

Spain and the EU test democratic legitimacy and consent

Growing up as I did in a settled country with a strong but flexible constitution, the issue of government legitimacy and democratic consent were ones for the history books.

The transfer of major powers to the EU changed all that. I came to realise I was caught up in a re run of the democratic struggles of earlier centuries in the UK, as many people and some in Parliament came to challenge the authority of government – not this time of the King, but of the EU. We have now found our resolution, through the ballot box. We have also resolved the issue of Scottish nationalism through a democratic vote of the Scottish people, which was agreed to be a once in a generation matter by both sides prior to the vote.

In Spain they are far from finding a resolution. The Spanish state has always had tensions between the powerful regional states and the centre in Madrid. The Basque country has chafed at Spanish rule, and Catalonia has long had an independence movement. These feelings have attracted more support as a result of the EU demanding more austerity year after year from the Spanish budget, and because the EU has assisted with a general economic policy which has failed to deliver good levels of employment and income.

In December 2016 the Spanish voters elected a Parliament which was simply incapable of forming any kind of government. Another election ensued in June 2017. Again no majority government could form. Instead the second largest party, the socialists, agreed to abstain so the leader of the largest party could win a vote to head a minority coalition government. Mr Rajoy, the PM, was elected on a ticket of no tax rises, but has to put some into his budget to try to comply with EU deficit rules.

It is this very weak type of government that has to handle the Catalan crisis. It is true Mr Rajoy can count on more Parliamentary support from Spain outside Catalonia, the Canary islands and the Basque country. Most of the rest want to keep Catalonia in Spain, where it makes a substantial contribution to tax revenues above its share of public spending.

The Spanish government's decision to deploy national police to take control by force set public sector workers employed by the Spanish state against public sector workers employed by the devolved Catalan government. It has shaken the whole question in many Catalan's minds, of who should have the authority and the power over them? Mr Rajoy may come to appreciate that in a democracy those with the power must behave in a way which preserves the implied consent to the system by most of the people for most of the time. If too many people come to resent or challenge the democratic authority, the fact that it was elected does not solve the problem. When elected to office, particularly in a weak coalition that cannot even command a majority as a coalition, office holders should understand the need for sufficient consent

to exercise their constitutional powers.