



Cetrà, D. and Liñeira, R. (2018) Breaking-up within Europe: sub-state nationalist strategies in multilevel polities. *Journal of Common Market Studies*, 56(3), pp. 717-729.

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Deposited on: 16 July 2020

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Breaking-up within Europe:

Sub-state Nationalist Strategies in Multilevel Polities

European integration is not only transforming domestic politics and policies, but it has also the potential to transform European polities (Tatham and Mbaye 2018). However, the direction of change is unclear given that European integration seems to create incentives to both polity integration and polity segmentation. While early functionalist theories maintained that economic integration would lead to political integration (Haas 1958; Mitrany 1966), more recently it has been argued that economic integration facilitates small countries' independence by providing them access to large markets (Alesina and Spolaore 2005; Colomer 2007).

This scenario provides political actors that seek to empower sub-state territories with new opportunities that could affect its long-term goals and strategies. As the meaning of statehood transforms and the cost of establishing independent states diminishes, sub-state nationalism may try to reconcile the maximization of regional influence with a pro-independence strategy that allows the sub-state territory to join the list of EU member states.¹ Pro-independence parties present these alternative strategies as complementary and the most effective way to stand for their territory's interests at the European Council.

¹ By *sub-state nationalism* and *sub-state nationalist parties* we refer to the political movement and the party family characterised by the claim that a territorially concentrated group within a state constitutes a distinctive political community. We employ this term over the more commonly used 'minority nationalism' because it allows us to include Flanders, a community that constitutes a demographic majority in Belgium. To refer to sub-state institutions, we use the general term *regional*.

In order to gain insight on the strategies of sub-state nationalism, we focus in this article on the cases of the Basque Country, Catalonia, Flanders and Scotland. The four cases constitute the clearest experiences of stateless nation-building in the context of the EU, which, in turn, represents the most advanced case of transnational economic and political integration. The four cases share additional political traits. They all experienced a nationalist mobilisation going back to the nineteenth century which re-emerged in strength in the late twentieth century. They are also part of states that experienced substantial constitutional change in the last quarter of the twentieth century resulting in the establishment of self-governing institutions that aimed to accommodate their distinctive nationhood claims.

The article is structured as follows. In the first section, we review the main changes in the nature of statehood and sovereignty, and the way they may facilitate small countries' independence. Secondly, we examine the degree of support to the European project in our four territories to understand the context in which sub-state nationalist parties articulate their strategies. In the third section, we examine the strategies themselves, distinguishing between regionalist strategies – seeking to maximize the role of the regions in the European political process – and pro-independence strategies. Finally, we conclude by discussing the implications of European integration for the specific projects of sub-state nationalism.

Statehood and Independence in Contemporary Europe

The twentieth-century nation-state represented an aspiration to construct a form of sovereign political order within fixed territorial boundaries. Within these boundaries, there would be a national society, a national economy, and a national political system. The nation would provide legitimacy for political order and a sense of social solidarity, whereas the state would provide

all public goods. National governments would undertake national macroeconomic management securing growth and full employment in a context of capital controls and limited trade liberalisation. The nation would constitute a space for social compromise between capital and labour, whereas state institutions would provide social security through public services and welfare programmes. Although this is to a great extent an ideal-type (Rokkan 1999), it provided a strong rationale for national unity and centralisation in the post-war period (Baldersheim and Keating 2015).

Since the 1970s, however, the nation-state formula has come under strain. International free trade and capital mobility have reduced the capacity of states in macroeconomic management. Welfare compromises have been undermined as capital is more mobile than labour and can opt out by relocating (Rodrik 1997). In a process of spatial rescaling, some functions have migrated to the supranational level while others have relocated to smaller units of local or regional scope (Keating 2013). The most dramatic example of transnational economic integration is the European Union, in which member states have pooled their sovereignty in key economic areas such as trade, customs or currency. The EU also provides public goods such as agricultural policies and structural funds through the supranational European Commission (Beyers and Bursens 2013). In addition, the evolution of European decision-making rules, from those corresponding to an international organisation to qualified-majority voting, implies that individual states lost veto powers in an increasing number of policy areas (Hix and Hoyland 2011).

These changes have two main consequences. Firstly, they have transformed understandings of statehood and sovereignty. The classical notion of the state was based on the recognition of no other source of internal or external authority than the state. Sovereignty was absolute, perpetual

and inalienable and, as such, it could not be shared, limited or divided. However, the scope of the state is currently perceived as too small for delivering some public goods and too large for others. The notion of a sole jurisdiction encompassing all policy domains has been substituted in Europe by a multilevel government structure characterized by overlapping jurisdictions (Jeffery 2000). As a result, many scholars argue that sovereignty itself has been transformed so as no longer to be unitary and attached only to nation-states (MacCormick 1999; Tierney 2004).

Secondly, an independent state is now a more viable option for small European nations. Within the EU, a small state may have access to a continental-size market, making independence possible without some traits of the classical state such as hard borders or customs (Alesina and Spolaore 2005; Friedman 1977; Wittman 1991). It may also access a common currency and a central bank. Membership in military alliances such as NATO may also relax pressures to devote resources to defence, a sector where economies of scale facilitated the creation of large states (Alesina and Spolaore 2005; Colomer 2007). The cost of independence has lowered (Baldersheim and Keating 2015; Colomer 2007; Marks and Hooghe 2000), although it is a form of independence that does not equate to full sovereignty on matters such as the army, the police, borders, customs, or currency, as reflected in the independence proposals of sub-state nationalist parties.

The Support to the European Project

Historically, our territories and their respective states have had different relations to the idea of Europe and European integration. Belgium is among the founding states of the European Economic Community (EEC), and this membership is widely supported by public opinion and

has not been challenged by any political party (Bursens 2002). Similarly, Europe has been a consensual issue in democratic Spanish politics. By the early twentieth century elites were divided about the Europeanisation issue between modernizers and traditionalists (Álvarez Junco 2001), but by the end of Franco's dictatorship a consensus existed among pro-democracy elites to join Europe and end Spanish isolationism in order to secure democratisation and modernisation (Balfour and Quiroga 2007).²

By contrast, Europe has been a much more contentious issue in British politics. The building of the British state was intrinsically bound up with the making of Empire (Colley 2009); British interests became global and the European integration process was perceived by a significant sector of the British elites as alien. In the early days of European integration, the UK decided not to join the more politically ambitious EEC and join instead the European Free Trade Area. Under the Conservative party leadership, the UK finally joined the EEC but the accession was contested by a section of the Labour party, which triggered a first withdrawal referendum in 1975 after Labour returned to power. Later, the Maastricht Treaty divided the Conservative party about Europe. This, together with the growing support of the Eurosceptic UK Independence Party (UKIP), triggered a second withdrawal referendum in 2016 that this time was won by the Leave side.

British public opinion has consequently shown a very different evaluation of the country's membership of the EEC and the EU. Figure 1 gathers the evaluation of Belgians, Spaniards

² By the turn of the 19th century, the loss of the last possessions of the Spanish empire in 1898 triggered a debate between modernizers and traditionalists, with the former identifying Spain with underdevelopment and Europe with modernisation. This crisis also prompted the rise of Catalan and Basque nationalisms, when local elites decided to build alternative national projects (Colomer 2008).

and Britons regarding their respective country's membership of the EU. The figures also place these assessments into context by showing the average evaluation of the EU-9, the only countries continuously present in the Eurobarometer surveys. In the EU-9, the average percentage of those who evaluate their country's membership in the EU as a good thing has been around 60 percent. Trends in Belgium and Spain show that their respective public opinions moved around the EU-9 average during most of the period. In contrast, support for EEC/EU membership has been systematically lower in Britain.

Figure 1 about here

In a similar fashion to the uncontested nature of the European question in Belgium and Spain, none of the main parties in Flanders, the Basque Country and Catalonia stands for withdrawing from the EU (see next section). This is reflected in the public opinion of these regions. Figure 2 shows the level of trust in EU institutions. The measures allow us to compare the level of trust of our cases relative to the country they belong to and relative to other European regions in 2015 and 2012. The data show that trust in EU institutions is bigger in Belgium than the EU-9 average and that Flanders appears as more trustful in EU institutions than the whole of Belgium in 2015 and 2012. In Spain, Catalonia shows very similar levels of trust in EU institutions to the ones of the whole of the country, and the Basque Country appears as relatively less trustful of EU institutions. Finally, Scotland shows higher levels of trust than the rest of the UK, although it does not appear as a passionate pro-European compared to Belgian and Spanish territories.

Figure 2 about here

The contested nature of the EU in the UK manifest itself in divergent European preferences across UK nations. As Figure 3 indicates, England has systematically shown higher levels of Euroscepticism than Scotland. The perception of these differences is probably wider because, in contrast to England, there is a pro-European consensus among Scottish political parties. These differences crystallized during the EU membership referendum campaign. The main Scottish parties campaigned in favour of Remain – including the Scottish branch of the Conservative party. This contrasts with the campaign in the rest of the UK, where the Conservatives were split about the issue and UKIP – a party without representatives in the Scottish Parliament – campaigned in favour of leaving the EU (Henderson et al. 2016). All this helped to produce a sharp difference across nations in the EU membership referendum held in 2016. Whereas only 46.6 percent in England supported to remain in the EU, the percentage was 62.0 in Scotland.

Figure 3 about here

The Strategies of Sub-state Nationalist Parties in the EU

Sub-state nationalist parties belong to a party family characterized by a shared commitment to territorial empowerment (Hepburn 2009) vis-à-vis state institutions. Some sub-state nationalist parties equate empowerment to independence, but many others interpret it to mean different degrees of autonomy (Keating 2001). Sub-state nationalist parties are affiliated to different European parties, which reflects their ideological diversity (Elias 2008). They hold more diverse views than other European party families regarding European integration (Bakker et al. 2015), although the main sub-state nationalist parties in our four territories share a pro-European outlook and the aim to empower the regions within the European arena.

In the Basque Country, Catalonia, Flanders and Scotland sub-state nationalist parties exist which are usually in a position to hold regional office, either alone or in coalition governments. The main parties of this family are the Scottish National Party (SNP); the Democratic Party of Catalonia (PDeCat, previously within the Convergence and Union coalition) and the Republican Left of Catalonia (ERC); the Basque Nationalist Party (PNV); and the New-Flemish Alliance (N-VA). As Table 1 illustrates, all parties are committed to the European project and hold different positions on independence (Liñeira and Cetrà 2015). Other smaller sub-state nationalist parties with regional parliamentary representation are less supportive of the EU such as the Flemish pro-independence radical right Flemish Interest (*Vlaams Belang*), and the Basque and Catalan pro-independence radical left *Sortu* and the Popular Unity Candidacies (CUP).

Table 1 about here

Sub-state nationalist parties engage in two broad strategies to defend their interests in the European arena. The first consists of seeking regional representation and influence in the European Union (Tatham 2018). This may take a direct or indirect form, depending on whether it is mediated by central authorities. Tatham (2008) identifies six channels of direct interest representation for regional actors: the Council of Ministers, the European Commission, the European Parliament, the Committee of the Regions, regional Brussels offices, and European networks and associations. However, the most important channel of regional influence in Belgium, Spain, and the UK is indirect, via coordination with the state's representation (Keating, Hooghe, and Tatham 2015). In addition to these European strategies, regional

governments engage in foreign policy through paradiplomatic cultural and economic activities, both without or in tandem with the member state (Criekemans 2010).³

Both the CiU and the PNV were the first sub-state nationalist parties to engage in regional governments' representation at the European level and active inter-regional cooperation. This is so because both parties held regional office through the 1980s and the 1990s, whereas Belgium and the UK only established strong regional parliaments and governments after the approval of the Maastricht Treaty.⁴ As soon as Spain joined the EEC in 1986, both territories followed the example of the German Länder and set up offices in Brussels that focused on the representation of commercial interests (Wonka et al. 2010). Catalonia chose a public-private formula with the establishment in 1982 of the *Patronat Català Pro-Europa* (which later became *Patronat Catalunya Món* and is now *Diplocat*), and in 2014 it also created the position of Permanent Representative of the Catalan government to the EU. The Basque government avoided the public-private formula, establishing a commercial office in 1986. It became the first Spanish region to set up a political delegation in 1996. Both parties were also heavily involved in the development of inter-regional cooperation, a process that had started in the 1970s (Keating, Hooghe, and Tatham 2015, 454) and later became more politically ambitious with the set-up of organisations such as the Assembly of the European Regions (AER) and the Conference of Regions with Legislative Powers (REGLEG), which paved the way for the Committee of the Regions. From a political point of view, these strategies mirrored the

³ Regions may engage in *conflictual paradiplomacy*, i.e., interest representation against the position taken by the member state (Tatham 2016). A recent example of this is the international campaign set up by the Catalan government about its constitutional future through the Catalan Public Diplomacy Council (*Diplocat*).

⁴ The Belgian state reforms of 1980 created a regional government for Flanders with very limited powers, and a directly elected Flemish parliament was not set up until 1995.

gradualist strategies embraced at that time by both parties at the domestic level, aiming at institutional change without seeking independence.

In Flanders, the main sub-state nationalist party is the New Flemish Alliance (N-VA), which became the dominant party in regional government in 2014. The party has generally been supportive of the EU (Dardanelli 2012), although since the 2014 European elections it has voiced criticisms towards the centralism of European institutions vis-à-vis European regions and the EU management of the refugee crisis. Flanders' representation in Europe is more direct. The progressive federalisation of Belgium in the first half of the 1990s empowered the Flemish regional government –and Wallonia and Brussels– by granting them the jurisdiction for the external relations in those matters for which they have the internal competence. Interestingly, this has resulted in a practice of intense intergovernmental cooperation at the federal level for the regional governments to be heard effectively in the European arena (Beyers and Bursens 2006). The Belgian regions, communities and federal government alternate to represent the Belgian position in the Council of Ministers, and sub-state entities take turns in assuming the lead responsibility for the Councils on the matters within their jurisdiction.

In Scotland, the issue of the representation in Brussels first arose in the 1990s after disagreements between the Scottish Office and the Whitehall departments, which led to the establishment of *Scotland Europa* to promote Scottish interests in Europe (Keating 2010). When devolution was established, a Brussels office was also created, the Scottish Government EU Office or SGEUO. Scotland has also participated in inter-regional networks such as REGLEG. However, since the SNP became the governing party in 2007, the Scottish government has limited its membership in these organisations to focus on the promotion of Scotland as a nation that aims independence within Europe (Jeffery 2010).

Independence within Europe

The second broad strategy that sub-state nationalist parties may adopt to promote their territories' interests in the European arena consists in becoming an independent state within the EU. This is the traditional strategy proposed by the ERC in Catalonia and the SNP in Scotland, and has also been recently advocated by the PDeCat. However, it is in Scotland where the project of independence within Europe has been particularly discussed and developed, prompted by the different support to EU membership in Scotland and the rest of the UK, and the 2014 independence referendum.

Ironically, the SNP is the only of our sub-state nationalist parties which has varied its position on Europe. Between the 1960s and 1988, the party was hostile towards Europe. The establishment of the European Community, and the entry negotiations conducted by the UK in the 1960s without any separate Scottish input, brought the party to reconsider its earlier supportive position on Europe and oppose EEC membership (Lynch 1996). The SNP presented European institutions as centralist and elitist, similarly to the party's portrayal of UK institutions. The Common Market was perceived as a damage to the Scottish economy, particularly the common agricultural and fisheries policies. Therefore, the party campaigned for UK withdrawal in the 1975 referendum on the theme of 'No voice, no entry', although the SNP did not elaborate a comprehensive vision of independence without Europe.

In 1988 the SNP switched its anti-European position and adopted the slogan 'independence in Europe', based on the notion of an intergovernmental Europe where Scotland would take up its place alongside other European member states (Lynch 1996, Hepburn 2008). This was partly a response to the increasing relevance of the European Community and the opportunities it

offered to bypass the state and exercise influence in Brussels. It was also partly a response to the rebranding of the EU as a social project under Delors' Commission presidency at a time when the SNP was becoming social democratic (Dardanelli 2005). Since then, EU membership has remained central to the SNP's vision of Scottish independence. In addition, the SNP has deployed the European issue to promote differences with England, presenting Scotland as a more open, outward-looking, and modern nation.

The SNP is the sub-state nationalist party which has developed the most complete case for independence within Europe. The SNP's proposal sought continued membership in the European Union with the same terms as the UK (Scottish Government 2013, 24–25). This included the opt-outs on the Euro, the Schengen passport-free travel zone (thus keeping the borders with England and Ireland open), and in Justice and Home Affairs. There seems to be a tension between this proposal and the SNP claim that an independent Scotland would be a very active player in Europe (Keating 2017).

The Scottish government's White Paper presented independence not as a separation but as a new form of partnership with the rest of the UK, which would maintain institutional, economic, cultural and inter-governmental connections. Thus, the proposal included a currency union; a common British Isles travel area, defence and security cooperation; cross-border public bodies; a strategic energy partnership; and a joint venture between the BBC and a new Scottish broadcasting corporation (Scottish Government 2013). The First Minister, Alex Salmond, spoke of Scotland being part of six unions— the political union, the European Union, the defence union (NATO), the union of Crowns, the currency union and the social union —, only one of which, the political, would change under the SNP's independence proposal.

In addition, the White Paper recognized that Scotland would need to access the EU in the event of secession. The timetable for doing so was to run parallel to that of independence – that is, eighteen months. Two ways were proposed. The first was the normal process of accession under Article 49 of the Treaty of European Union by countries coming in from outside the EU. Through this process, an independent Scotland was going to be outside the EU for a period of time, although it was already compliant with the *acquis communautaire* and therefore negotiations might have been relatively short. The second, preferred by the SNP-led Scottish government, was a change in the treaty itself under Article 48, which would recognize Scotland as a member state with continuity of effect. This would have ensured a smooth transition to independent membership.

After the EU membership referendum, when the UK as a whole narrowly voted to leave the EU while in Scotland a large majority voted for the UK to remain, the Scottish government requested a differentiated approach that would keep Scotland as part of the EU's single market (Scottish Government 2016). This was presented as a compromise that respected the referendum outcome while also protecting Scotland's interests in Europe. When Theresa May opposed the Scottish government's proposal, the SNP brought the issue of independence back to the political agenda and the Scottish Parliament voted in favour to request a second independence referendum with the support of the SNP and the Scottish Greens. However, as a result of the SNP losing ground in the 2017 General Election, falling from the 56 seats won in 2015 to 35, the party has shelved temporarily the demand of a second independence referendum.

The Scottish case shows how intertwined the issues of independence and EU integration may be. It also shows that independence proposals are closely bound up with projects of economic

integration. Thus, while Brexit re-activated the grounds for a second independence referendum, it also makes independence proposals based on unions with both the UK and the EU unfeasible, forcing the SNP to redefine its independence within Europe proposal.

In Catalonia, the ERC and the PDeCat also advocate for independence within Europe. However, their vision of independence within Europe is less discussed and articulated than the SNP's proposal because the Catalan independence debate mainly revolves around the legitimacy of holding an independence referendum.⁵ The independence debate in Catalonia became dominant after the 2010 Constitutional Court ruling that amended the Catalan statute of autonomy passed in 2006 by popular vote. This generated a dissatisfaction that paved the way for the demand of holding an independence referendum. The Spanish government opposed the vote arguing that sovereignty was unitary and belonged to the Spanish people as a whole according to the constitution, and that the Catalan government had no jurisdiction to call referendums. Despite the opposition, the Catalan government led by CiU organized a vote on independence in November 2014 devised as a symbolic poll and an act of popular mobilisation.

In this poll, voters were asked two questions: whether Catalonia should be a state, and if yes, whether it should be an independent state. The Catalan government estimated the turnout to be 36% (2.3 million). Among those who voted, 80.7% voted Yes to both questions, 10% voted Yes to the first question and No to the second, and 4.5% voted No. The poll failed to engage and mobilize those who oppose Catalonia's independence. This, jointly with the non-binding

⁵ This is reflected in the white paper produced by the Council on the National Transition set up by the Catalan government (Council on the National Transition 2014). Compared to the Scottish government's white paper, which concentrates on a substantive account of how an independent Scotland would have looked like (Scottish Government 2013), the Catalan white paper focuses on the process to become independent within Europe.

nature of the vote and the lack of discussion about the implications of independence –including the European dimension– renders the comparison with the Scottish referendum less fruitful.

The disagreement between the Catalan and the Spanish government remains. In the 2015 Catalan Parliament elections, the electoral coalition JxSí (formed by the ERC and the PDeCat) returned a plurality of seats with a pro-independence manifesto. On October 1st 2017, the Catalan government held an independence referendum in which voters were asked the question ‘Do you want Catalonia to be an independent country in the form of a Republic?’. The vote was opposed by the Spanish government on the same grounds than the 2014 poll. The Constitutional Court suspended the referendum law. The Catalan government estimated the final turnout to be 43% (2.3 million). Among those who voted, 90.2% voted Yes and 7.8% voted No. The vote and the reaction by the Spanish Government, which sought to stop the vote through police intervention, deepened the constitutional crisis to levels without precedents in democratic Spain.

Conclusions

In this article, we have analysed the support to EU membership in the Basque Country, Catalonia, Flanders, and Scotland, and the strategies of their sub-state nationalist parties regarding European integration. The EU has affected the nature of statehood and has diminished the costs for establishing newly independent states. It has also expanded the collaboration possibilities of sub-state actors beyond the state level. Sub-state nationalist parties aim to maximize and promote the region’s interests in Europe through two broad strategies. The first is shared by all sub-state nationalist parties and consists in championing the role of regions and maximising the influence of self-governing institutions in the European

political process. The second is simply to join the list of member states and is currently sought by the SNP, the ERC and the PDeCat. The articulation of this last strategy has been mainly advanced by the SNP.

While in this article we have emphasized that European integration facilitates independence by giving small nations access to large markets, this does not mean that European integration is a central driver of independence demands. Sub-state nationalist mobilisation occurred as a reaction led by periphery elites to nation-building efforts by the state central institutions. Sub-state nationalist parties first demanded self-government by standing in general elections; after decentralisation, the region has become their main political arena while the importance of federal politics to their strategy varies depending on their coalitional opportunities at the centre. The main actors of sub-state nationalism still operate in opposition to the dominant nationalism, and their strategy is defined by the dynamics of competition and cooperation between parties and institutions that operate within the same political system. Thus, it is still in domestic politics where the main sources of sub-state mobilisation lay.

Although sub-state nationalism has been pivotal to the development of regional institutions as a relevant actor at the European level, the EU continues to operate as a club of states. The state has not been bypassed in favour of a Europe of the regions, remaining the primary actor in the EU. This has become particularly evident after the divergent results of the 2016 EU membership referendum in the different constituent nations of the UK. Despite demands by the Scottish and Northern Irish governments to obtain distinctive settlements that reflect the pro-remain wishes of their respective populations, the very nature of the EU is at odds with establishing different levels of integration for different territories which belong to the same state. While a different accommodation of regions in the EU remains unlikely, the negotiation

to set the terms of the UK's exit from the EU could constitute a critical juncture for the role of sub-state institutions in the EU.

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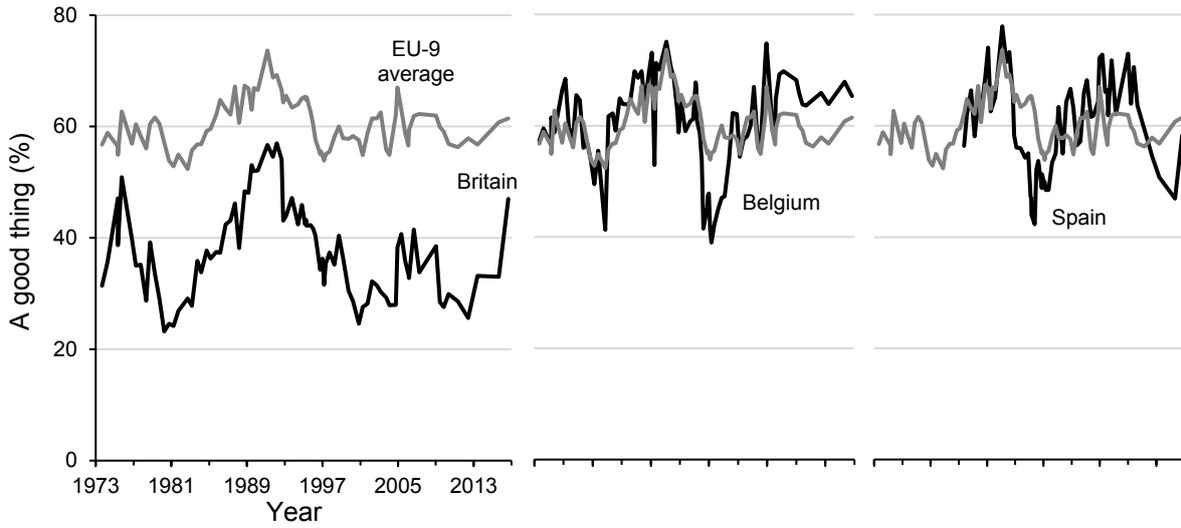
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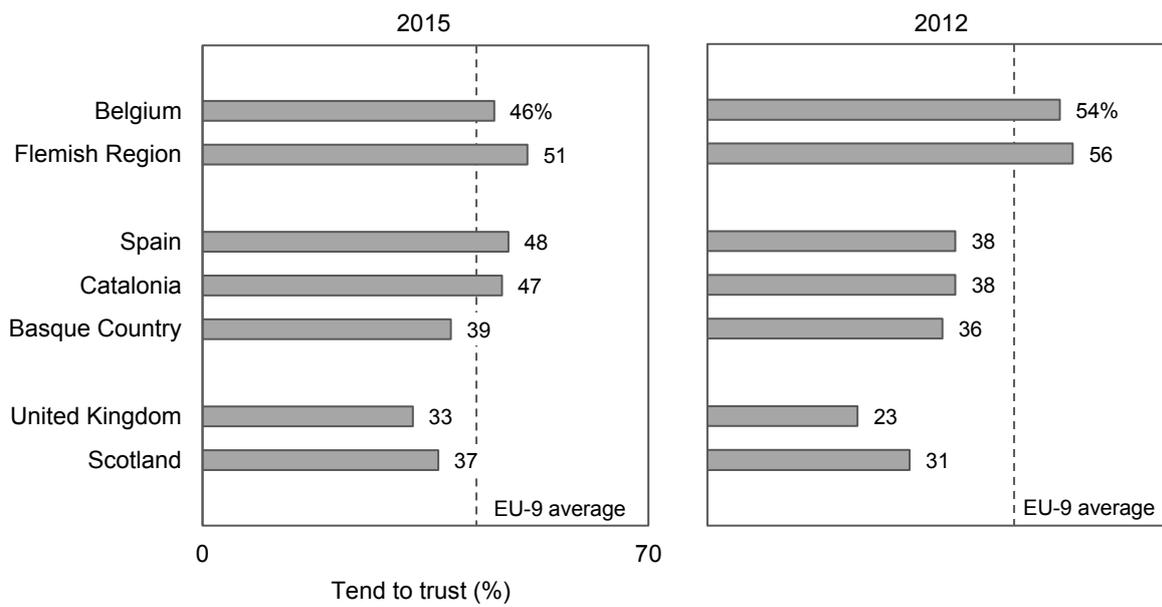
Figure 1: Support to Country Membership to the ECC/EU in Belgium, Britain and Spain Compared to EU-9 Average Support



Survey question: “Generally speaking, do you think that (your country's) membership of the ECC/EU is [a good thing, a bad thing, neither good nor bad]?”

Source: Eurobarometer

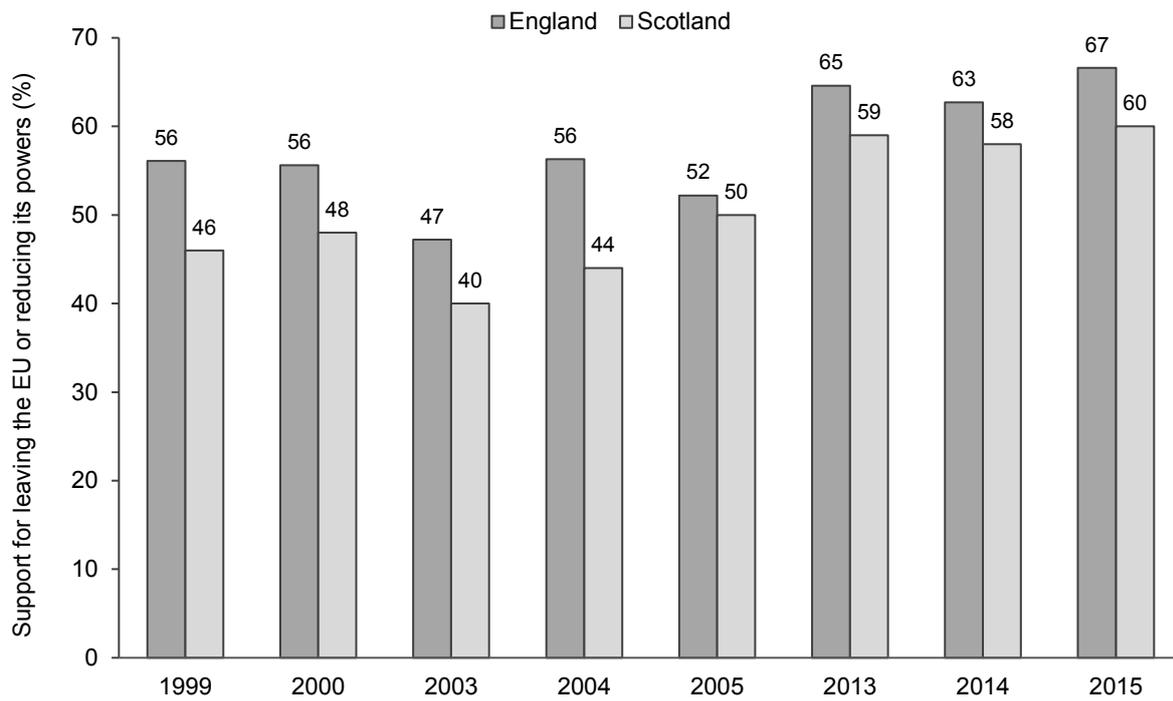
Figure 2: Trust in EU Institutions by Country-Member and Region



Survey question: “I would like to ask you a question about how much trust you have in the European Union. Could you please tell me if you tend to trust it or tend not to trust it?”

Source: Flash Eurobarometer 427 (September 2015) and Flash Eurobarometer 356 (September 2012)

Figure 3: Support to Leave the EU or Reduce its Powers in England and Scotland



Survey question: Do you think Britain's long-term policy should be ... to leave the European Union, to stay in the EU and try to reduce the EU's powers, to leave things as they are, to stay in the EU and try to increase the EU's powers, or to work for the formation of a single European government?

Source: British Social Attitudes Survey (English sample) and Scottish Social Attitudes survey

Table 1: Party Positions in the Territorial and European Dimensions

Party	Territorial Position	Position on Europe
SNP (member of the European Free Alliance)	Pro-independence	Pre-1988: In favour of not joining/withdrawing from EEC Post-1988: In favour of joining/remaining in the EU
ERC (member of the European Free Alliance)	Pro-independence since 1989	In favour of EU membership
CiU/PDeCat (member of the Alliance of Liberals and Democrats for Europe Party)	Pre-2012: Pro-autonomy, favouring the maximisation of Catalonia's self-rule within Spain Post-2012: Pro-sovereignty, i.e., Catalonia has the right to decide to become independent	In favour of EU membership
PNV (member of the European Democratic Party)	Bilateral relationship between Spain and the Basque Country	In favour of EU membership
N-VA (member of the European Conservatives and Reformists)	Confederalism*	In favour of EU membership

* In its party statutes, the N-VA defines independence as its ultimate goal. However, the party's position on the territorial issue in the short-term is confederalism

Source: Party Manifestos