

Spain is unlikely to veto an independent Scotland's EU membership

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If Scotland votes to become independent then it will seek to become a member state of the European Union. However some commentators have raised the question of whether Spain might seek to veto Scotland's membership or impose concessions on the country to avoid setting a precedent for Catalonia. [Dani Cetrà](#) writes that it is unlikely Spain would veto an independent Scotland's EU membership, but the result of the referendum could nevertheless have a significant impact on debates within Catalonia.



The Scottish Government has indicated two possible routes to EU membership following a Yes vote on 18 September, under articles 48 and 49 of the current European Treaty. Either route would require unanimity among the 28 Member States. There have been some suggestions that Spain would veto Scotland to avoid creating a precedent for its sub-state nations, most notably Catalonia, where there is widespread demand for holding a referendum on independence on 9 November 2014.

Spain's veto seems unlikely. José Manuel García-Margallo, Spain's foreign minister, declined to state that Spain would veto Scottish accession when invited to do so. Instead, the Spanish Government has taken the line that the cases of Catalonia and Scotland are fundamentally different because the UK's constitutional setting permits referendums on secession while the current Spanish constitution enshrines the indivisibility of the Spanish state and establishes that national sovereignty belongs to all Spaniards.

The Spanish government is trying to make a virtue out of necessity. They would find it politically difficult to oppose an independent Scotland's membership. As Stephen Tierney and Katie Boyle [observe](#), 'if the UK Government is prepared to recognise an independent Scotland and work towards its membership of the EU with the cooperation of EU institutions and the overwhelming majority of the other Member States, then it is simply unforeseeable that this would be vetoed by an individual Member State'.



Spanish Prime Minister Mariano Rajoy, Credit European People's Party (CC-BY-SA-NC-ND-3.0)

The bottom-line in Spain's position is that internal UK politics are a matter for the UK. Spain would have no grounds to oppose Scotland's independence when this prospect is entirely acceptable to the UK government. This is very different to the case of Kosovo, which declared independence unilaterally from Serbia and has therefore not been recognised by Spain. This is not to say, of course, that the admission process will be concluded quickly. There could be delays for administrative and political reasons. García-Margallo has already argued that an independent Scotland would have to join the 'waiting line and ask for admission', stressing the difficulties and lengthiness of the process.

By distinguishing the Scottish case from those in Spain, the Spanish government aims to place its own voice to be the determinant for the cases of Catalonia and the Basque Country. An independent Scottish state could be recognised and accepted as a new member of the EU because its independence would have been achieved 'in

accordance with the legal and institutional procedures' and with the support of the UK government. In the Spanish government's view these two interrelated requirements – accordance with the domestic legal framework and approval from the central state – are not met in the case of Catalonia.

The debate in Spain is about competing visions on nationhood and sovereignty, but the Spanish government's strict reading of the constitution is also strategic: Spain is raising the cost of independence in the hope that this will reduce its demand. As things stand, Catalonia would have to declare independence unilaterally. Leaving such a radical choice as the only route to secession, the Spanish government hopes to weaken the Catalan demand by dividing moderate and radical supporters of independence. The Popular Party (PP), which runs the country, might also use this firm position as a positive argument in the campaign of the 2015 general election, presenting themselves as the best guarantors of Spanish unity.

The implications of the Scottish referendum for Catalonia

The Scottish process is viewed with envy by pro-referendum Catalans. They see David Cameron as a true democrat who, unlike Spain's First Minister Mariano Rajoy, has been reasonable and accommodating when faced with a demand for a referendum on independence. On the other side of the debate there is the fear that an increasingly likely Yes vote in Scotland will foster Spain's internal secessionist demands. David Cameron is blamed for having opened a Pandora's box of secessionism, and some also criticise British unionists for making a last minute offer of extending autonomy, something the PP is not willing to do.

In the event of a Yes vote the Spanish government will probably continue to insist that the cases of Catalonia and Scotland are fundamentally different and that, as a result, no relevant parallels should be drawn. However, in spite of this discourse a Yes vote would be likely to give strength to the pro-consultation and pro-independence side. Probably not in the sense of widening its very considerable social support, but rather by lifting the spirits of those already convinced. The potential effect of a Yes vote on public opinion, especially amongst the non-secessionist pro-referendum Catalans, is less clear and is difficult to predict.

In the event of a No vote, the Spanish government and the anti-referendum position in general will feel relieved. But even then the PP will probably talk about the Scottish results without much conviction, because what they are opposing now in Catalonia is essentially the demand for a referendum on independence, rather than independence itself.

There have been some suggestions that a No vote will reduce support for independence in Catalonia but, precisely because there are many differences between the political situations in Catalonia and Scotland, this may be an overstatement. In Catalonia the perception of fiscal mistreatment and the sense of political grievance at being denied the 'right to decide' about independence run high, and the Spanish government refuses to make political offers or to negotiate further powers for Catalonia. These contextual differences do not permit easy assumptions about the impact of Scottish referendum on Catalan public opinion.

In conclusion, it seems likely that, following a Yes vote in Scotland, Spain will not veto its accession to the EU. It is also likely that the outcome of the Scottish referendum will have an impact on the mood of the politicians and activists already committed to their respective sides, but it is less clear whether there is going to be an effect on the overall public opinion.

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About the author

Dani Cetrà – *Scottish Centre on Constitutional Change*

Dani Cetrà is a Research Fellow at the Scottish Centre on Constitutional Change (SCCC).

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