**Explaining accommodation and resistance to demands for
independence referendums in the UK and Spain**

Why did the UK Government permit the 2014 Scottish independence referendum while the Spanish Government has continued to oppose a similar referendum in Catalonia? The demand for an independence referendum is the same, devolved institutions are similar, and in neither case is there a constitutional right to self-determination. What then is the explanatory factor? We cast doubt on explanations focusing exclusively on legal differences and put forward the argument that the variation is best explained by perceived political opportunities by the ruling parties, albeit rooted in different conceptions of the state and constitutional designs.

Almost simultaneously, the Conservative-Liberal Democrat UK Government and the Popular Party-led Spanish Government faced claims of a mandate for independence referendums in Scotland and Catalonia. The 2011 Scottish election delivered a Scottish National Party (SNP) majority government as the party won 69 seats out of 129. The SNP claimed that the result provided a clear mandate because their manifesto included the commitment to bring forward an independence referendum bill (SNP 2011: 28). Evidence shows that increase in SNP support was the result of the perception that the party provided Scotland with effective government rather than an increase in support for independence (Curtice 2011: 58-65). The election results paved the way for a new stage of the constitutional debate in Scotland focused on independence. Under the Edinburgh Agreement (2012), the UK and Scottish Governments worked together to ensure that a referendum on independence for Scotland would take place. Since the constitution is a reserved matter, the UK Government temporarily transferred the powers to hold a referendum to the Scottish parliament using a process known as the Section 30 Order (Scotland Act 1998).

In Catalonia, the then-President Artur Mas (Convergence and Union, CiU) called a snap election in 2012 and campaigned on the promise to deliver a referendum and to begin building the structures of the future Catalan state (CiU 2012: 12). This was a major shift in the traditionally moderate stance of the party on the constitutional question, which consisted in pushing for more autonomy without renouncing participation in state-level politics. The broader Catalan political context was characterised by the rise in public support for independence and the intense mobilisation of the pro-independence camp (Rico and Liñeira 2014: 272-76). CiU lost 12 seats but Catalan nationalists claimed that the election delivered a mandate for an independence referendum because pro-referendum parties collectively achieved a comfortable majority. CiU and the pro-independence Republican Left of Catalonia (ERC) together won 71 MPS, a majority of three; the Catalan greens (IC-V), which also supported a referendum although it was not their main concern, obtained 13 seats; and the far-left pro-independence CUP obtained 3 seats (Martí 2013). The demand for a Catalan

independence referendum met with the opposition of the PP Government, a position which has remained unaltered.

In this article, we seek to explain the presence and absence of a negotiated independence referendum in Scotland and Catalonia. We consider three factors: institutional constraints with regards to the constitutional possibility to hold an independence referendum; ideational constraints concerning the conception of the state that permeates constitutional precepts and party ideologies; and strategic constraints with regards to political opportunity considerations by the central governments, on the assumption that parties are vote-maximising rational actors which adopt the position they believe will gain them the most votes. Our main argument is that perceived political opportunity is the necessary explanatory factor to account for the variation. We suggest that the degree of constitutional flexibility on the issue of self-determination and the mononational or plurinational conception of the state are critical but not determinant factors. They are critical because they are background conditions shaping the institutional and ideational constraints through which ruling parties may operate, but they are not determinant because they would lead to nothing unless these parties perceive that it is to its political advantage to accept the holding of an independence referendum.

This article addresses the academic conversation in nationalism studies and territorial politics about independence movements in plurinational states. A significant amount of scholarship has focused and provided valuable insights on the determinants, strategies, claims and dynamics of the Catalan and Scottish independence movements (Serrano 2013; Muñoz and Guinjoan 2013; Lluch 2014; Boylan 2015; Burg 2015; Gillespie and Gray 2015; Liñeira and Cetrà 2015; Henderson, Jeffery and Liñeira 2015; Barrio and Rodríguez-Teruel 2017; Keating 2017; McCrone 2017; Pattie and Johnson 2017; Walker 2017). Here we propose to approach the issue from the perspective of the state, placing the emphasis on the state responses to independence referendum demands. Thus, the article resonates with the growing literature on majority nationalism and majority groups and their role in nationalist disputes (Kaufmann and Haklai 2008; Resnick 2008; Lecours and Nootens 2011; Gagnon et al. 2011; Basta 2017).

This article is structured as follows. First, we present our research design and approach. Second, we examine the variation in the responses to demands for independence referendums by the Spanish and UK Governments. We place an emphasis on the type of arguments used to accept and oppose the demand, and the consequences for the political dynamics in the two contexts. Third, we examine systematically three competing explanatory factors – the constitution, conceptions of the state, and political opportunity – reducing them in the process and ending with the most convincing, political opportunity.

Research Design

We adopt a most similar research design to explain the variation in the responses to demands for independence referendums in Spain and the UK. In formal terms, this variation is our *explanandum*. The most similar design facilitates the *ceteris paribus* rule by reducing the number of possible explanations and allowing us to focus on the variation across the cases (Teune and Przeworksi 1970: 32-34; Della Porta 2008; Keman and Pennings 2014), although we recognise its limitations in a world of multiple causalities.

Spain and the UK are a common comparison in the literature on nationalism and territorial politics (see, for example, Keating 2001; Keating et al. 2003; Guibernau 2006; Swenden 2006; Swenden and Toubeau 2013). The two have a number of significant similarities and differences. For the purposes of explaining different state responses to self-determination demands, we consider that the two cases share a number of key similarities and we seek to explain the variation by examining those which differ. The similarities are wide-ranging: Spain and the UK are west-European democracies; both have decentralised, asymmetric systems; both are plurinational, with claims in at least two territorially distinct communities of being separate political communities; both have conservative governments at the centre which draw support on the issue of state unity; and in neither case is there a constitutional right to self-determination. Significant differences include the codified and rigid constitution in the Spanish case compared with the uncodified UK constitution, a factor which has been often considered the primary reason for the differing state responses. The predominantly plurinational conception of the union in the UK, where claims to Scottishness and Britishness reside simultaneously, often within the concepts, is also in contrast with a principally mononational conception of the state in Spain. In Spain, the territorial agenda is a salient electoral issue and a matter of party competition also at the state-wide level. There are also relevant differences with regard to the secessionist units themselves. For instance, when it comes to their relative demographic and economic weight vis-à-vis the rest of the state, Scotland has a population share of only 8.2% and a GDP share of 8% against 16% and 20% for Catalonia.

Our research approach focuses on examining three factors or *explanans* with may potentially explain the variation: the role of the constitution; the (contested) conceptions of state; and political opportunism. We adopt a contextualised approach, exploring the relevance of these factors as they play out in the specific British and Spanish legal and political contexts. We treat the three factors as institutional, ideational, and strategic opportunity structures delimiting the acceptable framework within which state responses can be articulated. We adopt a form of 'Occam's Razor', systematically going through competing explanations, reducing them in the process, and settling upon the most persuasive and parsimonious: political opportunism. While this is a case-oriented comparison and we do not claim to draw conclusions beyond the two cases we examine, we are satisfied that the analysis provides a high level of internal

validity and that it provides general insights for the fields of nationalism studies and territorial politics about the factors explaining the resistance or accommodation of independence referendum demands in similar contexts.

Responses to Demands for Independence Referendums in Spain and the UK
Resistance: The Position of the Spanish Government

The Spanish Government has consistently maintained that there cannot be a Catalan independence referendum. The dominant argument is that the Spanish constitution enshrines the indivisibility of the Spanish nation and establishes that national sovereignty belongs to the Spanish people as a whole. As a result, even if there were to be a referendum, the franchise should extend across the whole of Spain and not be limited to Catalonia. A Catalan referendum would be 'an illegal act' and a 'violation' of national sovereignty, according to Spanish PM Mariano Rajoy (Calleja 2017). In its 2015 manifesto, the PP stressed that 'the unity of the Spanish nation is the principle grounding our democracy' and that the party 'guarantees and will always guarantee that neither Spain nor our national sovereignty be chopped' (PP 2015: 7). Facing demands for a Catalan referendum which are typically grounded on democratic arguments, the Spanish Government's answer equated law-enforcement with democracy. Indeed, the Spanish Vice-President Soraya Sáenz de Santamaría has repeatedly argued that there is no democracy beyond the law (EFE 2014). The Spanish government explicitly rejected the Scottish precedent precisely on the grounds that Spain, unlike the UK, has a written constitution that enshrines the unity of the state.

The focus on the unconstitutionality of a Catalan referendum and the need to obey the law is complemented with references to the dramatic consequences of independence itself. Spanish Prime Minister Rajoy has argued that Catalan independence would be detrimental for Catalans as it would imply the exit from the European Union, the common market, and the Euro (Rodríguez 2017). There have also been calls for preserving the emotional and cultural ties binding Catalans and the rest of Spaniards after centuries of living together. The combination of the legal argument and the political preference is best captured by Rajoy's recurrent answer that he 'cannot and does not want to' allow the holding of a Catalan independence referendum (Moncloa 2017). The Spanish Government's position is shared by all state-wide parties except the leftist coalition *Unidos Podemos* (Together We Can). This coalition is formed by *Podemos*, United Left, and smaller parties.

In April 2014, a delegation of the Catalan Parliament formally asked the Spanish Parliament to transfer the powers to hold a legal referendum to Catalonia, a demand that echoed the mechanism used by the UK Government to transfer the competence to the Scottish Parliament. Under the current Spanish constitution, referendums can only be called by the central government in Madrid. An overwhelming majority of 299 Spanish MPs voted against it, including the main opposition Socialist party –PSOE, and only 46 voted in favour. After the 2015 Spanish election, one of the reasons why a leftist

coalition between *Podemos* and PSOE with the external support of other parties did not materialise is that *Podemos* established the holding of a Catalan independence referendum as a *sine qua non* requirement to form a government, while the PSOE opposes such a referendum.

The strategy of the Spanish Government has mostly consisted of resorting to challenges via the Constitutional Court. In September 2014, the Catalan Parliament passed a law on non-referendum popular consultations to hold a non-binding independence vote on 9 November 2014. The Spanish Government challenged the law in the Court, which ruled the vote illegal five days before it was held. However, the Government ultimately tolerated the vote when the Catalan Government called it on the basis of article 40.2 of the law, which had not been appealed by the Spanish government. The vote, which came to be known as the 'participation process', was more an act of protest by the pro-independence side than a decisive test on independence as it was boycotted by most unionists (Liñeira and Cetrà 2015: 263). In March 2017, then-President Artur Mas was found guilty by Catalonia's High Court of disobeying the Spanish Constitutional Court and was fined and banned from holding public office for two years (García 2017). Three other members of the Catalan Government were also found guilty and, in October 2017, the then-President of the Catalan Parliament, Carme Forcadell, was indicted for contempt and neglect of duty for allowing the pro-independence 'roadmap' to be put to a vote in July 2016.

Partly as a result of the Spanish Government's unaltered position, there was a progressive shift in the discursive focus of the Catalan pro-independence camp. The initial demand of 'the right to decide' (that is, exercising self-determination by holding an independence referendum) was progressively replaced with the goal of independence, although both still coexist ambiguously in the pro-independence discourse. This shift enhanced divisions within the pro-independence camp. After the 2014 'participation process' there were public disagreements between CDC (Democratic Convergence of Catalonia) and ERC about the next step. The 'plebiscitary elections' in November 2015 set the far-left pro-independence CUP as kingmaker as the Together for Yes (JxS) pro-independence coalition fell short of a majority. The CUP vetoed Mas's candidacy due to profound ideological disagreements, thus fulfilling their electoral promise of not re-electing him as president. JxS and the CUP struck a deal the day before the deadline which allowed CDC to keep the presidency with Carles Puigdemont while the CUP secured a parliamentary majority for JxS (Martí and Cetrà 2016).

Another consequence of the shift from demanding a referendum to seeking independence was the emergence of tensions between the parties supporting independence outright and the parties supporting the principle of a referendum but not necessarily independence – this is the case with regards to the Catalan Greens (IC-V), the Catalan branch of *Podemos*, and other small parties.. The need for large political majorities within Catalonia, together with the difficulties of achieving unilateral independence, contributed to the Catalan Government's decision to shift back the focus

to the referendum. On October 1ˢᵗ 2017, the Catalan government held an independence referendum in which voters were asked the question 'Do you want Catalonia to become an independent state in the form of a Republic?'. The vote was opposed by the Spanish government on the same grounds than the 2014 poll and the Constitutional Court suspended the referendum law. The Catalan government estimated the final turnout to be 43% (2.3 million). Among those who voted, 90.2% voted Yes and 7.8% voted No. The vote and the reaction by the Spanish Government, which sought to stop the vote through police intervention, deepened the constitutional crisis to levels without precedents in democratic Spain. At the time of writing, this is an ongoing dispute. The Spanish Government imposed direct rule on Catalonia and called an early election in Catalonia on the 21ˢᵗ of December 2017.

Accommodation: The Position of the UK Government
In contrast with the position of the Spanish Government, the UK Government allowed the Scottish Parliament to organise and hold an independence referendum in September 2014. The relationship between the UK Government and Parliament at Westminster and the devolved institution at Holyrood in Edinburgh in relation to the constitutional question is more flexible than that of their Spanish counterparts. The caveat here is that this position has changed recently, a point to which we will return later. The debate in Scotland accelerated when the SNP were elected to minority government in 2007, establishing a consultation to consider independence and to engage the civil service and the public in the debate (Harvey and Lynch 2012: 92). Rather than ignoring the issue, the unionist parties in Scotland engaged in the debate – albeit on their own terms, with their own commission – and when the SNP returned a majority in 2011, that engagement in the debate became more formalised.

The 2014 referendum was organised with the full support of the Conservative-Liberal Democrat UK Government, with the rules governing its operation outlined in a document which became known as the Edinburgh Agreement (2012). Between the two governments, decisions were made upon the franchise for the referendum, the number of options and questions allowed on the ballot, and a deadline by which the vote had to be held, with the power transferred to the Scottish Parliament via a Section 30 Order. A staunch Unionist with Scottish ancestry, the then-Prime Minister David Cameron presented his arguments to accede to a referendum in a 2014 speech:

> *"I felt, as the prime minister of the UK, I had a choice. I could either say to them 'well you can't have your referendum, it is for us to decide whether you should have one.' I think that would have led to an almighty and disastrous battle between the Westminster parliament and the UK government and the Scottish government and the Scottish first minister. So I did what I thought was the right thing, which was to say 'you voted for a party that wants independence, you*

should have a referendum that is legal, that is decisive and that is fair.'" (Watt 2014).

Cameron was not afraid to allow the public's view on significant constitutional issues to be heard and actioned: he held referendums on electoral reform, additional powers for the Welsh Assembly, Scottish independence, and EU membership (Qvortrup 2015: 35). While – as the quote above suggests – he was able to portray this positioning as magnanimous and respectful to democratic ideals, much of this was informed by what he saw as 'low risk, high reward' politics. The topics he put to the public were easy wins for him as his own positioning was broadly in line with public opinion. Polls suggested that only 30% of the Scottish public supported independence, and a referendum was an easy way to defeat the SNP and independence while also strengthening his democratic credentials: multiple wins (Qvortrup 2015: 36-37).

With a turnout of 84.6%, the referendum engaged the population at a record level for an election or referendum under universal suffrage. The outcome – the defeat of the independence proposal by 55.3% to 44.7% – saw just over 2 million people vote to remain in the UK, against 1.6 million who voted to leave. Nevertheless, the UK General Election in May 2015 strengthened the SNP's hand on the constitutional question after the party's remarkable performance (Harvey and Cetrà 2017). While in 2010 the party had secured 6 seats in constituencies which had historically seen high support, in 2015 the SNP returned 56 of Scotland's 59 MPs, reducing Labour, the Conservatives and the Liberal Democrats to a solitary Scottish seat each. Herein, a clear message: Scottish voters were not convinced by independence, but did support the SNP as a means of ensuring that, in the party's words, 'Scotland's voice would be heard' in Westminster (Harvey 2015). The 2016 Scottish Parliament election saw the SNP returned to government in Scotland, albeit as a minority. However, the increase in seats for the Scottish Greens (+4) has maintained a pro-independence majority among MSPs (Anderson 2016).

The UK Government sought to dampen support for independence by further extending autonomy to the Scottish Parliament. The taxation provisions of the Scotland Act 2012 were enacted after the 2016 election, and further powers were devolved in the aftermath of the independence referendum and the Smith Commission, the latter a key promise made by the Unionist parties to provide more power to the Scottish Parliament in the event of a vote to remain in the UK. The UK Government's intention on the constitutional issue was to seek to accommodate demands for further autonomy within the framework of devolution and to allow the Scottish Parliament the opportunity to legislate freely within its areas of competence. This position was detailed fully in an agreement reached between the Scottish Government and the UK Government in February 2016 (HM Government/Scottish Government 2016).

However, in the wake of the EU referendum in which Scotland's vote to remain was overruled by the UK-wide vote to leave, the Scottish First Minister Nicola Sturgeon

noted that Scotland's view had not been respected, and that for her, all constitutional options were 'on the table', including a second independence referendum (Sturgeon 2016). When the Scottish Government's recommendations on EU negotiations were ignored by the UK Government, the First Minister went further and indicated her intention to begin a process that would allow Scotland to hold a second independence referendum by the end of spring 2019. The UK Prime Minister Theresa May, who replaced David Cameron after the EU referendum, responded by saying 'now is not the time' (Johnson 2017), implying that consent for a second referendum would not be withheld indefinitely, but that consent would not be forthcoming in short order. Nevertheless, in March 2017 the Scottish Parliament gave its backing for a Section 30 Order, which would again temporarily transfer the power to hold a referendum to the Scottish Parliament. Since those developments, Theresa May sought her own mandate as PM, but failed to secure a majority in a hastily-arranged 2017 General Election. The SNP lost ground – falling from the 56 seats won in 2015 to 35, albeit still retaining a majority of Scottish MPs – while the Conservative resurgence in Scotland (+12) was not enough to deliver a majority for the PM at UK level. The UK Government position on a second referendum has hardened, taking a more intransigent line reminiscent of the Spanish government's position on a Catalan vote, and therefore the variation in state responses that we saw in 2014 has now diminished.

Explaining Accommodation and Resistance in the UK and Spain
Institutional Factor: The Constitution
This factor refers to whether it is legal for Catalonia and Scotland to hold independence referendums. The variation in the responses of the two central governments might be explained because the Spanish written constitution clearly prohibits independence, while the UK lacks a codified constitution which allows for a much more flexible constitutional practice. The arguments provided by the Spanish Government in relation to the Catalan demand point to this factor. We argue that, while this factor provides significant weight to the explanation, it is not determinant.

Control over constitutional matters is a reserved competence in both cases. Nevertheless, the UK government ceded temporary control over the issue to the Scottish Parliament in 2014, a development with no constitutional precedent in the UK. The historical and conventional conception of sovereignty lying with the 'crown in parliament' means that Westminster *retains* the power to overrule the Scottish Parliament on both reserved and devolved matters (Scotland Act 1998). This principle was reinforced through the UK Supreme Court's judgement on Miller v the Secretary of State for Exiting the European Union (24 January 2017). The Scottish Government had sought involvement in the negotiation process, but this was denied by both the UK Government and the Supreme Court, according to which the UK Government would be the sole representative of the UK in these discussions although the UK Parliament would have a final say on the agreed deal. Using the Edinburgh Agreement as a precedent, the

Scottish Government insisted that the UK Government had been prepared to share sovereignty on that occasion and should be prepared to do so in this case. The rejection of this demand is more in line with the traditional, Diceyan conception of sovereignty that the UK Parliament is sovereign and that sovereignty should not be shared. Further, Dicey argued that 'in theory, parliament has total power', a principle that, though not without contestation, suggests that even with the establishment of the devolved institutions, the UK Parliament remains the supreme legal authority in the UK (Dicey 1885). As a result, it is unlikely that any referendum on independence could occur without the prior agreement of the UK Government – an agreement that appears not to be forthcoming in the immediate future.

This is an important point because it emphasises the fact that the flexibility of the constitution only plays a partial role in allowing for such shared competence. The UK constitution relies on precedent and convention, and referendums tend to be utilised in an *ad hoc* manner when it is perceived to be in the interests of the government (House of Lords 2010). Thus, the UK government's commitment to allowing the component nations of the UK the opportunity to exercise self-determination is not an intrinsic part of the constitution, but a position arrived at to achieve the maximum possible political leverage. As noted above, a Section 30 order that gave the Scottish Parliament the temporary power to hold a referendum was a change to the constitutional competences of the institution. The flexibility afforded by the constitution allowed the UK Government to pursue this course with limited fuss. However, the minority SNP Government – in office from 2007-11 – had tried and failed to achieve the same concession from the UK Government prior to the Edinburgh Agreement.

In Spain, relevant sections of the 1978 Spanish written constitution appear to preclude a Catalan referendum. Crucially, the Spanish constitution declares 'the Spanish people' as the subject of sovereignty (CE 1978: art. 1.2) and establishes that 'the Constitution is based on the indissoluble unity of the Spanish Nation, the common and indivisible homeland of all Spaniards' (ibid: art. 2). The dominant jurisprudence of the Spanish Constitutional Court, at least since 2008, also appears to preclude a referendum. In its ruling 103/2008 on the Basque law to hold a popular consultation about opening a process of negotiation on 'political normalisation', the Court unanimously decided that any popular consultation affecting the subject of sovereignty requires a reform of the constitution. The Court has reiterated this decision in several occasions afterwards (see, for example, the ruling 31/2015). Constitutional reform is complex because the Spanish constitution is rigid, which means that the process for its reform is lengthy and complex. Indeed, its amendment requires a majority of 2/3 both in the Spanish Congress and the Senate, the calling of new elections, a majority of 2/3 in the two newly elected chambers, and approval via statewide referendum.

However, a number of constitutional specialists have suggested that there are constitutional channels to hold a legal independence referendum in Catalonia, although they concede that it would have to be consultative and non-binding – technically,

referendums in the UK are also consultative but, in practice, they are politically binding. This a technical debate among constitutional specialists and it is not our aim to explore its intricacies in detail here, but simply to show that there is not unanimity among experts on this matter, although we recognise that the view that an independence referendum is constitutionally possible is a minority position in the whole of Spain mostly advocated by Catalan constitutional lawyers. To illustrate, some draw attention to the possibility of transferring the competence to hold a consultative and non-binding referendum to the Catalan Government under article 150.2 of the Spanish constitution, which states that the State may transfer or delegate to the Autonomous Communities some of its powers (Arbós 2014). Francisco Rubio Llorente (2012) conceded that the Catalan Government cannot legally organise an independence referendum but argued that the Catalan Parliament should present an organic law proposal to authorise such referendum, a legal capacity recognised in the constitution. Others argue for using the procedure for consultative referendums in Article 92 of the Constitution, which states that especially significant political decisions may be submitted to referendum (Cagiao y Conde and Ferraiuolo 2016). Yet others draw on particular interpretations of the democratic principle enshrined in the constitution (Manifesto Catalan Lawyers 2017).

There is no doubt that constitutional differences between the two cases are relevant to explain the divergent reactions in Spain and the UK to demands for independence referendums. It is contentious whether a Catalan independence referendum could be legally hold under the Spanish constitution, and there is not a political majority to support the start the lengthy process of constitutional reform to allow a Catalan independence referendum. In light of the discussion above, however, we argue that the constitution is not a determinant factor to explain the variation. In the UK, temporary constitutional change was necessary to hold the 2014 Scottish referendum. Indeed, there is nothing intrinsic in British constitutional practice to suggest that demands for self-determination referendums should be addressed – and they have been ignored in the past, most recently when the SNP ran a minority government in Edinburgh between 2007 and 2011. In Spain, while it is clear that the constitutional design is much more dissuasive on this issue, accommodating the demand for a Catalan referendum is legally possible, whether within certain precepts and interpretations of the present constitution or with a new constitutional setting. The fact that legal aspects are not the whole story suggests that we must take into account political factors.

Ideational Factor: Conceptions of the State

This factor refers to whether the Spanish and the UK constitutional designs and their interpretations by political parties display a mononational or plurinational view of the state. The variation in the responses of the two central governments might thus be explained because in the UK there is a predominantly plurinational view of the state, in which Scotland is a nation with the right to self-determination, while in Spain the

dominant view is mononational. Here we argue that conceptions of the state is a critical but not a determinant factor either because there are multiple understandings of the union available in the two places.

Nationalism scholars and liberal theorists have persuasively argued that nationhood is pervasively institutionalised in the practice of liberal democracies (Brown 1999; Kymlicka 2001; Yack 2012; Dickhoff 2016: 33-49). Bernard Yack (2012: Chapter 1) has coined the useful notion of 'the myth of the civic nation' to make the point that the *practice* of liberal democracies is not only based on political notions such as choice and solidarity, which is the ideal of liberal *theorists*, but it also includes cultural elements and connections with pre-political identities. This puts into serious question notions such as 'constitutional patriotism' (Habermas 1992) which propose loyalty to liberal democratic principles as the basis of the nation. The audience for constitutionally-focused patriotism is not some random association of individuals united only by allegiance to universal principles, but rather a specific national community with its own inherited cultural and historical features. Nationalism is thus an integral part of state institutions, while majority nationalism consists in 'the articulation of a national community that usually has its core within the majority group and/or within the representations of the state's national identity as that group sees it (notably through the elites)' (Lecours and Nootens 2011: 10). In short, constitutions codify, rather than transcend, nationalism, and therefore explicitly legal arguments such as those of the Spanish Government are also inevitably political arguments comprising more or less implicit views over nationhood and sovereignty.

In the Spanish case, the constitution shows a dominance of the mononational view of the state but also a significant degree of ambiguity which leaves room to multiple possible interpretations of the national question (Balfour and Quiroga 2007: Chapter 3). The PP Government's legal argument is based upon particular precepts emphasising the idea of Spain as an 'indivisible nation', and implicitly, a lack of recognition of any distinct nations existing within the Spanish territory. As mentioned above, the 1978 Spanish constitution declares that the Spanish nation is 'based on the indissoluble unity of the Spanish Nation, the common and indivisible homeland of all Spaniards' (CE 1978: art. 2). Minority nations in Spain can be seen as 'nationalities' but not nations, as Spain as a whole is the only nation. In these precepts, the Spanish nation is understood in homogeneous terms, a group of citizens as opposed to the sum of different peoples or nations (Álvarez Junco 2016: 192). The predominance of the majority identity is also reflected in the linguistic issue, a politically sensitive matter in Spain, as Article 3.1 declares Castilian the only official language throughout the state, which all Spaniards have the duty to know.

There is, however, a significant degree of ambiguity in the Spanish constitution which allows for alternative national narratives to coexist, embedded in turn in different historical conventions and understandings about the nature of the state (Herrero de Miñon 1988, Álvarez Junco 2016: Chapter 3). The constitution does not declare Spain to

be a plurinational state, but the reference to the right to self-government for 'the nationalities and regions of which [Spain] is composed' may be interpreted as the signal of a source of authority that precedes the constitution (Martínez-Herrera and Miley 2010: 8). This interpretation could be supported by the fact that the Catalan government was re-established in 1977 before the passing of the Spanish Constitution, thus creating a link to Catalonia's constitutional past. Indeed, the key ambiguity lies in the uncertain meaning of the term nationalities, a versatile semantic tool at the time given that 'any reference to the existence of other nations within the Spanish nation would have been anathema for the right and the armed forces, while the demotion of the status of Catalonia, the Basque Country, and Galicia to regions would have been unacceptable to the regional nationalists and the left' (Balfour and Quiroga 2007: 52). There are also references in the Spanish constitution to the 'peoples' of Spain in several passages, and there are calls to respect and protect Spain's cultural richness in the Preamble and in Article 3. Finally, many expected that the distinction between 'nationalities' and 'regions' would result in asymmetrical federal decentralisation that would *de facto* grant national recognition to minority nations (see Tierney 2004: 198-205; Guibernau 2004: Chapter 4).

The ambivalence or duality of these constitutional precepts reflects the general willingness to reach a compromise after Franco's Dictatorship (1939-75), the competing views of the constitutional committee over nationhood and sovereignty, and the correlation of political forces in 1978 (Heywood 1995). The disagreement about whether Spain contains one or more nations remains unsolved, and national recognition has arguably been the main historical demand of Catalan nationalism, together with linguistic and cultural protection. This has changed in recent years with the rise of the referendum and independence agendas. As suggested in the previous section, the PP's party ideology is strictly mononational (PP 2015) while the leftist coalition *Unidos Podemos* is the only state-wide political force defending that Spain is plurinational and that Catalans are a distinct people with the 'right to decide' their political future in a referendum (Iglesias 2017). In June 2017, the PSOE adopted in its party congress the plurinational character of the state and the need for a federal reform of the constitution, but crucially added that sovereignty lies in the Spanish people as a whole and continues to oppose a Catalan referendum (Sánchez 2017).

Catalonia's position in terms of symbolic recognition is very different than that of Scotland. For, despite the lack of a single, codified constitution, Scotland's acceptance as a nation within the UK has never been in serious doubt (Bogdanor 1999: 115; Harvey 2017: 152). The UK's argument with regards to Scotland is that it accepts the principle of Scotland as a nation, and broadly accepts its right to self-determination, though not without caveats. This is not a new circumstance – previous Conservative Prime Ministers Margaret Thatcher and John Major accepted that Scotland could secede from the Union (Keating and McEwen 2017: 9). Indeed, there has even been acceptance that Scotland could be a *successful* independent country from UK-wide politicians opposed to

independence; the argument made is that it should not *want* to (Cameron 2012; Darling 2012). Much of the 'Unionist' argument focuses upon the idea of the UK as a 'Union of Nations', of Britishness as an overarching identity, with Scottish, Welsh or English identities not inconsistent with the idea – indeed, a plurinational approach to identity has long operated in Northern Ireland (Keating 2001). Multiple national identities are unproblematic for the UK state, which is happy to incorporate and accommodate these attitudes if it helps to maintain the Union. Former Prime Minister David Cameron made regular interventions emphasising his family belong to clan Cameron, whose motto 'let us unite' played explicitly to his argument in favour of the Union (Cameron 2014), while his predecessor Gordon Brown also made much of his dual Scottish and British identities (Brown 2006). Theresa May has continually made reference to the UK as a 'family of nations' and a 'Union of nations', emphasising unity despite differences in national identity (May 2017). This appeal to unionism is, in contrast with the Spanish case, not a predominantly legal argument but an appeal to emotional and historic ties that bind the nations within the state. The argument points to the fact that there is no constitutional barrier to secession, and constitutional change can occur – and, in fact, has occurred – in order to facilitate the possibility. In short, this conception speaks to a perception of the political union influenced by a more plurinational approach than the one mobilised by the Spanish Government.

By contrast, there is a strand of British nationalism that, although not explicitly rejecting the status of nations for the constituent units, places them very much secondary to a more uniform and centralised concept of Britishness. This strand takes two broad forms. First, there is the version characterised by Ed Miliband's 'One Nation' mantra when he led the Labour party (Miliband 2012). He emphasised the ties that bind the respective aspects of British identity, playing upon the institutions and shared values of the British state. Gordon Brown's comments about 'British jobs for British workers', although more concerned with economic ideals, would also fit this conception – a more solidly collectivist approach to identity across the island(s) (Brown 2006). This type of nationalism is less overt – a left-of-centre attempt to promote collectivism and solidarity across a broader populace. A second, more recent, conception focuses on internal solidarity as a means of promoting British interests in the negotiations on exiting the EU. Again, internal differences are not explicitly ignored but rather their importance is diminished in pursuit of a more unified conception of Britishness. Although Nigel Farage and UKIP have seen their electoral fortunes slide in the aftermath of the UK vote to leave the EU, this concept of Britishness is very much derived from their public pronouncements and can be seen in more contemporary Conservative rhetoric. Foreign Secretary Boris Johnson in particular has ploughed this furrow, arguing that leaving the EU meant the UK could finally 'let the British lion roar' (Johnson 2017). This is a much more overtly nationalist position, homogenising the identity and utilizing the EU as the 'other' which British nationalism should be defined against. Thus, while there is broad acceptance of the *idea* of plurinational identity in the UK, the promotion of a more

formal 'British' identity has become increasingly common in political debate, particularly in the period since the EU referendum, and chimes more with the primarily mononational conception of the state in Spain.

In conclusion, conceptions of the state is a critical factor in explaining the variation because legal precepts codify particular conceptions of the state and, in turn, political elites mobilise specific precepts to suit their understandings of the political union. However, conceptions of the state is not determinant in explaining the variation. While we have shown that mononationalism dominates in Spain and plurinationalism in the UK, in both cases there are different views of the political community available. As adopting and defending one conception or the other is ultimately the choice of political elites, we need to consider their calculations and incentives.

Strategic Factor: Political Opportunity

This factor refers to the strategic calculations of the ruling parties in Spain and the UK in order to maximise their political advantage. Drawing on insights developed by scholars in territorial politics (Meguid 2008; Alonso 2012; Toubeau and Massetti 2013), we identify two interrelated dimensions through which we can appraise the two cases. The first are *the strategic calculations of the ruling elites vis-à-vis the incentives created by the party system*. The second are *the strategic calculations created by the dynamics of party competition*. Political elites make decisions following a set of interests and objectives, and here we focus on their electoral logic of action (Toubeau and Massetti 2013: 302). This logic is driven by the vote and office-seeking goals of parties, and the point is that the positions of the two central governments reflect strategies that seek to maintain their dominant position in their party systems vis-à-vis the pressures of party competition. We take the view that party strategies as defined by *both* issue position and issue saliency, while the ideology of the party determines whether the party's primary dimension of electoral competition is the territorial or the ideological (Alonso 2012: 13-40). In relation to strategic incentives, we draw on Meguid's (2008) expectation that state-wide parties threatened by minority nationalist parties will respond by accommodating their demands in order to maximise their share of the vote and to undermine minority nationalist parties' ownership of the national issue. Minority nationalist parties belong to a party family characterised by a shared commitment to sub-state territorial empowerment (Hepburn 2009) vis-à-vis state institutions. Conversely, state-wide parties not threatened by minority nationalist parties may adopt an adversarial strategy. To these two dimensions we add a third one, *the incentives created by public attitudes*, as we consider the views of the public – both within and outwith the territory demanding self-determination.

The PP and the Conservative party are both centre-right state-wide parties which have traditionally been electorally unsuccessful in the minority nation, as evidenced by their share of the vote in local and sub-state elections in Catalonia and Scotland in relation to their electoral performance in the rest of the state. This is consistent with

scholarship suggesting that devolution results in a distinct political arena in which minority nationalist parties tend to do well (Trench 2008: 21). Indeed, the two state-wide parties are in opposition in Catalonia and Scotland and do not face strong prospects of incumbency. The strategic positioning of the Catalan branch of the PP, the Catalan Popular Party (PPC), mirrors that of the state-wide party in adopting a strong position in favour of the unity of the state and in making of it a salient issue of the party discourse. Yet, the PPC has become a marginal party in Catalan politics since Citizens (C's) has overtaken their role as the main party 'owning' the issue of the unity of Spain and the constitutional order, at least in Catalan elections. As the PPC competes with C's for the Catalan unionist political space, rather than with Catalan nationalist parties, the PP does not risk incurring in severe electoral losses by adopting a rigid stance on the demand for a Catalan independence referendum.

Should the PP be willing to accommodate the demand for a referendum, the party would likely face severe electoral competition from C's at the Catalan level and from this party and the PSOE at the Spanish level. Given that the territorial agenda is a salient electoral issue and a matter of party competition in Spain, these parties would present the move as a 'concession' to the 'separatists', and the PP could experience a loss of votes as the party's core voters would feel that the party leadership is sacrificing the party's ideology. Playing the adversarial card also helps the PP to increase the salience of the issue of territorial integrity in elections, which features prominently in the party's ideology. In short, on this issue the PP does not face a tension between ideological purity and marginal vote-seeking (Toubeau and Massetti 2013: 306). Vote-seeking calculations and the party's conception of the state incentivise the PP to maintain their uncompromising position on the matter, while (their interpretation of) constitutional precepts provides a further constraint and a discursive justification for their position.

The position of the Conservative party can be contextualised in a similar but slightly different way. The decline of the party in Scotland through the 1980s and 1990s left them with no Scottish MPs in 1997. The proportional electoral system in the Scottish Parliament allowed for some recovery, but they remained weak in state-wide elections in Scotland – until a moderate recovery in June 2017. David Cameron's 2012 agreement to hold an independence referendum was predicated upon his view that the Union would win a crushing victory, and that the demand for independence could be completely defeated. He was willing to take on what he believed was a low risk referendum for a high reward, as the advantage to the then-PM was twofold: he could maintain the unity of the UK while also providing a significant boost to his party's position in Scotland's party system. Here we can clearly see the dynamics of party competition influencing the strategic considerations of the governing party. The strategic decision of the PM was to take the opportunity to fatally wound the SNP and return the more conservative elements of their support to his party.

The current UK Government takes a less accommodating view of the referendum question. Any acceptance of a second independence referendum by the UK Government would be a very risky venture because the independence option would begin any new referendum campaign from a base level of support of 45%. Therefore, the Conservative party is placing more emphasis on opposing a second referendum than on opposing independence, a position that falls closer to that of the Spanish Government. The defeat in the EU referendum, where they had expected to triumph and did not, has also contributed to the adoption of a position of resistance. At the sub-state level, the Scottish Conservatives have ceded the Scottish nationalist vote to the SNP and have focused more exclusively on the Union as the party's 'primary dimension of competition' (Alonso 2012), heavily promoting their position as its main defenders. The party have outflanked Labour, positioning themselves as the primary exponents of the 'no second independence referendum' argument. Electorally, this has been a successful shift, and in the 2017 election they were rewarded with their best return of MPs since 1983. The electoral profitability of 'owning' the issue of the defence of the Union and opposing the SNP has underlined the shrewdness of this tactic, with Labour and the Liberal Democrats failing to mobilise as strongly on the issue. The electoral competition in this case is rather similar to that occurring in Catalonia and, as a result of both the Conservatives and the PP focusing on unionist voters, neither party is unduly threatened by the pro-independence parties nor damaged by their position.

In terms of public opinion, while we consider it to play a role in pushing political leaders in a particular direction, we argue that its role is secondary to political competition and party systems, and governments invoke it when they see it as justifying their stance. In addition, public opinion in the UK has been very volatile on this issue. There was widespread acceptance across the UK prior to the 2014 vote that Scotland should be able to hold a referendum (What Scotland Thinks 2012). In Catalonia, support for the right to hold a referendum amounts to around four-fifths of the electorate, while opinion in the rest of Spain constitutes a majority (65%-35%) against allowing a referendum (MyWord 2017), which results in an added constraint for the Spanish government. In both cases the responses of the two central governments were in tune with the majority of the population that they represent. However, since the Scottish referendum there has been a hardening of public opinion across the UK on this matter, which appears to be in line with the less accommodating position of the present Conservative Government. By May 2015, the majority view (52%) in England and Wales was that the UK Government should block a second independence referendum if it were to be requested before 2020 (What Scotland Thinks 2015). In addition, the potential for a Labour-SNP coalition in the aftermath of the 2015 UK General Election clearly damaged Labour electorally in England. Thus, currently public opinion across the state in both cases opposes an independence referendum and both state-wide parties are in tune with their wider publics on this issue.

Conclusion

In this article, we have sought to explain why the UK Government permitted the 2014 Scottish independence referendum while the Spanish Government opposes a similar referendum in Catalonia. We challenged the view that these responses are exclusively the result of the rigid Spanish constitutional setting compared with the flexibility of the UK constitution, suggesting that the legal constraints are relevant but not determinant to explain the variation. Our main argument has been that the necessary explanatory factor is perceived political opportunity by the two ruling parties. These are embedded in different constitutions and different conceptions of the state, mostly mononational in Spain and mostly plurinational in the UK but multiple and contested in both cases.

The findings suggest that agreed independence referendums agreed with the central government will continue to be rare events. The UK is comparatively exceptional in having a non-codified constitution and a predominantly plurinational view of the state, indeed a *union* of different political communities. We find this to be a generally favourable context in which central governments may acquiesce with independence referendums *if* they consider them to result in political advantage. Even if the PP considered that deploying an accommodating response would generate an optimal pay-off, the party would be constrained by a party ideology averse to plurinationalism and territorial accommodation and a restrictive constitutional setting on the issues of territorial integrity and constitutional reform. Institutional and ideational flexibility are thus favourable conditions to accept independence referendums, but not sufficient factors. This is best shown by the fact that it is no longer the case that the UK Government perceives a political advantage in accommodating the demand for a Scottish referendum, as a result of which it has adopted a position of resistance.

In comparative terms, it is difficult to imagine many situations in which ruling parties would maximise their electoral results by allowing the possibility of state disintegration. In addition, mononational views of the state are common in other contexts, and codified constitutions without the right to self-determination are the norm. The case of the UK in the period 2012-14 can thus be seen as exceptional because the explanatory constellation of institutional, ideational and (crucially) strategic factors were in place to accommodate the demand of an independence referendum. Of course, ruling parties may adopt more pluralistic conceptions of the state and may try to make legal frameworks more accommodating to self-determination demands. However, the close examination of the Spanish and UK cases suggests that central governments will continue to oppose independence referendum demands unless they perceive a powerful strategic incentive to accommodate such demand.

References

Alonso, Sonia (2012) *Challenging the State: Devolution and the Battle for Partisan Credibility: A Comparison of Belgium, Italy, Spain, and the United Kingdom*, Oxford, Oxford University Press.

Álvarez Junco, José (2016) *Dioses útiles: naciones y nacionalismos*, Galaxia Gutenberg.

Anderson, Paul (2016) 'The 2016 Scottish Parliament election: a nationalist minority, a Conservative comeback and a Labour collapse' *Regional and Federal Studies*, 26: 4, 555-568.

Arbós, Xavier (2014) 'Els limits naturals i els artificials de l'article 150.2 CE', *Revista Catalana de Dret Públic*. Available at https://eapc-rcdp.blog.gencat.cat/2014/02/17/929/ [Accessed 15 December 2017]

Balfour, Sebastian and Alejandro Quiroga (2007) *The Reinvention of Spain: Nation and Identity since Democracy*, Oxford University Press.

Basta, Karlo (2017) 'The state between minority and majority nationalism: Decentralization, symbolic recognition, and secessionist crises in Spain and Canada', *Publius: The Journal of Federalism*, 48:1, 51-75.

Barrio, Astrid and Juan Rodríguez-Teruel (2017) 'Reducing the gap between leaders and voters? Elite polarization, outbidding competition, and the rise of secessionism in Catalonia', *Ethnic and Racial Studies*, 40:10, 1776-1794.

Boylan, Brandon M (2015) 'In pursuit of independence: the political economy of Catalonia's secessionist movement', *Nations and Nationalism*, 21:4, 761-785.

Brown, David (1999) 'Are there good and bad nationalisms?', *Nations and Nationalism*, 5:2, 281-302.

Brown, Gordon (2006) 'The future of Britishness' *Speech to the Fabian Society 'Future of Britishness' conference*, 14 January 2006, London, transcript available at: http://www.sneps.net/t/images/Articles/06brown%20-%20fabian%2006%20-%20The%20future%20of%20Britishness.pdf [accessed 13 December 2017].

Burg, Steven L. (2015) 'Identity, grievances, and popular mobilization for independence in Catalonia', *Nationalism and Ethnic Politics*, 21:3, 289-312.

Cagiao y Conde, Jorge and Gennaro Ferraiuolo (eds.) (2016) *El Encaje Constitucional del Derecho a Decidir: Un Enfoque Polémico*, Madrid: La Catarata.

Calleja, Mariano (2017) 'Rajoy ve "absurdo" que los independentistas pretendan celebrar un referendum que es ilegal', ABC newspaper, 01/02/2017. Available at: http://www.abc.es/espana/abci-rajoy-absurdo-independentistas-pretendan-celebrar-referendum-ilegal-201702011121_noticia.html [Accessed 15 December 2017]

Cameron, David (2012) 'Speech on Scottish independence' 16 February 2012, Edinburgh, transcript available at: https://www.newstatesman.com/uk-politics/2012/02/united-kingdom-scotland-world [accessed 11 December 2017].

Cameron, David (2014) *The importance of Scotland to the UK*, speech given at the London Velodrome, 7 February 2014.

CE (1978) Spanish Constitution. Available at: http://www.congreso.es/portal/page/portal/Congreso/Congreso/Hist_Normas/Norm/const_espa_texto_ingles_0.pdf [Accessed 15 December 2017]

Cetrà, Daniel and Malcolm Harvey (2017) 'The Song Remains the Same? Constitutional Developments in Catalonia and Scotland in 2015', *European Yearbook of Minority Issues*, Volume 14, 155-170.

CiU (2012) Convergència i Unió 2012 Manifesto *Programa electoral 2012: Catalunya 2020*. Available at: http://blogs.deusto.es/programasaldesnudo/wp-content/uploads/2012/10/CAT_2012_CiU.pdf [Accessed 15 December 2017]

Curtice, John (2011) 'The 2011 Scottish election: records tumble, barriers breached', *Scottish Affairs*, 76:1, 51-73.

Darling, Alistair (2012) 'Why Scotland should stay a partner in the United Kingdom', *The Guardian,* 27 June 2012. Available at: https://www.theguardian.com/commentisfree/2012/jun/27/scotland-partner-united-kingdom [Accessed 15 December 2017].

Della Porta, Donatella (2008) 'Comparative analysis: case-oriented versus variable-oriented research' in Donatella Della Porta and Michael Keating (eds.) *Approaches and methodologies in the social sciences*, 198-222, Cambridge University Press.

Dicey, Albert Venn (1885) *The Law of the Constitution*, Oxford, Oxford University Press.

Dieckhoff, Alain (2016) *Nationalism and the Multination State*, C. Hurst & Co. Publishers.

Edinburgh Agreement (2012) 'Agreement between the United Kingdom Government and the Scottish Government on a referendum on independence for Scotland'. Available at http://www.gov.scot/Resource/0040/00404789.pdf [Accessed 15 December 2017]

EFE (2014) 'Sáenz de Santamaría: "No habrá referéndum en Cataluña"', 30/03/2014. Available at http://www.elperiodicoextremadura.com/noticias/espana/saenz-santamaria-no-habra-referendu-cataluna_795542.html [Accessed 15 December 2017]

Gagnon, Alain G., André Lecours and Geneviève Nootens (eds.) (2011) *Contemporary Majority Nationalism*, McGill-Queen's University Press.

García, Jesús (2017). 'Mas, inhabilitado por desobedecer el 9-N', El País newspaper, 13/03/2017. Available at: http://ccaa.elpais.com/ccaa/2017/03/13/catalunya/1489398015_945194.html [Accessed 15 December 2017]

Gillespie, Richard, and Caroline Gray (eds.) (2015) *Contesting Spain? The Dynamics of Nationalist Movements in Catalonia and the Basque Country*, Routledge.

Guibernau, Montserrat (2004) *Catalan nationalism: Francoism, transition and democracy*, Routledge.

Guibernau, Montserrat (2006) 'National identity, devolution and secession in Canada, Britain and Spain', *Nations and Nationalism*, 12:1, 51-76.

Habermas, Jürgen (1992) 'Citizenship and national identity: some reflections on the future of Europe', *Citizenship: Critical Concepts* 2, 341-358.

Harvey, Malcolm (2015) 'A tale of two countries', *Scottish Left Review*, 86: 15.

Harvey, Malcolm (2017) 'The small state argument' in Michael Keating (ed.) *Debating Scotland: Issues of Independence and Union in the 2014 Referendum*, Oxford: Oxford University Press, 152-164.

Harvey, Malcolm, and Peter Lynch (2012) 'Inside the National Conversation: the SNP Government and the Politics of Independence 2007-2010' *Scottish Affairs* 80: 1 91-116.

Henderson, Ailsa, Charlie Jeffery, and Robert Liñeira (2015) 'National identity or national interest? Scottish, English and Welsh attitudes to the constitutional debate', *The Political Quarterly*, 86:2, 265-274.

Hepburn, Eve (2009) 'Introduction: Re-Conceptualizing Sub-State Mobilization', *Regional and Federal Studies*, 19:5, 477-99.

Herrero de Miñon, Miguel (1988) *Derechos históricos y constitución*, Madrid: Taurus.

Heywood, Paul (1995) *The Government and Politics of Spain*

HM Government and UK Government (2016) *The agreement between the Scottish Government and the United Kingdom Government on the Scottish Government's fiscal framework*, Scottish Government, Edinburgh, available online at: http://www.gov.scot/Resource/0049/00494765.pdf [accessed 13 December 2017].

HM Government (1998) *Scotland Act 1998*, London, The Stationery Office, available online at: http://www.legislation.gov.uk/ukpga/1998/46/schedules/enacted [accessed 13 December 2017]

House of Lords (2010) 'Referendums in the United Kingdom', Select Committee on the Constitution, *12th Report of Session 2009-10*, HL Paper 99.

Iglesias, Pablo (2017) 'Pensar el Estado para pensar Catalunya y España', 3 April 2017, Público newspaper, available at: http://blogs.publico.es/pablo-iglesias/1108/pensar-el-estado-para-pensar-catalunya-y-espana/ [accessed 15 December 2017]

Johnson, Boris (2017) 'Speech to Conservative Party Conference', 3 October 2017, Manchester, transcript available at: https://blogs.spectator.co.uk/2017/10/boris-johnsons-conservative-conference-speech-full-text/ [accessed 15 December 2017].

Johnson, Simon (2017) 'Theresa May tells Nicola Sturgeon "now is not the time" for second independence referendum', *The Telegraph*, 16 March 2017. Available

at: http://www.telegraph.co.uk/news/2017/03/16/theresa-may-formally-rejects-nicola-sturgeons-timetable-second/ [Accessed 15 December 2017].

Kaufmann, Eric, and Oded Haklai (2008) 'Dominant Ethnicity: from Minority to Majority', *Nations and Nationalism*, 14:4, 743-767

Keman, Hans and Paul Pennings (2014) 'Comparative Research Methods', in Daniele Caramani (ed.) *Comparative Politics*, Oxford University Press, 50-65.

Keating, Michael (2001) *Plurinational Democracy: Stateless Nations in a Post-Sovereignty Era*, Oxford: Oxford University Press.

Keating, Michael, John Loughlin and Kris Deschouwer (2003) *Culture, Institutions and Economic Development: A Study of Eight European Regions*, Edward Elgar.

Keating, Michael (2017) *Debating Scotland: Issues of Independence and Union in the 2014 Referendum*, Oxford: Oxford University Press.

Keating, Michael and Nicola McEwen (2017) 'The Scottish Independence Debate' in Michael Keating (ed.) *Debating Scotland: Issues of Independence and Union in the 2014 Referendum*, Oxford: Oxford University Press, 152-164.

Kymlicka, Will (2001) *Politics in the Vernacular: Nationalism, Multiculturalism and Citizenship*, Oxford: Oxford University Press.

Lecours, André and Geneviève Nootens (2011) 'Understanding Majority Nationalism' in Alain G. Gagnon, André Lecours and Geneviève Nootens (ed.) *Contemporary Majority Nationalism*, McGill-Queen's University Press, 3-20.

Liñeira, Robert and Daniel Cetrà (2015) 'The Independence Case in Comparative Perspective', *The Political Quarterly*, 86:2, 257-264.

Lluch, Jaime (2014) *Visions of Sovereignty: Nationalism and Accommodation in Multinational Democracies*, University of Pennsylvania Press.

McCrone, David (2017) 'Politics and National Identity' in *The New Sociology of Scotland*, SAGE, pp. 471-497.

Martí, David (2013) 'The 2012 Catalan Election: The First Step Towards Independence?', *Regional & Federal Studies*, 23:4, 507-516.

Martí, David and Daniel Cetrà (2016) 'The 2015 Catalan election: a de facto referendum on independence?', *Regional & Federal Studies*, 26:1, 107-19.

Martínez-Herrera, Enric and Thomas Jeffrey Miley (2010) 'The constitution and the politics of national identity in Spain', *Nations and Nationalism*, 16:1, 6-30.

May, Theresa (2017) 'Speech to Scottish Conservative conference' 3 March 2017, Glasgow, transcript available at: http://www.scottishconservatives.com/2017/03/theresa-may-speech-to-scottish-conservative-conference/ [accessed 13 December 2017].

Meguid, Bonnie (2008) *Party Competition between Unequals: Strategies and Electoral Fortunes in Western Europe*, Cambridge: Cambridge University Press.

Miliband, Ed (2012). *Untitled*, speech at Labour Party Conference, Manchester, 2 October, 2012.

Manifesto Catalan Lawyers (2017) 'Manifest de juristes a favor del dret dels ciutadans i ciutadanes de Catalunya a celebrar un referéndum per decidir el futur polític de Catalunya'. Available at http://collectiupraga.cat/wp-content/uploads/2017/03/Manifest-Refer%C3%A8ndum-30-signatures.pdf [Accessed 15 December 2017]

Moncloa (2017) 'España es la nación más antigua de Europa y hay voluntad mayoritaria de continuar juntos'. 27/02/2017. Available at: http://www.lamoncloa.gob.es/presidente/actividades/Paginas/2017/270217raj oyep.aspx [Accessed 15 December 2017]

Muñoz, Jordi, and Marc Guinjoan (2013) 'Accounting for internal variation in nationalist mobilization: unofficial referendums for independence in Catalonia (2009–11)', *Nations and Nationalism*, 19:1, 44-67.

MyWord (2017) 'Una ajustada mayoría prefiere una salida dialogada pero intervendría Cataluña si se salta la ley'. Available at http://cadenaser.com/ser/2017/04/03/politica/1491242416_479479.html [Accessed 15 December 2017]

PP (2015) *Seguir Avanzando 2016-2020: Programa electoral para las elecciones generales de 2015*. Available at http://www.pp.es/sites/default/files/documentos/programa2015.pdf [Accessed 15 December 2017]

Qvortrup, Matt (2015) *A Tale of Two Referendums: Elite Manipulation or Civic Engagement?*, London, The Constitution Society.

Pattie, Charles and Ron Johnston (2017) 'Sticking to the Union? Nationalism, Inequality and Political Disaffection and the Geography of Scotland's 2014 Independence Referendum', *Regional & Federal Studies*, 27:1, 83-96.

Resnick, Philip (2008) 'Hubris and Melancholy in Multinational States', *Nations and Nationalism*, 14:4, 789-807.

Rico, Guillem, and Robert Liñeira (2014) 'Bringing secessionism into the mainstream: The 2012 regional election in Catalonia' *South European Society and Politics*, 19:2, 257-280.

Rodríguez, Pedro (2017) 'Rajoy: "No voy a adelantar las elecciones, aunque no tengamos presupuestos"', La Razón newspaper 13/02/2017. Available at http://www.larazon.es/espana/rajoy-no-voy-a-adelantar-las-elecciones-aunque-no-se-aprueben-los-presupuestos-HA14507752 [Accessed 15 December 2017]

Rubio Llorente, Francisco (2012) 'Un referéndum para Cataluña', El País newspaper 08/10/2012. Available at https://elpais.com/elpais/2012/10/03/opinion/1349256731_659435.html [Accessed 15 December 2017]

Sánchez, Pedro (2017) 'Discurso clausura secretario general Pedro Sánchez', 18 june 2017, available at http://www.psoe.es/media-content/2017/06/Pedro-

S%C3%A1nchez-clausura-39-Congreso-180617.pdf [Accessed 15 December 2017]

Scottish National Party (2011) Scottish National Party 2011 Manifesto: *Re-elect a Scottish government working for Scotland*. Available at http://votesnp.com/campaigns/SNP_Manifesto_2011_lowRes.pdf [Accessed 15 December 2017]

Serrano, Ivan (2013) 'Just a matter of identity? Support for independence in Catalonia', *Regional & Federal Studies*, 23:5, 523-545.

Sturgeon, Nicola (2016) 'Speech on the EU referendum result', 24 June 2016, Bute House, Edinburgh, transcript available at: https://news.gov.scot/speeches-and-briefings/first-minister-eu-referendum-result [accessed 13 December 2017].

Swenden, Wilfried (2006) *Federalism and regionalism in Western Europe: a comparative and thematic analysis*, Palgrave Macmillan.

Swenden, Wilfried, and Simon Toubeau (2013) 'Mainstream parties and territorial dynamics in the UK, Spain and India' in Arthur Benz and Jorg Broschek (eds.) *Federal Dynamics: Continuity, Change, and the Varieties of Federalism*, 249-273, Oxford: Oxford University Press.

Teune, Henry and Adam Przeworski (1970) *The logic of comparative social inquiry*, New York: Wiley-Interscience.

Tierney, Stephen (2004) *Constitutional Law and National Pluralism*, Oxford: Oxford University Press.

Toubeau, Simon and Emanuele Massetti (2013) 'The Party Politics of Territorial Reforms in Europe', *West European Politics*, 36:2, 297-316.

Trench, Alan (ed.) (2008) *The State of the Nations 2008: Into the Third Term of Devolution in the United Kingdom*, Exeter: Imprint Academic.

Walker, Neil (2017) 'Teleological and Reflexive Nationalism in the New Europe', EUBorders Working Paper Series. Available at http://www.euborders.com/download/WorkingPaper_02_Walker.pdf [accessed 15 December 2017].

Watt, Nicholas (2014) 'David Cameron defends decision to allow Scottish independence vote' *The Guardian* 8 May 2014, available at: https://www.theguardian.com/politics/2014/may/08/david-cameron-defends-decision-scottish-independence-referendum [accessed 11 December 2017].

What Scotland Thinks (2015) 'English and Welsh views on another independence referendum'. Available at: http://whatscotlandthinks.org/questions/if-scotlands-government-asks-for-another-independence-referendum-in-the-next-fi#table [Accessed 15 December 2017].

What Scotland Thinks (2012) 'Support for a Scottish independence referendum'. Available at: http://whatscotlandthinks.org/questions/do-you-support-or-oppose-a-referendum-on-scottish-independence-uk-views [Accessed 15 December 2017].

Yack, Bernard (2012) *Nationalism and the Moral Psychology of Community*, Chicago University Press.