

## Europe's Other Crisis: Secessionism at the Gates

Written by Glen Duerr

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GLEN DUERR, AUG 17 2014

Over the course of the last several weeks, I had the privilege of conducting field research (for a forthcoming book) in the capital cities of the three most prominent secessionist movements in Western Europe: Scotland, Catalonia, and Flanders. As the Spring season has now made way for Summer in Europe, the clock has begun to tick on what is shaping up to be something of a pivotal moment in the constitutional futures of all three regions, as well as their respective national states.

### Scotland in the United Kingdom

On September 18, the Scots will vote in an independence referendum, which is fully recognized by the British government, codified in the 2012 Edinburgh Agreement. A clear-cut yes/no question will be asked of the voters: Do you want Scotland to become an independent country? After three televised debates, polls currently show solid support for a “no” vote. However, between 10 and 20 percent of the population remains undecided, and it would be foolhardy to bet against Scottish First Minister, and leader of the pro-independence Scottish National Party, Alex Salmond. After all, there are significant institutional impediments built into the electoral system in Scotland, which should have made holding an independence referendum near impossible in the first place. After coming in second place in 1999 and 2003, the SNP won the 2007 Scottish parliamentary election with a minority government, and then increased their number of seats in 2011 to form a majority in Holyrood. With an electoral system based largely on proportional representation, and split amongst several other major rivals (Scottish Labour, Scottish Conservatives, Scottish Liberal-Democrats, and Scottish Greens), it was not an easy feat to win a plurality of seats, let alone a majority. The lesson from Edinburgh, then, is that the UK will likely continue in its current form after September's vote, but British Prime Minister David Cameron must be very careful to counter yet another rise of Alex Salmond in order to remain “Better Together.”

### Catalonia in Spain

Less than a couple of months later, the Catalans will hold a two-part referendum on November 9, asking voters whether they want Catalonia to be a State, and whether they want that State to be independent. The major difference with the Scottish case is that the Spanish government has yet to legitimate this call for a referendum. Yet, in my observations throughout Catalonia, especially in the cities of Barcelona, Girona, and Tarragona, buildings, offices, and businesses are awash with independence flags and slogans calling for a vote on independence. Moreover, when former Spanish King Juan Carlos recently abdicated his throne in favor of his son, Felipe, cities across Spain—not just Catalonia—were the site of protests contesting the future of the monarchy. But, the major problem for pro-independence Catalans is what happens if opponents of independence do not show up to the vote. If 95 percent of voters support independence on November 9, but the vote is widely boycotted by pro-Spanish residents of Catalonia, is there any legitimacy? Even if turnout is very high and the “si/si” vote wins convincingly, does the vote have legitimacy? The answer is that, yes, there will be some legitimacy in the vote, but that it will not carry the weight of the Scottish referendum, and the international community would probably not lobby in favor of Catalan independence without a significant majority of the population voting in favor of independence (including a high turnout). The lesson from Barcelona is that many Catalans want to vote on independence, the question is one of legitimacy and international recognition, which both depend on the scenario that unfolds on November 9 and its aftermath.

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## Flanders in Belgium

The case of Flanders is quite different, but no less challenging to the constitutional authority of the Belgian state. The European parliamentary election of May 25 was held in tandem with national and regional elections in Belgium, which resulted in a victory for the pro-independence Nieuw-Vlaamse Alliantie (N-VA) party. However, N-VA's victory only culminated in a plurality of the seats in both Flanders and Belgium, not a majority in either the Flemish or Belgian parliaments. Even when added together with the far-right Vlaams Belang, another pro-independence party in Flanders, there is still no majority of seats in either parliament. So, unlike Scotland and Catalonia, there is no referendum. The likely outcome, though, is that another significant delay will occur in forming a coalition government. Following the 2010 Belgian election, for example, it took a world record 541 days to form a government. Before that, it took 196 days to form a government after the 2007 Belgian elections. Despite the calls of the new Belgian King, Philippe, who wants the political parties of Flanders and Wallonia to form a government quickly, it is unlikely that N-VA will rush to meet the demands of the King. The eventual goal of N-VA is Flemish independence, but only after gradually transferring the powers of the Belgium government, through reforms of the state, to the regional governments in order to create a confederal state. N-VA is also banking on the EU moving into new areas of policy as well, which would effectively leave the Belgian state as an empty shell—more powers for Flanders and Europe, and fewer and fewer for Belgium. N-VA's electoral mandate from May 25, however, is to govern, which is why they were quick to form a coalition government (formalized on July 25) in the Flemish parliament (with the Flemish Christian Democratic, CD&V, and Open Vld) and slow to work towards a coalition government in Belgium, which in all likelihood will be formed without them, as was the case following the 2010 elections. The lesson from Brussels, then, is to expect another fairly long national government formation stalemate, but one that will not take 18 months. Since Belgian prime minister, Elio Di Rupo, was able to form a government without N-VA last time (BBC News 2011), the same (or at least a similar) model will likely be used this time around. Nonetheless, if pro-Belgium Flemish parties enter into a coalition government with a Di Rupo (or another prime minister from Wallonia) without a new state reform (and a transfer of some powers to the regional government), it goes against the wishes of many Flemish voters in their support for N-VA, which could lead to further gains in the pro-independence camp. The nightmare scenario for supporters of a united Belgium is a Czechoslovak style "Velvet Divorce," which is not out of the question if another protracted government formation crisis spills over into 2015 and, heaven forbid, 2016.

## Conclusions

So when the summer months eventually subside for autumn, the end of this year might well prove to be a grand test for the constitutional futures of the United Kingdom, Spain, and Belgium. The EU will play a role in all three cases, and has generally expressed a sentiment in opposition to secessionist entities staying within the organization. Outgoing EU Commission President José Manuel Barroso, for example, has stated that it will be "extremely difficult" for an independent Scotland to join the EU (BBC News 2014). But the EU is, by its nature, a pragmatic organization. While Scotland, Catalonia, or Flanders may not qualify automatically for EU membership if they secede from their current national states, it is likely that they will retain all the benefits of EU membership, especially free trade and basic rights, whilst their accession bids are fast tracked. Montenegro may be the beneficiary of quick entry into the organization, as well, if an independent Scotland, Catalonia, or Flanders gains quick entry into the EU, because it will be widely viewed as unfair to give some states quick entry into the union, and not others that are currently pursuing the Copenhagen Criteria for membership. And while it is true that any member state can veto the accession bid of another state, the EU will want to avoid any possible territorial mess within its borders. Imagine Spain trying to ship goods to France or Italy (or vice-versa) via Catalonia, which could impose two sets of tariffs to move goods through its borders. All of this is speculation at this point, but one thing is for sure: there will be many long political and constitutional debates throughout the rest of this year in Edinburgh, Barcelona, and Brussels.

## References

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