

Santander Fellowship in Iberian and European Studies Conference.

European Studies Centre, St Antony's College, University of Oxford. 25-26 May 2017



Responses to Secessionism in Advanced Democracies: Accommodation Instruments, Institutional Design and the Politics of Federal Reforms

The Conference is conceived as one of the annual activities of the Santander Fellowship in Iberian and European Studies at the European Studies Centre and is co-sponsored by the Gwilym Gibbon Centre for Public Policy, Nuffield College Oxford; The Elcano Institute in Madrid; the Forum of Federations; and the Centre on Constitutional Change. It will bring together a number of first-class scholars from Europe and North America to deal with the issues raised by the current discussion in the political realm and academia about possible constitutional, institutional or political responses to secessionist demands in several advanced democracies such as UK, Spain, Belgium or Canada using an innovative approach. The conference will count on around 25 participants, both seasoned scholars and younger ones, with cutting-edge expertise in comparative federalism, constitutional change and reforms, secessionism and ethnic politics and nationalism, coming from Spain, UK, Germany, and Canada. Several scholars of St Antony's, Nuffield, Worcester College or St Cross Colleges from Oxford University will also participate as discussants or chairing the panels.

The conference will address five main issues:

1. What different paths do different multinational countries take, and with what effects, when they seek to respond to secessionist challenges and accommodate secessionist demands? Are there coherent national models of accommodation or are all governments muddling through amid short-term electoral and economic preoccupations that hinder reform initiatives and/or ratification?
2. Are there optimal constitutional, political or fiscal procedures that can facilitate the accommodation of secession demands? To what extent do states rely upon standard responses of devolution, fiscal appeasement, symbolic recognition, or participation at the centre, and how effective are these individually or in combination? Is there space for constitutional imagination and procedural innovation in accommodating territorial demands?
3. What are the effects of central policies of accommodation or non-accommodation vis-à-vis regional domestic conditions and developments, public opinion and party competition, or the interaction between the two? Do certain forms of accommodation or non-accommodation contain or exacerbate secessionist demands?
4. Can we reconcile the politics of secession with the politics of institutional reform? Are there procedures and mechanisms of accommodation which would see the defence of the state's territorial integrity with new statehoods and transnational partnerships? What are the prospects of successful reform?
5. Do institutions and or/ideas and/or models applied elsewhere shape the accommodation instruments used in any given case, or are these *sui generis*?

PROGRAMME: Thursday 25th May

13:45-14:00:

Welcome and presentation by organisers

14:00-15:00.

PANEL 1: The issues: secession in multinational democracies. Instruments, measures, federalism and national models of diversity management; viability of reforms and feasibility of accommodation

Panellists:

Cesar Colino, (St Antony's College, Oxford)

"Some conceptual and policy reflections on secessionism and accommodation"

Nicola McEwen (University of Edinburgh)

"Accommodation without National Unity? Evaluating the prospect of partnership after secession"

Chair: **Iain McLean** (Nuffield College Oxford)

15:00-15:15: *Coffee break in the Common Room*

15:15-16:45.

PANEL 2: The nature and justice and of new secessionist demands and new proposals of accommodation. Self-rule and shared rule, types of devo-max, association and embedded independence.

Panellists:

Alain Gagnon (Université du Québec à Montréal)

"Shared rule, Self-rule, and Self-Determination: An Exploration into the Quebec Case"

Marc Sanjaume (IEA Barcelona)

"Justice in theories of secession: federal approaches"

Discussant: **Nicola McEwen**, (University of Edinburgh)

Chair: **Cesar Colino** (St Antony's College, Oxford)

16:45-18:15:

PANEL 3: Asymmetry, symbolic recognition, constitutional abeyances and trust-building: how much asymmetry is possible or desirable? How much recognition?

Panellists:

Angustias Hombrado (UNED, Madrid)

"Feasibility and political conditions of asymmetric solutions for accommodation: the role of tolerance by other regions in Canada and Spain"

Karlo Basta, (Memorial University of Newfoundland)

"Symbolic Recognition as the Catalyst for Secessionist Crises: Reconsidering Existing Theories in Light of Canadian and Spanish Experience"

Discussant: **Kalypso Nicolaidis** (St Antony's College, Oxford)

Chair: **Ignacio Molina** (Autonomous University Madrid/Instituto Elcano)

19:30: Conference Dinner at Restaurant Al Shami, 25 Walton Crescent, Oxford

PROGRAMME: Friday 26th May

9:00-9:10: *Short breakfast coffee in the Common Room*

9:10-10:30:

PANEL 1: Fiscal federalism and accommodation of secessionism. Fiscal sovereignty? Does fiscal appeasement work?

Panellists:

Jason Sorens (Dartmouth College, USA)

“Secession Risk and Fiscal Federalism.”

Caroline Gray (University of Liverpool)

“Can devolving greater fiscal powers reduce secessionism? Lessons from the Basque and Catalan cases in Spain”

Discussant: **Iain McLean**, (Nuffield College Oxford)

Chair: **Felix Knüpling**, (Forum of Federations, Berlin)

10:30 – 10:50: *Coffee break in the Common Room*

10:50-12:00:

PANEL 2: Secession clauses, clarity Acts and territorial referendums as accommodation and framing devices

Panellists:

Francois Rocher (University of Ottawa)

“Canada’s Clarity Act: Reframing Legal Parameters and Political Dynamics” (**André Lecours**, co-author)

Matt Qvortrup (University of Coventry)

“A Comparative Analysis of Independence Referendums - with a Special Reference to Scotland and Quebec”

Discussant: **Jim Gallagher** (University of Glasgow and Nuffield College, Oxford)

Chair: **Marina Pérez de Arcos** (St Cross College, University of Oxford)

12:00-13:15:

PANEL 3: Reforms: the impact of procedures in success. New procedural possibilities to constitution building and ratification, deliberative approaches, conventions, public and experts’ participation

Panellists:

Arthur Benz (TU Darmstadt, Germany)

“Negotiating constitutional change in the shadow of a referendum”

Andrew Blick (King's College London)

“Establishing a UK constitutional convention: issues and challenges”

Discussant: **Josep M. Castellá** (Universitat de Barcelona)

Chair: **Simon Toubreau** (University of Nottingham)

13:15-14:00: Lunch in the Common Room or Garden (weather permitting)

14:00-15:15:

PANEL 4: Can secessionist parties be accommodated? The role of public opinion and media, party electoral competition and elite interaction in accommodation responses

Panellists:

Emanuele Massetti (University of Surrey)

"The Impact of Devolution Reforms on Regionalist Parties".

Simon Toubeau (University of Nottingham)

"Restructuring the State: Mainstream Party Responses to Regional Nationalism in Western Europe"

Discussant: **Adis Merdzanovic** (St Antony's College, Oxford)

Chair: **Cesar Colino** (St Antony's College, Oxford)

15:15-15:30: *Coffee break in the Common Room*

15:30-16:45:

PANEL 5: International recognition and supranational organizations and their effects on secessionist processes and outcomes. The uses, and the role of, the EU in secession politics

Panellists:

Nuria González Campañá (Worcester College, Law Faculty University of Oxford)

"Legal responses to secessionism from Brussels: legal pragmatism or EU law as guarantor of national constitutional orders?"

Ignacio Molina (Autonomous University Madrid/Instituto Elcano)

"The EU variegated Responses to Secessionism: One Size Does Not Fit Scotland and Catalonia"

Discussant: **Graham Avery**, St Antony's College, Oxford

Chair: **Karlo Basta**, (Memorial University of Newfoundland)

16:45-17:15:

Conference conclusions in the form of a general discussion: *What ideas for the future?*

List of participants

- Avery, Graham**, St Antony's College, Oxford
- Basta, Karlo**, Memorial University of Newfoundland, Canada
- Benz, Arthur**, TU Darmstadt, Germany
- Blick, Andrew**, King's College London
- Castellá, Josep M.**, Universitat de Barcelona
- Gagnon, Alain**, Université du Québec à Montréal /l'Université Sorbonne Nouvelle, Paris
- Gallagher, Jim**, University of Glasgow and Nuffield College, Oxford
- González Campaná, Nuria**, Worcester College, University of Oxford.
- Gray, Caroline**, University of Liverpool
- Hombrado, Angustias**, UNED, Madrid
- Knüpling, Felix**, Forum of Federations, Berlin
- Massetti, Emanuele** University of Surrey
- McEwen, Nicola**, University of Edinburgh
- McLean, Iain**, Nuffield College, Oxford
- Merdzanovic, Adis**, St Antony's College, Oxford
- Molina, Ignacio**, Instituto Elcano/Autonomous University Madrid
- Nicolaidis, Kalypso**, St Antony's College, Oxford
- Pérez de Arcos, Marina**, St Cross College, University of Oxford
- Qvortrup, Matt**, University of Coventry
- Rocher, Francois**, University of Ottawa, Canada
- Sanjaume, Marc**, Institut d'Estudis de l'Autogovern , Barcelona
- Sorens, Jason**, Darsmouth College, USA
- Toubeau, Simon**, University of Nottingham
- Convenor: **Colino, César**, St Antony's College, Oxford

Co-sponsored by the European Studies Centre, Gwilym Gibbon Centre for Public Policy, Nuffield College, The Elcano Institute, Madrid, the Forum of Federations; and the Centre on Constitutional Change

