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Institutions of Elections and Referendum in the Realisation of the Right to Self-Determination: Analysis of the Catalonia Case

The paper considers the use of the institutions of elections and referendums in implementing Catalonia's right to self-determination. Spain's policy to counter Catalan separatism is analysed and shown to have been balanced and consistent. Although government measures were not always timely, they remained within the legal framework and complied with Spain's constitutional norms.

It is demonstrated that, in the formation of and resistance to Catalanism by the central government of the Kingdom of Spain, elections and referendums played a significant role. Their application highlighted the indisputable regulatory function of the Constitutional Court of Spain in defining and specifying terms related to the exercise of the right to self-determination. In particular, the Court distinguished between "popular consultations" and "referendums" and confirmed the requirement to ascertain voters' opinions solely on matters of state governance by strictly observing electoral procedures (population census, management by the electoral administration, jurisdictional guarantees).

A crucial factor in the surge of Catalanist sentiment in Spain during the second decade of the 21st century was external interference by Russian governmental circles, which initiated and financed separatism in Catalonia through the legitimising technology of an independence referendum.

An important feature of the referendum process – the use of digital technologies to organise and convene *citizen participation* in 2014 and the 2017 referendum – prompted European bodies to intensify the adoption of acts on electoral communication, media coverage of electoral processes and the use of digital tools to manipulate public opinion.

Keywords: EU, Spain, Catalonia, elections, referendums, Constitutional Court, self-determination, digitalisation.

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Інститути виборів і референдуму в реалізації права на самовизначення: аналіз кейсу Каталонії

Розглянуто використання інституту виборів і референдумів в реалізації права на самовизначення Каталонії державними органами автономії: Парламентом, урядом (Женералітатом) та його головою (Президентом Женералітату). Проаналізовано політику Іспанії щодо протидії каталонському сепаратизму, загострення якого було викликане низкою чинників (політичних,

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економічних, культурних, етнонаціональних), а особливо – відсутністю статусу каталонської мови в іспанській державі та в Європейському Союзі, констатовано, що ця політика була виважена і послідовна. Заходи, застосовані урядом, можливо, були не завжди вчасними, проте в межах правового поля, з дотриманням конституційних норм Іспанії.

Доведено, що в процесі формування та протидії каталанізму з боку центрального уряду Королівства Іспанії суттєву роль відіграли інститути виборів і референдумів, під час застосування яких проявилася беззаперечна регулююча роль Конституційного суду Іспанії щодо визначень і конкретизації дефініцій, пов'язаних із реалізацією права на самовизначення. Зокрема, в його рішеннях розмежовано поняття «народних консультацій» та «референдумів»; підтверджено необхідність з'ясування думки виборців за допомогою дотримання виборчої процедури (на основі перепису населення, керування виборчою адміністрацією, юрисдикційних гарантій), і винятково щодо державних справ управління.

Показано, що суттєвим чинником сплеску каталаністських настроїв другого десятиліття XXI століття в Іспанії було зовнішнє втручання російських урядових кіл, ініціювання та фінансування сепаратизму в Каталонії через легітимаційну технологію референдуму за незалежність.

Виокремлено важливу особливість реалізації прийнятої Парламентом Каталонії нелегітимної «Декларації суверенітету та права народу Каталонії на самовизначення» – використання цифрових технологій для організації та скликання *процесу участі громадян* у 2014 році (як альтернативи *народним консультаціям* і *референдуму,* своєрідної «нереферендної народної консультації»), та референдуму 2017 року, що спонукало європейські структури активізувати прийняття актів ЄС щодо виборчої комунікації та висвітлення виборчих процесів у медіа, використання цифрових технологій для застосування тактик маніпулювання громадською думкою.

Ключові слова: ЄС, Іспанія, Каталонія, вибори, референдуми, Конституційний Суд, самовизначення, цифровізація.

Statement of the Scientific Problem and Its Significance. Catalonia today remains the most conflict-prone ethno-national region of the European Union due to a number of political, economic and ethno-national factors. Particularly significant are the economic potential of the autonomy as the most developed and profitable region, the existence of the Catalan language, culture, identity, traditions of self-government and ethno-national self-consciousness. The concept of *Catalanism* (Catalan identity) as a cultural, political and linguistic movement that unites those who identify as Catalans and seek to preserve and promote Catalan culture, language and history also entails recognition of Catalan national identity and self-determination, and the aspiration for greater autonomy and independence from Spain – issues widely debated in scholarly literature. Elections and referendums have played a considerable role in this process. However, Ukrainian political science still lacks a thorough scholarly understanding of the effectiveness of these institutions during different periods of political life, not only at Spain's national level but also at the European and global levels.

Analysis of recent studies. The Catalan issue is examined from various perspectives. Among numerous works, we have selected and used studies on Catalanism in the context of European integration – P. Lynch[4], E. Roller,[5] K.-J. Nagel[6]; assessments of Catalonia's independence referendums and the policies of nationalist parties[7], among others. A general evaluation of the model of "asymmetric federalism" for the national communities of Catalonia, the Basque Country, Galicia and Andalusia is provided in works by L. Moreno[8].

Purpose and research objectives of the study. The purpose of the study is to characterise the forms in which direct democracy mechanisms were implemented during the emergence of Catalanism

[4] Lynch, P. (1996), *Minority Nationalism and European Integration*, University of Wales Press, Cardiff.

[5] Roller, E. (2004), *Nationalist Movements and European Integration*. *The Case of Catalonia*, Frank Cass Publishers, London.

[6] Nagel, K. J. (2009), "The Nationalism of stateless nations and Europe. The Catalan case", *Political Theory Working Paper*. 6, available at: https://www.academia.edu/47004332/The_Nationalism_of_stateless_nations_and_Europe_The_Catalan _case (accessed 25 April 2021).

[7] Elias, A. & Mees, L. (2017), "Between Accommodation and Secession: Explaining the Shifting Territorial Goals of Nationalist Parties in the Basque Country and Catalonia," *Revistad'Estudis Autonomics i Federals*, 25, p. 129-165; Colomer, J. M. (2017), "The Venturous Bid for the Independence of Catalonia", *Nationalities Papers*, 45(5), pp. 950-967; Öner, S. (2019), "The Relations Between Catalonia and the European Union and Catalan Independence Referendum," *Marmara Journal of European Studies*, 27 (1), p. 29-51.

[8] Moreno, L. (2001), *The Federalization of Spain*, Frank Cass Publishers, London.

and the resistance to it. Research objectives are: 1) to analyse Spain's experience in using elections and referendums as instruments for exercising the right to self-determination; 2) to assess the effectiveness of these mechanisms in mitigating the region's conflict potential, as reflected in the decisions of the Constitutional Court.

Outlining of the key points. In the 20th century Catalonia lost the Civil War and suffered severe repression of its language and culture. Franco's policy was directed towards building a nation-state and forging a single Spanish nation, yet it failed. The transition to democracy was bloodless and brought far-reaching changes inside the state – above all, thorough decentralisation and the creation of autonomous communities. For Catalonia this meant the restoration of all its rights as well as the establishment of its own parliament and, uniquely for Catalonia, the institution of a community president.

During Franco's rule Catalonia incurred economic losses and political repression. Political renewal became possible through negotiations on restoring the Generalitat, the adoption of the Spanish Constitution of 1978, and the Statute of Autonomy of Catalonia of 1979, which granted broad economic and governmental autonomy and recognised Catalan as a regional language. Cultural revival in Catalonia proved paradoxically easier, because civil-society organisations that had continued the work of national and cultural reproduction under Franco – albeit on a limited scale – were still in place.

The President of the Generalitat of Catalonia, Carles Puyol, repeatedly stated that the peak of his aspirations coincided with the level of competence demanded by the Constitutional Court (CC) of Spain. Nevertheless, by the end of Socialist rule one cannot claim that the process of implementing the new organisation of Spain as a state of autonomies had been completed. The reason lies in the procedure followed for raising and resolving the issue, which initially lacked a universal character. In the transition period this principle responded to the demands of particular regions and nationalities, but once they had achieved a certain level of competences, they stimulated and drew other autonomous communities into more active engagement.

The loss of the parliamentary majority by the Partido Socialista Obrero Español (Spanish Socialist Workers' Party) soon had a significant impact on how Spanish multi-partisanship was viewed in political and cultural fora. With other negotiable political groups disappearing, from 1993 the Socialists had to reach compromises with the Catalan nationalist party. Undoubtedly, this formula brought stability to Spanish politics, but at the same time it introduced a factor of "interdependence" between these two communities (Catalans and Basques) and the Spanish government, under which the former received concrete advantages in exchange for their cooperation. In turn, radical opposition nationalists on both sides accused the Spanish and Catalan governments of loyalty to their political ally and betrayal of national interests. Among elites demagogy was often observed – an environment perilously conducive to the growth of cultural disputes. Beginning in 1994, books that marginalised nationalist parties were issued or reissued.

At the start of the Socialist period there was a significant conflict between the Catalan government and the central government, yet perhaps the greatest problem for Madrid was the long and monotonous rule of Jordi Pujol from 1980 to 2003, accompanied by a personality cult, an active nationalist stance and a right-wing position. This, however, did not prevent him from compromising with the centre: Catalan parties in parliament, with Pujol's consent, supported the national government whenever Madrid lacked a majority on specific issues, and in return received various subsidies and funding for Catalonia. Because *Catalanism* remained outside power yet acted as an ally of the government, it was repeatedly reproached for being guided by material interests, although its principled actions stabilised the government – developments that had consequences later on.

Without detailing every electoral and referendum process in the Kingdom, let us dwell on the various forms of direct democracy that emerged in the course of Catalanism's evolution and the response to it. Spain is a state in which the referendum, as an instrument of direct participation in state affairs, is a special or extraordinary channel for forming and expressing the general will, compared with the normal channel of political representation. That is, it is used in exceptional cases. The system of political participation in the parliamentary monarchy that, under Art. 1.3 of the Spanish

Constitution (SC)[9], Spain constitutes, presupposes that mechanisms of representative democracy prevail over mechanisms of direct participation, and only the Cortes Generales – representatives of the Spanish people (Art. 66.1 SC) – may decide on revising the constitutional order by holding the mandatory ratifying referendum (Art. 168.3 SC) for the entire Spanish nation as the bearer of sovereignty.

In Spain the Basque Parliament, by an electoral law of 1990, introduced the institution of *Consultation*. It was elaborated in further legislation in view of the "consultation with all citizens of the Basque Country" scheduled for 25 October 2008 on ending ETA violence if ETA unequivocally expressed its desire to put an end to it once and for all and on beginning a negotiating process among all political parties to reach a democratic agreement on new relations between the Basque Autonomous Community and the Spanish state. On 15 September 2008 such a consultation, as "the exercise of the fundamental right of citizen participation," was to be convened by the Lehendakari. A supplementary provision of the law amended the Basque Parliament Election Law 5/1990 of 15 June[10] to introduce Consultation on a permanent basis.

Of crucial importance was the specification of the referendum's subject (as a variant of the broader genre of "popular consultations") in CC Decision 31/2010, which stated that opinions formed and expressed through the electoral procedure must "always concern matters of state governance." For further settlement of Catalan claims to self-determination, the CC's interpretation of articles related to the possibility of holding a referendum in an autonomous community was particularly significant. The Court summarised and specified arguments expressed in previous decisions, distinguished between "popular consultations" and "referendums", and confirmed the need to ascertain voters' opinions through adherence to electoral procedure (population census, control by the electoral administration, jurisdictional guarantees) on matters of state governance.

Meanwhile, large social unrest caused by fiscal constraints and harsh measures adopted in response to the economic crisis – both in Catalonia and in Spain as a whole – allowed the central government to be blamed for Catalonia's economic dependence on the state and for its inability to use its own potential to overcome the crisis independently.

At the same time, the peculiarities of Catalonia's cultural sphere gradually became a crisis factor; the most conflict-laden of these was the absence of official status for the Catalan language within the Spanish state and the European Union. The demand for such status is still being put forward, now at the EU level.

Statistics confirm the decentralization benefits of autonomies and, particularly, Catalonia is shown in Figure 1.

At the same time, the peculiarities of the cultural space of Catalonia gradually became a crisis factor, among which the most conflict-provoking was the lack of status for the Catalan language in the Spanish state and in the European Union. The demand for granting such status is still being put forward at the EU level. Such a policy was observed not only in Catalonia but also in other regions. As a result, the Spanish (Castilian) language spread to most of the country, which is reflected in Figure 2.

As a result, progressive Catalan political parties proposed a reform to address the issue of nationality, which began during Convergence and unity's last governmental term (1999-2003). However, this reform led to heated discussions between the Generalitat and the Senate. The Catalans demanded to inscribe in the preamble of the Statute that "Catalonia is a nation," that it is part of Spain recognized by the Constitution, and that it intends to "deepen the federal, multinational, multicultural, and multilingual character of the Spanish state." Finally, a compromise was reached on the national question, which was the most acute one, and Catalonia, as an ethnic region and a nation, had to exercise its self-government in the form of an autonomous province within Spain with the rights enshrined in the Statute and the Constitution of Spain[11].

[9] Congreso de los Diputados y del Senado (1978). Constitución Española. Aprobada por Las Cortes en sesiones plenarias del Congreso de los Diputados y del Senado celebradas el 31 de octubre de 1978, Agencia Estatal BOE, Madrid.

[10] Parlamento Vasco (1990), Ley 5/1990, de 15 de junio, de Elecciones al Parlamento Vasco. Texto Consolidado Última modificación: 7 de enero de 2016, *BOE* núm. 51, de 29 de febrero de 2012, available at: https://www.boe.es/buscar/pdf/2012/BOE-A-2012-2859-consolidado.pdf, (accessed 25 April 2021).

[11] Parlamento de Cataluña (2013), *Estatuto de autonomía de Cataluña*. Texto consolidado, Parlament de Catalunya, Barcelona, available at: https://www.parlament.cat/document/cataleg/48146.pdf (accessed 25 April 2021).

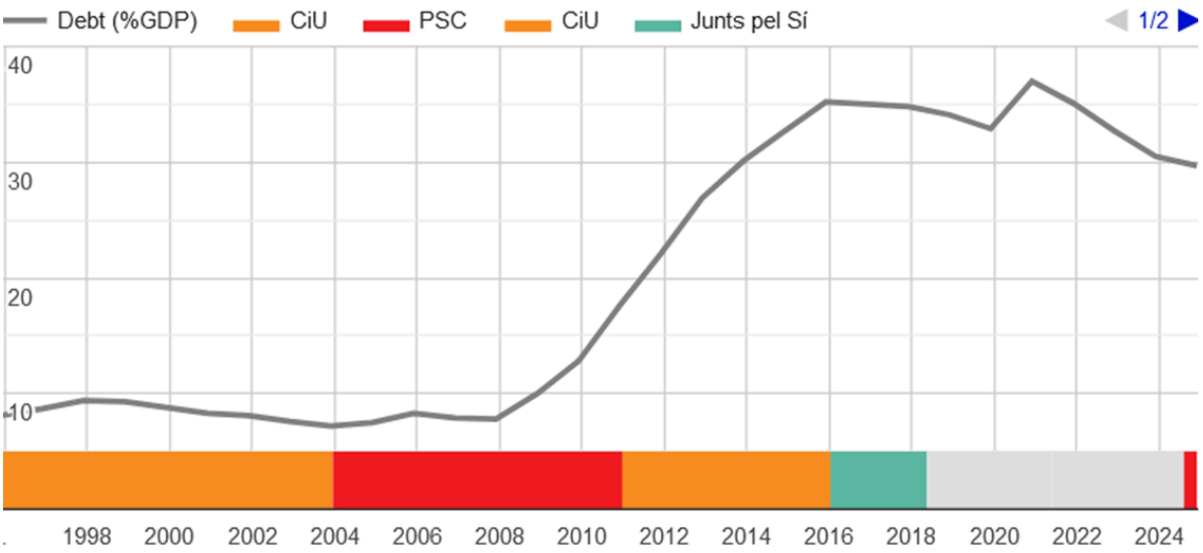


Figure 1. Statistics on Catalonia's public debt and loans from 1998 to 2024[12]

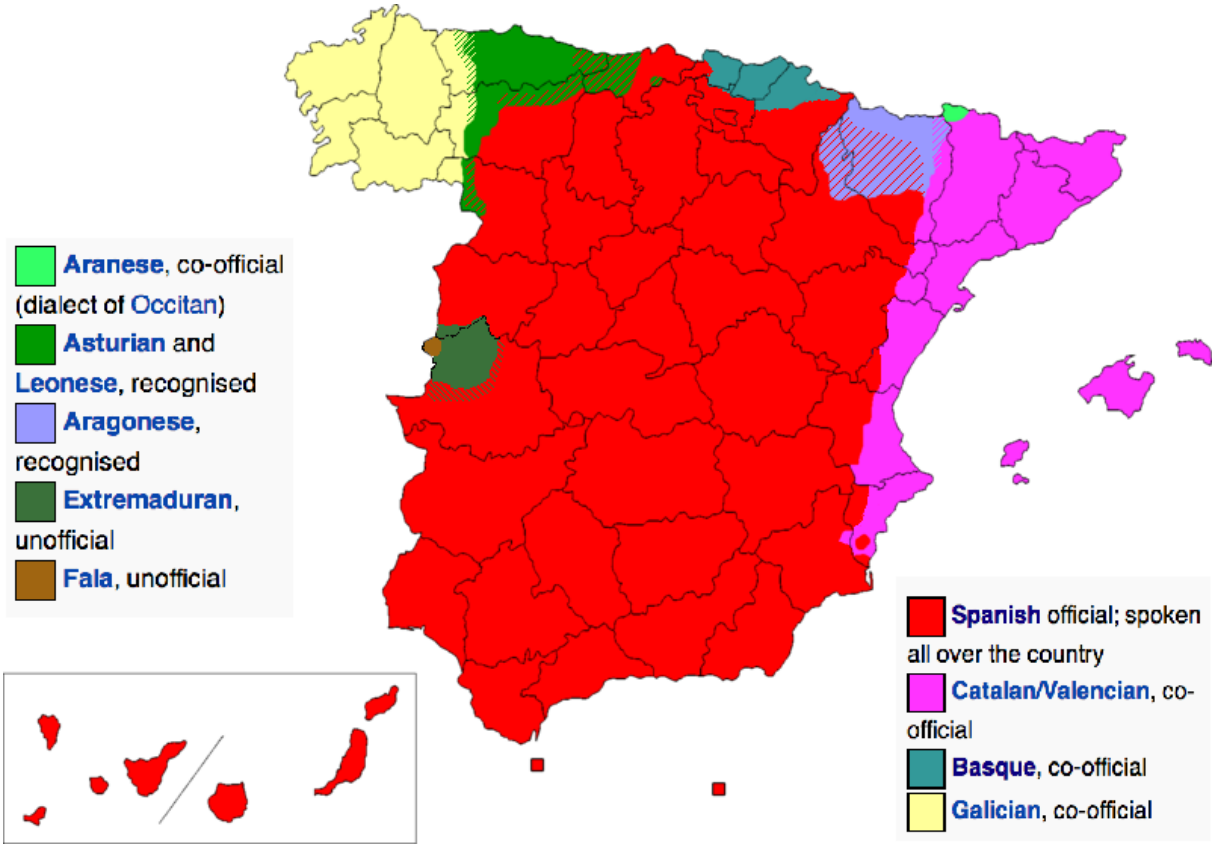


Figure 2. Regions of different languages distribution in Spain (red means Spanish, pink – Catalan)[13]***.***

[12] *Countryeconomy.com* (n.d.), "Catalonia: Evolution of debt as a percentage of GDP", available at: https://countryeconomy.com/national-debt/spain-autonomous-communities/catalonia (17 February 2025).
[13] Pendleton A. (2014) "Demographics of Madrid and Spain", 9 march, available at: https://annapendletonmadrid.wordpress.com/2014/03/09/demographics-of-madrid-and-spain/ (accessed 23 April 2021).

In the **"**Declaration of Sovereignty and of the Right of the People of Catalonia to Self-Determination"[14], this right was legitimised and it was emphasised that, for reasons of democratic legitimacy, the people of Catalonia constitute a sovereign political and legal subject. The declaration stated that the process of exercising the right to self-determination would proceed democratically through debate and dialogue within Catalan society so that the outcome of the referendum would be as representative as possible, because the people's decision would serve as the principal guarantee of the right to self-determination.

The first protests began on 10 July 2010, when more than 1.5 million Catalans took to the streets chanting: *"We are a nation – we decide"* and *"Catalonia is not Spain."* These protests influenced the November 2010 election campaign. Artur Mas**,** then leader of the Convergence and Union party, announced that his party would run under the slogan *"We have the right to decide,"* demanding the restoration of the Statute and the signing of a new Fiscal Pact. Mas won the election by a considerable margin, and a coalition with the Socialist Party of Catalonia secured the necessary majority.

Catalans were largely convinced that the government ought to accommodate their interests, because they had approved the Statute of Autonomy of Catalonia in the 1979 referendum and, in 1980, had held the first elections to the Catalan Parliament under the law, thereby legitimising that representative body. Subsequent political and legal transformations, however, "represent a radical rejection of the democratic evolution of the collective aspirations of the Catalan people within the Spanish state and create a basis for involution in self-government" (in the political, financial, social, cultural, linguistic spheres and in the scope of powers). The mass protests of 2010 and 2012 were a means of overcoming the neglect of Catalan demands within the Spanish state. The relevant decision was announced on October 14, 2010, when a special website was also created.

To lend greater force to independence demands, the Generalitat established the "Council for National Transition" in February 2013, chaired by Carles Viver i Pi-Sunyer, a former judge of the Spanish Constitutional Court. At the same time, to counter Spain's (soft-power) resistance in building a national communication space, the Generalitat created the Catalan Audiovisual Council, which, through considerable effort, ensured the dominance of TV3 and Catalunya Ràdio not only in Catalonia but throughout all Catalan-speaking areas of Spain. This was predicated on democratic consultative processes that required respect for "pluralism in access to information and the confrontation of opinions," thereby providing citizens with reasoned and information-rich debate.

Pursuant to a parliamentary mandate, in December 2013 President Artur Mas announced the date of a consultative referendum for November 9, 2014 (commonly referred to as 9-N).

On January 21, 2014 a proposal reached the Congress of Deputies to amend the Organic Law so as to delegate to the Generalitat of Catalonia the authority to call and hold a referendum on Catalonia's political future. It specified that the referendum would be held by the end of 2014. Yet at a parliamentary session in Madrid in April 2014, deputies rejected the proposal by a large majority.

The Generalitat's actions showed disregard for the suspension of the "Consultations Act" and the "Decree of Convocation"; nevertheless, every step was taken so that the citizen-participation process would not assume the formal-legal form that would allow it to be classified as a "non-referendum popular consultation," because such a situation was stipulated in the regulations and would have nullified all efforts.

As the Generalitat used cutting-edge electronic information and communication tools – instead of traditional paper methods to organise and convene *citizen participation*, the Constitutional Court faced certain procedural difficulties. The measures adopted by the Generalitat and challenged by the government included: the creation of the website www.participa2014.cat, which offered exhaustive details on every aspect of the consultation; official e-mail notices sent by the Generalitat to various legal and public entities (local bodies, educational centres) requesting their cooperation and use of their premises; publication in the "Diari Oficial de la Generalitat de Catalunya" (official journal of Catalonia Generalitat**)** of October 16, 2014 of a decree on public information, with an attached file in which citizens wishing to take part could register voluntarily; e-mail requests to all media outlets licensed to broadcast in Catalonia to publish free of charge, with source attribution, the

[14] Parlament de Catalunya (2013), Resolución 5 / X del Parlamento de Cataluña, por la que se aprueba la Declaración de soberanía y del derecho a decidir del pueblo de Cataluña. Tram. 250-00059/10 i 250-00060/10, el 23 de enero de 2013, available at: https://www.parlament.cat/document/intrade/7217 (accessed 25 April 2021).

announcements and statements the Generalitat deemed appropriate, invoking Art. 82 of the Catalan Audiovisual Communication Act[15]; and, beginning 31 October 2014, a media advertising campaign promoting the consultation.

According to the Generalitat itself, 80.7 % of the participants in the consultation voted for the creation of an independent Catalan state, yet the exact number of Catalans who cast a ballot is difficult to establish – even though the organisers created the broadest possible conditions to ensure a turnout quorum: anyone over sixteen years of age could vote, as could citizens of EU member states and third-country nationals recorded in the *Catalonia Population Register* – in other words, all EU-resident foreigners.

What matters, however, is the clarity, logic and motivation shown by the judges. The Constitutional Court did not determine whether the institutional innovation of the *"citizen-participation process"* belonged to the category of referendum-type popular consultations or to non-referendum consultations; nor did it pronounce on the legal or political consequences of the referendum. Instead, it treated as the object of the claim the actions of the Generalitat of Catalonia connected with that process and assessed their constitutionality in light of Catalonia's powers. The touchstone for constitutionality was the subject-matter submitted for consultation – namely, whether jurisdictional limits had been respected, given the autonomy's restricted competence in mass consultations. Although the *citizen-participation process* clearly failed in terms of actual citizen involvement, this did not halt the overall drive for independence; on the contrary, it intensified it.

Once again the Government of Spain opposed the initiative and, after requesting information from the Generalitat, brought a *conflict of jurisdiction* before the Constitutional Court on June 26, 2015**.** The conflict concerned not only the Generalitat's Decree 16/2015[16] but also the so-called *Executive Plan for the Preparation of State Structures* and the *Strategic Infrastructure Plan*[17].

The process reached its peak after the regional elections of 27 September 2015, when separatist parties secured a majority in the Catalan Parliament (53.3 % of the seats). Paradoxically, these elections – called by President Artur Mas and framed as a plebiscite – were *lost* in the popular vote: only 47.8 % of voters chose separatist lists. This situation with the authorities in parliament prompted separatist groups to first present to parliament, and then approve at a plenary session, paving the way for a possible declaration of independence.

That resolution proved the most radical act yet taken by the Catalan Parliament: it declared the start of a process to establish an independent Catalan state in the form of a republic and proclaimed the launch of a civic, participatory, open and inclusive constituent process to prepare the foundations of Catalonia's future constitution. The constitutionalist groups – *Ciudadanos* (Citizens), the *Partit dels Socialistes de Catalunya* (Socialist Union of Catalonia) and the *Partido Popular* (People's Party), – all deemed the resolution contrary to the Spanish Constitution and refused to vote on it in plenary.

On October 1, 2017 a referendum was held without any security guarantees. Five days later the Generalitat announced results unverified by any independent body: turnout was put at 43 % (2 286 217 voters), of whom 2 044 038 (about 90 %)[18] chose "Yes." Two days after the vote, King Felipe VI denounced the Generalitat's actions as "intolerable disloyalty to the powers of the State."[19] That same

[15] Generalitat de Catalunya (2006), Ley 22/2005, de 29 de diciembre, de la comunicación audiovisual de Cataluña, *BOE. Legislación consolidada*, available at: https://www.boe.es/buscar/pdf/2006/BOE-A-2006-2452-consolidado.pdf, (accessed 25 April 2021).

[16] Departamento de la presidencia (2015), Decreto 16/2015, de 24 de febrero, por el que se crea el Comisionado para la Transición Nacional, available at: https://noticias.juridicas.com/base_datos/CCAA/547154-d-16-2015-de-24-feb-ca-cataluna-por-el-que-se-crea-el-comisionado-para-la.html (accessed 23 April 2021).

[17] Tribunal Constitucional (2017), Contra el Plan de Infraestructuras Estratégicas: ATC 186/2015, de 3 de noviembre, sobre el conflicto positivo de competencias planteado por el Gobierno contra el Decreto de la Generalitat 16/2015, de 24 de febrero, por el que se crea el Comisionado para la Transición Nacional; *BOE*, núm. 142, de 15 de junio de 2017, páginas 49409 a 49435, available at: https://www.boe.es/buscar/doc.php?id=BOE-A-2017-6848 (accessed 25 April 2021).

[18] Generalitat de Catalunya (2017), El Govern trasllada els resultats definitius del referèndum de l'1 d'octubre al Parlament de Catalunya, available at: https://govern.cat/salapremsa/notes-premsa/303541/govern-trasllada-resultats-definitius-del-referendum-1-octubre-al-parlament-catalunya (accessed 25 April 2021).

[19] Redacción BBC Mundo (2017), "El rey Felipe VI de España acusa al gobierno de Cataluña de una "deslealtad inadmissible" y califica de contrario a la democracia el referéndum independentista", *BBC*, 3 octubre, available at: https://www.bbc.com/mundo/noticias-internacional-41492921 (accessed 25 April 2021).

day – October 3 – Catalonia observed a *countrywide strike* in protest at police actions on referendum day.

Facing the risk of direct central-government intervention in Catalonia's autonomy, on October 26, 2017 Carles Puigdemont considered calling regional elections, thereby suspending the planned declaration of independence. Yet just when he seemed convinced this was the best option – media had already been summoned – he pulled back, citing the State's refusal to guarantee that Article 155 would not be invoked if he set an election date. Almost simultaneously, the Spanish Senate in Madrid approved the application of Article 155 of the Constitution to Catalonia.

On October 29, 2017 Carles Puigdemont and four dismissed ministers left for Brussels to avoid arrest, while former vice-president Oriol Junqueras and the remaining cabinet members appeared on Thursday before the National High Court, and on November 2 faced the investigating judge.

On December 21, 2017, the elections scheduled by President M. Rajoy took place due to the application of Article 155, which independent political forces called "illegal and illegitimate." However, in the end, they changed their minds.

When calling early elections, M. Rahoi and the central government pursued both tactical and strategic goals. Tactically, they gained an advantage over the Catalans because they seized the initiative and used the favorable time for the elections. In addition, they used the possibility of using police methods as a result of Article 155 of the Spanish Constitution, and also made the most of the foreign policy factor: pressure from the international community led by the EU, which does not encourage separatist movements because it cannot allow a new state to form an example for other, unstable territories such as Lombardy or Tyrol. The need for further recognition of the new state in the event of Catalonia's secession as a strategic task should have prompted Catalan voters and, above all, politicians to reflect on the reality of such a task and to vote for "constitutionalist" parties. Another factor in such a vote, according to Madrid, was economic decline and unemployment in Catalonia. All these facts had to make absentees of the previous elections vote in a "correct" way.

As a result, the turnout was the highest among all registered until then – it was 82%.[20] The Ciudadanos (Citizens) won the most votes (more than one million) and got 36 seats. For the first time, the Catalan non-nationalist ("constitutionalist") party won the Catalan parliament's elections. The new parliament was formed on January 17, 2018, at the same time the new president of the chamber Roger Torrent, a supporter of independence, was elected.

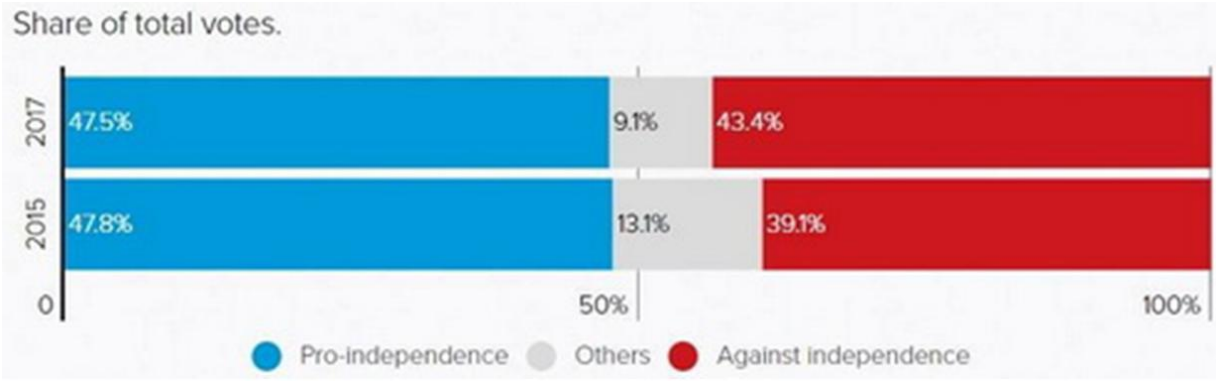


***Figure: Catalans support the decision on independence in 2015 and 2017*[21].**

In March 2018, the Parliamentary Council adopted a proposal to amend the law on the presidency and government to allow the remote appointment of K. Puchdemon. This law was suspended on May 9, 2018, by the Constitutional Court and declared unconstitutional.

In the period from February 12 to June 12, 2019, the leaders of the independence process of Catalonia were tried. The Supreme Court announced the verdict on October 14, 2019; 9 defendants were

[20] *EL PAIS* (n.d.), "Elecciones Catalanas 2017", available at: https://resultados.elpais.com/elecciones/2017/autonomicas/09/index.html (accessed 23 April 2021).

[21] Koval N. (2017), "Catalonia's choice: will a separatist victory bring the region's independence closer?", *European Pravda*, 22 December, available at: https://www.eurointegration.com.ua/articles/2017/12/22/7075414/ (accessed 25 April 2021).

sentenced to 9 to 13 years in prison for the coup, not riot, as proposed by the prosecution; 3 of them were released but fined. The verdict sparked outrage both in Spain, where right-wing forces had hoped for a harsher sentence, and in Catalonia, where it sparked a wave of protests led by the group Democratic Tsunami. Eventually, the central government passed Organic Law 1/2024 on amnesty.

Generalized measures of the Spanish central government are summarized in Table 1.

Table 1.

The Reaction of the Central Government of Spain to Manifestations of Catalan Independence (2012-2024)[22]

Date	Facts from the history of Catalonia's struggle for independence and Central government`s measures
25.11.2012	Local elections in Catalonia. In parliament, an absolute majority was composed of deputies – supporters of independence.
23.01.2013	The Parliament of Catalonia adopted the "Declaration of State Sovereignty." Proclaimed: "Catalonia is a sovereign political and legal entity within Spain."
12.12.2013	The Government of Catalonia has scheduled a referendum on self-determination for 9/11/2014 The referendum was suspended by a decision of the Parliament and the Constitutional Court of Spain
9.11.2014	A poll on the political future was conducted in Catalonia. 82% (2.25 million) of respondents were in favor of independence
27.10.2015 9.112015	The ruling coalition of the Catalan Parliament has agreed on a draft parliamentary resolution on independence.
7.09.2017	The Parliament of Catalonia adopted a resolution (73 votes in favor, 62 against)
26.09.2017	The Spanish Civil Guard has blocked more than 140 websites with information about the referendum in Catalonia[23].
1.10.2017 21.12.2017	The Government of Catalonia has scheduled a referendum on independence for October 1, 2017 Elections to the Parliament of Catalonia, appointed by the central government headed by M. Rajoy
March 2018	The Parliamentary Council adopted a proposal to amend the law on the presidency and the government in order to allow the remote appointment of K. Puchdemont. The application of the Law was suspended on May 9, 2018, by the Constitutional Court, and the Law was declared unconstitutional
10.12.2018	"Torra's 21 points", additional demands of Catalonia. "Pedralbes Declaration" of the Pedro Sánchez government.
14.10.2019	Trial of the leaders of the process of independence of Catalonia, the verdict of the Supreme Court of Spain
28.12.2022	Amendments to the Statute of Autonomy of Catalonia
23.07.2023 11.06.2024	Demand for the adoption of a law on partial pardon of leaders of the Catalan independence movement during the parliamentary elections in Spain. Adoption of Organic Law 1/2024 on Amnesty.

After the Constitutional Court's ruling and the imprisonment of most politicians who supported separatist ideas, the drive for Catalan independence has lost its former significance, and fewer and fewer Catalans now back the creation of a separate state. For example, the latest survey by the Centre

[22] Compiled by the authors.

[23] *El Confidencial* (2017), "La Guardia Civil bloquea más de 140 webs de apoyo al 1-O por orden del TSJC" 26 septiembre, available at: https://www.elconfidencial.com/espana/cataluna/2017-09-26/independencia-cataluna-bloqueo-webs-1o_1449849/ (accessed 23 April 2021).

d'Estudis d'Opinió[24], carried out from June 10 to July 8, 2024, showed that support for independence has weakened and fallen to its lowest level since the referendum. Asked "Do you want Catalonia to be an independent state?" only 39.9 % replied "yes", while backing for a unitary Spain rose to 51 %. Support for staying united with the rest of Spain was especially strong in Barcelona, where 52.9 % opposed independence. By contrast, high levels of support for independence were recorded in small localities: the greatest backing was found in municipalities with fewer than 2,000 inhabitants, and the percentage steadily declined as settlement size increased.

The same trend appeared in the Catalan parliamentary elections of May 12, 2024: the smaller the locality, the more votes went to the pro-independence parties – ERC, Junts, CUP and Aliança Catalana. In municipalities with up to 10,000 residents, 63.8 % voted for these parties, compared with 36.3 % for all others; in the large cities, the pro-independence vote did not exceed 40 %.

Catalans' preferences regarding the state's structure have shifted as well. A growing share now favours a federal model as a middle ground between full independence and the current autonomous status: in this poll, 22.5 % of respondents supported a federal solution.

The decline in support for independence reflects the shattering of earlier illusions that secession would automatically bring substantial improvements. A once-shared vision of an independent Catalonia and anticipation of a referendum had unified disparate pro-independence groups and pushed support to its peak; that momentum has since dissipated.

Public priorities have also changed: concerns over political stability and the shortage of affordable housing now dominate, particularly among young people. Xavier Antich, president of the cultural organization Òmnium, told Diari de Barcelona on November 27, 2024 that Catalans are speaking Catalan less and less, especially the young, who in the past five years have shifted from being the engine of radical independence to a passive electoral bloc for whom independence matters little.

The cause is not only changing social concerns but also the lack of unity among Catalan politicians. "The split within the parties, constant bickering and internal quarrels – including ruptures at leadership level – have sapped the 'illusion' of independence", Antich noted, recalling the 2022 break between ERC and Junts. Relations between Esquerra Republicana de Catalunya (ERC) and Junts per Catalunya plunged into crisis, ending their coalition in the Generalitat. While Prime Minister Pedro Sánchez's government opened negotiations with ERC, Junts criticized the talks as ineffective and insisted that, beyond political amnesty, Madrid must grant economic concessions and broader fiscal autonomy. Friction between ERC and Junts was further fueled by disagreements over reform of the language law and broader governance approaches, leading Junts to quit the coalition in May 2022.

The decline in separatist sentiment can also be explained by the fact that Catalanist activity was initiated and financed by the Russian government. This is confirmed by data from a joint report of European research bodies (The Joint Research Centre: EU Science Hub; Hybrid CoE), which contains information on links between Catalan separatists and Russian officials. In particular, it is stressed that: "The Catalan dispute was instrumentalised by Russia in an attempt to undermine and damage the integrity and functionality of democracy, create a cascading effect in other Member States and influence decision-making processes … The Kremlin's goal was not independence but rather very deep and long-term instability in an EU and NATO Member State … Russia used computer networks, promoted divisive narratives, funded cultural groups and think tanks, and discredited leaders[25]."

This poses a threat to the democratic process not only in Spain but also in other conflict-prone regions of the EU.

Conclusions. Spain's policy to counter Catalan separatism was balanced and consistent. Government measures may not always have been timely, but they remained within the legal framework and observed Spain's constitutional norms.

In the formation of – and resistance to – Catalanism by the central government of the Kingdom of Spain, elections and referendums played a significant role. Their use revealed the unquestionable regu-

[24] Generalitat de Catalunya. Centre d'Estudis d'Opinió (2024), "Baròmetre d'Opinió Política, 2a onada 2024. Taules estadístiques," *REO,* núm: 1101. Data: 18/07/2024, available at: https://upceo.ceo.gencat.cat/wsceop/9368/Taules%20estad%C3%ADstiques_1101.pdf (accessed 25 April 2021).

[25] López, J. (2024), "Un informe de la Comisión Europea da por probados los contactos entre líderes independentistas y el Kremlin", *El Debate Cataluña,* Barcelona, 2 de marzo, available at: https://www.eldebate.com/espana/cataluna/20240203/informe-comision-europea-da-probados-contactos-entre-lideres-independentistas-kremlin_171731.html (accessed 17 February 2025).

latory function of the Constitutional Court of Spain in defining and specifying terms related to the exercise of the right to self-determination. In particular, the Court distinguished between "popular consultations" and "referendums" and confirmed the need to ascertain voters' opinions solely on matters of state governance by strictly observing electoral procedure (population census, electoral administration oversight, jurisdictional guarantees).

A major factor behind the surge of Catalanist sentiment in Spain during the second decade of the 21st century was external interference by Russian governmental circles initiating and financing separatism in Catalonia through the legitimising technology of an independence referendum.

An important feature of the referendum process was the use of digital technologies to organise and convene *citizen participation* in 2014 and the 2017 referendum, which prompted European bodies to step up the adoption of acts on electoral communication, media coverage of electoral processes and the use of digital tools for manipulating public opinion.

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