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Spanish State

9-N: obedience and disobedience

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After a few days of uncertainty and signs of reversal on the part of President Artur Mas's government, following the decision of the Spanish supreme court to suspend the preparations for the independence referendum (*Consulta*) planned for 9 November [1], the renewed commitment of the pro-referendum forces, along with the majority of mayors, is keeping the 9-N vote alive. The first hurdle has been crossed. It is now an uphill race and with each new difficulty, the temptation to curb and divert the democratic desire of the Catalan people toward early elections will be permanent.

“Now is the time for politics” has been heard often in the last few weeks. Without a doubt. But this should not be interpreted as the time to transfer the political initiative from the street to institutional management. In these critical weeks, more than ever, the social pressure to move forward is going to be crucial. The key to the success of the entire process since 2012 has not been the parliamentary political forces, and still less the Mas government, who have controlled the agenda and the timing.

Mas unsuccessfully requested in November 2012 an “exceptional majority” to manage the sovereignty process. In reality, the absence of such a majority has been positively determinant. A weak Catalan government has been the best guarantee that the process would not be truncated by any partisan agenda. The complex balance of negotiations between parties under the pressure of a sustained mass movement has, in the end, allowed us to get to this point.

The Mas government has, in reality, little room for manoeuvre. Their preferred option is to go toward “plebiscitary” elections as a substitute for a referendum. But calling them without an agreement with ERC (Republican Left of Catalonia, *Esquerra Republicana de Catalunya*) for some sort of joint candidate would lead to almost certain defeat.

Mas is uncomfortable with a logic of institutional disobedience that he has been reluctantly pushed to although, paradoxically, he has very little to lose by holding out until the end. Demonstrating a strong will to organize the referendum is, in reality, the last chance to try to curb the irreversible decline of Convergència. A president who is half hero, half martyr, it would be an excellent way of reversing what seems like an inexorable electoral decline.

Contrary to the initial fears after the demonstration of 11 September 2012, the sovereignty process has not worked in favour of CiU [2]. On the contrary, it has entered into long-term decline under the weight of its erosion by austerity policies and corruption scandals [3] and the doubts that have been raised on its commitment to the independence process.

The time when CiU was the same thing as Catalonia, the party that personified the nation, has gone, never to return. “It's just nobody knows, honey, where love goes. But when it goes, it's gone, gone”, Bruce Springsteen sang in “When You're Alone” on his album *Tunnel of Love* (1987). The same thing happens with votes: when they go, they are gone. The same thing happens with political credibility: when it goes, it is gone.

CiU undoubtedly feels a nostalgia for a future that will not be, evaporating in a present that is no longer, clarified by a past that is soon to become a museum piece and an increasingly distant and harmless memory. The apparently never-ending story of the hegemony of CiU is coming to an end. Almost unexpectedly. Almost without noticing it. Almost without expecting it.

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The Catalan party system has been crippled by the dual, disengaged and sometimes contradictory, pressure of the independence movement and the 15-M [4] and its subsequent manifestations. The result is a rampant crisis of the three parties that are associated with cuts, corruption and the major decisions that have marked Catalan and Spanish politics over the past 40 years: CiU, PSC (Party of Catalan Socialists, *Partit dels Socialistes de Catalunya*, sister party of the PSOE) and PP (People's Party, *Partido Popular*). The first is favourable to the national transition process. The last two are bitter opponents. The corollary of this is the promotion of those forces that, rightly or wrongly, are perceived as new, or at least as alien to the policies that have led us to this point.

The pre-eminence of the independence debate over resistance to austerity policies explains the consolidation of ERC as a dominant new alternative, a force that plays outside of the rules in the domestic arena, but absolutely within them in the economic field.

Without doubt, the challenge from the point of view of those who want to decide on everything, those who want to get out of the present crossroads with a change of political and social model on a democratic and egalitarian basis need a new alternative and a an anti-austerity pro-sovereignty force that can weigh decisively on Catalan politics in relation to the Convergence-ERC forces. Without this, all the potential of the democratic debate on independence can just evaporate, condemning us to wander in impotent resistance in a period where the lack of social victories will sooner or later begin to have an impact.

What happens between now and 9-N it is unpredictable. There is little point in attempting forecasts. But one thing is clear: to maintain the preparation of the referendum is the only way to remain faithful to the cry unequivocally expressed on 11-S. [5] Institutional disobedience to the Constitutional Court is simply the other side of obedience to the majority feeling of Catalan society. The Zapatista principle of "leading by obeying", in obedience to the will of the people, appears here as an absolute requirement.

The problem with "plebiscitary" elections is clear: they have less legitimacy than a referendum, mix the debate on independence with the different options of society, and relegate all the other issues within Catalan society (cuts, public services, employment and so on) to a secondary plane that only benefits those who today hold economic and political power.

"Plebiscitary" elections would serve to promote the sovereignty process working to the benefit of Convergencia and Esquerra, whose relation of competition-cooperation is reflected in ERC's lack of desire for early elections, since it is aware that its support is steadily rising and not yet at its zenith.

The strategists of Convergencia have long cherished the idea of refounding its declining political space by forging some kind of partnership with ERC in pursuing the construction of a new broad Catalan nationalist party. After the historical role of Convergencia has become exhausted and its electoral hegemony ended, this is the only way forward.

ERC as a party has nothing to gain by allying itself with Convergencia. It still has some way to go alone. But at the same time it knows it cannot govern or steer a process of independence alone. Party interests can collide with the logic of "State". The pressures for a "unitary" list of parties and "civil society" can be enormous and, perhaps, unavoidable.

9-N is not only about the possibility for the Catalan people of deciding their future and their relationship with respect to the Spanish State. There is much more at stake than the discussion on the independence of Catalonia. At stake is the model of democracy in the Spanish State. If the 9-N referendum takes place the Spanish state will be a more democratic country and the cracks in the regime would only deepen.

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It will be the first great defeat for Rajoy [6], opening the door to the next one. Good news for those who are opposed to the draining away of the most elementary democratic mechanisms brought about by the austerity policies of the PP-PSOE.

9-N also highlights the tension in Catalonia between those who have defended an institutional management controlled from above of the right to decide against those of us see it as a first step toward a general democratization of the political system and society. As a starting point towards the perspective of a constituent process, in which is expressed all the energy of a society that from 15-M to the demand for a referendum has electrified a society that, far from being resigned, is prepared to continue fighting for a better future.

[1] "Catalonia independence referendum halted by Spain's constitutional court" [The Guardian 29 September 2014](#).

[2] Mas is the leader of the Catalan liberal nationalist party Democratic Convergence of Catalonia (CDC) and chairman of the Convergence and Unity, *Convergència i Unió* (CIU) governing centre-right coalition.

[3] "Veteran CiU politician Jordi Pujol admitted keeping a vast fortune in undeclared offshore accounts. Though he denies it was corruptly earned, that is the allegation from Madrid and in any case it is still tax evasion. Meanwhile, two of his sons – one who has just resigned as a prominent member of the current party leadership – are also facing investigations relating to offshore bank accounts." [The Guardian 5 October 2014](#).

[4] The *indignad@s* movement, so named for the initial call on 15 May 2011.

[5] Catalan National Day on 11 September when almost 2 million participated in pro-independence demonstration.

[6] Mariano Rajoy is the Spanish Prime Minister of the right-wing People's Party