights*, University of Pennsylvania Press.
- Hutchinson, J. & Smith, A.D. 1996, *Ethnicity*.
- Izu Belloso, M. 2011, "El régimen jurídico de los símbolos de Navarra", .
- Joireman, S. 2003, *Nationalism and political identity*, A&C Black.
- Kaldor, M. 2013, *New and old wars: Organised violence in a global era*, John Wiley & Sons.
- Karklins, R. 1994, *Ethnopolitics and the Transition to Democracy: The Collapse of the USSR and Latvia*, Woodrow Wilson Center Press.
- Kaufman, S.J. 2006, "Symbolic politics or rational choice? Testing theories of extreme ethnic violence", *International Security*, vol. 30, no. 4, pp. 45-86.
- Kaufmann, C. 2005, "Rational choice and progress in the study of ethnic conflict: A review essay", *Security Studies*, vol. 14, no. 1, pp. 178-207.
- Lijphart, A. 1969, "Consociational democracy", *World Politics*, vol. 21, no. 2, pp. 207-225.
- Lijphart, A. 1968, "The politics of accomodation", *Pluralism and Democracy in the Netherlands*, vol. 2.
- Lilli, J. 1994, "Basques, catalans, primordialism and violence", *Vasconia: Cuadernos de historia-geografía*, , no. 22, pp. 323-358.
- Lluch, J. 2014, *Constitutionalism and the Politics of Accommodation in Multinational Democracies*, Springer.

- Marshall, M.G. & Gurr, T.R. 2003, *Peace and Conflict 2003: A global survey of armed conflicts, self-determination movements, and democracy*, Center for International Development and Conflict Management.
- Martí, A.Z. & Laborda, J.L. 2014, "The Uneasy Coexistence of the Spanish Foral and Common Regional Finance Systems", *Working papers= Documentos de trabajo: Serie EC (Instituto Valenciano de Investigaciones Económicas)*, , no. 2, pp. 1.
- McGarry, J., O'Leary, B. & Simeon, R. 2008, "Integration or accommodation? The enduring debate in conflict regulation", *Constitutional design for divided societies: Integration or accommodation*, , pp. 41-88.
- Muro, D. 2013, *Ethnicity and violence: The case of radical Basque nationalism*, Routledge.
- Muro, D. & Alonso, G. 2010, *The politics and memory of democratic transition: the Spanish model*, Routledge.
- Muro, D. 2009, "Territorial accommodation, party politics, and statute reform in Spain", *South European Society & Politics*, vol. 14, no. 4, pp. 453-468.
- Nordberg, I. 2005, "Regionalism and revenue: the moderate basque nationalist party, the PNV, and politico-economic power in the Basque Country of Spain 1980-1998".
- Norris, P. 2002, "Ballots not bullets: testing consociational theories of ethnic conflict, electoral systems, and democratization", *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, vol. 206.
- Østby, G. 2003, "Horizontal inequalities and civil war", *Norwegian University of Science and Technology, Oslo*, .
- Paris, R. 2004, *At war's end: building peace after civil conflict*, Cambridge University Press.
- Posen, B.R. 1993, "The security dilemma and ethnic conflict", *Survival*, vol. 35, no. 1, pp. 27-47.
- Powell, C. 2016, *Revisiting Spain's Transition to Democracy*. Elcano Royal Institute.
- Rafols, F.X.P. 2014, "Legalidad internacional y derecho a decidir", *Revista electrónica de estudios internacionales (REEI)*, , no. 27, pp. 7-87.
- Rees, E.L. 1996, "Spain's Linguistic Normalization Laws: The Catalan Controversy", *Hispania*, vol. 79, no. 2, pp. 313-321.
- Regan, P.M. & Henderson, E.A. 2002, "Democracy, threats and political repression in developing countries: are democracies internally less violent?", *Third World Quarterly*, vol. 23, no. 1, pp. 119-136.
- Redero San Román, M. 2017, *Adolfo Suárez y la transición política*, Ediciones Universidad de Salamanca.
- Richmond, O. 2010, *Palgrave advances in peacebuilding: Critical developments and approaches*, Springer.
- Roche Cárcel, J. 2018, "Transitions. The Fragility of Democracy".
- Roe, P. 2004, *Ethnic violence and the societal security dilemma*, Routledge.
- Saxton, G.D. 2004, "Structure, Politics, and Ethnonationalist Contention in Post-Franco Spain: An Integrated Model", *Journal of Peace Research*, vol. 41, no. 1, pp. 25-46.
- Smith, A.D. 1996, "Culture, community and territory: the politics of ethnicity and nationalism", *International Affairs*, vol. 72, no. 3, pp. 445-458.
- Souleimanov, E. 2013, *Understanding ethnopolitical conflict: Karabakh, South Ossetia, and Abkhazia wars reconsidered*, Springer.
- Tejerina, B. 2015, "Nacionalismo, violencia y movilización social en el País Vasco. Factores y mecanismos del auge y declive de ETA", *Papeles del CEIC*, , no. 3.

- Turano, L. 2003, "Spain: Banning political parties as a response to Basque terrorism", *International Journal of Constitutional Law*, vol. 1, no. 4, pp. 730-740.
- Vanhanen, T. 1999, "Domestic ethnic conflict and ethnic nepotism: A comparative analysis", *Journal of Peace Research*, vol. 36, no. 1, pp. 55-73.
- Walter, B.F. 2006, "Building reputation: Why governments fight some separatists but not others", *American Journal of Political Science*, vol. 50, no. 2, pp. 313-330.
- Whitfield, T. 2015, *The Basque Conflict and ETA: The Difficulties of an Ending*, US Institute of Peace.
- Whitfield, T. 2014, *Endgame for ETA: Elusive peace in the Basque Country*, Oxford University Press (UK).
- Williams Jr, R.M. 1994, "The sociology of ethnic conflicts: comparative international perspectives", *Annual review of sociology*, vol. 20, no. 1, pp. 49-79.
- Williams, D.U. 2015, "How useful are the main existing theories of ethnic conflict?", *Academic journal of interdisciplinary studies*, vol. 4, no. 1, pp. 147.
- Wolff, S. 2011, "Managing ethnic conflict: The merits and perils of territorial accommodation", *Political Studies Review*, vol. 9, no. 1, pp. 26-41.
- Wolff, S. 2003, *Disputed territories: the transnational dynamics of ethnic conflict settlement*, Berghahn Books.

Electronic Press articles

- Canellas, C., Dowsett, S. & Binnie, I. 2017, *Basque militants ETA surrender arms in end to decades of conflict*. Reuters Retrieved from <https://reuters.com/article/us-spain-eta/basque-militant-separatists-eta-say-they-have-disarmed-bbc-idUSKBN1790YK>
- Agence France-Presse. 201, 'It has been done': Eta hands over weapons in france. *The Guardian* Retrieved from <https://www.theguardian.com/world/2017/apr/08/it-has-been-done-eta-hands-over-weapons-in-france>
- Aizpelea, L. R. 2010, Basque left calls for full ETA ceasefire. *El País* Retrieved from https://elpais.com/elpais/2010/10/25/inenglish/1287984041_850210.html
- Reuters. 2017, Basque militants ETA surrender arms in end to decades of conflict. *Reuters* Retrieved from <https://www.reuters.com/article/us-spain-eta/basque-militant-separatists-eta-say-they-have-disarmed-bbc-idUSKBN1790YK>
- Catalonia profile - timeline. 2018, *BBC News* Retrieved from <https://www.bbc.com/news/world-europe-20345073>
- Jones, S. 2017, Catalan ex-president Artur Mas barred from holding public office. *The Guardian* Retrieved from <https://www.theguardian.com/world/2017/mar/13/catalan-ex-president-artur-mas-barred-from-holding-public-office>
- Martínez, I. C. 2006, Una vieja idea rescatada por Batasuna en Anoeta en 2004. *El País* Retrieved from https://elpais.com/diario/2006/03/23/espana/1143068433_850215.html
- Minder, R. 2017, Artur mas, former catalan leader, is barred from holding office. *The New York Times* Retrieved

- from <https://www.nytimes.com/2017/03/13/world/europe/artur-mas-catalonia-spain-independence.html>
- Noguer, M. 2014, Catalonia maintains November vote despite new suspension of process. *El País* Retrieved from https://elpais.com/elpais/2014/11/04/inenglish/1415114922_224066.html
- Pradera, J. 1998, El cierre de "Egin". *El País* Retrieved from https://elpais.com/diario/1998/07/22/espana/901058406_850215.html
- Romero, J. M. (2014). 1,670 days that changed Spain. *El País* Retrieved from http://elpais.com/elpais/2014/03/24/inenglish/1395672442_769964.html

Laws, orders and decrees

Appendix A

- Decreto 2940/1975, de 25 de noviembre, por el que se concede indulto general con motivo de la proclamación de Su Majestad don Juan Carlos de Borbón como Rey de España. BOE 284/1975, 24666.
- Orden de 5 de diciembre de 1975 por la que se extienden los beneficios del Decreto 2940/1975, de 25 de noviembre, al ámbito académico. BOE 298/1975, 25856.
- Ley 21/1976, de 14 de junio, sobre el Derecho de Asociación Política. BOE 1976, 11750-11752.
- Decreto 3357/1975 de 5 de diciembre, por el que se declaran revisadas de oficio y anuladas las sanciones administrativas acordadas de conformidad con lo establecido en la Ley de 10 de febrero de 1976, de responsabilidad política. BOE 1975, 26649.
- Orden de 17 de diciembre de 1975 por la que se hace extensivo a las Entidades Locales la aplicación del indulto concedido por el Decreto 2940/1975, de 25 de noviembre. BOE 1975, 26550-16551.
- Decreto 840/1976, de 18 de marzo, por el que se extienden los efectos del Decreto de 5 de diciembre de 1975 a los funcionarios de Corporaciones y Empresas Concesionarias de Servicios Públicos. BOE 1976, 8230
- Real Decreto 2393/1976, de 1 de octubre, por el que se dictan normas para la aplicación de la amnistía a los funcionarios de Administración Local. BOE 1976, 20918-20919.
- Orden de 6 de julio de 1977 por la que se dictan normas para la aplicación del Real Decreto 2393/1976 sobre amnistía a los funcionarios de la Administración Local. BOE 168/1977, 15907-15908.
- Real Decreto 2281/1976, de 16 de septiembre, por el que se regula el Registro de Asociaciones Políticas. BOE 236/1976, 19143 -19144.
- Real Decreto-ley 10/1976, de 30 de julio, sobre amnistía. BOE 186/1976, 15097-15098.

Real Decreto 388/1977, de 14 de marzo, sobre indulto general. BOE 66/1977, 6301-6302.

Ley 1/1977, de 4 de enero, para la Reforma Política. BOE 4/1977, 170 -171

Real Decreto-ley 20/1977, de 18 de marzo, sobre Normas Electorales. BOE 70/1977, 6584-6600.

Real Decreto 679/1977, de 15 de abril, por el que se convocan elecciones generales a las Cortes Españolas. BOE 92/1977.

Ley 46/1977, de 15 de octubre, de Amnistía. BOE 248/1977

Ley 54/1978, de 4 de diciembre, de Partidos Políticos. BOE 293/1978, 27781-27782.

Constitución Española. BOE 311/1978, 29313-29424.

Ley 12/1983, de 14 de octubre, del Proceso Autonómico. BOE 247/ 1983, páginas 27969 – 27972.

Ley Orgánica 9/1992, de 23 de diciembre, de transferencia de competencias a Comunidades Autónomas que accedieron a la autonomía por la vía del artículo 143 de la Constitución. BOE 308/1992, 43863-43867.

Ley Orgánica 6/2002, de 27 de junio, de Partidos Políticos. BOE 154/2002.

Appendix B

Decreto 3142/1975, de 7 de noviembre, por el que se crea una Comisión para el estudio de la implantación de un régimen administrativo especial para las provincias de Vizcaya y Guipúzcoa. BOE 290/1975, 25176,

Real Decreto-ley 2076/1976, de 30 de octubre, por el que se deroga el Decreto-ley de 23 de junio de 1937, sobre régimen económico-administrativo de las provincias de Guipúzcoa y Vizcaya. BOE 267/1976, 21910.

Real Decreto-ley 18/1977, de 4 de marzo, para la restauración de las Juntas Generales de Guipúzcoa y Vizcaya. BOE 65/1977, 6200 – 6201.

Real Decreto-ley 1/1978, de 4 de enero, por el que se aprueba el régimen preautonómico para el País Vasco. BOE 5/ 978, 326-327.

Ley Orgánica 3/1979, de 18 de diciembre, de Estatuto de Autonomía para el País Vasco. BOE 306/1979.

Decreto del Consejo General del País Vasco de 12 de enero de 1980, por el que se convocan elecciones al Parlamento Vasco. BOPV 32/1980.

Ley 12/1981, de 13 de mayo, por la que se aprueba el Concierto Económico con la Comunidad Autónoma del País Vasco. BOE 127/1981, 11677- 11687.

Ley 10/1982, de 24 de noviembre, básica de normalización del uso del Euskera. BOPV 160/1982; BOE 100/2012.

Ley Orgánica 9/1984, de 26 de diciembre, contra la actuación de bandas armadas y elementos terroristas y de desarrollo del artículo 55.2 de la Constitución. BOE 3/1985, 70- 72.

Propuesta de reforma de Estatuto político de la Comunidad de Euskadi. (127/000001) BOCG. 149-1/2005; 149-2/ 2005.

Proposición no de Ley relativa a la revocación de la resolución de 17 de mayo de 2005, sobre el apoyo a un proceso de diálogo con la organización terrorista ETA. (162/000547) BOCG. D-538/2007

Appendix C

Decreto 405/1976, de 20 de febrero, por el que se crea una Comisión para el estudio de un régimen especial de las cuatro provincias catalanas. BOE 59/1976, 4858 - 4858

Real Decreto por el que se crea el Consejo General de Cataluña y se desarrollan otras propuestas de la Comisión creada para el estudio de su régimen especial. BOE 65/1977, 6210 - 6211

Real Decreto-ley 41/1977, de 29 septiembre, sobre restablecimiento provisional de la Generalidad de Cataluña. BOE 238/1977, 22047 - 22048

Orden por la que se dictan normas sobre la forma de solicitar por los funcionarios de la Generalidad de Cataluña la aplicación de los beneficios de amnistía. BOE 168/1977, 15908- 15908.

Real Decreto para la aplicación de la amnistía a los funcionarios de la Generalidad de Cataluña. BOE 126/1978, 12279 a 12279 (1 pág.)

Decreto del 14 de noviembre de 1978.

Ley Orgánica 4/1979, de 18 de diciembre, de Estatuto de Autonomía de Cataluña. BOE 306/1979, 29363-29370

Ley 7/1983, de 18 de abril, de normalización lingüística en Catalunya. DOGC 322/1983, 892-894

Ley 1/1998, de 7 de enero, de Política Lingüística. «BOE 36/1998, 4809-4818

Ley Orgánica 6/2006, de 19 de julio, de reforma del Estatuto de Autonomía de Cataluña. Jefatura del Estado BOE 172/2006

Resolución 737/IX del Parlament de Catalunya, sobre el pacto fiscal (259-00003/09)

Resolución 5/X del Parlamento de Cataluña, por la que se aprueba la Declaración de soberanía y del derecho a decidir del pueblo de Cataluña (250-00059/10 i 250-00060/10)

Resolución 17/X del Parlamento de Cataluña, sobre la iniciación de un diálogo con el Gobierno del Estado para hacer posible la celebración de una consulta sobre el futuro de Cataluña (250-00226/10)

Resolución 479/X del Parlamento de Cataluña, por la que se acuerda presentar a la Mesa del Congreso de los Diputados la Proposición de ley orgánica de delegación en la Generalidad de Cataluña de la competencia para autorizar, convocar y celebrar un referéndum sobre el futuro político de Cataluña (270-00009/10)

Ley 10/2014, de 26 de septiembre, de consultas populares no referendarias y otras formas de participación ciudadana. Comunidad Autónoma de Cataluña «DOGC» núm. 6715, de 27 de septiembre de 2014 BOE 64/ 2015 Resolución 1/XI del Parlamento de Cataluña, sobre el inicio del proceso político en

Cataluña como consecuencia de los resultados electorales del 27 de septiembre de 2015 (250- 00001/11)

LEY 19/2017, de 6 de septiembre, del referèndum de autodeterminación. DOGC 7449A (06/09/2017)

Real Decreto 944/2017, de 27 de octubre, por el que se designa a órganos y autoridades encargados de dar cumplimiento a las medidas dirigidas al Gobierno y a la Administración de la Generalitat de Cataluña, autorizadas por acuerdo del Pleno del Senado, de 27 de octubre de 2017, por el que se aprueban las medidas requeridas por el Gobierno, al amparo del artículo 155 de la Constitución. BOE 261/2017, 103545 -103557

Court rulings

STC de 5 de agosto (76/1983)

STS de 27 de marzo 2003 (2133/2003)

STC, de 11 de septiembre (103/2008)

STC de 28 de junio 2010 (31/2010)

STC de 5 de mayo 2011 (62/2011)

STC de 20 de junio. (138/2012)

STC de 25 de marzo 2014 (42/2014)

STC de 30 de noviembre (258/2015)

Governmental publications

Ministerio de la Presidencia, 2012. *Los Pactos de la Moncloa: texto completo del acuerdo económico y del acuerdo político : Madrid, 8-27 octubre 1977*. Madrid.

Pacto de Ajuria Enea, para la normalización y pacificación de Euskadi, Vitoria-Gasteiz: el 12 de enero de 1988.

[http://www.elmundo.es/eta/documentos/pacto_ajuria_enea.html]

Servicio Central de Publicaciones del Gobierno Vasco, 2017. *Informe sobre actualización de las transferencias pendientes a la Comunidad Autónoma del País Vasco*. Agotada.

Ministerio de la Presidencia.. N.N, IX. *Regulación Jurídica de los Partidos Políticos en España*. Centro de Publicaciones.

Congreso de los Diputados. 2003, *Elaboración y aprobación de la Constitución Española de 1978*.

Government of Catalonia 2016, , *The contemporary Government of Catalonia (20th and 21st centuries)*.

Available: https://web.gencat.cat/en/generalitat/historia/historia_4/

8 Appendix

Appendix A: General timeline

Decision	Date	Description/Content	Decision-making process
Royal Decree 2940/1975	25th Nov. 1975	<p>A general pardon proclaimed by King Juan Carlos, that freed about 15 000 political prisoners (Conversi 2000), but did not cover crimes of terrorism or related to terrorism, propaganda of terrorist nature and crimes of belonging to associations, groups or organisations included in law on terrorism.</p> <p>Extensions:</p> <ul style="list-style-type: none"> • Ministerial Order 5th Dec. 1976, extending Decree 2940/1975 to the academic field; • Decree 3357/1975 5th Dec. 1975 extending decree to public servants and public organism sanctioned in application of the law 1939 on political responsibilities and • Ministerial order 17th Dec. 1975 extending application of decree to local entities in the application of the indult • Decree 840/1976, of March 18 which extends the effects of the Decree of December 5, 1975, to officials of corporations and concessionaire companies public services. • Royal Decree 2393/1976 of 1st Oct. 1976 on the application of the amnesty civil servants in local government • National Ministerial Order of 6th July 1977 regulating the application of the royal decree of 2393/1976 	Endorsed by the President of the Government or competent ministers and announced by King Juan Carlos
Law 21/1976, on the right of political association.	14th June 1976	<p>Law on Political Associations passed “which permitted the real and initial incorporation of democratic political parties” (Roche Càrcel 2016:70.)</p> <p>Extensions: Royal Decree 2281/1976 Registro de Asociaciones Políticas that regulates the the registration process of political parties.</p>	<p>Proposed by the Spanish Parliament an voted by 338 out of 561 members, 91 votes against, 24 abstained and the rest were absent.</p> <p>Accepted associations: the Catalan Union, the National Action Party, the New Force, the Christian Democratic Union, the Confederation of Conservative</p>

			Parties, Christian Social Democracy of Catalonia, Traditionalist Communion, Progressive Party, Andalusian Regional Union, Popular Party, Spanish National Union, Spanish Democratic Socialist Party, Democratic Reform, Spanish Democratic Union, Lliga de Catalunya - Catalan Liberal Party, Spanish Democratic Action, Extremeña Regional Action, Catalan Democratic Party and Regional Action.
Decree 10/1976	30th July 1976	A political and administrative amnesty that covers political offences and crimes linked to rebellion and opinion, but not physical violence. Applicable to deserters and fugitives (Cárcel 2016:70) . Expansion: <ul style="list-style-type: none"> Royal Decree 388/1977 14th March 1977 	Introduced by Adolfo Suarez Deemed insufficient by left-wing and regional nationalist parties.
Law 1/1977 of Political Reform	5th Jan. 1977	The new law introduced popular sovereignty, voting rights for all Spaniards aged 21 and over, and two chambers (Congress and the Senate) whose representatives would be elected through universal, free, direct and secret suffrage. A fifth of the representatives would be designated directly by the monarch. https://elpais.com/elpais/2014/03/24/inenglish/1395672442_769964.html	Introduced by Adolfo Suarez and Government to parliament who voted in favor of the Political Reform Law by 425 to 59 (with 13 abstentions) Referendum: 77,4 % de participation, 80-percent approval
Royal Decree-Law 20/1977	18th March 1977	Decree laying down the basis of the Spanish electoral system for the first years of democratic government.	Adolfo Suarez called formal talks with the opposition's 'Committee of Nine', a.k.a the Permanent Commission of the Platform of Democratic Organisms, a body of opposition parties created with the purpose of finding a common program of the platform, especially prior to the negotiations with the state. ¹⁰ The desired negotiation points revolved around amnesty, the electoral law, the legalisation of political parties and the autonomy statutes. 9 members, one of each representing PCE, Democratacristia-nos Socialdemocrata, PSOE, PNV, Partido Galeguista, CDC, Liberal, PSP.

Royal Decree 679/1977	15th April 1977.	Decree giving way to the first democratic elections since 1936. Suarez remained Prime Minister and announced the formation of a new Cabinet on July 4.	Decree issued by King Juan Carlos. Over 6,000 candidates and 156 political groups participated in the threeweek campaign.
Legalisation of several political parties	9th July 1977	After elections. Several left wing parties.	
Amnesty Law 46/1977	15th of October 1977	The 1977 law covered “all acts of a political purpose, whatever their outcome may have been”, thus benefiting all those tried for political crimes committed against the Franco regime prior to the 1977 elections, including ETA terrorists who had been convicted of murder.	Negotiated by the Government and the parliamentary opposition , and promulgated by the Parliament of Spain in 1977 and agreed by all the parliamentary groups (those of U.C.D, Socialist of the Congress, Communist, of the Basque-Catalan Minority, Mixed and that of Socialists of Catalonia), except for the Popular Alliance, and was approved by 296 votes in favor, 2 against, 18 abstentions and a null vote of 317 votes cast (Journal of Sessions of the Congress of the Deputies, No. 24, 974)
Pactos de la Moncloa	Octubre 1977	The Moncloa Pacts (there were two, called agreement on the program of consolidation and reform of the economy and agreement on the program of legal action and policy) were the result of the political will to find a remedy the serious economic situation that had been suffering that Spain of the late seventies (Ministerio de a Presidencias, 2012).	Adolfo Suarez (Ministerio de a Presidencias, 2012).
Law 54/1978 on political parties	4th Dec. 1978	Pre-constitutional law and therefore brief in articles and content, primarily served to establish a simple procedure for the free formation of political parties.	
Constitution	1978 Referendum: 6th Dec. 1978 Entered into effect 29th Dec. 1978	The first post-authoritarian Constitution, laying the ground for a new democratic Spain.	Drafted by a seven-member committee composed of parliamentarians that would elaborate a preliminary draft behind closed doors. Members representing autonomies: 1 Miquel Roca Junyent - Grupo Parlamentario de la Minoría Catalana). The official version was published January 1978, resulting in multiple amendments the draft of a several new versions, sometimes negotiated privately. Put to the vote in both houses on 21 October: <ul style="list-style-type: none"> • Adopted in the lower house (Congreso) with 325 out of 345 votes in favour, six against, and 14 abstentions; • In the upper house, the result was 226 out of 239 in favour, five against, and eight abstentions.

			<p>Basque deputies and senators voting against or abstained: EE (1) PNV (7) los senadores de la Minoría Vasca (2) Grupo Parlamentario Senadores Vascos (1)</p> <p>Catalan deputies voting against or abstained: Deputies of the catalan minority (2) Entesa Dels Catalans (2) (Congreso de los Diputados, 2003).</p>
General elections	1 marzo 1979	Dissolution of the Cortes and arrangement for new elections that would legitimize the new Constitution.	Adolfo Suarez
LOAPA (Ley organica de la armonizacion del proceso autonomico)	1981, presented in 1982 Dropped after 1983	Law that aimed to harmonise decentralisation across regions and to slow down the ongoing transference of powers. Constitutional court declared 14 out of 38 articles unconstitutional, and nullified the articles of harmonizing nature.	
Organic Law on Regional Transfers Ley Orgánica de Transferencias, 9/1992) in 1992	1992	Law that would lay down the grounds for the process in article 143 of the Constitution, concerning the slow track autonomy statutes. As a result, by 2000, the only differences in terms of issue jurisdiction were related to fiscal autonomy (which has always been greater in the Basque Country and Navarra), language, and the civil code as described above (Bonafont et al. 2012: 147)	
Political Parties Act (LOPP) Ley Orgánica del 6/2002	27th June 2002	Introduced in February and came into force 29th of June. Deals with the reasons of outlawing a party but also limits the creation of parties.	Proposed by Government and passed in the Parliament.

Appendix B: Timeline policies and decision-making processes (Basque Country)

Decision	Date	Description/Content	Decision-making process
Royal Decree 3142/75	7th Nov. 1975	Decree creating a Commission for the Study of the implementation of a special administrative regime for Vizcaya and Guipúzcoa (<i>comisión para el estudio de la implantación de un régimen administrativo especial para Vizcaya y Guipúzcoa</i>), one step towards the territorial reorganization of the State (Arteche, 1982)	Decision taken by the Prince, former Head of State with consultation and liberation through the Council of Ministers. The work of the Commission, which met ten times during 1976, resulted in passing the Royal Decree 2076/1976
Royal Decree 2076/1976	30th Oct. 1976	Decree repealing Decree-law of June 23, 1937, on economic-administrative regime of the provinces of Guipúzcoa and Vizcaya, which abolished the foral economic-administrative regime during the Civil War. Thus this decree reinstalls the arrangement of the foral regime.	Result of the Work of the Commission, and brought up to deliberation within the Council of Ministers.
Ministerial Order depenalizing the basque flag (ikurrina)	19th Jan. 1977	Ministry of Interior issues an order to the four civil governors of Alava, Guipuzcoa, Vizcaya and Navarra that depenalizes the public display of the Basque flag Ikurrina. (Izu Belloso 2011:190; Muro 2013:120)	Proposed by Minister of interior Martin Villa after issue was brought up to negotiation by the four civil governors of Alava, Guipuzcoa, Vizcaya and Navarra (Izu Belloso 2011:190)
Royal Decree-law 18/1977	4th Mar. 1977	Decree-law addressing the results of the work of the Commission, which gave way to the General Assembly, a provincial political organ for the Guipúzcoa and biscayan peoples.	The result of the work of the Commission for the Study of the Implementation of a Special adm. Reg. Presented to the government
Estrangement amnesty issued by the Council of Ministers	20th May 1977	Individual pardons granted to Basque political prisoners granted in return of exiling the liberated prisoners (Jimeno, 2017: 61).	Proposed by the Suarez and approved by the Council of Ministers. ETA responds by kidnapping Javier Ybarra. Amnesty still put in place. (Jimeno, 2017: 61).
Royal decree 1/1978 granting provisional autonomy	4th Jan. 1978	Decree granting provisional autonomy to the self-proclaimed provisional organ Basque General Council (Consejo General Vasco) that would rule the region until statute of autonomy (Muro & Alonso 2010:167).	The assembly of the Basque Representatives negotiated the decree with the Suarez government who later announced the decree (Muro & Alonso 2010:167).

Organic Law 3/1979 on the Basque Statute of Autonomy “Estatuto de Guernica”.	18th Dec. 1979	Statute of Autonomy such as recognized by the Constitution. Regulates the status of the Basque Country, the collective rights such as the officialization of the Basque language, flag and banners,. It also defines the division of powers between the Basque Country and the Spanish State.	Negotiations between the Constitutional Committee and delegation representing the Basque Country, but became mainly negotiations between Garaikoetxea (PNV) and Government. All Basque parties voted in favour, except for HB who “actively abstained”, calling it illegitimate (Muro, 2009; Powell, 2016)
Decree announcing Basque Regional elections (BOPV n. 32)	12th Jan. 1980 Elections: 9th March 1980	Garaikoetxea (PNV) first elected president of the government of Basque country (<i>Lendehakari</i>), representant of the PnV (Laforest & Lecours, 2016)	Announced by the General Basque Council in accordance with Article 1 of Transitional Provisions in the Statute of Autonomy.
Law 12/1981 On the “Conciertos Económicos”	13th May 1980	A fiscal pact (<i>concierto economico</i>) regarding the financing of the basque public sector through the fiscal norms granted by the Historical rights of Foral Territories as recognized by the Constitution and the Statute of Autonomy (Dowsett, 2017; Bothen, 2014).	Brought to the negotiating table by the newly appointed Basque Government and negotiated with Suarez .
Social reinsertion policy	1981-1982	A policy that would release several (mostly ETA-pm) prisoners. Aimed at ending the armed struggle and resolving the situation of the activists in prison or in exile (Bothen, 2014).	The outcome of the negotiations between the EE-leader and the government (Tejerina, 2015)
Law 10/1982 of Linguistic Normalisation for Euskera	1982	A law establishing the normalisation of the use of Euskera, and regulated various obligations and methods regarding numerous societal sectors.	Law promulgated by Basque regional government and voted by the Basque Regional Parliament.
“The dirty war”	1983-1987	Common denomination of the counterinsurgency policy funded by the government. Consisting in the paramilitary <i>Grupo Antiterrorista de Liberacion</i> (GAL), carrying out assassinations, kidnappings and torture of ETA-members (Whitfield, 2015).	
Organic Law 8/1984 on antiterrorism	1984	Anti-terrorism law reaffirming extraordinary police, This new legislation went far beyond existing legislation, allowing judges to ban political parties and other groups, close down newspapers and ETA-suspected terrorists without trials up to 2,5 years (Clark 1990:64)	Governmental response to ETA killing of Martin Barrios in 1983. Basque parliament officially asked Constitutional tribunal to declare 10/22 articles unconstitutional 5th January (Clark 1990:64)

Legalisation of Herri Batasuna	1986	Spanish Supreme Court legalizes the political Party Herri Batasuna after being accused of omitting information in certain required legal documents laying the ground of the part (El Pais 1986).	Process began in 1983 after the Ministry of the Interior opposed the inscription of Herri Batasuna in the Register of Political Associations due to the alleged omissions. The First Chamber of the Supreme Court pronounced that these notarial deeds do not reveal any illegalities, although warning of suspensions in case any anti-democratic behaviour would take place (El Pais 1986).
Agreement for the Pacification and Normalization of Euskadi (Pact of Ajuria Enea)	1988	An agreement made with the goal to undermine ETA's influence on politics and end the violence by Isolating ETA and groups connected to ETA, in order to work towards the goals of a peaceful self-determination process , the promotion of democratic existence through conventional means, and respecting the will of the Basque people (Tejerina 2015:8).	Agreement made by all parties with a seat in the Basque parliament, except for HB who condemned the agreement to be illegitimate (Barros 2006:5)
Negotiations in Algiers	1989	Failed negotiations between ETA and the Spanish Government in Algiers following the Pact of Ajuria Enea due to incompatible goals and impossibility to find middle ground (Whitfield 2014:6).	Participants: ETA and the Spanish Government.. After negotiation breakdown ETA returned to violence. (Whitfield 2014:6).
Dispersion policy	1989	A vindictive act installed by the government a month after the failure of the negotiations in Algiers and the interruption of the ceasefire, through which ETA members were placed in prisons all over Europe (Bothen 2014).	Introduced by the government a month after the ceasefire breakdown (Källa).
Informe Zubia "Informe sobre Transferencias pendientes" Document	1993	First official document reporting on the process of competence transfer between the Basque Country and the Spanish Government.	Issued by the Basque Country.
Ardanza Plan	1998	A political dialogue between political parties proposed by Jose Antonio Ardanza (PNV) in the face of repeated refusals by Spanish governments to fulfil the Statute of 1979.	Antonio Ardanza (PNV and Lehendakari) at the time proposed
PNV-ETA-EH pact	April 1998	Secret pact between PNV-ETA-EH. Four goals expressed, attempting at beginning a new face of the conflict with Spain, including the creation of a new institution including all seven	Secret pact between PNV-ETA-EH, however internal disagreements over 3rd goal between the PNV/EA and ETA.

		Basque provinces and the ending of the cooperation with PP and PSOE and (4) ETA showing support through declaring ceasefire announcement. Outcome Unknown.	
Lizarra-Garazi Agreement (the Estella Agreement)	12nd Sept. 1998	A declaration aiming at keeping open the possibility to negotiate the political future of the Basque country. This declaration contained the obligation to hold open, but exclusively Basque, negotiations on the political future of the Basque Country. Following the signing of this treaty, ETA announced an unlimited, unconditional ceasefire in September 1998 (Barros 2006).	The result of long and initially secret negotiations among the political nationalist parties, national civil society organisations, labor unions, and the communist-led United Left (IU). It was criticized by the Spanish national parties for being excluding in the opposite way of the Ajuria-Enea pact and finally it was not accepted by the Spanish government.
Ceasefire	1998	Consequence of Lizarra-Garazi pact. The 1998 cease-fire was conditional upon the realization of ETA's traditional agenda	Proclaimed unilaterally by ETA as demanded by the Lizarra-Garazi pact.
Closing of Egin	1998	Basque Egin newspaper closed by the Spanish judiciary in July 1998 due to its connection to ETA	
	14th Oct. 2002	Special tribunal of the Supreme court gave leave to the government to dissolve Batasuna/ Apply for declaration of illegality. Batasuna objected to presence of biased Judge. Calva was replaced with other judge from same division - tribunal declined to resolve the accusation on the grounds of not wanting to delay process further	Court passes motion urging government to bring a case against Batasuna for having violated various articles of the law - petition to Tribunal Supremo Congressional plenary session. 295 in favour, PP, PSOE, Partido Andalucista and Canaria : voted in favor PNV, EA, Euzkerra Republicana de Catalunya and Iniciativa per Catalunya: voted against
SC Judgment of 27 March 2003	17th March 2003	Sentence based on the Political Parties act and the fact that Batasuna did not condemn its attacks. Criminal action brought against the party. Takes effect immediately	16 members of the Supreme court agreed unanimously with the argument put forward that Batasuna had violated the LOPP
Ibarretxe Plan	December 2003	Proposal of Statute Reform, based on the "free association" with Spain.	Proposed by Lehendakari Juan José Ibarretxe and passed in the Basque parliament. The Cortes in Madrid rejected it in February 2005 by a vote of 313 to 29. Ibarretxe then stated that a referendum would be held on 25 October 2008, despite what the Cortes had ruled. In early October 2008 the Constitutional Court unanimously

			proclaimed the referendum unconstitutional and null, noting that a referendum could only be called by the state itself. Thereupon the Basque government appealed to the European Court of Justice
Ceasefire	2004	ETA declared unilateral ceasefire	Unilateral Ceasefire.
Anoeta proposal	14th Nov. 2004	Proposal from the Abertzale left to find a democratic solution to the basque political situation.	
Motion		On 17 May 2005, all the parties in the Madrid Congress of Deputies, except the Partido Popular, approved a Government motion (by 192 to 147 votes) authorizing the President to initiate peace talks with ETA, on condition of making no concessions and with the requirement that ETA give up its weapons.	
The Parot doctrine	2005	A doctrine adopted by The Spanish Supreme Court in in a sentence concerning the ETA-member Henri Parot. The decision affirmed that remission for work done in prison was to be deducted from the total sentence rather than from the thirty-year prison limit set by Spain's 1973 Penal Code (Papademetriou 2014).	Adopted by the Spanish Supreme Court The Parot Doctrine was challenged before the European Court of Human Rights (ECHR) in the case of another ETA member and ruled by the ECHR to be violating the European Convention of Human Rights (Papademetriou 2014)
Loyola talks	2006	Confidential negotiations between the PSE, Batasuna and the PNV in Loyola	
Ceasefire	22th March 2006	Definitive and Permanent Ceasefire.	
Constitutional Court Judgment No. 103/2008	11 Sept. 2008	Constitutional Court rules unconstitutional the Basque Parliament Law 9/2008 convening the Basque people for a popular, non-binding "consultation on commencing negotiations for achieving peace and political normalization [... and] to reach a democratic agreement on the exercise of the Basque People's right to decide" (Neves 2013:153)	Proposed by the President of the Spanish Government against Basque Parliament Law

Alsasua Declarations	2009	An definite renunciation of violence issued by Basque abertzale radical left, calling upon ETA “to declare a unilateral and unconditional ceasefire without provisional demands - either political or regarding jailed terrorists“. The Alsasua Declarations further address different topics such as the victims; the handing over or decommissioning of the weapons;. The question of the prisoners; international mediation: Declaration of Ayete and the total inclusion of all affected parties.	Issued by the Abertzale radical left towards ETA
Guernika Declaration	2010	The document penned by Batasuna, Eusko Alkartasuna and Aralar, laying out the content of the Alsasua declarations. The abertzale has warned ETA it will not seek to enter candidates in local elections or negotiate on behalf of prisoners until ETA unilaterally announces a definitive ceasefire.	
Permanent ceasefire	2011	ETA announces a definite ceasefire.	Announced unilaterally by ETA
Constitutional Court Judgment No. 62/2011	5th May 2011	Constitutional Court sentence legalizing the Bildu Coalition.	
Constitutional Court Judgment No 138/2012	20th June 2012	Court Sentence legalizing the political party Sortu (otherwise known as Herri Batasuna)	
Proposal for the destruction of ETA’s weapons	2015	Proposal for the destruction of ETA’s weapon under supervision of independent international commission. few weeks before the May vote, Euskal Herria Bildu had introduced a proposal for the destruction of ETA’s weapons under the supervision of an independent international commission.	he proposal was met with stony silence from Madrid, and the government continued to arrest ETA militants when it could. It is hard not to surmise that in almost any other context—including perhaps that of a new government in Spain—such a commission would be welcomed as a practical step toward dissolving an anachronistic armed group actively pursuing ways to be rid of its arsenal.
ETA hands over weapons.	8th Apr. 2017.	ETA hands over list to French police of several different arm caches in France (The Guardian, 2017).	Negotiations between ETA and french ETA mediators. The Spanish government does not take part in the process and dismisses disarmament process as unilateral.

<p>Report on transfers of competences to the Basque Autonomous Community 2017</p> <p><i>“Informe sobre Actualización de las transferencias pendientes a la comunidad Autónoma del País Vasco Año 2017”</i></p>	<p>19th Sept. 2017</p>	<p>Report issued by the Basque Government on the political competences promised by the 1979 statute of autonomy that have been transferred, as well as those still in pending status. 54 pending competences in 12 different areas.</p>	<p>Issued by the Basque Parliament.</p>
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Appendix C: Timeline policies and decision-making processes (Catalonia)

Decision	Date	Content	Decision-making process
Royal Decree 406/1976	20th Feb. 1976	The creation of the <i>Comision para el estudio de un Regimen Especial para las cuatros provincias catalanas</i> as a first step towards a regional self-rule (Redero San Román, 2017:150)	Governmental response to the massive demonstrations that took place in January 1976. (Redero San Román, 2017:149)
Royal Decree 382/1977	18th Feb. 1977	The formal creation of the General Council of Catalonia (<i>Consejo General de Catalonia</i>), as the basis for broader autonomy in the future (Redero San Román, 2017)	Result of the work of the Commission for the Study of the implementation of a special administration regime for the four Catalan provinces (Redero San Román, 2017)
Royal Decree 41/1977	29th Sept. 1977	Decree recognizing a provisional Generalitat with President Josep Tarradellas as provisional president.	Adolfo Suarez called President Josep Tarradellas to Madrid on 28th June 1977 to negotiate the formal restoration of the Generalitat, following his exile. King Juan Carlos issued the Royal Decree (Government of Catalonia, 2016) .
National Ministerial order regulating applications for amnesty to the civil servants in the Catalan Generalitat	6th July 1977 2nd May 1978	Economic reparation to the civil servants and employees of the Catalan first Generalitat founded 17 April 1931. Extensions (Jimeno, 2017:56) : <ul style="list-style-type: none"> - Royal Decree 1081/1978, for the application of amnesty to the civil servants of the Catalan Government - Decree 14th November 1978 on passive rights of former directors of Generalitat in charge between 14 April 1931-10 February 1939 and members of the Catalan Government - Decree 12th March 1979 establishing regulation for the application and recognition of passive rights of directors of the Generalitat and former deputies in the Catalan Parliament. 	Request by former Francoist deputy Juan Antonio Samaranch Torelló to extend Royal pardon to Catalan civil servants (Jimeno, 2017:56)
Organic Law 4/1979 on the	18th Dec. 1979	Statute of Autonomy such as recognized by the Constitution.	The Assembly of Catalan Members of Parliament created a commission of

Statute of Autonomy of Catalonia (Estatut)		Regulates the status of Catalonia. the collective rights such as the officialization of the Catalan country language, flag and banners, as well as defining the division of powers between Catalonia and the Spanish State.	experts that drafted a Statute of Autonomy, also referred to as the “Commission of Twenty”. Discussed and approved by the constitutional commission of the Spanish Parliament and later approved by referendum. 61 % eligible voters that voted 88% in favor. (Government of Catalonia, 2016). Sanctioned by King Juan Carlos I.
Law 7/1983 on Linguistic Normalisation	18th April 1983	The 1983 Catalan Linguistic Normalization Law made Spanish and Catalan co-official languages in that region.	. It was up for deliberation for almost a year by the Supreme Court (Rees, 1996)
Law 1/1998 on Linguistic Policy (Ley de Política Lingüística)	11th Feb. 1998	Law on linguistic normalization in society, going further than its precedent.	Voted by CiU, PSC and ICV. Opposed by PP and ERC.
Organic Law 6/2006, of 19 July, on the reform of the Statute of Autonomy of Catalonia	19th July 2006	Reformed version of the 1979 Statute of Autonomy. Extends the political powers and the financial autonomy of Catalonia, and the cultural and political status of the Catalan People (Muro, 2009).	Proposed by President and passed by Catalan Parliament Sept. 2005. In 10th May 2006 The Spanish Parliament approves an amended version of the statute The statute is put up to a referendum. 73.9% of Catalans ratify the Statute. Enters into force after signature by King Juan Carlos. (Catalonia votes, 2018)
Constitutional Court Judgment No. 31/2010, of June 28	28th June 2010	The Constitutional Court declared unconstitutional numerous articles in the 2006 Autonomy Statute du. Rewrites 14 articles and reinterprets other 27, mainly concerning language, fiscal policy and language, as well as deleting the reference of Catalonia as a “nation”.	Voted by a 6 to 4 majority of its members. Met by massive demonstrations (Catalonia votes, 2018).
Resolution 737/IX of the Parliament of Catalonia	25th July 2012	Resolution that regulates the fiscal pact between the Spanish government and Catalonia. Based on the foral Concierto Economico.	Passed in the Catalan Parliament, but later turned down by Spanish President Mariano Rajoy (Lluch, 2014: 74)
Resolution 5/X, of the Parliament of Catalonia	23rd Jan. 2013	Declaration of sovereignty and of the right to decide of the people of Catalonia approved by the Catalan Parliament.	The Resolution was approved with 85 favorable votes (50 CiU, 21 ERC, 13 ICV-EUiA and 1 CUP), 41 in against (17 PP, 15 PSC and 9 Ciutadans) and 2 abstentions (CUP). Five deputies of the PSC did not participate in the vote (Rafols, 2014:13).

Resolution 17/X	17th March 2013	Resolution 17/X of the Parliament of Catalonia, on the start of a dialogue with the Government of the Spanish State with a view to enabling a consultation on the future of Catalonia	Unilateral resolution from the Parliament of Catalonia. Dismissed by the Spanish state.
Resolution 479 / X of the Parliament of Catalonia,	16th of Jan. 2014.	The Catalanian asks the Spanish Government to transfer the powers necessary to hold a non-binding referendum through a petition.	Unilateral resolution from the Parliament of Catalonia. Dismissed by the Spanish state.
Constitutional Court Judgment No 42/2014	25th March 2014	Sentence issued by the Constitutional Court declaring Resolution 5/X unconstitutional.	Spanish Government challenges Resolution 5/X before the Constitutional Court.
Law 10/2014	26th Sept. 2014	Law regulating the holding of a non-binding, non-referendal consultative popular vote on the separation from Spain.	Court threatens to freeze proceedings. (Noguer, 2014)
Resolution 1/X1	9th Nov. 2015	Catalan resolution “Declaration of the Initiation of the Process of Independence of Catalonia, which declares the initiation of the process of separation from the Spanish State.	See beneath.
Constitutional Court Judgment No 258/2015	Dec. 2015	The Spanish Constitutional Court revokes Resolution 1/X1 on the grounds of being unconstitutional.	
Banning of Artur Mas	March 2017	Former Catalan leader Artur Mas banned from public office due to holding symbolic vote	
Act. No. 19/2017.	6th Sept. 2017	The government of Catalonia announces the holding of a binding self-determination referendum.	
Royal Decree 944/2017	27th Oct. 2017	Spanish State dissolves the Catalan Government and possesses power over the region.	Unilateral Decision of the Spanish State in accordance with the Art. 155 C.C.