Breaking up Spain?
A crisis of intransigence in
Spanish, Catalan and Basque nationalisms

Spain currently faces an unprecedented territorial crisis, with powerful independence movements in the Basque Country, and especially in Catalonia, seeking to change the very shape of the state. The Madrid establishment views these movements as irresponsible, and many Spaniards feel that these wealthy regions lack solidarity with fellow citizens in poorer zones. The Catalan movement, in particular, is sometimes read as an opportunistic mobilisation of nationalist fervor to mask chronic failures in regional administration of the economic crisis. And there are also certainly disturbing manifestations of intolerance of dissent, and rejection of plural identities, in the new expressions of radical nationalism. However, Spanish nationalism is also very much at fault, for failing to recognise the full and distinctive national identities of the Basques and Catalans; both nationalist movements could probably still accept the umbrella of a more federal state structure if their identities were respected within it. While apparently paradoxical, it may well be the case that permitting referenda on self-determination, rather than aggressively prohibiting them, could have resolved the crisis.

Breaching the separation of powers:
The perils of extraditing ETA suspects to Spain's politicized judiciary

A lecture on developments in the asymmetrical Basque peace process. I recently contributed to several expert reports to British courts, and appeared as an expert witness, in the (ultimately successful) extradition and deportation cases against the former veteran ETA member, Antonio Troitiño. I did so at the request of his lawyers, Gareth Pierce and partners, who defended falsely convicted Guildford Four IRA bombing suspects. I argue that the Spanish judiciary has been contaminated by the political sphere since the Transition, and that EU member States should be very cautious in extraditing “political” offenders to Spain. This is particularly applicable to the cases of Troitiño and Iñaki De Juana Chaos. They had already served their time for their (undoubtedly reprehensible) terrorist crimes. But Spanish government ministers, confusing vengeance and justice, and inflaming populist sentiment, have openly called for ‘judicial engineering’ and the ‘construction of charges’ to send these prisoners, who have completed their sentences, back to jail. Some Spanish judges have been all too eager to oblige, and the separation of powers between judiciary and executive, fundamental to democracy, has been seriously breached.