

NEW STATES IN EUROPE?

by Jaume López*

The twentieth century, saw the creation of states in three great waves. These corresponded to the collapse of the Ottoman and Austro-Hungarian empires after the First World War, the processes of de-colonialisation in the second half of the century, and finally, the collapse of the Soviet regimes in the nineties. Moreover, at the start of the twenty-first century we find calls for self-rule in established states in Europe and North America which, in an increasingly open way, include the creation of new states as a possible scenario for self-rule. To what extent is a fourth wave of state-creation possible?

It is difficult to predict institutional changes. No one predicted the collapse of the USSR or the fall of the Berlin Wall even a few months before they took place. Who could have guessed that 14 new states would be created in Europe and that, just ten years later, 5 of them would become members of a European Union consisting of 27 members? Writing at the end of the eighties, William Riker, the renowned political scientist and a scholar that has focused his field of study on federalism, asserted that both the Soviet Union and Yugoslavia (and Czechoslovakia) would remain stable and united thanks to the institutional ties generated by these federations.

Since then, things have changed a great deal. Nevertheless, it is still true

that it is difficult to make predictions. What we can do is highlight mechanisms, factors and variables that significantly influence social and historical processes without having to go out on a limb in stating that there will be what is known in political science as a 'window of opportunity': when the time is right, in other words. Nonetheless, we can also comment on these ingredients.

Change of context, change of ingredients

To begin with it is worth noting that, in the absence of wars, new potential states will have to emerge from so-called 'internal growth', the result of secessions within already established states. How can we analyse them? In



all states there has always been centre-periphery tensions. These logical tensions are the product of the inevitable problem of the distribution of power, which tends to centralise itself and to be more amenable to the socio-economic demands which happen to be closer to the decision-making centre. As a result, the further we move away from the political centre, the more likely we are to find centrifugal tendencies that are in disagreement with the management of central power. For centuries these tendencies were counterbalanced by the guarantees of an economic market and military security offered by the centre of the state.

In the twenty-first century things have changed. As a number of important writers have already pointed out,

both in the fields of economics and political science, the new context marked by economic globalisation and military stability has significantly modified this equilibrium and the structure of opportunity costs. If domestic markets are no longer the main objectives of the businesses in a country, if monetary policies are no longer set by a centralised state bank, if peace and security no longer rely on national armies, then the cost of continuing to suffer the inconvenience of the centre-periphery relationship within a 'host' state that is unused to regional demands, greatly increases. It seems logical to ask oneself: what if we were a state? In other words, we nowadays find ourselves in a context that is favourable to new states, where they could even become 'species' that are more efficient and better adapted to

their current surroundings (in the same way as they would cease to be so if the situation were to change once more).

Although the circumstances that have made this situation possible have undergone an exponential increase in recent years they are not entirely removed from the fact that the number of states that exist worldwide has gone from 50, at the start of the twentieth century, to 200, at the start of the twenty-first. The countries are ever-smaller in size and currently, over 500 entities exist with a government and a legislative assembly and some form of sovereignty. As a cause, but also as a consequence of this fact, one can point to the growing strength of the entities of supra-state membership. Without these 'regional empires' the secessionist strategy would lose part of its appeal, especially for those territories that do not reach a minimum size.

The question therefore becomes: who? Who are the likely candidates to form new states? Which units could mutate to become this species that is well adapted to meet the demands of the twenty-first century? In order to answer these questions, the perspective of the analysis needs to change, we must now essentially concentrate on a third ingredient to add to the earlier two (globalisation and stability), democracy, in two different ways: the definition of new *demoi* and the level of democracy of the states that currently exist ('host' states).

Speaking of *demos*

By *demos* we mean a social collective as a reference upon which to apply some form of rule of the majority in order to generate collective democratic decisions. If we are aware that any secession process will be the result of a community's right to decide, in which the 'yes'

to secession ought to succeed, then it is fundamental we identify those places in which it can be legitimate to take a democratic decision without counting on the entire state within which it currently resides. We should bear in mind that all instances of the creation of new states of the third wave followed referenda or democratic consultations, with the exception of Slovakia and Kosovo. It is clear that there must be a social desire to form a unit, a desire that we can link to the traditional definition of a nation: a human group, conscious of forming a community, with a defined territory, a shared historical memory, its own culture, political will and so on.

This leaves us with the map of the so-called stateless nations, but to speak of *demoi* allows us to move forward in various ways. Firstly, in order to define them we needn't waste one minute on debates as to their 'national nature', which we do not take for granted. Secondly, the concept of *demos* exclusively refers to a possible legitimate application of the collective right to decide (once again, we do not take for granted the application of a possible 'peoples' right to self-determination').

Finally, this right is already exercised in the context of elections for regional institutions that have been developing as the result of political decentralisation. This has been a general tendency that has continued uninterrupted since the seventies in the majority of Western countries. This means that the holding of democratic, sub-state elections is a reality nowadays and not a 'nationalistic demand', with clear-cut limits, legitimised by the existing institutional systems that help to demarcating the definitions of these *demoi* as potential subjects of possible processes of the creation of new states. Naturally, this places the debate in a more objective context.



With this in mind, and as a result of the trends outlined earlier, we could identify Quebec, Greenland, Scotland, Flanders, Euskadi and Catalonia as possible *demoi* and candidates for becoming new states in the OECD context. In spite of their socio-demographic and territorial differences, the strength of their 'candidature' can be explained by highlighting the fact that they have all had their own institutions (legislative power) during the modern age (15th century to the 18th), with the exception of Greenland, they are societies that do not belong to the majority or dominant culture of the state of which they form a part (they have their own language

or a different religion, as well as other differences) and at present, they benefit from very high levels of decentralization (they possess legislative power of their own within the larger state).

The key: democracy

The other aspect of the democratic ingredient we need to examine is the host state in which these *demoi* reside. What possibilities do their institutional systems have of adjusting to and recognising some type of democratic process within these new *demoi*? The conflict between democratic legitimacies and the need to solve them through a hier-

archy of criteria is clear. In this respect we find some remarkable differences between the various states.

ANY SECESSION PROCESS WILL BE THE RESULT OF A COMMUNITY'S RIGHT TO DECIDE, IN WHICH THE 'YES' TO SECESSION OUGHT TO SUCCEED

The United Kingdom has recognized the political existence of Scotland in a variety of ways as a nation that is a co-founder of the state, defined via fundamental decisions such as the idea of pluri-nationality (Devolution, the Good Friday Agreement in the case of Northern Ireland). In Canada, following two referenda on self-rule in Quebec, in 1998 the Supreme Court (Secession Reference) recognised the need for bilateral negotiations between the state and sub-state governments if there were a clear majority in favour of secession. What is more, in 2006, the Canadian parliament recognised that the *Québécois* are a nation. Denmark did not prevent Greenland from expressing its difference of opinion by leaving the European Union in 1985 via a referendum. This was followed, in 2008, by a referendum on an enlargement of its self-rule, incorporating the recognition of its right to self-determination. Belgium, as a federal monarchy, is essentially built on the recognition, of its two distinct communities.

In contrast, the Spanish Constitutional Court established in 2008 the unconstitutionality of the law of consultations approved by the Basque parliament. It confirmed that the only *demos* in Spain is the Spanish nation (*Nación española*). The institutional system does not recognize any area of democratically exercised sovereignty other than that which is expressed by the Spanish parliament. Likewise, it is worth mentioning the difficulties faced by the process

for the enlargement of self-government for Catalonia, via a new statute, which has been considered not completely constitutional by the Spanish Constitutional Court (2010).

Are these differences relevant within the framework of the trends examined above? The third wave of the creation of states can help us to answer this question. The collapse of the communist system gave way to calls for more democracy that gradually transformed into secessionist movements. In all instances, the negative reply from the 'host' states to a strengthening of democratic rights was the origin of widespread sovereignty movements. These did not originally start from positions that were previously secessionist. Instead, the calls for independence were the result of the lack of a democratic response from the 'host' state. Ukraine is a clear example of this process. In two referenda, over a period of eight months the population went from voting in favour of being part of the Russian federation, to voting for independence.

In other words, the less well-equipped the institutional system is to deal with democratic demands, the greater the incentive there is to find a way out. Albert Hirschman, the well-known political scientist who established the explanatory virtues of the binomial 'voice-exit', also pointed out that between the 'voice' and the 'way out' there is loyalty, the capacity to use one's voice and to search for improvements in the system, while remaining within, when the way out is easy and attractive. In midst of the 21st century, when the means to stop a secession movement with the use of tanks is removed from the list of acceptable responses on behalf of the international community, then the creation of loyalty to the 'host' state is the key to avoiding the secession of a part of its population and ter-



ritory. Therefore the recognition of the pluri-nationality, the harmonization of the territorial fiscal contributions (and the reduction in fiscal deficits), among others, ought to be behind the returns made by the centre towards the periphery referred to above.

In Catalonia we have experienced two consecutive failures following promises of political accommodation short of the secessionist path. The European promise outlined by the European Union as a possible means for the protagonism of the regions broke down following the referendum for the so-called constitutional Treaty (finally, passed as the Treaty of Lisbon) and the poor reception of the proposals of the

Catalan Convention for the Future of Europe and other regional claims. On the other hand, the promise of a pluralistic Spain that would give way to a state made up of autonomies organised as a federation has failed with the PSOE's government. In theory they are the party that would be most open to such a proposal, but they have shown a lack of commitment to it while in power. Two promises: a plural Spain and a Europe of the regions seem to be coming to an end. To conclude, if there are no important changes in the elements examined above, it only remains for us to wait for a window of opportunity (a trigger) to observe how new states grow up in our environment, or nearer, beneath our very feet.

JAUME LÓPEZ

LECTURER OF POLITICAL SCIENCE AT THE POMPEU FABRA UNIVERSITY AND AT THE OPEN UNIVERSITY OF CATALONIA. HE HOLDS A PHD IN POLITICAL SCIENCE FROM THE POMPEU FABRA UNIVERSITY AND AN MSc IN PHILOSOPHY OF THE SOCIAL SCIENCES FROM THE LONDON SCHOOL OF ECONOMICS. HE HAS DIRECTED THE COMPARATIVE STUDIES: 'ANALYSIS OF EXPERIENCES OF DIRECT DEMOCRACY ON THE INTERNATIONAL SCENE (1995-2007)' AND 'NEW STATEHOODS AND SOVEREIGNTY PROCESSES IN EUROPE'.

