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**Eight years of pro-independence effort
in Catalonia: elections, actors and
the political process**

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I. FIVE YEARS LEADING TO A PARADIGM SHIFT (2010-2015)

It all seems to have started in June 2010, with the Constitutional Court sentence (STC 31/2010) that blocked the reform of the 2006 Statute of Catalonia. Though hindsight reveals clear precedents in political attitudes that surfaced a few years prior, the paradigm shift in Catalanian politics began with the November 2010 elections. It would continue for five years before culminating in the electoral and political repositioning of the established and emergent political forces in the Catalanian party system.

In 2010, there was already talk of the political-institutional exhaustion of the tripartite PSC-ERC-ICV government. Catalanian citizens expressed indignation as the aspirations in their new referendum-approved Statute of 2006 had been rejected by the Spanish Constitutional Court (the first great protest in Barcelona occurred on 10 July 2010, after the sentence had been made public) and the Generalitat government lacked clear political direction in confronting the apparently simple strategy of the opposition. The political party CiU's pre-campaign slogan of a 'better Catalonia' quietly exposed the wide range of difficulties confronting the second left-wing tripartite government: from generalized economic crisis to difficulty implementing the new Statute, to the absence of clarity and solidarity in defending their own political record.

The electoral results of 28 November 2010 were understood in a way that seemed to affirm a degree of recovery for the party system that had been in place prior to the tripartite governments. As the three forces of the outgoing government (PSC, ERC, ICV) lost ground, CiU emerged hegemonically to recover the place it had lost in 2003. The parties least identified with political Catalanianism (PP and Ciutadans) experienced a degree of reinforcement or consolidation and the clearly pro-independence vote lost strength. Altogether, it signalled a return to the moderate pluralist structure that had defined the Catalanian political panorama until the early 2000s.¹

Five years later, in 2015 — a year brimming with electoral activity — it looked like a tsunami had hit the electoral-political map. All the elections had been coloured to some degree by the territorial debate and the 'process' towards Catalanian independence, which some political powers now placed at the centre of their electoral program. Meanwhile, the axis of confrontation had shifted to divide the political spectrum between the established parties that had dominated the electoral panorama since the transition to democracy and the emergent or renovated political powers. With the slogan of political regeneration, the latter had managed to call into question forty years of political-constitutional process in Spain and Catalonia. The contrast that appeared between 'old' and 'new' politics partially replaced the classic left-right power struggle.

1. Taking 2010 as a formal starting point

The Catalanian parliamentary elections of 28 November 2010 took place with eyes still fixed on the Constitutional Court sentence regarding the 2006 Statute. The protests it had generated

¹ See the analyses of Joan Botella: "Elecciones al Parlament: el final de l'aventura" in *Anuari Polític de Catalunya 2010*, Barcelona (ICPS) 2011, or Carles Castro: "Las claves de las elecciones autonómicas catalanas" in J. Marcet and X. Casals (eds). "Partidos y elecciones en la Cataluña del siglo XXI" Barcelona (ICPS) 2011.

quickly overflowed the unitary nature of the initial demands and even the parties themselves, which until then had been the central figures of Catalanian political life.

However, mobilization had actually begun in early 2006 and continued (in December 2007 and March 2009, among others) under the auspices of a newly created *Plataforma pel Dret a Decidir* [Platform for the Right to Decide]. This group collaborated actively alongside other sovereigntist-oriented entities in the unofficial referendums on Catalanian independence that took place from 2009 to 2011 in 549 Catalanian municipalities, with a turnout of more than 800,000 persons.¹

This began to forge the theoretical and practical conception of the ‘right to decide’ that would condition party and electoral life in the years to come,² though only the ERC and *Solidarietat Catalana per la Independència* (SI) included a referendum on independence in their electoral program for the November 2010 elections. The ‘right to decide’ served as an umbrella slogan for CiU’s proposal of a ‘Fiscal Pact’ and its demand for full management of regional infrastructures. At that time the severity of the recession defined the electoral proposals of virtually all political powers.

The election results placed the CiU coalition at the head of the Generalitat government with a very narrow majority of sixty-two seats, which drove them to political-parliamentary agreements with the PP. In Spain, the municipal and autonomic elections of May 2011 and the general elections of November 2011 confirmed a clear electoral shift that made the Spanish right virtually hegemonic in a context of economic, financial, territorial and political crisis; this would be the perfect growth medium for political disaffection and protest.

Apart from being an election year, in 2011 the 15M Indignados movement filled the plazas of the main Spanish cities with demands for radical changes in Spanish politics and shouts of ‘they don’t represent us’. Barcelona and several Catalanian cities followed in the wake of Madrid and other Spanish cities in this clear expression of Spain’s political and institutional crisis. The Indignados occupied the most emblematic plazas, holding debates and assemblies on a wide range of economic, social and political topics. This constituted a clear rejection of the politics that had been operating until then and a demand for a change of direction, summed up in the expression ‘real democracy, now!’ The impact and continuity of the movement — through diverse social and political configu-

¹ Regarding the reach of those consultations, see “Consultes sobre la independència de Catalunya” in *l’Enciclopèdia.cat*. See also the more analytical article by J. Muñoz and M. Guinjoan: “Accounting for internal variation in nationalist mobilization: unofficial referendums for Independence in Catalonia (2009-2011)” in “Nations and Nationalism” vol. 19 (1), January 2013. Also by J. Muñoz and M. Guinjoan; “Los Referéndums no oficiales sobre la independencia de Cataluña (2009-2011)” in B. Gómez and J. Font (ed.) “¿Cómo votamos en los referéndums?” Madrid (Catarata) 2014.

² On this topic, the Institut d’Estudis de l’Autogovern has published monographs and the acts of seminars and fora since 2012 (see especially nos. 90, 91 or 94 of the IEA collection); see also J. López: “Del dret a l’autodeterminació al dret a decidir” Barcelona (Centre Unesco de Catalunya) 2011; or more recent works by M. Barceló; M. Corretja; A. González; J. López and J.M. Vilajosana: “El derecho a decidir: teoría y práctica de un nuevo derecho” Barcelona (Atelier) 2015 or J. Cagiao and G. Ferraiuolo (eds.): “El encaje constitucional del derecho a decidir. Un enfoque polémico”, Madrid (Catarata) 2016. For legal-constitutional analysis, see the trilogy by S. Muñoz Machado: “Informe sobre España” Madrid (Crítica) 2012, “Cataluña y las demás Españas” Madrid (Crítica) 2014, and “Vieja y nueva Constitución”, Madrid (Crítica) 2016.

rations (including new ones such as ‘mareas’ or political tides and platforms) — continued to solidify in the months and years that followed.³

The two elections of 2011 were affected by the 15M movements and clearly marked by the recession, its effects on society, and how it was being managed at different levels of government. However, the economic crisis alone does not explain the electoral results. Other factors linked to the increasing support for diverse parties and electoral platforms also influenced the reconfiguration of the Catalanian electoral map. In the municipal elections of May and the general elections of November — and for the first time since the restoration of democracy — CiU emerged as the foremost political power. In both cases the plummeting socialist vote was decisive in enabling the CiU victory and electoral reshuffling of the remaining parties. This substantiated the change of electoral cycle that had begun in 2010. Balances, positions and distances shifted with respect to the former cycle, though the level of fragmentation in the Catalanian political system remained the same. As the various actors maneuvered to consolidate their own spaces, the relative hegemony of CiU rested more on the terrain lost by PSC than on the increase of its own political strength.⁴

However, with the Generalitat government focussed on managing an economic crisis that was spiralling out of control, 2011 also became a year of *impasse* for the territorial crisis that was brewing in Catalonia. It seemed politically conditioned by the PP, which offered parliamentary stability and ended up being the inevitable interlocutor in the Spanish government. As we have noted, this did nothing to erase the discontent of prior years (especially after the Constitutional Court sentence regarding the Statute), the determination to look for solutions to the growing dissatisfaction with the Spanish state, or the continuity of the movement that had begun with the ‘right to decide’ and was rapidly evolving towards pro-independence stances.

2. From pro-autonomy to pro-independence

The ‘right to decide’ stands out as the key expression coined in recent years. It was not intended as the political or legal equivalent of the ‘right to self-determination’, which would encounter difficulty in fitting within the frameworks of both the Spanish constitution and international law. However, as manifested by wide sectors of Catalanian society, the ‘right to decide’ became progressively conflated with the determination or will to seek independence from Spain. Catalanian political life — the economic, social and cultural debate and especially the larger electoral

³ Two small books by Stéphane Hessel (“¡Indignaos!” published in March 2011 and “¡Comprometeos!” published in June 2011) appear as detonators of a movement, though the scope of the context would take longer to define and analyse. Noteworthy in the literature on the moment of economic and political crisis in Spain in the second decade of the twenty-first century is the book by the Politikon collective, “La urna rota” Barcelona (Penguin Random House) 2014; see also A. Ortega “Recomponer la democracia” Barcelona (RBA) 2014 or I. Sánchez-Cuenca “La impotencia democrática” Madrid (Libros La Catarata) 2014. On the impact of the movement and the role of social networks, see the book by M. Castells “Redes de indignación y esperanza. Los movimientos sociales en la era de internet” Madrid (Alianza) 2012.

⁴ On these elections in 2011 in Catalonia, see the section “Processos electorals” in *Anuari Polític de Catalunya* 2011, Barcelona (ICPS) 2012, which contains a brief analysis of J. Marcet: “2011: eleccions en temps de crisis”. For a more general analysis, see E. Anduiza, A. Bosch, L. Orriols and G. Rico (ed.). “Elecciones Generales 2011” Madrid (CIS) 2014.

confrontations — seemed to be coloured and almost exclusively centred on the question of the hypothetical and virtual aspects of a Catalonia independent from Spain.

The territorial organization model set out in the Spanish Constitution of 1978 began to function in tandem with the constituent process itself through a complex system of pre-autonomies. Labelled as open and ambiguous, it allowed for diverse legal, political or academic readings. However, the new state model was not an abstract construct. It sought to provide specific answers for the problems associated with a historically impermeable state in Spain (with some exceptions). It sought to accommodate the aspirations of various popular sectors and acknowledge the plurinational, pluricultural and plurilingual reality of a state historically shaped by centralist, liberal-conservative forces.

After more than thirty-five years in this dynamic, the constitutional model required a series of clarifications that would reflect greater alignment with developments that had taken place in the state model and greater sensitivity to the national aspirations of some territories, especially Catalonia and the Basque Country. The list included defining and determining the competencies of each political sphere, perfecting the financing system, the role of the Senate as a territorially representative chamber, adapting from a centralized administration to a politically decentralized state and participation of the Autonomous Communities in determining the will of the state on transcendental questions such as policy development within the framework of the European Union.

In reality, none of the problems that arose in the process of autonomic development have been resolved, nor have any of the desired advances come to pass in recent years. What the academic and political world has occasionally described as evolution towards a federal state model — sometimes labelled as asymmetric due to clearly differentiated realities and elements among communities — did not emerge. In fact, with the effects of the recession, movement in the opposite direction occurred and became more prominent when the PP returned to power in Spain.

The reform of the Statute of Catalonia — the basic frame for internal institutional regulation and interface with the state — from 2003 to 2006 represented a last attempt to advance the model in the desired direction. The political instrumentalization of the statute reform process by diverse political, social and media actors culminated with the Constitutional Court sentence of 2010. It frustrated the aspirations of a majority of the Catalan people, who had ratified the Statute in June 2006, and intensified the disenchantment with Spain that had been gestating for several years, provoking a political and psychological fracture in the institutional framework.

The political parties, especially those that had traditionally been central in the Catalanian political system, found themselves overwhelmed by the citizenry. On several occasions (July 2010 and September of 2012, 2013, 2014, 2015), citizens filled the streets to protest *ad hoc* or as part of new political and civic movements. Some joined more forceful demonstrations such as the 15M movement, reflecting citizen frustration with the political, economic and social situation. At most of these events, indignation at being treated as objects overlapped with the desire to be recognized as subjects capable of expressing their own opinions. In the more multitudinous protests, the generic 'right to decide' demand acquired a specific meaning in slogans favouring Catalanian independence. Thus, in a short time, the bridge was crossed: from the possibility of perfecting autonomy to

independence as the sentiment and the will of a very significant segment of the Catalan population. It also launched 'political Catalanism' as a transversal element that had defined most of the political and social forces of Catalonia and the cohesive element in all of them, from the Francoist dictatorship to the future recovery and development of Catalonian self-government.

Things began to accelerate in mid-2012, though disenchantment with the Spanish state and institutions had been growing in Catalonia and among its citizens since the early twenty-first century. The long decade from 2004 to 2015 was marked by failure to redefine the territorial structure of Spain. New statutes of autonomy were discussed and approved in several regions and there was intense political confrontation with the PP in the debate over the new 2006 Statute of Catalonia. Added to this was the recession, which the socialist government of Rodriguez Zapatero was slow to assimilate and did not adequately address until well into 2010, leading to a political and institutional crisis. This triple crisis that reverberated through much of Europe influenced the role and orientation of Catalonian and state political actors.

All the issues intersected each other as the political debate developed in a multilevel government. The recession and its political-institutional consequences centred the debate at the state level and influenced the economic and political course of the European project, especially in the Eurozone. Since 2008, debate in Catalonia had focused on measures adopted to overcome the crisis, austerity policies, and public spending cuts imposed largely by the Spanish state or the decisions and initiatives of the European Union. It now shifted to a debate on sovereignty that would virtually monopolize Catalonian political life. A significant portion of Catalan society began to embrace independence as the only 'available utopia', in the fitting words of sociologist Marina Subirats.⁵

3. The 'right to decide' elections

Managing the economic crisis of 2011 led to a political crisis in early 2012. In the months that followed, political and institutional confrontation intensified between the governments of Catalonia and Spain, as well as among the diverse political actors and forces of both territorial spheres.

The preparation and especially the success of the pro-independence march of 11 September 2012 resulted in the calling of early elections for the Parliament of Catalonia, after the frugal and frustrated attempt of Artur Mas and Mariano Rajoy to negotiate a 'fiscal pact' for Catalonia based on the economic accords and agreements that had been applied in the Basque Country and Navarre, respectively. During the parliamentary debate in which the President of the Generalitat announced early elections, the parliament approved a motion that the new government would be urged to hold a consultation before its term ended in 2016, regarding the political future of Catalonia.

In the elections of 25 November 2012, several of the main parties (CiU, PSC, ERC, ICV-EUiA, CUP) coincided in their more or less explicit proposals to call for a popular consultation regarding the political future of Catalonia, stemming from the generic proposal of a 'right to decide'.

⁵ See Subirats, Marina: "Una utopia disponible. La Cataluña independiente." in *La Maleta de Portbou*, no. 6 July-August 2014.

In the early elections of November 2012, the CiU federation placed itself — not without internal tension — at the head of the sovereigntist process, demanding that the Catalan people have the ‘right to decide’. Although in its programmes and political declarations, CiU never managed to clearly bid for a Catalonia independent from Spain, it came into fierce political-electoral competition with the openly pro-independence ERC. After the 2012 elections, however, ERC signed a governability agreement with CiU, and set its sights on a consultation or referendum regarding Catalanian independence within two years. In this context, CDC — the main grouping within the CiU federation — also underwent a change of orientation, both internally and in its later political projection as a sovereigntist-pro-independence political force.⁶

The parliamentary alliance between CiU and ERC resulted from elections that almost all analysts qualified as exceptional, and which were accompanied by a short, intense campaign dominated by the ‘right to decide’ issue. Despite having clearly won the elections, CiU decreased from 62 to 50 deputies in a context of significantly higher than usual electoral participation. Meanwhile, ERC seats more than doubled, going from 10 to 21, and for the first time PSC was relegated to the position of third Catalanian parliamentary power.⁷

Political and social activism also increased notably in the newly-created, fast-moving associations. Among the most prominent were the *Asamblea Nacional Catalana* (ANC), a civic association created in early 2012 that quickly amassed more than 40,000 members. Since its inception, ANC has had considerable political influence in sovereigntist parties and has worked with the veteran association *Omnium Cultural*, organizing and giving energy to the important pro-independence marches of September 11. Similarly, the *Asociación de Municipios por la Independencia* (AMI) was created in late 2011 and has since managed to incorporate 786 of the 947 municipalities of Catalonia, though only one provincial capital (Girona) and none in the Barcelona metropolitan area. It has had a prominent role in the mobilization of Catalanian town councillors at specific points in the recent Catalanian political process. Finally, the *Centro Catalán de Negocios* (CCN) was created in early 2009 as an association for pro-independence entrepreneurs, directors and professionals. It has considerable influence on the small and medium-sized business association. Since 2012, these organizations have influenced or pressured the Catalanian government and its parliamentary majority to take steps in accordance with the clear majority demand — according to almost all polls — to recognize the right and will of the citizens of Catalonia to hold a consultation or referendum.

The September 2012 protest led to early elections in November and the formation of the new CiU government, with the parliamentary support of ERC. In 2013, a political period began in which the Generalitat government’s concern for configuring the ‘Process of National Transition’ surpassed that of attending to its own competencies and work.⁸

⁶ Regarding the initial impact of the question, see A. Barrio: “Convergencia i Unió, del nacionalismo moderado al secesionismo: cambio de posición de los partidos nacionalistas y sistema de gobierno multinivel” WP no. 330, Barcelona (ICPS) 2014.

⁷ For a brief analysis of the meaning of these elections, see R. Liñeira: “25-N: temps convulsos, ¿elecciones excepcionales?” in *Anuari Polític de Catalunya* 2012, Barcelona (ICPS) 2013.

⁸ See the analysis of Quim Brugué “De la crisis a la transició nacional” in *Anuari Polític de Catalunya* 2013, Barcelona (ICPS) 2014.

Within this political context the great mobilization of 11 September 2013 took place, known as the '*Via catalana a l'independència*' or Catalan Way towards Independence. Inspired in the Baltic Way of 1989, the Catalan experience mobilized over 1.5 million people to form a citizen chain from the border with France at Le Perthus and La Jonquera to the border with the Community of Valencia. This success in protest organization was again powered by the ANC and Omnium, with the explicit support of pro-independence parties (mainly ERC, CDC and CUP).

Relational dynamics between Catalonia and the Spanish state became more confrontational in the months and years that followed. Economic aggravation, the 'fiscal pillaging' of Catalonia, the lack of state investment in Catalonia, the imbalances of the autonomic financing system — which were generally admitted to even by some Catalanian PP leaders — fed the arguments of pro-independence groups and parties. They considered these issues to contain the most graphic and understandable elements for convincing the citizenry of the need to create an independent state that could recover and utilize all its resources.⁹ Though the topic seemed to have been settled by the failed attempt to negotiate a solution through the 'Fiscal Pact' mentioned earlier, it nonetheless persisted throughout the 2012 - 2015 term and clouded political and economic/financial relations between Catalonia and the rest of Spain.

Amidst ongoing appeals to dialogue with the Spanish government, but little hope of progress or positive outcomes from a dialogue that was never formally established, in late January 2013 the Parliament of Catalonia approved by majority (85 votes in favor, 41 against, 2 abstentions) a 'Declaration of Sovereignty and the Right to Decide of the People of Catalonia'. It was impugned by the Spanish government and the Constitutional Court formally declared it unconstitutional one year later (STC 42/2014), using arguments and nuances that have since fuelled interesting political and academic controversies.¹⁰ Meanwhile, the Generalitat government deployed the 'Advisory Council for National Transition' and tasked it with drawing up proposals for a possible referendum and diverse scenarios or requirements for a viable independent Catalanian state in the future. The Advisory Council generated nineteen reports that were later compiled into a White Book on the national transition of Catalonia.¹¹ The Generalitat government also dedicated political time and effort, along with materials, to convey its aspirations and proposals to European institutions and chanceries, in an attempt to internationalize the conflict between Catalonia and the Spanish state. Finally, without the agreement of the Spanish government but with the support of ERC, ICV-EUiA and CUP, 9 November 2014 was established as the day to hold the unofficial referendum. The content of the

⁹ This is addressed in Informe núm. 18 of CATN, which is dedicated to 'The fiscal and financial viability of an independent Catalonia', and in abundant political and academic literature. See for example: N. Bosch and M. Espasa: "12 arguments econòmics per a la independència" Barcelona (Pòrtic) 2014 or: "Economia de Catalunya. Preguntes i respostes sobre l'impacte econòmic de la independència" Barcelona (Profit) 2014. For a critique contrary to the political and economic arguments used by the pro-independence movement, see the book by J. Borrell and J. Llorach: "Las cuentas y los cuentos de la independencia" Madrid (Catarata) 2015.

¹⁰ See M. Barceló et al. "El derecho a decidir", and J. Cagiao and G. Ferraiuolo (eds.): "El encaje constitucional...", already cited.

¹¹ The reports and a summary of the "Libro blanco" can be consulted at http://presidencia.gencat.cat/ca/ambits_d_actuacio/consells-assessors/consell_assessor_per_a_la_transicio_nacional_catn/informes_publicats/

question that would be put to the citizens of Catalonia and the formal legal instrument that would facilitate a referendum were also determined.

Some of the remaining Catalanian parties (such as the Catalanian PP or Ciutadans) openly opposed the process, denouncing the practical assimilation of the 'right to decide' into the option of an independent Catalonia and the *fait accompli* politics of the Catalan government. Other parties wavered between diffuse support for the 'right to decide' — so long as it was done legally and in accordance with the Spanish state — and the formulation of a federalist alternative that would make a better fit for Catalonia within Spain (PSC). However, the ambiguity of the Partit dels Socialistes de Catalunya (PSC) set off many internal crises, which were exacerbated by electoral stagnation, the difficulties that had been affecting Spanish socialism since 2011 and the more general crisis of social democracy in Europe.

The reaction of the state government and political parties to the proposals emerging from Catalonia did not help resolve political problems or calm the debate. The PP government and President Mariano Rajoy oscillated between indifference and frontal opposition to the Catalanian petition, expressing no real will for dialogue and offering no alternative. The markedly Spanish nationalist party Unión Progreso y Democracia (UPyD) also adopted a position of total confrontation to the demands of Catalonia. PSOE acknowledged the existence and severity of the political problem that Catalanian demands represented for Spain. In greater or lesser harmony with the federal proposals of their Catalanian counterparts, they held to the generic alternative of a federal reform of the Constitution.¹² However, they sided with the government and PP in opposing a referendum in Catalonia. Among the main state parties, only Izquierda Unida demonstrated a degree of comprehension regarding the Catalanian approach and declared itself in favor of a possible consultation in Catalonia. Podemos, the political formation that had emerged in the European elections of 2014, remained ambiguous regarding Catalanian sovereignty and defended a diffuse 'right to decide about everything'.

The PP government took advantage of political actions to confront the Spanish financial crisis and the more general recession. However, this could not hide the recentralizing interest that accompanied its inaction or disdain for Catalanian demands.

Meanwhile, the Catalanian government and the parliamentary majority in favour of the sovereigntist process, with the support of the PSC and the ICV-EUiA on diverse occasions, read every action of the Spanish government as a continued offence or undermining of Catalanian self-government and as disrespect for its national, historical, economic, cultural or linguistic reality.

4. Unofficial referendum or participative movement?

On 8 April 2014, in this climate of mutual mistrust, Spain's Congress debated and voted on a legislative proposal that had been backed by a notable majority in the Catalanian Parliament (CiU, ERC, ICV-EUiA and CUP), regarding delegating to the Generalitat the competency to authorize, call and hold a referendum regarding the political future of Catalonia (as foreseen in Article 150.2

¹² See the document approved by the PSOE Territorial Council, "Un nuevo pacto territorial: la España de todos" Granada, 6 July 2013, known as the "Documento de Granada".

of the Spanish Constitution). The 'no' result (299 against, 47 in favour, 1 abstention) neither ended the debate nor diminished expectations of holding a consultation.

The May elections to the European Parliament gave new drive to the defenders of the 9 November unofficial referendum. ERC became the leading Catalanian political force (with 23.7% of the votes), CiU came in second (21.8%), the PSC was relegated to third position for the first time (14.3%) and ICV-EUiA came in fourth (10.3%). With these election outcomes, the political debate began to centre on the formal instrument that would enable the autumn consultation.

On 25 July, the debate became clouded by the admission of the ex-president of the Generalitat, Jordi Pujol, regarding undeclared family bank accounts in Andorra since 1980. However, the political and media scandal surrounding the Pujol-Ferrusola family and their CDC party did not stop sovereigntist mobilization. Another massive march took place on 11 September 2014, this time to demand a referendum.

With a favourable ruling in the Council of Statutory Guarantees — in which 4 of the 9 members voted against the majority — on 19 September the Catalanian parliament passed the 'Law on Popular Non-referendum Consultations and Other Forms of Citizen Participation' (with the support of CiU, ERC, ICV and formally of the PSC). On 27 September, in a solemn act with full protocol, Generalitat President Artur Mas signed the decree calling for a consultation on 9 November. It contained the two-part question that had been agreed upon earlier with the other political powers in favour of the consultation: 'Do you want Catalonia to become a state?' 'If yes, do you want that state to be independent?'

The Spanish government immediately appealed to the Constitutional Court, challenging the decree calling for a consultation and alleging the unconstitutionality of several items in the law that had been approved by the Catalanian Parliament. The challenge and the impugment led to the cautionary suspension of both norms, a legal automatism that had to be accepted by the Court. The suspension opened up new questions regarding the real possibility of holding the consultation set for 9 November. Finally, Artur Mas announced in mid-October the formal reconversion of the consultation into a 'participative process' that materially included an unofficial consultation supported by willing citizens and the equally unofficial tutelage of the Generalitat government. This formal reconversion of the consultation created tensions among those in favour of it: internal dissent appeared in CiU and between CDC and UDC, ICV-EUiA backed out and ERC was unconvinced by the change. Contrary to the republicans, CUP accepted the governmental manoeuvre.

The Spanish government again challenged and impugned this manoeuvre in the Constitutional Court, which suspended Generalitat government actions related to the 'participative process'. However, it could not block the formal call for an informal consultation, which took place on 9 November. The legal battle that ensued, generating considerable dispute within the Spanish state prosecution itself, centred on presenting charges against the President of the Generalitat, the Vice-president, the Councillor of Education, and (later) the Councillor of the Presidency as the government officials materially responsible for moving the process forward.

The institutional campaign to foster participation in the process had adapted more or less to the parameters that resulted from its suspension by the Constitutional Court and sought

confluence with the campaign driven by ANC, Ominum Cultural and AMI. With the slogan '*Ara es l'hora*' ['Now is the time'], they dove-tailed with the efforts of the parties that had promoted the consultation and the double-positive response to the formulated questions (CDC, ERC, CUP). The UDC and the ICV ended up advocating the freedom of their members and sympathizers to participate in the consultation and respond to the questions (their top leaders voted Yes to the first and No to the second). Through diverse political and legal arguments, the remaining Catalanian parties showed their rejection of the participative process.

On 9 November, 6,695 participation tables were opened. In an unprecedented political move, the consultation was prolonged until 25 November. A total of 2,344,828 citizen residents aged 16 and over voted. Of those, 1,897,271 voted yes to both questions.¹³

After mobilization for the participative process ended, there was no political dialogue between governments and the diverse political forces. The subsequent impossibility of arriving at an agreement that would advance the positions so overwhelmingly supported in Catalonia threatened to escalate to the point of confrontation. This would lead to an earlier date for Catalanian autonomic elections, with the future independence of Catalonia as the core and central element of the political-electoral debate between the contending political forces. The outcome might open the possibility of secession from the Spanish state.

5. The 2015 electoral year: from the '*plebiscite*' pretence to a new political party landscape in Spain

In the days that followed the unofficial consultation of 9 November 2014, Artur Mas and Oriol Junqueras openly competed to lead the process forward, and debated intensely about when early elections should take place and how their parties should run. On 24 November, Artur Mas — styling himself more as president than as head of the CDC — proposed calling for early elections (though they were not held until 10 months later) based on a 'single or national' list that would offer certainty and unity of action to the independence process, after elections in which a majority would vote in favour of that option. In a 2 December meeting, Oriol Junqueras and ERC rejected any possibility of such a list and called for immediate elections under the respective banners of each political formation. They were seeking concordance and inclusion of a proposal expressing the will to proclaim independence across the various electoral options. There would be no agreement about whether to call these elections, a specific date or the content of such a proposal until well into 2015. Thus, after a year of massive political mobilization, 2014 ended with more uncertainties than assurances. Important discrepancies remained unresolved regarding the form and content of the continuity of the political process that had begun years earlier in Catalonia.

However, the new year began with the assurance that two elections would be held in 2015: municipal elections in May, according to normative electoral procedure, and general legislative elections in the final quarter of the year. On 14 January, President of the Generalitat Artur Mas

¹³ On the process throughout 2014 see, S. Cardús: "De la mobilització a la política institucional" in *Anuari Polític de Catalunya 2014*, Barcelona (ICPS) 2015; on the participative process in particular, see J. Marcet: "El procés participatiu del 9N", also in *Anuari Polític de Catalunya 2014*, Barcelona (ICPS) 2015.

announced that new early elections to the Parliament of Catalonia would be held on 27 September. His clear objective was to make them a kind of plebiscite regarding independence.

After several weeks of controversy between CiU and ERC regarding the need and timing of the Catalanian election, as well as the advantages or disadvantages of a single candidacy for the sovereigntist forces, President Mas temporarily ended the debate with a provisional agreement between CiU and ERC to run separately but with a common pro-independence programme. The agreement provided sufficient time for reconsideration before the Parliamentary elections in late September. Meanwhile, amidst municipal elections fraught with uncertainty, it seemed that the Rajoy government wanted to call general elections within the shortest time allowed by the Constitution and electoral law.

The months that followed were marked by preparations for the municipal elections of 24 May, efforts to define the basic content of the common sovereigntist programme and the closing of a parliamentary term in which the 'Committee for the Investigation of Fraud, Fiscal Evasion and Political Corruption' had played a central role since the November 2014 opening of the 'Pujol case'. Most of the Committee's work sessions took place in the first four months of 2015 and included the especially weighty testimonies of President Mas himself, the entire Pujol family and other political leaders or public figures in relation to allegations of political corruption.

Preparation for the municipal elections betrayed a complex state of affairs. First, PSC and ICV were finding it difficult to configure their candidacies in small and medium-sized municipalities. Second, ERC was working to present itself as a new alternative to both CiU and the socialists. Third, CiU wanted to keep the CDC-UDC federation alive until the elections, at least, despite the tense atmosphere the sovereigntist debate had created between the two parties. Fourth, CUP and Ciutadans had expanded their electoral space. Fifth and finally, new and diverse candidacies appeared — some including persons linked to Podemos — propelled by platforms and social protest movements that had emerged in response to the economic crisis. The most specific and prominent case was in the city of Barcelona. After an open process of social debate under the slogan 'Let's win back Barcelona', the 'Barcelona en Comú' candidacy combined ICV, Podemos and other smaller powers under the leadership of Ada Colau, the former leader of the Platform for People Affected by Mortgages.

As preparations for the municipal elections continued in Catalonia, parliamentary elections took place in Andalusia. There, PSOE held its ground with 47 seats, PP lost 17 seats and IU lost 7 seats, while Podemos emerged powerfully with 15 seats and Ciudadanos stepped into the Spanish political arena for the first time with 9 seats. The proximity of the municipal elections made it difficult to form a new regional government. Following a fourth vote on 11 June, after the municipal elections, socialist candidate Susana Díaz was finally sworn in as President of the Junta de Andalucía.

The entire electoral campaign, including drawing up the lists of municipal candidates, was fraught with circumstances, agreements and disagreements regarding the sovereigntist 'process', even among its proponents. On 25 February, Constitutional Court Sentences 31/2015 and 32/2015 became public. They annulled certain precepts of the Law on Consultations and definitively invalidated the Decree that had convened a referendum consultation on 9 November 2014, which

had been substituted for the 'Participative Process of 9N'. This revived the debate surrounding the scope and content of the upcoming Catalanian parliamentary elections, which had been announced for 27 September.

The ANC, Omnium Cultural and AMI flexed their political muscle and succeeded in brokering a preliminary agreement with representatives of *Convergència Democràtica*, *Esquerra Republicana* and *Reagrupament Independentista*, which was signed on 30 March. This 'Unified Itinerary for the Catalan Sovereignist Process' reiterated the will of the undersigned to make the September elections plebiscitary in nature. It promoted the inclusion of a statement favourable to Catalanian independence in the programmes of the sovereignist candidacies and outlined the process that would culminate in the creation of a new Catalanian state.

The municipal electoral calendar ended the crisis of the CDC-UDC Federation and within UDC resulting from divergent criteria and approaches to the pro-independence. After the municipal elections, Christian democrat councillors and high officials stepped down, marking the formal rupture of the CiU Federation on 18 June. This set off a series of problems and internal crises for the CiU candidates who had so recently been elected in the Catalanian municipal elections.

Another by-product of the municipal election results, especially in the city of Barcelona, and of the advance of the process agreed upon by the sovereignist forces was the initiation of new movements with their sights set on the Catalanian parliamentary elections of 27 September, which Artur Más formally announced in early August. In late June, ICV, EUiA and Podemos announced their agreement to present a joint candidacy for the September elections. However, this candidacy never received formal support in the political context of the recently elected and new Mayor of Barcelona, Ada Colau.

On 14 July, scarcely two weeks before the elections for Parliament were formally announced, CDC and ERC announced their agreement to present a joint list for the September elections, with the support of pro-independence entities such as ANC, Omnium and AMI. Their 'Junts pel Sí' [Together for Yes] candidacy was led in Barcelona by ex-European MP Raül Romeva, who until a few months' prior had been director of the ICV. Ex-president of the ANC Carme Forcadell was second on the list, followed by Muriel Casals, the president of Omnium Cultural. Artur Mas and Oriol Junqueras, the leaders of the two parties that had signed the agreement, occupied fourth and fifth places, respectively, though Mas maintained his candidacy for President of the Generalitat. The list of candidates also included names from the UDC sovereignist splinter party 'Demòcrates de Catalunya' (DC) and from the PSC splinter groups that emerged in late 2014. Moreover, in the coalition there was a significant number of people not affiliated with any political group, such as Lluís Llach, who was first candidate for Girona. Some of the social measures in the 'Junts pel Sí' programme contrasted sharply with the political action of the CiU governments during the prior four years. Prominent among them was the promise to implement the 'road map' that had been agreed upon in late March, to achieve independence within 18 months.

The other independentist formation, CUP, decided not to join the Junts pel Sí coalition and presented its own candidates. These were led in Barcelona by the journalist Antonio Baños, who

was not a party member. They presented their own 'road map' to independence for Catalonia, with prominent lines of economic and social change based on their anticapitalist stance.

The political formations not in favour of independence ran separately, with diverse proposals for social and economic change as well as for Catalonia's interface with Spain. *Unió Democràtica de Catalunya* ran alone for the first time, with its General Secretary Ramon Espadaler at the top of the list in Barcelona and proposals to strengthen bilateral relations between Catalonia and Spain. They had a social Christian socioeconomic orientation and openly defended their contribution to several *CiU* Generalitat governments. With different nuances and accents, *PSC* —led by Miquel Iceta— and the confluence of *ICV-EUiA* with *Podemos* —which finally adopted the name 'Catalunya Sí Que es Pot' [Catalonia, Yes We Can] (*CSQP*) and placed Lluís Franco Rabell, former neighbourhood leader of Barcelona, at the head— called for state reform towards a federal model that would recognize the national personality of Catalonia within a frame of social and economic programmes ranging from classic *PSC* social democracy to the most innovative *CSQP* proposals.

Meanwhile, *Ciutadans*, which had already become a national political formation (*Ciudadanos*), was reserving its leader Albert Rivera for the general elections in December. They presented a candidacy headed by Inés Arrimadas, a young woman of professional demeanour and recently vice-spokesperson in the Parliament. The *PP* changed its leadership at the last minute, replacing Alicia Sánchez-Camacho with Xavier García Albiol, former mayor of Badalona, at the head of the list. Both groups defended the constitutional framework and the State of the Autonomies prescribed by the Constitution of 1978, which made them primary reference points in the confrontation with the pro-independence groups. They also held different views in areas of socioeconomics and political renewal, with the added issue for the *PP* of their association with the Rajoy government and co-responsibility for the previous four years of immobilism.

From these positions, an electoral campaign began that *Junts pel Sí* and the other pro-independence forces sought to cast in overwhelmingly 'plebiscitary' tones. Debate centred almost entirely on the option for independence in response to the refusal of the state and the *PP* government to move in any way that would satisfy the demands of Catalonia, chiefly for a consultation or referendum regarding the Catalonia-Spain relationship. In this way, they sought to avoid any critique or accountability for Catalanian government actions since 2012. The fact that the *Junts pel Sí* candidacy was headed by Raül Romeva, who was not affiliated with either of the two parties (*CDC* and *ERC*) that had held the prior parliamentary majority in Catalonia and that the fourth candidate on the *Junts pel Sí* list would likely preside the new government facilitated these pretensions, to the point that Artur Mas did not participate in any electoral debates during the campaign. Thus, the campaign oscillated politically and in the media between a debate around proposals for the Catalonia-Spain relationship and the efforts of anti-independence forces to incorporate economic, social and cultural proposals into a more general electoral debate.

This supposedly plebiscitary confrontation between pro- and anti-independence positions resulted in a victory for the former in terms of parliamentary seats, but not in votes for the political formations that were calling for the commencement of an independence process for Catalonia.

In a context of high electoral participation (77.4%), Junts pel Sí and CUP together won 72 seats, but only 47.9% of the votes. A ‘plebiscite’ reading of these results led to new confrontations and controversies in the weeks following the election.¹⁴

Inside parliament, however, the clear victory of Junts pel Sí (62 seats) was insufficient to form a government. This precipitated accelerated negotiations with CUP (10 seats) to form a parliamentary majority and a government that would lead Catalonia towards statehood and independence from Spain.

The constituent session of the new Catalanian Parliament and the election of Carme Forcadell, former president of ANC, as President of the Parliament seemed to clear the path. The following day, Junts pel Sí and CUP registered a proposal for a resolution declaring ‘solemnly the start of the process to create the independent Catalanian state in the form of a republic’. With this, they proclaimed the opening of the Catalanian constituent process, expressed the will not to submit to the decisions of Spanish institutions and mandated the incoming government to adopt the necessary measures for initiating a ‘process of disconnection’ from the Spanish state. The proposed resolution was set forth as the first item in the first plenary session of the Parliament of Catalonia, the first item on the order of the day, prior to the debate to name a new President of the Generalitat. It was approved with the yes votes of Junts pel Sí and CUP, and opposed by the remaining political groups in the Catalanian parliament.

In that first session to debate the investiture of the President of the Generalitat, negotiations between Junts pel Sí and CUP mainly concerned the person who would lead the new government. Junts pel Sí sought the maintenance of Artur Mas, who was rejected on 10 November, when an absolute majority was required and again on 12 November when a simple majority was needed. Only Junts pel Sí had voted in favour, while CUP and the other parliamentary groups voted against him. Junts pel Sí and CUP returned to the table for lengthy, complicated negotiations marked by the vicissitudes and particularities of the latter group’s decision-making procedures.

Neither the state government’s move before the Constitutional Court on 11 November to invalidate the resolution of the Catalanian Parliament to ‘disconnect’ (leading to its automatic precautionary suspension), nor the 2 December sentence (STC 259/2015) declaring the resolution null and unconstitutional, or even the electoral atmosphere that began to quicken in November with a view to the general elections of 20 December, seemed to affect the negotiations to form a government. Only the prospect of repeating the Catalanian parliamentary elections due to failure to name a new president in the stipulated timeframe managed to induce an absolutely-last-minute agreement between Junts pel Sí and CUP. As a result, Carles Puigdemont — until then mayor and number three on the electoral lists of Junts pel Sí in Girona — was inaugurated as President of the Generalitat on 10 January 2016.

¹⁴ See the analysis of C. Rodríguez-Aguilera and J.M. Reniu: “Elecciones catalanas: plebiscitarias, “ma non troppo”, in “Quaderni dell’Osservatorio elettorale, no. 774, December 2015.

Amidst negotiations to form a Generalitat government, the parties composing the Junts pel Sí coalition decided to run separately in the upcoming general elections of 20 December, despite CDC's efforts to repeat the September experience. Thus, *Convergència Democràtica* ran on a 'Democracy and Liberty' candidacy that included other formations such as *Demòcrates de Catalunya*. It was headed by Francesc Homs, a close collaborator with Artur Mas and his recent presidential advisor. ERC ran as ERC-CAT SI, with the independent member of the *Súmate* collective, Gabriel Rufián, at the head and Joan Tardá as second. As on prior occasions, CUP decided not to participate in elections it considered outside its sphere of political action.

Unió Democràtica de Catalunya ran alone in the elections, under its historical leader Josep Antoni Duran i Lleida. Meanwhile, PSC ran a repeat candidacy with Carme Chacón. The PP chose Minister of the Interior Jorge Fernández Díaz to lead the lists for Barcelona and brought back Alicia Sánchez Camacho, the party leader in Catalonia, as number three. *Ciudadanos* reserved its founder and leader Albert Rivera for Madrid and presented a Barcelona candidacy headed by the Euro-deputy Juan Carlos Girauta, with Antonio Roldán Monés, a co-author of their economic programme, as number two. Finally, *ICV-EUiA* and *Podemos* ran together as *En Comú Podem*, with Xavier Domènech heading the Barcelona candidacy and the explicit support of Ada Colau and her political sphere.

This time, the general election campaign revolved more around the PP's socio-economic policies and management during the previous four years, to the detriment of the territorial question that had been central in prior elections. Though they occupied less space, diverse proposals for resolving the Catalonia-Spain fit also permeated the electoral debate. The PSC reiterated its federal proposal, *En Comú Podem* reiterated the need for a referendum to solve the conflict, PP and — more openly — *Ciudadanos* continued to defend the constitutional frame, while ERC and *Democràcia y Libertad* reaffirmed their pro-independence stance.

In the Spanish sphere, the emergent political formations of *Podemos*¹⁵ and *Ciudadanos* were generating expectations and challenging the long-standing PP and PSOE parties, which until then had alternated in government. This opened new fields of political-electoral debate and forms of political communication, alongside the usual meetings and electoral debates. The incumbent, President Mariano Rajoy, did not participate in any of the debates.

Though the pre-election polls had indicated otherwise, the resounding victory of *En Comú Podem* in the Catalonia elections thanks to the results in Barcelona clearly helped *Podemos* to recover electorally in Spain. This demonstrated the strong confluence of new political formations such as *Podemos* with older — and until then minority — options such as the *ICV*. It also revealed the growing difficulties of the classic parties — the PSC, PP or even the CDC. Under the auspices of *Democràcia y Libertad*, the CDC was now in close competition with ERC in all Catalonian circumstances. *Ciudadanos*, one of the great winners in the Catalonian parliamentary elections in Sep-

¹⁵ On the development of that formation since the European elections, see J.I. Torreblanca; "Asaltar los cielos" Madrid (Debate) 2015.

tember, was relegated to fifth place in terms of electoral presence. Its poll-fed electoral hopes were disappointed there and in the rest of Spain.

The election results created an uncharted landscape in Spain, with a plural configuration in Congress that made forming a new government incredibly difficult. From the first electoral analyses, it became clear as the weeks passed that the constitutional provision for repeating the elections could not be ignored.

After the PP won the elections, they renounced all attempts to form a majority in parliament and inaugurate their candidate Mariano Rajoy as president of the government. This led to a double attempt by the PSOE candidate Pedro Sanchez: after formalizing an agreement with Ciudadanos that would accord him the presidency, the initiative was frustrated when he failed to obtain a full or even a simple majority of votes in favour. Further attempts to reach a three-party agreement with the addition of Podemos were also frustrated by the refusal of the latter to reach any understanding with Ciudadanos. Two months after the first attempt to name Sanchez as president, Congress was automatically dissolved, as prescribed in the Constitution, and new elections were called for 26 June 2016. With this, the brimming electoral year and processes of 2015 extended halfway through 2016.

The new elections on 26 June 2016 did not substantially change the Spanish or Catalanian political scene, which had undergone considerable transformation since the events of 2015. The results state-wide showed a 3.4% decrease in participation and a different geographical voting pattern. Participation in Catalonia had decreased by 5%, while in other communities such as the Canary Islands or Castile-Leon, participation was higher than the state-wide average.

The elections showed renewed support for the Partido Popular (with 4.2% more votes and 14 new seats in Parliament), while all the other configurations lost ground, including the new coalition between Podemos and Izquierda Unida. They had run together as Unidos Podemos in an attempt to optimize the results both parties had seen separately in December, but their hopes of surpassing the PSOE (*sorpasso*) were disappointed: PSOE maintained second place despite a slight decrease in votes and seats. Ciudadanos also received fewer votes and lost seats in Parliament.

Very little changed in Catalonia, especially in the second-election results for Congress and the Senate. ERC secured its position as the second political force (with a slight increase of 2.2%), after En Comú Podem, which obtained slightly fewer votes but remained generally victorious in Catalonia thanks to the Barcelona and Tarragona circumscriptions. The PP made a modest advance, in step with the overall results in Spain. The election outcomes did not improve the situation of PSC, which had replaced Carme Chacón with Meritxell Batet as lead candidate for Barcelona, or of CDC, which had run alone under its own banner for the first time and with the same candidates as in December. Finally, Ciutadans suffered moderate losses in Catalonia (2.2% fewer votes), as in all of Spain.

Again, it seemed that the plural, diverse and confrontational composition of Spain's Congress, though slightly better adjusted than after the December elections, would impede the formation of a new government. In the end, it took weeks of negotiations, a formal agreement between the PP and Ciudadanos and a massive internal crisis in the PSOE — in which General Secretary Pedro Sánchez resigned and a provisional administrator took charge, precipitating the abstention of most

socialist deputies — before a new PP government with Mariano Rajoy as President was approved by simple majority. With his inauguration, the XII Legislature formally began.

The year 2016 had begun with a new Generalitat government presided by Carles Puigdemont, resulting from the Junts pel Sí coalition of CDC and ERC and the indispensable votes of CUP. However, *Convergència Democràtica* was feeling the effects of the two state-wide electoral outcomes and the challenges stemming from the political commitment to finish the pro-independence ‘process’, which were expected to intensify with the PP’s repeat victory in Spain. Moreover, the encroaching shadows of corruption linked to CDC financing (from the Palau de Música to the ‘3 % affair’ to the Pujol case) placed the party in legal and political predicaments, making it necessary to re-found or re-configure the CDC as a political formation.

Thus, with the June elections around the corner, *Convergència Democràtica de Catalunya*, the great nationalist-oriented party founded by Jordi Pujol in the mid-1970s, faced its demise. It had governed for twenty-three years in Catalonia (1980 - 2003) with Pujol at the helm and again since 2010 under the leadership of Artur Mas and Carles Puigdemont. The CDC formally dissolved on 21 May and a new party emerged, the *Partit Demòcrata Europeu Català* (PDeCAT), which held its constituent congress from 8 to 10 July.¹⁶ With this transformation, it directly assumed a pro-independence political orientation and formally (though not legally) broke with a past darkened by suspicion of irregular financing and political corruption, and a history intimately linked to Jordi Pujol. This new party, with new initials and new leadership — though Artur Mas remained president — set out to face new challenges, especially in 2017. As it approached, so did the deadlines that had been established by the pro-independence majority in Catalanian parliament and the PDeCAT — ERC coalition government for culminating the ‘process’.

This CDC conversion to PDeCAT, combined with the prior formal rupture of CiU, the strong emergence of ERC and (to a lesser degree) CUP, the electoral setback of the PSC, the re-structuring of the political space to its left through *Comunes*, and the electoral rise of a non-Catalanist force such as *Ciutadans*, ended the transition from autonomism to pro-independence begun three or four years earlier. Political Catalanism was clearly abandoned as the transversal axis among the diverse political options. It only remained a reference for the anti-independence Catalan left (PSC and CECP).

II. 2017: FROM THE REFERENDUM OF 1 OCTOBER TO THE ATYPICAL ELECTIONS OF 21 DECEMBER

With the formal opening of the legislature in late 2015, it was clear that 2017 would be an election year. Based on the 2015 election outcomes, the elections foreseen for the second half of 2017 would be constituent or quasi-constituent in nature. The ‘unitary road map for the Catalan independence process’ (signed by CDC, ERC, ANC, *Omnium* and AMI) and the 9 November 2015 approval of Resolution 1/XI of the Parliament of Catalonia, on the Start of the Political Process in

¹⁶ A synthesis of the history of the CDC from its origin to the formation of the PDeCAT can be found in Marcet, Joan: “Auge y declive de la derecha nacionalista. Del Palau de la Música al PDeCAT” Madrid (Catarata) 2017.

Catalonia as a Consequence of the Electoral Results of 27 September 2015, had established a timeframe of 18 months to complete the constituent process for the new state and disconnect from Spain. Carles Puigdemont had included that commitment, which prescribed the mid-2017 elections, in his January 2016 inaugural speech.

In the end, diverse elements converged to qualify the parliamentary elections scheduled for 21 December 2017 in Catalonia, as atypical. These ranged from the long political-legal saga centred on a referendum that had been declared illegal to the formal call for elections in response to the application of Article 155 of the Constitution, from the specific candidacies and electoral programmes of almost all political contenders to the outcomes for the diverse parties and coalitions.

In fact, Catalonia has been immersed in electoral ‘exceptionality’ for several years now, which comprehend several parliamentary elections. Most analysts considered the early elections of November 2012 to be ‘exceptional’, as they largely revolved around debate over the ‘right to decide’. Some observers and most political actors involved in the parliamentary elections of September 2015 described them as ‘plebiscite elections’. Exceptional conditions marked the December 2017 elections as well. Recently, Josep M. Vallès suggested exploring the idea of characterizing this electoral series or cycle in Catalonia as ‘critical elections’ — using the analytical guidelines of political science in the United States — as a way of helping us better understand the relationship between political and electoral behaviour and the deep transformations that Catalan society has experienced in the last twenty years.¹⁷

1. A tense and turbulent context

Implementation of the ‘process’ accelerated with the opening of the XI Catalanian parliamentary session and conditioned the daily affairs of the Generalitat government. In July, the ‘Commission to Study the Constituent Process’ (created in January 2016) presented its ‘Report and Conclusions’, which reiterated the phases of the process: disconnection from the Spanish state, constituent elections and ratification of the constitution by referendum. However, the attempt to approve the Generalitat general budget in June failed. In an unprecedented political twist, President Carles Puigdemont called for a vote of confidence to confirm his parliamentary majority. It was set for late September 2016. These events again raised the question regarding convening a referendum (with or without state agreement), only prior to the vote of confidence, as a legitimising element for the ‘process’ itself.

When presenting himself for vote of confidence on 28 September, Carles Puigdemont declared that the Catalanian petition would be resolved ‘by referendum or by referendum’. The first section of Resolution 306/XI of 18 October 2016 regarding the general political orientation of the government spoke of the political future of Catalonia, dedicating significant space to the legality, guarantees and social demand for a referendum. This resolution was reiterated on 18 May 2017 in a motion approved by the Parliament of Catalonia regarding fulfilling the ‘social demand’ for a referendum. Three weeks later on 9 June (almost 18 months to the day since the formation of his

¹⁷ Vallés, Josep M.: “Elecciones “críticas” en Cataluña. ¿un concepto útil?” in Marcet, J. and Medina, L. (eds.) *La política del proceso: actores y elecciones (2010-2016)*, Barcelona, ICPS, 2017

government), President Puigdemont made an 'Institutional Declaration' in which he confirmed the non-existence of an agreement with the Spanish government and unilaterally announced a referendum for 1 October 2017.

Formal, legal and practical preparation for the 1 October referendum occupied much of the political and governmental activity in the weeks and months that followed, in open political and legal confrontation with the Spanish government. The urgent attempt to reform Catalanian parliamentary regulations to facilitate immediate approval of a specific referendum law was blocked by the Constitutional Court in late July, when it admitted the state appeal. Further evidence of the political confrontation was seen in the political and institutional tension following the terrorist attacks in Cambrils and the Ramblas Boulevard of Barcelona on 17 August, and especially during the street march on 26 August to protest the attacks.

The Catalanian parliamentary meetings of 6 and 7 September escalated internal and external political confrontation between the pro-independence majority and the opposition. On 6 September, in a stormy session full of interruptions, the Referendum Law for self-determination was approved with the 72 votes of the pro-independence majority. The law was called into question even by the parliamentary legal experts because of the way in which it was approved and because its contents violated both the Constitution and the Statute of Catalonia. This law, which was intended to legally support the 1 October referendum, was debated without the prior required report by the Council for Statutory Guarantees. On 6 September, the Parliament selected the five members of the Electoral Committee — again with the 72 votes of the pro-independence deputies — as stipulated in the Referendum Law. It was published in the Official Bulletin and the government approved the decree to hold a referendum on 1 October. On 7 September, in a similar session, the same majority approved the Law of Transitional Jurisprudence and Foundation of the Catalan Republic, which was as lacking in substance and form as the Referendum Law. The Spanish government immediately contested both laws before the Constitutional Court, which automatically suspended them by admitting the appeal, making the 1 October referendum illegal. The Electoral Committee itself was also contested but had no effect because its members had resigned. Those turbulent sessions of 6 and 7 September, which some analysts have labelled as a 'post-modern *coup d'état*',¹⁸ launched a heated autumn term that revolved around the intent to hold a referendum despite the Constitutional Court ruling, doubts and indecision regarding a unilateral declaration of independence, control of the Catalanian administration by the central government, and the subsequent call for new parliamentary elections in Catalonia.¹⁹

¹⁸ For an analysis of what occurred in the Catalanian parliament during those days, see Gascón, D. "Un golpe posmoderno" in *Letras Libres*, 21 September 2017; by the same author, see also "El golpe posmoderno" *Debate*, 2018, for more comprehensive timespan and analysis see the book by Luque, Pau: "La secesión en los dominios del lobo" Madrid (Catarata) 2018. An analysis from inside the political debate can be found in Coscubiela, Joan. "Empantanados. Una alternativa federal al sóviet carlista" Barcelona (Península) 2018.

¹⁹ For an analysis of the 'Catalan autumn', see the book already cited by Pau Luque, or the journalistic precision of Lola García in "El naufragio. La deconstrucción del sueño independentista" Barcelona (Península) 2018. For greater analytical scope, see Jordi Amat: "La conjura de los irresponsables" Barcelona (Anagrama) 2017.

Political pressure from the state government intensified in the following weeks, in an attempt to stop the referendum. Police actions ensued, the State Prosecutor's office petitioned the judiciary to open investigations and causes, the Minister of Internal Revenue intervened in the Generalitat bank accounts, and all manner of legal and police operations were undertaken to block preparations of the referendum materials (ballots and ballot boxes, documentation, electoral census, etc.). On 20 September, several Generalitat officials and heads of companies suspected of collaborating with the preparations were arrested in 'Operation Anubis' (all were freed after testifying before a judge) and several Generalitat departments were raided, including the main offices of the Department of Economy and Revenue in the centre of Barcelona. This sparked a massive street protest outside the building that lasted all day as a way of aggravating the work of the police and the judiciary. The public and media exposure of the pro-independence ANC and Omnium leaders (Jordi Sánchez and Jordi Cuixart), along with the action of the Catalanian police (*Mossos d'Esquadra*) under the command of their 'Major' Josep Lluís Traperó, led the National High Court to call for legal action against them a few weeks later. This led to the precautionary imprisonment of Jordi Sánchez and Jordi Cuixart on charges of sedition.

Despite it all, and in a climate electrified by the actions of the National Police and Civil Guard in response to the apparent inaction of the *Mossos*, on 1 October more than two million Catalonians participated in a referendum that had been declared illegal, had been formally suspended by the Constitutional Court and had little or no safeguards (involving a virtual census, improvised electoral tables, inexistent electoral council or committee...). At the end of the day, the Generalitat government announced the provisional results of the consultation, in which 42% of the hypothetical census had participated and an overwhelming 90% had voted 'yes' to the question concerning their desire to 'constitute an independent state in the form of a republic'.

Two days later, with feelings still raw from the impact of widely broadcast images of police action on the day of the referendum, a general strike (organized prior to 1 October) that the pro-independence movement called 'Stop the Country' was declared throughout Catalonia for 3 October. It was quite successful thanks to the activism of some minority unions (CGT, CNT and the inter-union CSC), the Committees for the Defence of the Referendum (which later became Committees for the Defence of the Republic) and degrees of explicit support from ANC and Omnium, the mainstream unions (CCOO, UGT and USO) and a few business associations (PIMEC and CECOT). In fact, the success of the strike, with rallies and demonstrations going late into the evening of 3 October, had more to do with the images of repression on referendum day than with defending the referendum or its results. Outcries against repression and for the 'dignity of the people of Catalonia' served as the strike slogans. Televised messages of the Head of State, King Felipe VI, expressing support for the state institutions and disapproval of the actions of the Generalitat government only served to intensify and further justify the confrontation between the pro-independence entities and the state institutions. From that moment, the figure of the King himself was called into question.

In the absence of an electoral council or committee, the Generalitat authenticated the results of the 1 October referendum, affirming that nearly 2.3 million persons (43% of the theoretical

census) had participated and slightly more than 2 million (90%) of the votes had been cast in favour of self-determination for Catalonia. These results lacked any legal parameters and were not recognised by any international political actors. Despite the efforts of the Generalitat to internationalize the conflict, and the broad reverberations of the images of police violence on 1 October, no international organism or state gave any credence or backing to the results of the referendum. However, doubts were forming concerning the attitudes of the Spanish government.

The informality of the referendum and the authentication of its results did not stop President Carles Puigdemont from announcing them in a plenary session of the Catalanian Parliament on 10 October, and confirming that he would fulfil the mandate to convert Catalonia into an 'independent state in the form of a republic'. However, he immediately proposed suspending the effects of the declaration of independence in order to initiate a dialogue with the state government. After the plenary session, the deputies of the pro-independence majority (Junts pel Sí and CUP) signed a document proclaiming the Catalanian Republic to be an independent state. Because it was neither recorded nor published by the Parliament, it remained a mere reaffirmation of principles with no legal validity.

The ambiguity of Puigdemont's appearance in Parliament, along with the declaration and signing of the document by the pro-independence deputies had palpable, far-reaching effects. On a socio-economic plane, increasing numbers of companies moved their legal headquarters outside Catalonia, including two major Catalan banks: Banco Sabadell and Caixabanc-La Caixa. In the legal-political sphere, demands and responses crossed between the Spanish and Generalitat governments as a required preliminary step to formally activating Article 155 of the Spanish Constitution. It gave the state government power to intervene in an Autonomous Community to re-establish the legal order that had been violated by the autonomic institutions. Politically, institutionally and in the media, these were very tense days, with pro-independence mobilizations to protest the imprisonment of the ANC and Omnium leaders alongside demonstrations to defend Catalonia's permanence in Spain.

Amidst the mounting institutional tension that preceded application of Article 155, everything came to a standstill on 26 October, when it looked as though President Puigdemont might dissolve the Catalanian Parliament and call new elections. However, pressure from the political sphere (especially the ERC and a sector the PDeCAT) and sovereigntist entities frustrated the operation, which might otherwise have involved mediation by political actors inside and outside Catalonia. On 27 October, a Unilateral Declaration of Independence was approved with 70 votes in favour, 10 against, 2 abstentions and 53 deputies absent from the assembly. Though its political effects were clear, its legal effects were ambiguous. The Constitutional Court formally suspended it four days later, on the grounds that it violated the nullity of the Law on Referendum and the suspension of the Law of Transitional Jurisprudence, which was definitively nullified eight days later.²⁰

²⁰ Regarding the events of those days, the testimony of Santi Vila, then Councillor of Culture, is politically revealing: "De héroes y traidores. El dilema de Cataluña o los diez errores del procés" Barcelona (Península) 2017. See also the work of Lola García, cited above.

The same day, almost parallel to approval of the unilateral declaration in the Catalanian parliament, the Spanish Senate approved by ample majority the terms for applying Article 155 of the Constitution to the Generalitat institutions. Authorized by Parliament, the government of Spain announced the termination of the Generalitat government and as many as 140 top posts. It adopted measures concerning specific areas of the Catalanian administration (especially those involving projection of the 'process' to the exterior), dissolved the Catalanian parliament and called elections for 21 December. This intervention in Catalanian self-governing institutions would continue until a new Generalitat government was formed after the elections.²¹

2. A singular campaign for atypical elections

Hours of uncertainty followed the Unilateral Declaration of Independence and state intervention in the Generalitat institutions through application of Article 155 of the Constitution. Would the members of the Generalitat government accept the termination? How would the sovereigntist entities react, and would they acknowledge the call for elections? Would all parties participate in the electoral process that had been initiated atypically by the Spanish government?

The events of the next days further clouded the electoral process. Two days after the Unilateral Declaration of Independence, the Attorney General charged Puigdemont, the members of his government, the President of the Parliament of Catalonia and four other members of the parliamentary bureau with rebellion. When ordered to declare before the National High Court, Carles Puigdemont and four ex-councillors decided to flee to Brussels to evade the legal action of the Assembly. The other members of the government testified before a High Court judge, who had them remanded in custody without bail (except the ex-Councillor Santi Vila, who was released on bail). The President of Parliament and other members of the bureau under investigation managed to delay their Supreme Court appearance by one week. After testifying, they were released on bail (except Joan Josep Nuet, who was released without any cautionary measure or bail).

As the electoral campaign began, these detentions and the sojourn of Carles Puigdemont and four ex-councillors in Brussels produced a series of mobilizations, demonstrations and protests 'against application of Art. 155', and demanding 'freedom for the political prisoners'. A new strike was attempted for 8 November, but was much less effective than that of 3 October as it did not have the support of the main unions and business associations or even the formal backing of the sovereigntist entities. However, ANC and Omnium organized an important demonstration for 11 November, with the slogan: 'Freedom for political prisoners. We are a Republic'.

Meanwhile, the deadlines for presenting electoral candidacies were approaching. In the pro-independence space, once ERC had discarded a new version of a coalition with PDeCAT (formerly Convergencia), three distinct candidacies emerged. The ERC lists were headed by the provisionally-detained Oriol Junqueras and included other members who were in custody or had fled to Brussels.

²¹ Legal controversy soon appeared regarding the scope of the application of Article 155 of the Constitution and the calling of elections for 21 December. See Arbós, Xavier: "El 155 CE no permite convocar elecciones en Cataluña" in *Agenda Pública*, 20 October 2017, published before elections were formally announced, or the chapter entitled "El contragolpe" in the book already cited by Pau Luque, who makes a rather different defence than what is found in the analysis of Arbós.

The 'Junts per Catalunya' (JxCat) candidacy, led by Carles Puigdemont, was a coalition of the defunct but legally extant CDC and the new PDeCAT, also known as the 'President's list'. It included fugitive or imprisoned ex-councillors and many others who were not affiliated with the PDeCAT but defended the legitimacy of President Puigdemont. Finally, the CUP candidacy had been completely renovated according to its internal norms and premises.

In the anti-independence space, candidacies for continuity were formed by the PP, led by García Albiol, and Ciudadanos, with Inés Arrimadas again at the head of the Barcelona lists. PSC made an electoral agreement with Units per Avançar (the remnant of the former Unió Democràtica, now led by Ramon Espadaler) and presented a candidacy led by Miquel Iceta, which integrated Espadaler and some independent members linked to the federalist left. Finally, after intense internal debate, a candidacy of convergence was agreed among Podemos, ICV, EUiA and Barcelona en Comú: 'Catalunya en Comú-Podem', led by Xavier Domènech.

The campaign began on 5 December and on that day most of the ex-councillors were released from custody, though not Oriol Junqueras, Joaquim Forn, Jordi Sánchez (number two in the Junts per Catalunya candidacy) and Jordi Cuixart.

The campaign was singular from many angles: the physical absence of the ERC candidate; the presence of Carles Puigdemont by videoconference from Belgium; the pro-independence marches in Brussels, attended by various pro-independence candidates; the polarization of the electoral debate and the absence of prominent candidates, who were either held in custody or staying in Brussels; or the vagueness of most electoral programmes and proposals. The written content of the manifestos or electoral programmes often contrasted with the more extreme and even radical declarations and acts during the campaign.

The electoral and programme positions of the pro-independence forces oscillated from the extreme radicality of CUP, which declared the end of the road for autonomism and called for unilaterality and bringing 'mandate of 1 October' into being; to the JxCat stance of emphasizing institutional restoration and recognizing Carles Puigdemont as the legitimate President; to ERC proposals centred on ending application of Article 155, freedom for the prisoners and forming a strong, legitimate new government. Both JxCat and ERC seemed to be bidding to leave behind the unilaterality of the final moments of the terminated legislature and embark on a path of dialogue and negotiation with the state. However, the language they used in public meetings and declarations more closely resembled the extreme postulates of CUP.

Meanwhile, Ciudadanos and the PP advocated recovery of institutional, constitutional and statutory normality as the political frame in which Catalanian self-government should remain. They coincided in calling for better financing for the Autonomous Communities.

In contrast, both PSC-Units per Avançar and Catalunya en Comú-Podem called for dialogue, negotiation and agreements to overcome the current political situation. PSC explicitly — and Comunes more vaguely — emphasized the need for constitutional reform to include Catalonia in a federal, plurinational Spain and for recovering the social agenda. Both groups denounced the immobility of the PP government and the unilaterality of the Puigdemont government. However, while Catalunya

en Comú continued to call for an agreement to allow a referendum based on a ‘law of clarity’ (inspired in the Canadian practice for confronting the Quebec problem), PSC saw the need for constitutional and statutory reform followed by several referendums to ratify the new frame.

The campaign was hindered and sensationalized thanks to the ongoing imprisonment of ERC leader Oriol Junqueras and other candidates, as well as the regular ‘virtual’ presence of Carles Puigdemont and fugitive candidates in Belgium. They made speeches, gave interviews or participated in electoral events by videoconference. The campaign acts, interviews and debates became more focused on protesting the specific or special situations of a few candidates than on developing proposals or intentions for the future of Catalonia.

ERC and JxCAT cast suspicious glances at each other as they continued their years-long competition to be the leading pro-independence force. Meanwhile, Ciudadanos appropriated a good part of the electoral space from the remaining anti-independence parties and set its sights on the electoral victory that the surveys had begun to predict for it.

3. The 21D results: somewhere between surprise and continuity

The parliamentary elections of 21 December 2017 seemed to close a long electoral cycle that had been completely coloured by the pro-independence ‘process’, with ten elections in seven years (2010 - 2017) and the two unofficial referendum consultations of 2014 and 2017. The election results of 21 December could be summarised in four headlines: notably high participation; unexpected triumph for Ciudadanos; pro-independence parties maintain parliamentary majority; and (the equally unexpected) victory of the JxCat coalition among the pro-independence powers.

Electoral participation was estimated at 79.1% of the census: more than four points above the very significant participation rates of the 2015 elections and close to those of the general elections of 1982, which had seen the highest level of participation in any democratic elections in Spain. Territorial distribution of participation was unremarkable in terms of circumscriptions or within the main population centres. The only point of interest was slightly higher-than-average participation in the smallest population hubs of less than 5,000 inhabitants, where the pro-independence forces — especially JxCat — obtained their best results. In contrast, Ciudadanos had the best results in towns of more than 20,000 inhabitants.

This rather homogenous territorial increase in participation distribution benefitted the competing political forces more or less equally. It contradicted the theory that greater participation would only favour the non-nationalist parties, especially those on the left of the Catalonian political spectrum.²² Ciudadanos took first place (with 25.3% of the votes), followed closely by JxCat (21.6%) and ERC (21.4%). The results for PSC (13.8%) and Catalunya en Comú (7.4%) were notably distant from the first three, which further refuted the hypothesis.

The victory of Ciudadanos (as indicated with 25.4% of the votes) was considered surprising, though some of the last pre-election polls had predicted victory for either Ciudadanos or ERC. With

²² See Riba, Clara: “Vot dual i abstenció diferencial. Tres aproximacions a l’estudi del comportament electoral a Catalunya (1982-1993)” [doctoral dissertation] Barcelona, Universitat Autònoma de Barcelona, 1995.

more than 1.1 million votes, Ciutadans reaped the benefits of increased participation and PP losses of more than 165,000 votes and 7 seats with respect to 2015. Its electoral strength was greater, as indicated, in the larger towns — half of their votes came from population centres of more than 50,000 inhabitants — and along the coast, especially in the towns near Barcelona and Tarragona, where it had obtained great results in the 2015 elections. The post-election study by the Centre for Opinion Studies (CEO)²³ indicated that almost 73% of those who had voted for Ciutadans did so out of conviction and only 15% saw it as the lesser evil. The survey also indicated that 45.5% of those voters stated their identification with the party's ideas as the main reason for voting for Ciutadans. Another 26.7% considered them the most capable party for governing Catalonia and 20.4% cited the candidate Inés Arrimadas as their main reason for voting for Ciutadans.

Undoubtedly, the JxCat strategy to legitimize Carles Puigdemont as their leader and head of the lists had accorded it second place, surprisingly ahead of ERC. The CEO survey indicated that 43.7% of the voters stated Puigdemont as their main reason for having voted for this coalition, and only 23.8% had voted for JxCat because they considered it the most capable of governing Catalonia. In contrast, 50.2% of those who voted for ERC stated identification with the party as their main reason. Only 12.8% based their vote on the candidate Oriol Junqueras, though he had been in custody since before the campaign.

Along with those elements, some lines of electoral behaviour that emerged in the 21 December elections were also the product of ongoing generational renewal since the end of the prior century, as had been noted in the extensive analysis of Oriol Bartomeus.²⁴ Similarly, several years of electoral polarization in Catalonia — which the more recent literature and academic analyses have emphasized²⁵ — also left their mark on the campaign and the electoral results. After the elections, relative strengths remained the same in Parliament. The parties that defended Catalanian independence with their different strategies received a majority of seats, despite only receiving 47.5% of the votes. Within those parties, the JxCat coalition (21.6% of the votes) frustrated two years of hopes that ERC (21.4% of the votes) had nourished of becoming the leading party in Catalonia, thanks to their defence of the 'legitimacy' of the dismissed president Carles Puigdemont. His presence in the campaign by videoconference surely must have helped: the CEO survey indicated that 26% of the votes had been decided in the fifteen days prior to the elections or on voting day itself.

Loyalty to the pro-independence vote also benefitted from increased participation. The combined JxCat and ERC votes increased by more than 241,000, amply compensating for the CUP's loss of over 165,000 votes. The number of votes for these three parties in 2017 (2,079,340) was slightly higher than in 2015 (nearly 2 million), again due to increased participation. As noted, it combined identification with a party or project (mainly ERC and CUP) and identification with a candidate

²³ See the survey "Encuesta sobre contexto político en Catalunya 2018", of the Centre d'Estudis d'Opinió de la Generalitat de Catalunya.

²⁴ Bartomeus, Oriol: "El terratrèmol silenciós" Vic (Eumo editorial) 2018.

²⁵ See, Medina, Lucía: "Más partidos y más polarización. Los cambios en la competencia electoral en Cataluña", in Quaderns de l'ICPS no. 5; and by the same author: "Las elecciones de Cataluña del 27 S. Polarización en clave identitaria y división del electorado" in Quaderns de l'ICPS no. 11

(JxCat), but also confirmed the territorial fracture between the more urban Catalonia (despite the notable progress of ERC in that sphere) and the interior of Catalonia, as well as the fracture that some began to highlight between the Catalonia that has already disconnected from Spain and the Catalonia that fears or does not want such a rupture.

This polarized society, though visibly concerned for the Catalonia-Spain relationship, was still feeling the effects of the economic crisis. It was clearly dissatisfied with how the democratic institutions were functioning and increasingly called them into question. With the alternative of independence always hovering over the day-to-day of politics, this society behaved accordingly in the elections, apparently voting more defensively than reflexively, and sanctioning the ambiguities of the contending political forces.

This would explain the electoral setback of Comunes and the expectations of the socialist candidacy at the beginning of the campaign. Catalunya en Comú-Podem lost three seats and 1.5% of the votes with respect to the 2015 results of *Cataluña Sí que es Pot* (their reference candidacy). Meanwhile, despite a slight advance of just over one point and one more seat, PSC-Units per Avançar watched its prognosis for greater growth and a more central position in the Catalonian political debate wither away.

Oriol Bartomeus has also thoroughly analysed electoral competition spaces²⁶ and found that on this occasion, they moved in favour of the two winning options and corroborated the CEO survey data. Ciutadans maintained its votes from 2015 and grew thanks to new voters and losses in PP and PSC (though to a lesser degree). JxCat maintained an important part of the Junts pel Sí vote from 2015, rising to second place and also attracting new voters from the left (CSQEP and CUP). ERC captured a bigger share of the Junts pel Sí vote than JxCat and gained new voters from CSQEP and CUP, but remained slightly behind JxCat. The competition between the two left-wing anti-independence formations resolved in favour of the PSC, which managed to retain a higher percentage of its traditional electorate and grew slightly, thanks to new voters and votes that had previously gone to CSQEP.

The 'national axis' seemed to have swayed the electoral votes decisively, to the detriment of the more traditional 'right-left axis'. Under its influence, almost all political options — parties and coalitions — incorporated a degree of diffuse 'populism' into their offer, which affected the electoral behaviour of the Catalonian citizenry.²⁷

The Parliament of Catalonia that emerged from the 21 December elections looked very much like the prior legislature. Though they had lost two deputies, the groups favourable to Catalonian

²⁶ See Molas, I.; Bartomeus, O.: "Estructura de la competencia política en Cataluña", Barcelona ICPS, WP no.138; Bartomeus, O.: "La transformación del espacio político catalán 2004-2014" in *Quaderns de l'ICPS*, no. 10; Bartomeus, O.: "27-S ¿hacia un sistema dual de partidos en Cataluña?" in Marcet, J and Medina, I. (eds). *La política del proceso: actores y elecciones (2010-2016)*, Barcelona, ICPS, 2017.

²⁷ See the brief analysis by Carles Castro: "La ideología (y el populismo) en el independentismo" in *La Vanguardia*, 23 September 2018. An analysis of greater depth and scope can be found in Rico, Guillem: "¿O catalanistas o fachas? La influencia del eje nacional sobre la percepción de los partidos catalanes en el eje izquierda-derecha" in *Quaderns de l'ICPS* no. 12 (2016). See also Anduiza, Eva and Rico, Guillem: "Siete cosas que hemos aprendido sobre el populismo" in *Agenda Pública*, 20 September 2017.

independence maintained the majority (70 seats). However, this majority was now composed of three political groups (or four if we consider that 14 of the 34 JxCat members were members of the PDeCAT, including Carles Puigdemont, and the other 20 were independent and personally or politically linked to Puigdemont). This pro-independence majority would be less conditioned by CUP, as JxCat and ERC had 66 deputies between them.

Ciutadans, despite having won the elections, found it practically impossible to form a government. Its 36 deputies were insufficient to constitute a majority, even with the support of the rest of the opposition. Added to this was the clear difficulty — from the day elections were called — of including socialists and Comunes within this hypothetical alternative majority. Only a debilitated PP (4 deputies) showed any inclination to participate. Meanwhile, the federalist options most inclined to political dialogue with the PSC and Comunes had stagnated or diminished.

In addition to this complex parliamentary configuration was the confrontation with the Spanish PP government, which had entrusted everything to the constitutional and ordinary judicial system and would continue to dismiss any element of political rapprochement. In the weeks following the elections, this hindered the formation of a strong and stable Generalitat government capable of bringing Article 155 intervention to an end and advancing toward a different political solution than that which had so traumatically transpired in Catalonia during September and October of 2017.

4. Post-electoral difficulties: from verbal radicality to pragmatism

Confrontation between the new, clearly pro-independence Catalanian parliamentary majority (Junts per Catalunya, Esquerra Republicana and CUP) and the government of Spain (led by Partido Popular) continued in the months following the elections. It took five months to form a new Generalitat government: five months of legal and political controversy that began to undermine Spain's international credibility. The functioning of Spanish institutions, especially the judicial system, became a main point of contention and open criticism as Spanish courts encountered serious clashes with courts in Germany, Belgium and the United Kingdom. The inaction of the PP government did little to calm or neutralize critique as pro-independence appeals recurred repeatedly to 'Democracy' as the basis for their demands.

The pro-independence configurations insisted on presenting Carles Puigdemont — a fugitive of Spanish justice — as their candidate to preside the Catalanian government, then Jordi Sánchez — who remained in custody — then Jordi Turull, who was arrested as a precautionary measure during the debate and the vote for his inauguration. This attempt collided with the Spanish government, which deployed its entire strategy on the legal front. Interpretative interventions were made by the Constitutional Court regarding possible candidates, and the judicial process in the Supreme Court instructed against the pro-independence leaders. Finally, ERC and the more moderate sectors of PDeCAT — who were less in favour of Puigdemont — expressed their intent to form a stable and effective government by presenting a viable candidate for the Generalitat presidency.

On 14 May, in the second vote, Joaquim Torra — a lawyer, publisher and writer with a bold pro-independence trajectory — was elected as the new President of the Generalitat. For the anti-

independence opposition groups, his political profile included adjectives such as ‘xenophobic, supremacist and Hispanophobic’. Torra had been eleventh on the JxCat lists in Barcelona and was trusted by Carles Puigdemont. Puigdemont had formally proposed him from Brussels, with the consent of PDeCAT and ERC, and the necessary abstention of CUP, in the deciding vote.

The president was inaugurated, and new members appointed to the Government Council. Disputes arose with the government of Spain over the initial attempt to name as Councillors some of the pro-independence leaders who were imprisoned or established in another country. Nonetheless, the new legislature was formally opened with a new government of uncertain scope and duration.

Almost simultaneously, turmoil began in the Spanish government as the first sentence of the National High Court concerning the ‘Gürtel case’ became public. It cited various cases of political corruption involving leaders of the Partido Popular and clearly linked them to illegal financing of the party. The PSOE presented a motion of no confidence against the Rajoy — PP government, which was approved on 1 June with the votes of PSOE, Unidos Podemos, the Catalan nationalists (ERC and PDeCAT) and the Basque nationalists (PNV and Bildu). This placed PSOE General Secretary Pedro Sánchez — who had regained leadership of the party a few months earlier — in the presidency of a minority government. With all the issues that accompany such scarce and fragile parliamentary support, its duration was also dubious.

Unlike the former PP government, however, the new socialist government faced the Catalanian conflict under the maxim of dialogue and political negotiation. In early July, the first meeting took place between President Sánchez and President Torra, clearly demonstrating the will to dialogue. On 1 August, after a seven-year hiatus, the State-Generalitat Bilateral Commission met to review and formalize an agenda for negotiation.

However, neither those encounters nor the repeatedly-expressed will of the Spanish government to not escalate the legal confrontation as a way of solving the conflict could erase the core disagreements, especially concerning recognition of Catalonia’s right to self-determination, as was demanded by the pro-independence political and social actors. Added to these were the persistent problems derived from ongoing legal proceedings and the pro-independence leaders who remained in custody or in other countries, especially Carles Puigdemont. President of the Generalitat Joaquim Torra and the vast majority of pro-independence actors still regarded him as the legitimate president of Catalonia.

The fate of the pro-independence leaders in prison or established abroad, the conclusion of the Supreme Court case proceedings and the prospect of those persons being put on trial hovered over the political relations between the Spanish government and that of Catalonia. It hardened the expressions and gestures of the Catalanian government, especially those of President Torra, who seemed always to be acting on Puigdemont’s orders and creating political fractures in Catalan society. Polemic surrounding the institutional and public presence of protest symbols in remembrance of those in custody and abroad (yellow ribbons, crosses and other emblems, placards calling for freedom for the ‘political prisoners’) persisted throughout the summer, in open confron-

tation with highly-charged exchanges between those who had placed them — whether the institutional directors themselves (Generalitat and several City Hall governments) or the more activist independentist groups (self-appointed Committees for the Defence of the Republic or Catalan National Assembly) — and the groups or entities that sought or acted to suppress or remove them from public spaces (those who call themselves Groups for Catalanian Defence and Resistance). The latter had more explicit support from Ciutadans and, to a lesser degree, from PP. In 2018, every event from the Catalanian national holiday of 11 September (in which hundreds of thousands of citizens gathered to protest in favour of independence) to the review of all the events of the prior year (police actions of 20 September in the Department of Economics, the ‘referendum’ of 1 October that was both held and suppressed, the Unilateral Declaration of Independence ...) have been coloured and conditioned by the ongoing precautionary detention and judicial prospects of the pro-independence leaders. Fanatic political insults (‘Nazis’, ‘fascists’, ‘Francoists’, ‘Anti-democrats’ ‘*golpistas*’ — participants in a coup) hurled from both sides strengthen the perception of a politically tense and socially divided climate in Catalonia.

However, the internal confrontation in Catalonia and the verbal radicality of some pro-independence leaders, including the President of the Generalitat, along with the accumulated difficulties derived from legal proceedings against them have not managed to block all channels of negotiation — even understanding — between the two governments. Transfer of the detainees to prisons in Catalonia following the formal conclusion of the preliminary investigation, or the numerous bilateral meetings between the state Ministries and Generalitat Departments, demonstrate the attempt to favour *détente*. However, it also keeps the confrontation going in the Spanish political context. PP and Ciudadanos continue to call for re-application of Article 155 of the Constitution, based on the verbal escalation of some members of the Generalitat government. Meanwhile, the Spanish government, weakly supported by its fragile and diverse parliamentary majority, persists in reaching out to keep channels of dialogue and negotiation open.

However, the political and parliamentary fragility of both governments keeps the prospect of new elections present in both the Catalanian and Spanish political spheres. In Catalonia, various surveys suggest, elections would serve to reiterate or slightly modify the balance of power resulting from the most recent elections. In the Spanish sphere, the question revolves around the potential electoral impact of the new PSOE government — resulting from a motion of no confidence linked to the parliamentary support of Unidos Podemos and the Catalan and Basque nationalists — with the added interest of new leadership in the PP, which openly competes with Ciudadanos for the centre-right electoral space. In any case, the Catalonia-Spain relationship is a key element of debate and confrontation among all political actors, in Catalonia and all of Spain.

ANNEX OF ACRONYMS AND INITIALS

AMI : Associació de Municipis per la Independència (Association of Municipalities for Independence)
ANC : Assemblée Nacional Catalana (Catalan National Assembly)
CCN : Cercle Català de Negocis (Catalan Business Circle)
CDC : Convergència Democràtica de Catalunya (Democratic Convergence of Catalonia)
CDR : Comitès de Defensa del Referèndum (Committees for Defence of the Referendum), which later became Comitès de Defensa de la República (Committees for Defence of the Republic).
CECOT: Confederación Empresarial Comarcal de Terrassa (Terrassa Regional Business Confederation)
CECP: Catalunya en Comú- Podem (Catalonia Together-We Can)
CiU : Convergència i Unió, coalición entre CDC y UDC (Convergence and Union, a coalition between CDC and UDC)
CNT : Confederación Nacional del Trabajo (National Confederation of Labour)
CCOO: Comisiones Obreras (Workers' Commissions)
CGT : Confederación General de Trabajadores (General Workers' Confederation)
C,s : Ciutadans, Ciudadanos (Citizens)
CSQP: Catalunya Sí Que es Pot (Catalonia, Yes it Can)
CUP : Candidatura d'Unitat Popular (Candidacy of Popular Unity)
ERC : Esquerra Republicana de Catalunya (Republican Left of Catalonia)
EUiA : Esquerra Unida i Alternativa (United and Alternative Left)
ICV : Iniciativa per Catalunya Verds (Initiative for Catalonia Greens)
Intersindical CSC : Confederación Sindical Catalana (Catalonian Union Confederation)
IU : Izquierda Unida (United Left)
JxCat : Junts per Catalunya (Together for Catalonia)
JxSí : Junts pel Sí (Together for Yes)
Omnium : Omnium Cultural
PDeCAT : Partit Demòcrata Europeu Català (Catalonian European Democratic Party)
PIMEC : Pequeña y Mediana Empresa de Cataluña (Catalonia Small and Mid-sized Businesses)
PNV : Partido Nacionalista Vasco (Basque Nationalist Party)
PSC : Partit dels Socialistes de Catalunya (Socialist Party of Catalonia)
PSOE : Partido Socialista Obrero Español (Spanish Socialist Workers' Party)
PP : Partido Popular (Popular Party)
SI : Solidaritat Catalana per la Independència (Catalan Solidarity for Independence)
UDC : Unió Democràtica de Catalunya (Democratic Union of Catalonia)
UGT : Unión General de Trabajadores (General Workers' Union)
UP : Unidos Podemos, coalició electoral entre Izquierda Unida y Podemos (United We Can, electoral coalition between United Left and We Can)
UPyD : Unión Progreso y Democracia (Union, Progress and Democracy)
USO : Unión Sindical Obrera (Worker's Union)



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