

Checks and Balances and Nation Building: The Spanish Constitutional Court and Catalonia

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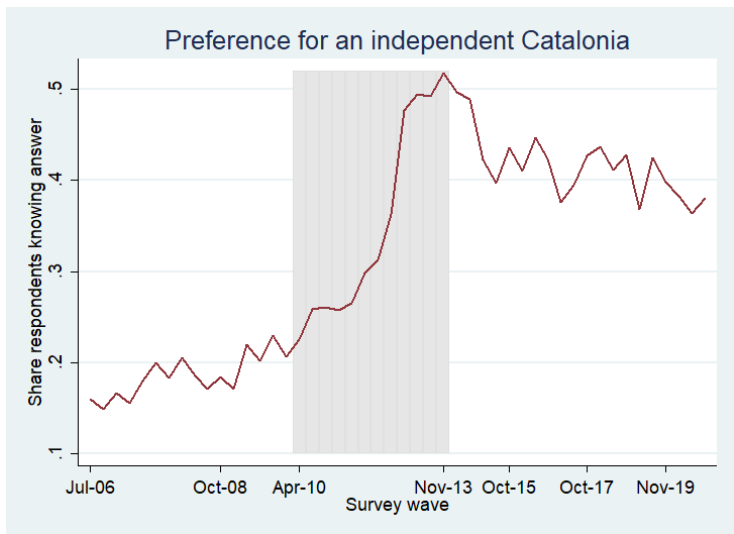
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Introduction

Preferences for independence in Catalonia



What is the effect of the Spanish Constitutional Court's ruling about Catalan Constitution on support for Catalan Independence?

- **Identification:** Ruling released amidst a survey of political preferences in Catalonia
- **Main result:** Ruling increased the support for independence by 5.2pp
- **Mechanism:** Identity politics: polarization according to Catalan identity

Identity \implies Choices

Akerlof and Kranton, 2000

External factors \implies Identity \implies Choices

Akerlof and Kranton, 2000
Sports victories (Depetris et al 2021), wars (Gehring 2022), policy changes
(e.g., language prohibition, Fouka 2021), economic shocks (Guriev and
Papaioannou 2021)

External factors \implies Identity \implies Choices
 \implies Polarization

Akerlof and Kranton, 2000

Sports victories (Depetris et al 2021), wars (Gehring 2022), policy changes (e.g., language prohibition, Fouka 2021), economic shocks (Guriev and Papaioannou 2021)

Shayo 2009, Bonomi Gennaioli and Tabellini 2021

Judicial reviews: protection

- 1 A critical element of checks and balances in liberal democracies (Hamilton, Madison and Jay, 1788; Hayek, 1960; Buchanan, 1974)
- 2 Protects minorities and preserves democracy (La Porta et al., 2004).

Judicial reviews: protection

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However: ongoing judicialization of politics (Hirschl, 2008)

- 1 Courts increasingly extending or suppressing civil and political rights related to racial, sexual and national identities. E.g. Roe vs Wade
- 2 Citizens might perceive over-rulings as unfavorable
- 3 Possible backlash: decrease in trust in institutions
- 4 Magnify identitarian cleavage and potentially cause polarization

Introduction

Setting

How a negative judicial review affects political stability and the identitarian cleavage in ethnically diverse countries?

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Laboratory for this test: **Catalonia in Spain**

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Laboratory for this test: **Catalonia in Spain**

- Spain is a **multi-linguistic country** with historically significant ethno-linguistic cleavages.
- Right to form **regional governments** and use different **languages**
- **Conflict** of interest around sub-national cleavages

How a negative judicial review affects political stability and the identitarian cleavage in ethnically diverse countries?

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- Spanish Constitutional Court's **ruling** about Catalan Constitution on institutional and identitarian issues

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- **Conflict** of interest around sub-national cleavages
- Spanish Constitutional Court's **ruling** about Catalan Constitution on institutional and identitarian issues
- Sudden increase in **support for independence** from 2010 to 2013
- Survey on public opinion around the date of the ruling for **causal** estimation

Introduction

Preview of the results

- 1 **Baseline:** 2010 ruling increased the support for independence among Catalans in around 20%.
- 2 **Institutional backlash:** It has eroded democracy. Citizens are less satisfied with democracy and, in particular, they reduced their trust in democratic institutions, like the judiciary branch.
- 3 In spite of the **economic downturn**, we do not find evidence that it could be a mechanism.
- 4 **Identitarian cleavages** play an important role. The ruling makes identitarian issues more prominent, citizens are more likely to activate their ethnic identity – i.e., they feel more Catalan.
- 5 According to identity politics theories, their group identity explains the exacerbation of their political attitudes at the expense of the economic conflict and the increase in **polarization**.

Institutional Setting and Empirical Strategy

Timing

- 1 Qualified majority of two thirds of the **Catalan Parliament** → 2005, 89%)
- 2 Absolute majority in the **Spanish Congress and Senate** → 2005/6, they introduced amendments
- 3 Ratification of a majority of Catalan voters in a **referendum** → 2006, approved with 78%
- 4 Appeal by deputies of the PP, and the case arrived to the Constitutional Court

Ruling: June 28th, 2010

Affected 41 of the 223 articles of the Statute (14 annulled)

[Language](#) [Regional Courts](#) [Other: decentralizations](#) [Other: banks](#) [Other: financing](#) [Appeal](#)

[Demonstration](#) [What the Constitutional Court do?](#) [Constitutional Court details](#) [Tribunal in 2010](#)

[Summary of the aftermath \(2010-\)](#) [The rise of secessionism \(2010-2015\)](#) [The conflict \(2015-\)](#)



Empirical model

$$Y_i = \alpha + \beta Ruling_i + \gamma X_i + GEO_i + \epsilon_i$$

Identification assumption: Timing at which respondents were interviewed random (computer-assisted telephone survey)

Compare outcomes of people with similar characteristics in the same geographical unit interviewed before and after the ruling of the TC

Data

- CEO (Centre d'Estudio d'Opinió)
- 10 days of field work, Ruling happened at 19:00 on first day of interviews (227 people, out of 2000, already interviewed)

Data

Controls

Balancing

Predicted independentism

Balancing final days-hours

Summary statistics

Waiting time

Summary statistics by past voting

Results

Ruling \implies Choices

Result I: Institutional

Change in preferences for relationship between Catalonia and Spain

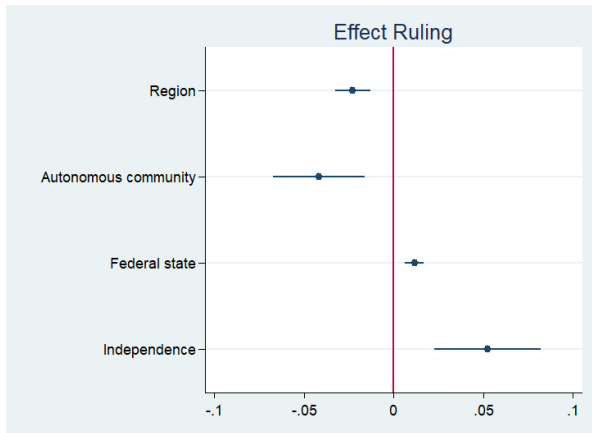


Table Controls Heterogeneities Polarization PP Effect by party Heterogeneity by day

Time-series Catalonia Rest of Spain Biasedness of ruling Trust: short Trust: long

Threats to identification

- **Balancing** [Balancing](#) [Predicted independentism](#) [Placebo](#) [Selection on unobservables](#)
- **Sample restriction** [Robustness hours](#) [Robustness days](#) [Balancing w/o restriction](#)
- **Non-responses** [Waiting time](#) [Non-response rates on answers](#) [Robustness trust in tribunals](#)
- **Non-compliance** [El Pais](#) [Google Trends](#) [News about ruling](#)
- **Anticipation effects**
 - After 4 years from appeal, exact day of the ruling of the Constitutional Court was unforeseeable [La Vanguardia cover](#) [Google Trends](#) [News about ruling](#)
 - Given expectations on positions of judges, El País forecasted that ruling was not going to be approved [Prediction](#) [Disagreements between judges](#)
- **Confounding events** ●
- **Pre-trends:** [2006-](#) [Previous wave](#)
- **Decay:** [Heterogeneity by day](#)
- **Inference:** [Robustness to clustering](#) [Robustness to unbalancedness](#)

Results

Ruling \implies Identity \implies Choices
 \implies Polarization

Models' elements

Testable predictions

Results

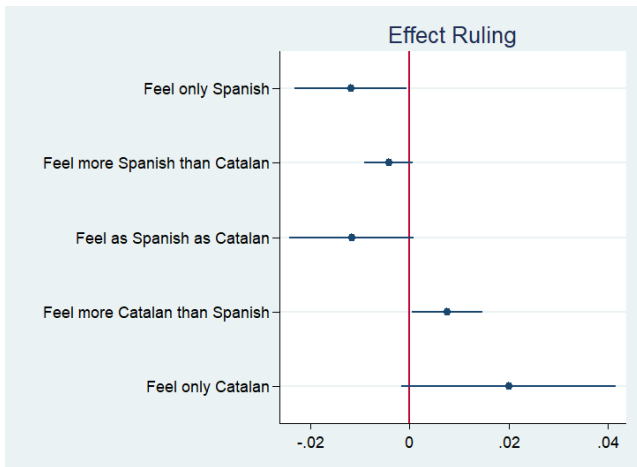
Ruling \implies **Identity** \implies Choices
 \implies Polarization

Models' elements

Testable predictions

Results II

Self-identification



Polarization

Results

Ruling \implies Identity \implies Choices
 \implies Polarization

Models' elements

Testable predictions

Results

Ruling \implies Identity \implies Choices
 \implies **Polarization**

Models' elements

Testable predictions

Results II

Polarization in Catalonia

VARIABLES	(1) More aut.	(2) More aut.	(3) More eco. interv.
Both Catalan parents	0.420*** (0.0470)	0.352*** (0.0212)	-0.178*** (0.0253)
Ruling	0.0388 (0.0430)		
Ruling x Both Catalan parents	0.220*** (0.0632)		
Post 2010 x Both Catalan parents		0.121*** (0.0443)	0.0880* (0.0481)
Observations	961	14,150	12,461
R-squared	0.263	0.152	0.059
Comarca FE	YES	NO	NO
Province FE	NO	YES	YES
Year FE	NO	YES	YES
Controls	YES	YES	YES
Survey	CEO W3 2010	ICPS 01-11	ICPS 01-11
Estimation	OLS	OLS	OLS
Average y	2.79	2.57	2.80

More aut: more autonomy (from 1: region to 4: independence).

CEO: No economic question ICPS: Yearly data. Diff-in-diff

Results III: Partisan polarization, Persistence and Supply side

- Polarization Polarization PP
- Voting outcomes Short-run Long-run
- Persistence of political attitudes ●
- Supply side Heterogeneity by day TV3 Biasedness of ruling Politician speeches

- Check and balance system may backlash and deteriorate state building by limiting trust in institutions and national identity
 - Identification: ruling on the Catalan Constitution happened during a survey work
 - Ruling of the Constitutional Court increased preferences for independence by 20%
 - 80% of the follow-up increase in preference for independence unexplained
- Cautionary tale for well-established democracies with inclusive institutions
 - In a context of crisis, new identitarian cleavages may become more salient.
 - If such cleavages are constrained by checks and balances, there is a possibility of backlash.

Appendix

“Strong” institutions?

Checks on government and elite expropriation (North 1981, Acemoglu and Johnson 2005)

Policies



Elections

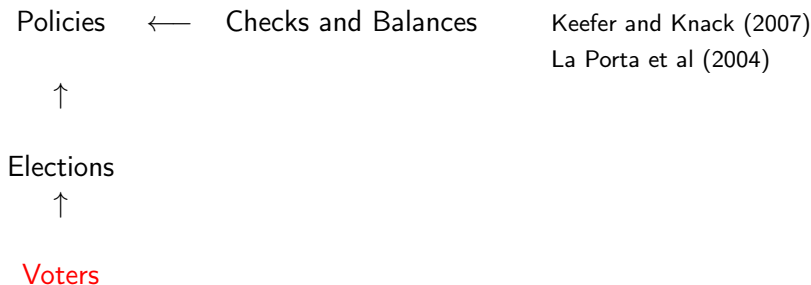


Voters

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“Strong” institutions?

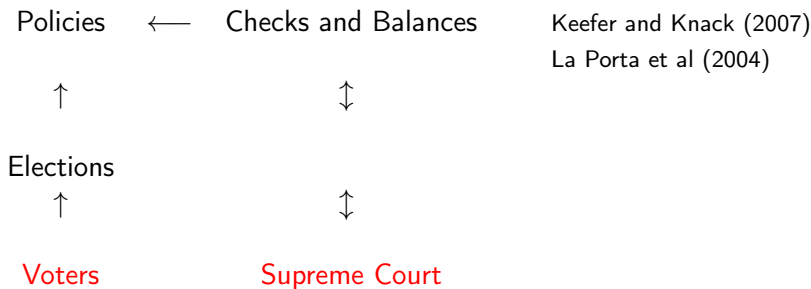
Checks on government and elite expropriation (North 1981, Acemoglu and Johnson 2005)



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“Strong” institutions?

Checks on government and elite expropriation (North 1981, Acemoglu and Johnson 2005)



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“Strong” institutions?

Checks on government and elite expropriation (North 1981, Acemoglu and Johnson 2005)

Policies ← Checks and Balances



Elections



Voters



Checks and Balances



Supreme Court

Keefer and Knack (2007)

La Porta et al (2004)

Ura (2014), Hoekstra (2000)

Mishler and Sheehan (1993)

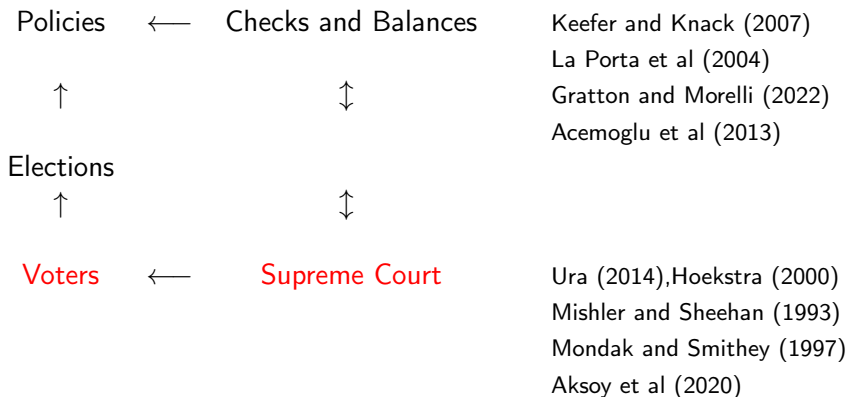
Mondak and Smithey (1997)

Aksoy et al (2020)

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“Strong” institutions?

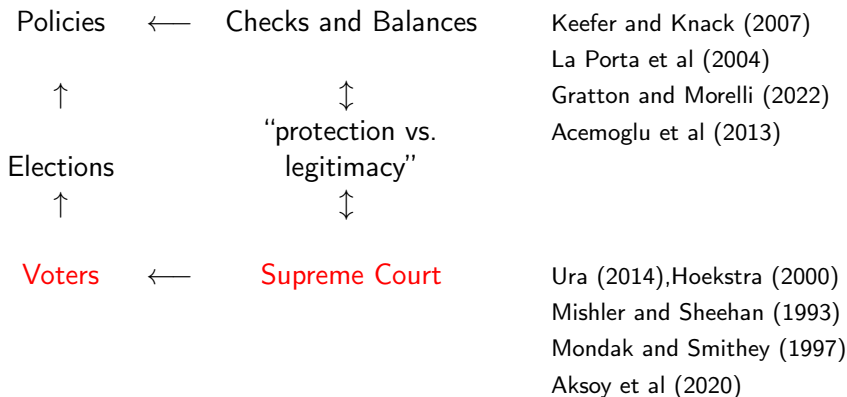
Checks on government and elite expropriation (North 1981, Acemoglu and Johnson 2005)



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“Strong” institutions?

Checks on government and elite expropriation (North 1981, Acemoglu and Johnson 2005)



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- 1 **Checks and balances:** Keefer and Knack (2007), La Porta et al (2004), Streb, Lema and Torrens (2009) Acemoglu et al (2013), Forteza and Pereyra (2019), Gratton and Morelli (2022) ●
- 2 **Effects of Supreme Courts' verdicts on political attitudes:** Mishler and Sheehan (1993), Mondak and Smithey (1997), Hoekstra (2000), Ura (2014), Stoutenborough et al (2006), Aksoy et al (2018), Ofusu (2019), Ura (2014)
[Literature](#) [Mechanism](#)
- 3 **Nation building:** Alesina and Reich (2015), Alesina, Giuliano and Reich (2019), Alesina, Reich and Riboni (2017), Bandiera et al. (2018), Clots-Figueras and Masella (2013), Aspachs-Bracons et al. (2008), Fouka (2019), Dehdari and Gehring (2018), Depetris-Chauvin, Durante and Campante (2018), Caceres et al. (2021) ●
- 4 **Identity:** Alesina, Milano, Stantcheva (2020), Shayo (2021), Bonomi, Gennaioli and Tabellini (2022), Grossman and Helpman (2022) ●
- 5 **Secessionism:** Bolton and Roland (1997), Feinstein and Casella (2002). Alesina and Spolaore (1997), Desmet et al. (2011), Collier and Hoeffler (2006) Acemoglu and Robinson (2001), Fetzer (2019) ●

Check and balances → Policies (+)

- Keefer and Knack (2007): limited C&B results in greater public investment as a vehicle to increase rent-seeking
- La Porta et al (2004): C&B associated with greater freedom

Check and balances → Policies (-)

- Acemoglu et al (2013): C&B decrease the politicians' rents, which makes things easier for lobbying: it is cheaper for the elite to bribe the politician
- Grattan and Morelli (2018): C&B may slow down the implementation of reforms and growth

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Voters → Supreme Court

- Mishler and Sheehan (1993), Mondak and Smithey (1997): evidence of the effect of public opinion on the Court's decision.

Supreme Court → Voters' preferences: salience

- Hoekstra (2000): to have any influence on public opinion, salience is a requisite

Supreme Court → Voters' preferences: legitimacy theory

- Ura (2014), Stoutenborough et al (2006): preferences shift toward the position taken by the court
- Laws: Aksoy et al (2018) on same-sex relationship rights in Europe

Supreme Court → Voters' preferences: thermostatic (backlash) theory

- Ura (2014): if ruling against preference of a group, preferences backlash temporarily in opposition to the court but converge rapidly

Supreme Court → Trust institutions

- Mondak and Smithey (1997): supreme court's decisions influence the support of the institution, specially so the ones that are incongruent.

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Legal Empirical Studies provide evidence of **correlation** between attitudes and verdicts

- “Mechanism” for preference formation
 - **Salience**: information, need to take a position, persuasion by social groups
 - Sentence **congruent** with preference of a group
 - Sentence can legitimate my preference → strengthen preference
 - Sentence **against** the preferences of a group
 - Preferences can potentially backlash
 - Unfavorable sentence → ↓ trust in institutions
 - ↓ trust in institutions → strengthen preference

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Causes nation building

- Alesina and Reich (2015), Alesina, Giuliano and Reich (2019): when the threat of democratization could overthrow the establishment
- Alesina, Reich and Riboni (2017): motivate population to face war and instill patriotism

Ways to promote nation building

- Bandiera et al. (2018): compulsory schooling laws
- Clots Figueras and Masella (2013), Aspachs-Bracons et al. (2008): educational reform switching from Spanish to Catalan
- Dehdari and Gehring (2018): war in Alsace-Lorraine
- Depetris-Chauvin, Durante and Campante (2018): sport competitions
- Caceres et al. (2021): military service

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Empirics

- Common experience: Kai Gehring (2022), Fouka and Voth (2022), Depetris et al (2021), Caceres et al. (2021)
- Saliency: Fouka (2020), Aspachs, Clots-Figueras, Costa-Font and Masella (2010), Clots-Figueras and Masella (2013), Bandiera et al (2018)

Theory:

- 1 My identity “changes” how I perceive issues: Alesina, Milano, Stantcheva (2020)
- 2 As an “inherited” trait:
 - Bisin et al (2011, EER), Almagro and Andres-Cerezo (2020)
- 3 As “endogenous”:
 - Shayo (2021), Bonomi, Gennaioli and Tabellini (2022)

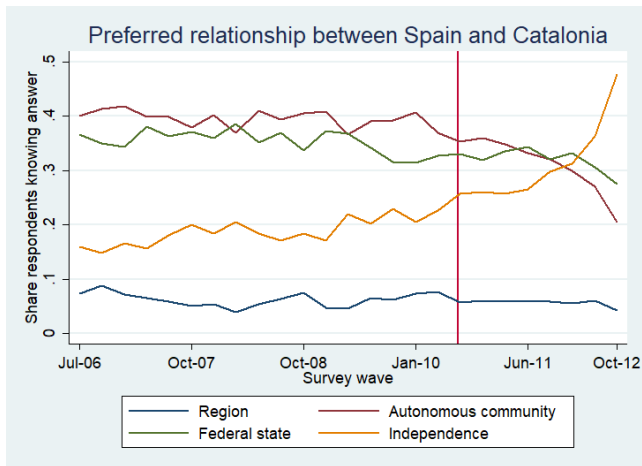
Identitarian cleavages (i.e., polarization) affect nation building.

- Bolton and Roland (1997): when income distribution varies between regions and the gains from unifications are small
- Feinstein and Casella (2002): trade and market integration
- Alesina and Spolaore (1997): democratization
- Desmet et al. (2011): the trade-off between cultural heterogeneity and public good provision
- Collier and Hoeffler (2006), Acemoglu and Robinson, (2001), Fetzer (2019): economic factors

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Introduction

Preferences for Spain and Catalonia



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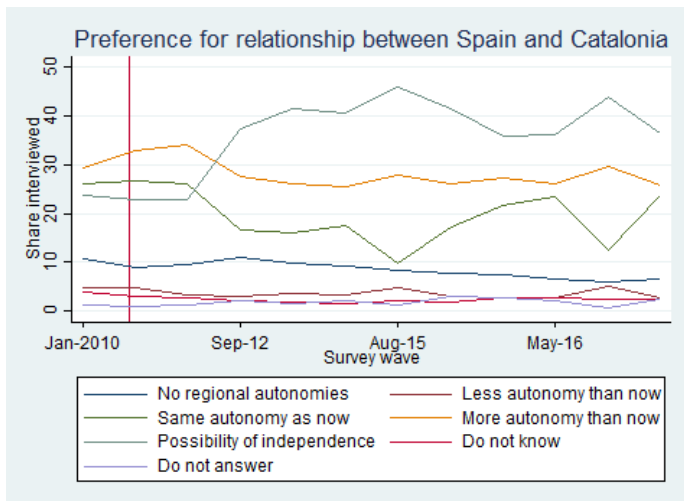
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Results



Introduction

Preferences for Spain and Catalonia



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Preference for independence

Variable	Mean April-10	Mean June-10	Mean June-12
Preference for independence (omit unknown and unanswered)	0.23	0.26	0.48
Preference for independence (not omit unknown and unanswered)	0.22	0.24	0.44
Unknown and unanswered	0.05	0.06	0.07

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Institutional Background

Constitutional Court

- Spanish **Constitution** of 1978 establishes that Spain is a “parliamentary monarchy”
- **Constitutional Court** is the supreme interpreter of the Spanish Constitution and it is competent to hear appeals against the alleged unconstitutionality of laws or legal conflicts between:
 - the Central and the Autonomous Communities governments
 - the governments of two or more Autonomous Communities

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- **No appeal** may be brought against the rulings of the Constitutional Court. When the judgement declares a law unconstitutional, the ruling affects only the part of the law affected by unconstitutionality and the part not affected remains in force.
- Composed by twelve **members**:
 - 4 nominated by the Congress by majority of 3/5.
 - 4 nominated by the Senate by majority of 3/5.
 - 2 nominated by the Government
 - 2 nominated by the General Council of Judicial Power.
 - They are appointed for a period of nine years and should be renewed by thirds every three years.
- **Subjects** that can lodge an appeal of unconstitutionality:
 - President of the Government
 - Defender of the People
 - Fifty Members of Congress
 - Fifty Senators
 - Executive body of a Self-governing Community and, where applicable, its Assembly.

Institutional Background

The Reform of the Catalan Constitution (2006-2010)

- September 2005: After two years of discussion, the **Catalan Parliament** approved the reform by 89% of the votes.
- Approved proposal sent for review to the **Spain's Parliament** and, after several amendments, the Spanish Parliament and the Spanish Senate approved the reform.
- The final version of the text was approved in a **referendum** in Catalonia on June 2006. The referendum resulted in 78.1% of voters supporting the reform with a turnout of 48.9%.

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Members of the Constitutional Court in 2010

Name	Role	Position	Proposed by	Appointed in	Government at time of appointment	Situation
María Emilia Casas Baamonde	President	Progressist	Senate	1998	Aznar-PP	Active
Guillermo Jiménez Sánchez	Vice-President	Conservative	Senate	1998	Aznar-PP	Active
Ramón Rodríguez Arribas		Conservative	Consejo General del Poder Judicial	2004	Zapatero-PSOE	Active
Jorge Rodríguez-Zapata Pérez		Conservative	Senate	1998	Aznar-PP	Active
Vicente Conde Martín de Hijas		Conservative	Senate	1998	Aznar-PP	Active
Javier Delgado Barrio		Conservative	Congress	2001	Aznar-PP	Active
Pascual Sala Sánchez		Progressist	Consejo General del Poder Judicial	2004	Zapatero-PSOE	Active
Eugeni Gay Montalvo		Progressist	Congress	2001	Aznar-PP	Active
Elisa Pérez Vera		Progressist	Congress	2001	Aznar-PP	Active
Manuel Aragón Reyes		Progressist	Government	2004	Zapatero-PSOE	Active
Roberto García Calvo		Conservative	Congress	2001	Aznar-PP	Death
Pablo Pérez Tremps		Progressist	Government	2004	Zapatero-PSOE	Recusal

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Institutional Background

Demonstration against the ruling



Attendance: 1.5 mil (organizers), 1.1 (Mossos), 0.4 (El Pais)

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Artículo 6. 1. La lengua propia de Cataluña es el catalán. Como tal, el catalán es la lengua de uso normal y **preferente** de las Administraciones públicas y de los medios de comunicación públicos de Cataluña, y es también la lengua normalmente utilizada como vehicular y de aprendizaje en la enseñanza.

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Artículo 76. 4. Los dictámenes del Consejo de Garantías Estatutarias tienen carácter vinculante con relación a los proyectos de ley y las proposiciones de ley del Parlamento que desarrollen o afecten a derechos reconocidos por el presente Estatuto.

Artículo 78.1. El Síndic de Greuges tiene la función de proteger y defender los derechos y las libertades reconocidos por la Constitución y el presente Estatuto. A tal fin supervisa, **con carácter exclusivo**, la actividad de la Administración de la Generalitat (...).

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The ruling: Decentralization of Justice

Artículo 95. El Tribunal Superior de Justicia de Cataluña.

5. El Presidente o Presidenta del Tribunal Superior de Justicia de Cataluña es el representante del poder judicial en Cataluña. Es nombrado por el Rey, a propuesta del Consejo General del Poder Judicial **y con la participación del Consejo de Justicia de Cataluña** en los términos que determine la Ley Orgánica del Poder Judicial. El Presidente o Presidenta de la Generalitat ordena que se publique su nombramiento en el “Diari Oficial de la Generalitat de Catalunya”.

6. Los Presidentes de Sala del Tribunal Superior de Justicia de Cataluña son nombrados a propuesta del Consejo General del Poder Judicial **y con la participación del Consejo de Justicia de Cataluña** en los términos que determine la Ley Orgánica del Poder Judicial.

Artículo 97. El Consejo de Justicia de Cataluña. El Consejo de Justicia de Cataluña es el órgano de gobierno del poder judicial en Cataluña. Actúa como órgano desconcentrado del Consejo General del Poder Judicial, sin perjuicio de las competencias de este último, de acuerdo con lo previsto en la Ley Orgánica del Poder Judicial

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The ruling: Decentralization of Justice

Artículo 98. Atribuciones. a) Participar en la designación del Presidente o Presidenta del Tribunal Superior de Justicia de Cataluña, así como en la de los Presidentes de Sala de dicho Tribunal Superior y de los Presidentes de las Audiencias Provinciales. b) Proponer al Consejo General del Poder Judicial y expedir los nombramientos y los ceses de los Jueces y Magistrados incorporados a la carrera judicial temporalmente con funciones de asistencia, apoyo o sustitución, así como determinar la adscripción de estos Jueces y Magistrados a los órganos judiciales que requieran medidas de refuerzo. c) Instruir expedientes y, en general, ejercer las funciones disciplinarias sobre Jueces y Magistrados en los términos previstos por las leyes. d) Participar en la planificación de la inspección de juzgados y tribunales, ordenar, en su caso, su inspección y vigilancia y realizar propuestas en este ámbito, atender a las órdenes de inspección de los juzgados y tribunales que inste el Gobierno y dar cuenta de la resolución y de las medidas adoptadas. e) Informar sobre los recursos de alzada interpuestos contra los acuerdos de los órganos de gobierno de los tribunales y juzgados de Cataluña. 3. Las resoluciones del Consejo de Justicia de Cataluña en materia de nombramientos, autorizaciones, licencias y permisos deben adoptarse de acuerdo con los criterios aprobados por el Consejo General del Poder Judicial.

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The ruling: Decentralization of Justice

Artículo 99. Composición, organización y funcionamiento. 1. El Consejo de Justicia de Cataluña está integrado por el **Presidente o Presidenta del Tribunal Superior de Justicia de Cataluña, que lo preside**, y por los miembros que se nombren, de acuerdo con lo previsto por la Ley Orgánica del Poder Judicial, entre Jueces, Magistrados, Fiscales o juristas de reconocido prestigio. El Parlamento de Cataluña designa a los miembros del Consejo que determine la Ley Orgánica del Poder Judicial.

Artículo 100. Control de los actos del Consejo de Justicia de Cataluña. 1. Los actos del Consejo de Justicia de Cataluña serán recurribles en alzada ante el Consejo General del Poder Judicial, salvo que hayan sido dictados en el ejercicio de competencias de la Comunidad Autónoma.

Artículo 101. Oposiciones y concursos. 1. La Generalitat propone al Gobierno del Estado, al Consejo General del Poder Judicial o al **Consejo de Justicia de Cataluña**, según corresponda, la convocatoria de oposiciones y concursos para cubrir las plazas vacantes de Magistrados, Jueces y Fiscales en Cataluña. 2. El Consejo de Justicia de Cataluña convoca los concursos para cubrir plazas vacantes de Jueces y Magistrados en Cataluña en los términos establecidos en la Ley Orgánica del Poder Judicial.

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The ruling: Decentralization (other)

Artículo 111. Competencias compartidas. En las materias que el Estatuto atribuye a la Generalitat de forma compartida con el Estado, corresponden a la Generalitat la potestad legislativa, la potestad reglamentaria y la función ejecutiva, en el marco de las bases que fije el Estado **como principios o mínimo común normativo en normas con rango de ley, excepto en los supuestos que se determinen de acuerdo con la Constitución y el presente Estatuto**. En el ejercicio de estas competencias, la Generalitat puede establecer políticas propias. El Parlamento debe desarrollar y concretar a través de una ley aquellas previsiones básicas.

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The ruling: Banks

Artículo 120. 2. Cajas de ahorros. Corresponde a la Generalitat, en materia de cajas de ahorros con domicilio en Cataluña, la competencia compartida sobre la actividad financiera, **de acuerdo con los principios, reglas y estándares mínimos que establezcan** las bases estatales, que incluye, en todo caso, la regulación de la distribución de los excedentes y de la obra social de las cajas.

Artículo 126. 2. Crédito, banca, seguros y mutualidades no integradas en el sistema de Seguridad Social. Corresponde a la Generalitat la competencia compartida sobre la estructura, la organización y el funcionamiento de las entidades de crédito que no sean cajas de ahorros, de las cooperativas de crédito y de las entidades gestoras de planes y fondos de pensiones y de las entidades físicas y jurídicas que actúan en el mercado asegurador a las que no hace referencia el apartado 1, **de acuerdo con los principios, reglas y estándares mínimos fijados** en las bases estatales.

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The ruling: Financing

Artículo 206. 3. Participación en el rendimiento de los tributos estatales y mecanismos de nivelación y solidaridad. Los recursos financieros de que disponga la Generalitat podrán ajustarse para que el sistema estatal de financiación disponga de recursos suficientes para garantizar la nivelación y solidaridad a las demás comunidades autónomas, con el fin de que los servicios de educación, sanidad y otros servicios sociales esenciales del Estado del bienestar prestados por los diferentes Gobiernos autonómicos puedan alcanzar niveles similares en el conjunto del Estado, **siempre y cuando lleven a cabo un esfuerzo fiscal también similar**. En la misma forma y si procede, la Generalitat recibirá recursos de los mecanismos de nivelación y solidaridad. Los citados niveles serán fijados por el Estado.

Artículo 218. 2. Autonomía y competencias financieras. La Generalitat tiene competencia, en el marco establecido por la Constitución y la normativa del Estado, en materia de financiación local. **Esta competencia puede incluir la capacidad legislativa para establecer y regular los tributos propios de los Gobiernos locales e incluye la capacidad para fijar los criterios de distribución de las participaciones a cargo del presupuesto de la Generalitat.**

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History of the appeal: part I

- 2005: appeal of PP against possibility to vote Estatut in Spanish parliament, and recusal of judge Pérez Tramps (progressive, TC with 6 progressives and 6 conservatives at that time)
- 2006 (before vote in Spanish parliament): TC refuses both appeals
- 2006 (after): PP, via Spanish Ombudsman, presents appeal against 112 articles. Followed by appeal by Regions of Murcia, Rioja, Aragón, Valencian Community, and Balearic Islands. PP demands new recusal of Pérez Tramps
- 2006 (after): Cataluña demands recusal of Roberto García Calvo (conservative), refused by TC (TC composed by majority of progressives for that votation)
- 2006 (after): PP demands recusal of María Emilia Casas (progressive, president TC), refused by TC by unanimity
- 2007: TC accepts recusal of Pérez Tramps by 6 votes against 5
- 2007: Cataluña demands recusal of Jorge Rodríguez Zapata (conservative), refused by TC
- 2008: death of Roberto García Calvo (conservative)

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History of the appeal: part II

- November 2009: fourth project of the ruling proposed by Elisa Pérez Vera (progressive), rejected by 4 votes against 6
- April 2010: fifth project of the ruling proposed by Elisa Pérez Vera (progressive), 15 articles annulled, rejected by 4 votes against 6
- May 2010: withdrawal of the sixth project of the ruling proposed by Guillermo Jiménez (conservative), 22 articles annulled
- May 2010: president of TC Casas accepts to prepare a seventh project with intention to have a final ruling in the first 2 weeks of June
- June 2010: Cataluña demands possibility that Perez Tremps could vote only on articles on which he was not recused, rejected by TC

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Institutional Background

Aftermath of the Ruling (2010-)

- September 11th 2012: First massive **secessionist demonstration** under the slogan “Catalonia, new state in Europe”
- November 9th 2014: **Non-binding referendum** was held
- Mas announced that the **2015 regional elections** would be a *de facto* plebiscite for independence
- October 1st 2017: Puigdemont Government organized a **binding secessionist referendum**
- October 2017: Suspension of Catalan autonomy (**art. 155**) and secessionist leaders and Puigdemont Government **accused** of rebellion among other charges

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Institutional Background

The rise of secessionism (2010-2015)

- After this ruling, a demonstration took place in Barcelona with the slogan “We are a nation. We decide”.
- 2012: First massive secessionist demonstration for September 11 under the slogan “Catalonia, new state in Europe”.
- 2012: Artur Mas called for snap elections with the promise of holding a self-determination referendum in the following term.
- He was re-elected and a non-binding referendum was held in November 9th 2014. Although the referendum was “prohibited” according to the Constitutional Court, it took place without incidents.
- Support for independence increased from 20% to 45% but none of the political parties of the government coalition had a secession attempt in their respective electoral manifestos.

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Institutional Background

The conflict (2015-?)

- Mas announced that the 2015 regional elections would be a *de facto* plebiscite for independence. Secessionist obtained majority of seats and Puigdemont was elected president.
- Puigdemont Government organized a binding secessionist referendum for October 1st 2017.
 - Preparation included laws to implement the result and a proper census. Both these laws and the referendum itself were declared illegal by the Spanish Constitutional Court.
 - Referendum was held. Police did intervene and there were acts of repression and violence before and during the election.
 - 90% for independence. Turnout 43%.
 - Parliament of Catalonia declared the independence.
- Suspension of Catalan autonomy (art. 155).
- Secessionist leaders and Puigdemont Government accused of rebellion among other charges. Some in provisional prison, others, including Puigdemont, left Spain to avoid it.

Data

- CEO (Centre d'Estudio d'Opinió)
- 10 days of field work, Ruling happened at 19:00 on first day of interviews (227 people, out of 2000, already interviewed)
- Additional data: Economic preferences: ICPS (yearly); Within-Spain: CIS (quarterly); Speeches in Spanish and Catalan parliaments

Sample restrictions

- To avoid imbalances for reachability: use only people interviewed before 19:00
- To avoid "quota sampling": use only first 7 days of interview

Clustering

- Province \times Day of interview

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- Catalan was the language of interview
- the respondent spoke only Catalan with family, at work, or with friends
- the respondent was born in the rest of Spain or outside Spain
- the respondent's father was born in the rest of Spain or outside Spain
- the respondent's mother was born in the rest of Spain or outside Spain
- respondent's sex
- the respondent is married
- dummies for respondent's education
- dummies for respondent's age
- dummies for respondent's income
- dummies for respondent's employment situation
- dummies for respondent's city population

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Balancing

Variable	Mean	Mean sample	Pre-post
Interview in catalan	0.71	0.69	-0.06
Speak catalan at home	0.48	0.47	-0.05
Speak catalan at work	0.27	0.25	-0.02
Speak catalan with friends	0.41	0.40	0.00
Born in Catalonia	0.75	0.72	-0.02
Born in rest of Spain	0.22	0.26	0.02
Foreign born	0.03	0.02	0.00
Father born in Catalonia	0.47	0.44	-0.04
Father born in rest of Spain	0.51	0.54	0.05
Father foreign born	0.02	0.02	-0.01
Mother born in Catalonia	0.46	0.45	-0.02
Mother born in rest of Spain	0.51	0.53	0.02
Mother foreign born	0.03	0.02	0.00
Female	0.52	0.57	-0.04
Married	0.60	0.62	-0.06
Educ. lower ESO	0.09	0.09	-0.01
Educ. ESO	0.29	0.34	-0.06
Educ. bachillerato	0.31	0.29	0.06
Educ. university	0.31	0.28	0.02
Income lower 1k	0.14	0.15	0.02
Income 1k-2k	0.37	0.39	-0.06
Income 2k-3k	0.28	0.27	0.07*
Income 3k or more	0.21	0.19	-0.03
Self-employed	0.09	0.08	0.00
Employed	0.41	0.38	-0.04
Unemployed	0.50	0.54	0.04
Age	48.31	50.59	-0.24
Age squared	2633.16	2838.02	31.77
City pop. 0-2000	0.05	0.05	0.00
City pop. 2001-10000	0.14	0.14	-0.01
City pop. 10001-50000	0.26	0.26	-0.02
City pop. 50001-150000	0.20	0.22	0.03
City pop. 1500001-1000000	0.12	0.12	-0.08**
City pop. 1000000 or more	0.22	0.21	0.08**
F-stat joint significance	.	.	1.03

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Balancing

Predicted independence



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Balancing reasons to restrict sample

Variable	First-last obs.	Before-after 19
Interview in catalan	0.10*	0.07**
Speak catalan at home	0.14**	0.02
Speak catalan at work	0.06	0.15***
Speak catalan with friends	0.13**	0.01
Born in Catalonia	0.14***	0.10***
Born in rest of Spain	-0.12**	-0.11***
Foreign born	-0.01	0.01
Father born in Catalonia	0.13**	0.04
Father born in rest of Spain	-0.12*	-0.04
Father foreign born	-0.02	0.00
Mother born in Catalonia	0.09	0.06
Mother born in rest of Spain	-0.08	-0.09**
Mother foreign born	-0.00	0.02
Female	-0.09	-0.26***
Married	-0.13**	-0.08*
Educ. lower ESO	-0.06**	0.00
Educ. ESO	-0.14**	-0.17***
Educ. bachillerato	0.11*	0.03
Educ. university	0.09	0.13***
Income lower 1k	-0.03	-0.06**
Income 1k-2k	-0.04	0.03
Income 2k-3k	0.03	0.00
Income 3k or more	0.04	0.03
Self-employed	0.01	0.09***
Employed	-0.03	0.13***
Unemployed	0.02	-0.21***
Age 18-34	0.38***	0.15***
Age 35-49	-0.12**	0.07*
Age 50-64	-0.25***	-0.14***
Age 64 or more	-0.01	-0.08**
City pop. 0-2000	0.17***	-0.01
City pop. 2001-10000	-0.02	0.02
City pop. 10001-50000	-0.05	0.03
City pop. 50001-150000	-0.05	0.00
City pop. 1500001-1000000	-0.07	-0.05*
City pop. 1000000 or more	0.03	0.01

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Summary statistics dependent variables

Variable	Mean	Mean sample
Preference for independence	0.26	0.26
Preference for federal state	0.33	0.30
Preference for autonomous communities	0.35	0.37
Preference for regions	0.06	0.07
Trust in tribunals (0-10)	3.96	3.89
Trust in Spanish government (0-10)	3.60	3.66
Trust in Spanish parliament (0-10)	4.05	4.04
Trust in Catalan government (0-10)	4.62	4.70
Trust in Catalan parliament (0-10)	4.90	4.91
Trust in parties (0-10)	3.57	3.57
Few or no satisfaction with democracy	0.60	0.61
Intend to vote for ERC in Catalan elections	0.10	0.10
Intend to vote for CiU in Catalan elections	0.44	0.43
Voted for ERC in past Catalan elections	0.15	0.13
Voted for CiU in past Catalan elections	0.32	0.32
Proximity to ERC	2.41	2.40
Proximity to CiU	2.90	2.88
Feeling Catalan (1-5)	3.50	3.46
Feel only Spanish	0.07	0.08
Feel more Spanish than Catalan	0.05	0.05
Feel as Spanish as Catalan	0.40	0.41
Feel less Spanish than Catalan	0.29	0.27
Feel only Catalan	0.20	0.19
Think relationship between Spain and Catalonia is a problem	0.22	0.22
Think Estatut is a problem	0.16	0.16
Think financing system is a problem	0.04	0.03
Think economic situations, working conditions or low wages are a problem	0.80	0.81
Think relationship between Spain and Catalonia is most important problem	0.08	0.09
Think Estatut is most important problem	0.06	0.07
Think financing system is most important problem	0.01	0.01
Think economic situations, working conditions or low wages are most important problem	0.64	0.64

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Summary statistics by past voting

Variable	Mean	Mean CiU	Mean ERC	Mean PSC	Mean ICV-EUiA	Mean PPC	Mean Cs
Preference for independence	0.19	0.21	0.52	0.07	0.12	0.03	0.01
Preference for federal state	0.35	0.40	0.39	0.38	0.61	0.10	0.13
Preference for autonomous communities	0.39	0.35	0.08	0.49	0.25	0.65	0.71
Preference for regions	0.06	0.03	0.01	0.06	0.02	0.22	0.14

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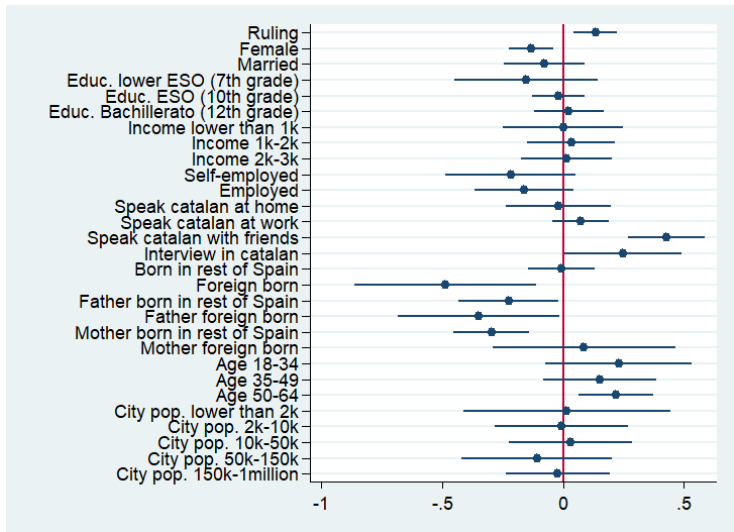
Main results

VARIABLES	(1) More autonomy	(2) More autonomy	(3) Independence	(4) More autonomy
Ruling	0.153** (0.0577)	0.133*** (0.0431)	0.0518** (0.0207)	0.211*** (0.0723)
Observations	1,199	960	960	960
R-squared	0.004	0.339	0.241	
Comarca FE	NO	YES	YES	YES
Controls	NO	YES	YES	YES
Estimation	OLS	OLS	OLS	O-Probit
Average y	2.79	2.79	0.26	2.79

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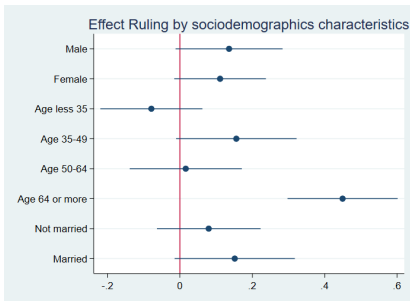
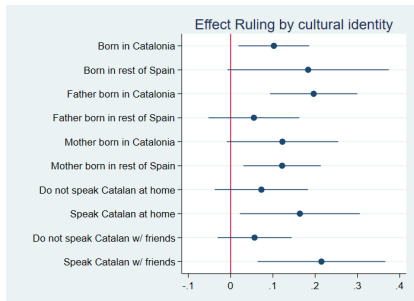
Results

Effect of controls over preference for independence



Results

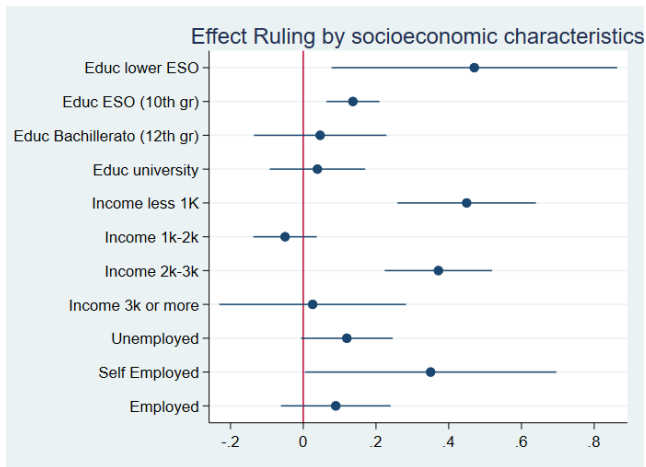
Heterogeneity: Cultural identity and Socio-demographic



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Results

Heterogeneity: Socio-Economic



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Economic channel

VARIABLES	(1) Probl (Most): Cat-Esp	(2) Probl (Most): estatut	(3) Probl (Most): eco-lab	(4) Probl (Most): financing
Ruling	0.0814*** (0.0198)	0.0660*** (0.0170)	-0.122** (0.0476)	0.00962 (0.00708)
Observations	970	970	970	970
R-squared	0.113	0.127	0.101	0.098
Comarca FE	YES	YES	YES	YES
Controls	YES	YES	YES	YES
Estimation	OLS	OLS	OLS	OLS
Average y	0.08	0.06	0.64	0.01

[Time series financing](#)

[Problem at all](#)

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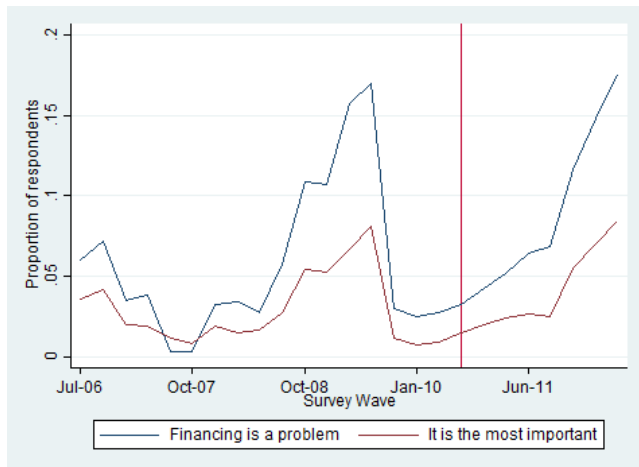
[Results II](#)

VARIABLES	(1) Probl: eco-lab	(2) Probl: financing	(3) Probl: Cat-Esp	(4) Probl: estatut
Ruling	-0.0877*** (0.0315)	0.0185* (0.00950)	0.129*** (0.0199)	0.107*** (0.0177)
Observations	970	970	970	970
R-squared	0.093	0.107	0.170	0.163
Comarca FE	YES	YES	YES	YES
Controls	YES	YES	YES	YES
Estimation	OLS	OLS	OLS	OLS
Average y	0.80	0.04	0.22	0.16

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Results

Time series of respondents reporting financing as problem



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Voting channel

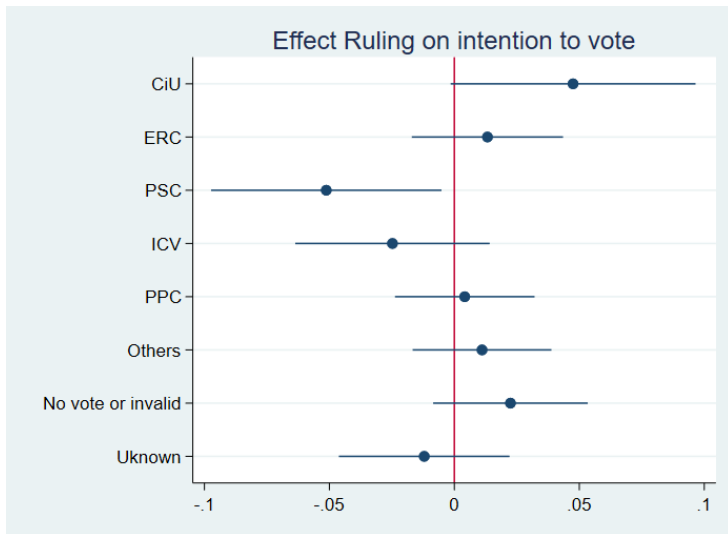
Voting for Catalanist parties

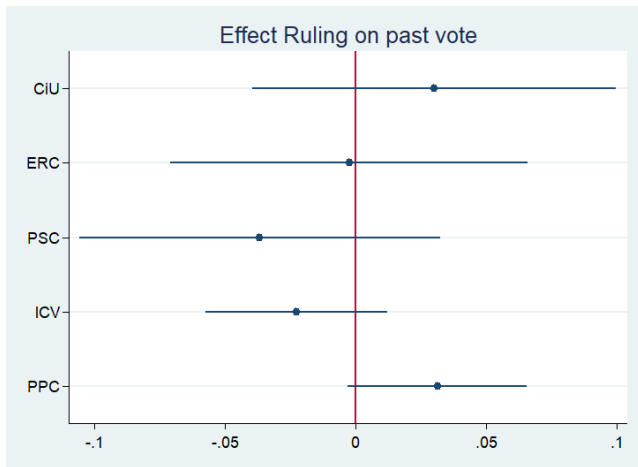
VARIABLES	(1) Vote	(2) Past vote
Ruling	0.0608*** (0.0166)	0.0428 (0.0392)
Observations	595	672
R-squared	0.280	0.212
Comarca FE	YES	YES
Controls	YES	YES
Estimation	OLS	OLS
Average y	0.54	0.47

[Voting: all parties](#)

[Past voting: all parties](#)

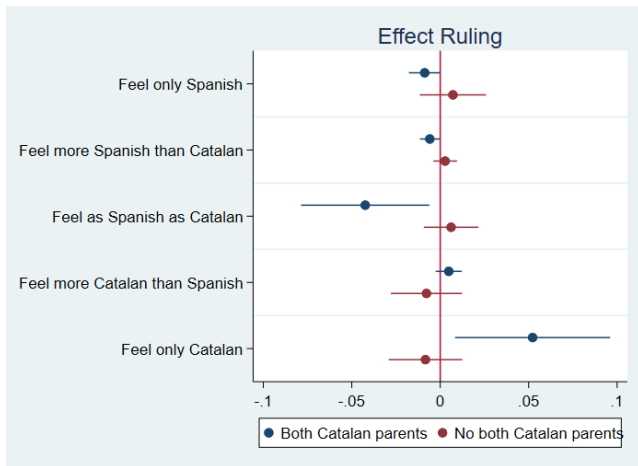
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Self-identification according to Catalan heritage



Identity results

Self-identification

VARIABLES	(1) Feeling Catalan	(2) Feeling Catalan	(3) Feeling Catalan
Ruling	0.0767* (0.0443)	0.101* (0.0522)	
Both Catalan parents			0.304*** (0.0844)
Observations	987	987	987
R-squared	0.420		0.414
Comarca FE	YES	YES	YES
Controls	YES	YES	YES
Estimation	OLS	O-Probit	OLS
Average y	3.50	3.50	3.50

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Role of TV3

VARIABLES	(1) TV3	(2) More autonomy	(3) More autonomy
Ruling	0.0580 (0.0362)	0.161*** (0.0490)	0.123*** (0.0380)
TV3		0.246*** (0.0616)	
Ruling x TV3		0.00976 (0.0463)	
Internet for information			-0.0327 (0.108)
Ruling x Internet for information			0.0530 (0.114)
Observations	843	804	960
R-squared	0.410	0.352	0.339
Comarca FE	YES	YES	YES
Controls	YES	YES	YES
Estimation	OLS	OLS	OLS

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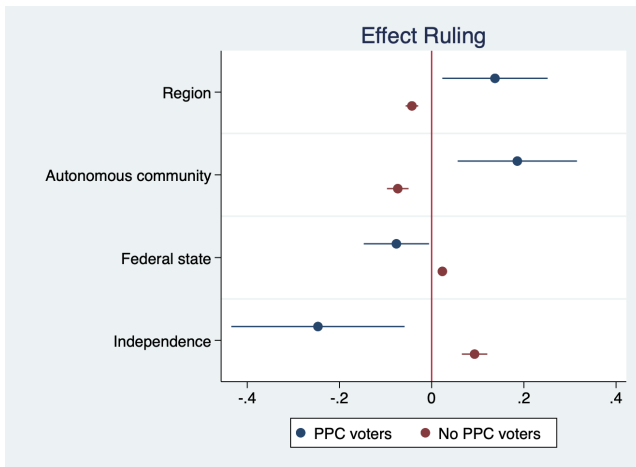
Results III

Biasedness sentence

VARIABLES	(1) Vote: PPC	(2) Proximity: PPC	(3) Vote: PPC	(4) Trust: Courts
Ruling	0.00416 (0.0164)	0.00541 (0.0227)	-0.00829 (0.0109)	-0.308* (0.158)
Past vote PPC			0.923*** (0.0698)	0.859* (0.458)
Ruling X Past vote PPC			-0.222** (0.0996)	-0.807 (0.650)
Observations	595	1,007	488	648
R-squared	0.256	0.095	0.687	0.116
Comarca FE	YES	YES	YES	YES
Controls	YES	YES	YES	YES
Estimation	OLS	OLS	OLS	OLS

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Polarization between PP voters and others



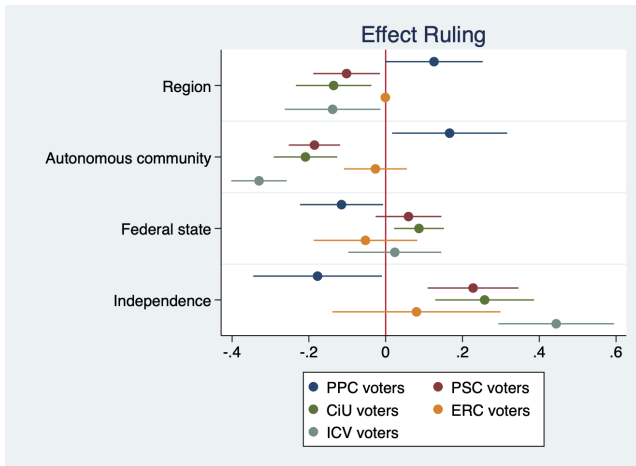
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Effect by party



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Result I: Institutional

Backlash against institutions

VARIABLES	(1) Trust: Courts	(2) Trust: Parties	(3) Insatisfaction democracy
Ruling	-0.327** (0.139)	-0.248** (0.118)	0.0658** (0.0298)
Observations	961	987	989
R-squared	0.088	0.067	0.091
Comarca FE	YES	YES	YES
Controls	YES	YES	YES
Estimation	OLS	OLS	OLS
Average y	3.96	3.57	0.60

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Institutional channel

VARIABLES	(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Trust: Courts	Trust: Gvt Esp	Trust: Parl Esp	Trust: Gvt Cat	Trust: Parl Cat	Trust: Parties	Insatisfaction democracy
Ruling	-0.327** (0.139)	-0.218 (0.129)	-0.154** (0.0610)	0.0168 (0.0920)	-0.00471 (0.0838)	-0.248** (0.118)	0.0658** (0.0298)
Observations	961	991	973	996	971	987	989
R-squared	0.088	0.096	0.090	0.080	0.084	0.067	0.091
Comarca FE	YES	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES	YES
Estimation	OLS	OLS	OLS	OLS	OLS	OLS	OLS
Average y	3.96	3.60	4.05	4.62	4.90	3.57	0.60

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Polarization and Identity politics

Identity politics theory (Shayo, 2020, Bonomi et al., 2021)

Key elements:

- Citizens (endogenous) identity
 - Individuals belong to many categories among different social groups
 - An individual does not necessarily identify with all the groups they belong to at the same time
 - Saliency of a dimension can affect identification
- Citizens (endogenous) identity affects individual decision making.
Why?
 - Group's status enters the individual utility function (in group bias)
 - The distance to the group's average member's utility (conformity)
 - The average member information is used to update own beliefs

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Testable predictions:

Issue becomes central \Rightarrow Group identification \Rightarrow Polarization between cultural groups

Increase in polarization in nationalistic dimension and not in economic one between Catalan vs Spanish ●

Issue becomes central

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Polarization in Bonomi et al. (2021)

Prop 6: Polarization Increase in nationalistic dimension but not in economic one (despite correlated preferences)

With cultural identification (i.e., post-ruling)...	Between upper and lower class	Between Centralist and Regionalist
Nationalistic Polarization	+	+
Economic Polarization	-	- (only for low β)

β : influence of culture on preferences for redistribution

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1 Within Catalonia ● By Income ● By Party

- Data: CEO (Institutional), ICPS (Economic, 1991-2020)

$$Y_{it} = \tau_1 \text{CatalanHerit}_i + \delta_{1t} + \chi_1 \text{CatalanHerit} \times \text{Ruling}_{i(t)} + \lambda_1 X_i + e_{1it}, \quad (1)$$

2 Between Catalonia and the rest of Spain ●

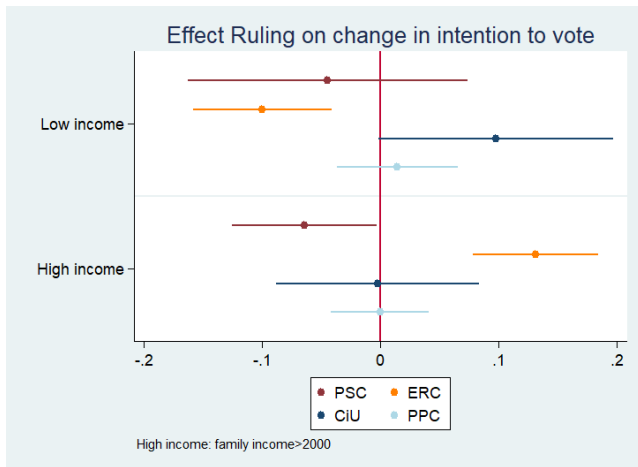
- Data: CIS (fiscal, 2005-2017; territorial, 2009-2017)

$$Y_{it} = \tau_2 \text{Catalan}_i + \delta_{2t} + \chi_2 \text{Catalan} \times \text{Ruling}_{i(t)} + \lambda_2 X_i + e_{2it},$$

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Polarization in Catalonia

Effect of the Ruling on changes in intention to vote by income (CEO)



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Polarization in Spain

	(1)	(2)	(3)
Panel A: Preference for more autonomy			
Catalonia	0.702*** (0.167)	0.920*** (0.110)	0.673*** (0.192)
Post Ruling x Catalonia	0.135*** (0.0504)	0.345*** (0.0471)	
Placebo Post x Catalonia			-0.0468 (0.0603)
Observations	7979	28266	6011
Survey FE	YES	YES	YES
Province FE	YES	YES	YES
Controls	YES	YES	YES
Years	Apr 09-Jul 10	Apr 09-Dec 12	Apr 09-Apr 10
Estimation	OLS	OLS	OLS
Panel B: Think that fiscal pressure is low			
Catalonia	-0.0676 (0.0580)	-0.0735* (0.0420)	-0.0968* (0.0557)
Post Ruling x Catalonia	0.0735*** (0.0269)	0.0406* (0.0228)	
Placebo Post x Catalonia			-0.0337 (0.0337)
Observations	12067	16169	10048
Survey FE	YES	YES	YES
Province FE	YES	YES	YES
Controls	YES	YES	YES
Years	Jul 05-Jul 10	Jul 05-Dec 12	Jul 05-Jul 09
Estimation	OLS	OLS	OLS

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Robustness

Fig: Dif-in-dif

Time-series



Polarization in Spain

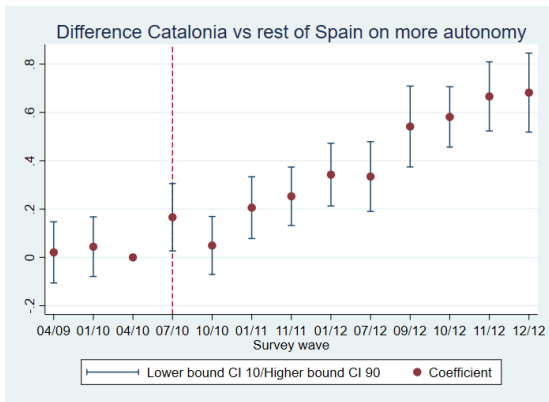
Robustness

VARIABLES	(1) More aut.	(2) More aut.	(3) More aut.
Catalonia	0.539*** (0.119)	0.776*** (0.0622)	0.649*** (0.109)
Post Ruling x Catalonia	0.159*** (0.0357)	0.277*** (0.0524)	
Placebo Post x Catalonia			0.0915 (0.0799)
Observations	12,695	58,826	24,014
R-squared	0.184	0.225	0.182
Survey FE	YES	YES	YES
Province FE	YES	YES	YES
Controls	YES	YES	YES
Years	Dec 05-Jul 10	Dec 05-Dec 12	Dec 05-Apr 09
Estimation	OLS	OLS	OLS

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Polarization in Spain

Event study difference between Catalonia and rest of Spain in territorial preferences (CIS)



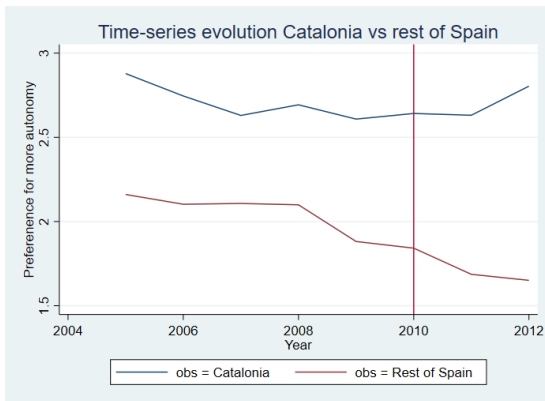
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Within-Spain polarization

Results

Polarization in Spain

Time series of the territorial preferences in Catalonia and the rest of Spain (CIS)



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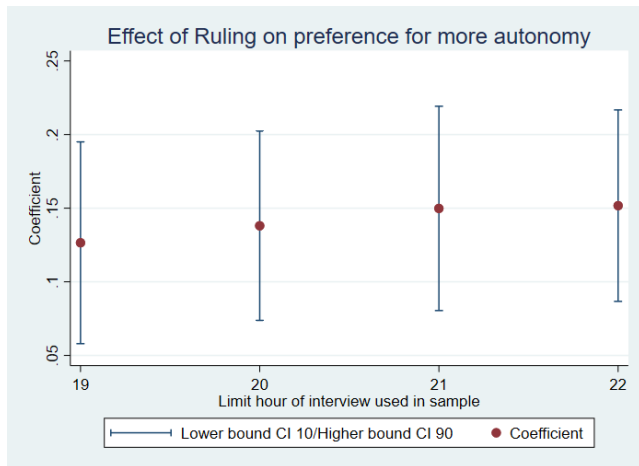
Institutional polarization

	(1)	(2)	(3)
Panel A: Preference for more autonomy (within-Catalonia)			
Both Catalan parents	0.499*** (0.0371)	0.362*** (0.0136)	0.381*** (0.0133)
Ruling	0.0556 (0.0370)		
Ruling x Both Catalan parents	0.245*** (0.0383)	0.0875*** (0.0287)	
Placebo Post x Both Catalan parents			0.0373 (0.0437)
Observations	1196	33125	26218
Comarca FE	YES	YES	YES
Province FE	NO	NO	NO
Survey FE	NO	YES	YES
Controls	YES	YES	YES
Years	Jun 10-Jul 10	Jun 06-Jun 11	Jun 06-Jun 10
Data	CEO	CEO	CEO
Estimation	OLS	OLS	OLS
Average y	2.75	2.69	2.67
Panel B: Preference for more autonomy (within-Spain)			
Catalonia	0.702*** (0.167)	0.823*** (0.111)	0.673*** (0.192)
Ruling x Catalonia	0.135*** (0.0504)	0.166*** (0.0417)	
Placebo Post x Catalonia			-0.0468 (0.0603)
Observations	7979	16532	6011
Comarca FE	NO	NO	NO
Province FE	YES	YES	YES
Survey FE	YES	YES	YES
Controls	YES	YES	YES
Years	Apr 09-Jul 10	Apr 09-Nov 11	Apr 09-Apr 10
Data	CIS	CIS	CIS
Estimation	OLS	OLS	OLS
Average y	2.90	2.83	2.91

Economic depolarization

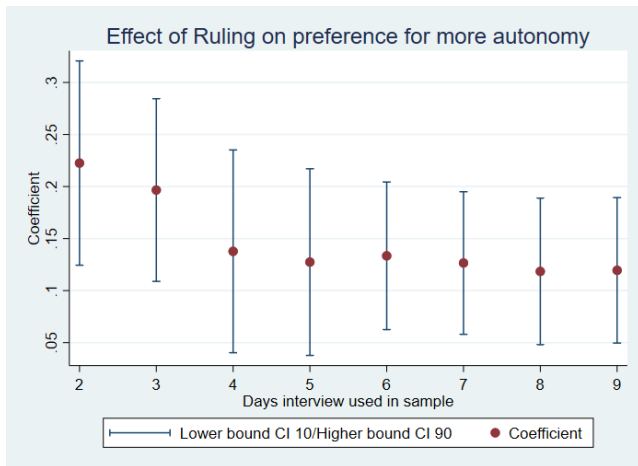
	(1)	(2)	(3)
Panel A: Preference for more economic intervention (within-Catalonia)			
Both Catalan parents	-0.170*** (0.0257)	-0.178*** (0.0253)	-0.165*** (0.0309)
Ruling x Both Catalan parents	0.0278 (0.0450)	0.0880* (0.0481)	
Placebo Post x Both Catalan parents			-0.0471 (0.0559)
Observations	10921	12461	9381
Comarca FE	NO	NO	NO
Province FE	YES	YES	YES
Survey FE	YES	YES	YES
Controls	YES	YES	YES
Years	01-10	01-11	01-09
Data	ICPS	ICPS	ICPS
Estimation	OLS	OLS	OLS
Average y	3.23	3.22	3.21
Panel B: Think that fiscal pressure is low (within-Spain)			
Catalonia	-0.0676 (0.0580)	-0.0781 (0.0486)	-0.0968* (0.0557)
Ruling x Catalonia	0.0735*** (0.0269)	0.0572** (0.0240)	
Placebo Post x Catalonia			-0.0337 (0.0337)
Observations	12067	14102	10048
Comarca FE	NO	NO	NO
Province FE	YES	YES	YES
Survey FE	YES	YES	YES
Controls	YES	YES	YES
Years	05-10	05-11	05-09
Data	CIS	CIS	CIS
Estimation	OLS	OLS	OLS
Average y	1.43	1.44	1.43

Robustness using different final hours



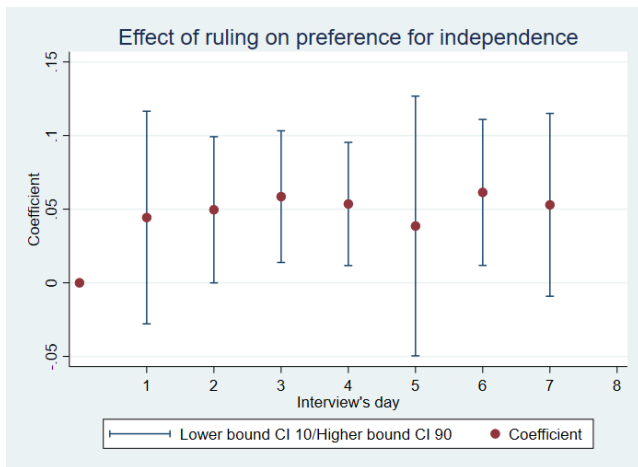
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Robustness using different final days



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Heterogeneity of the effect by day



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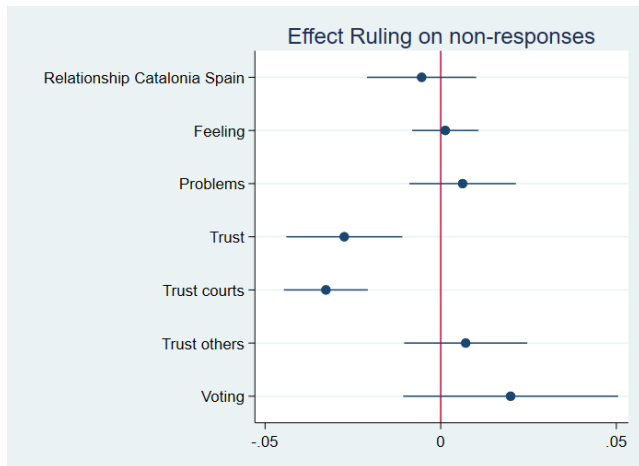
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Waiting time between interviews

VARIABLES	(1) Waiting time	(2) More autonomy
Ruling	1.040 (3.245)	0.0891** (0.0339)
Waiting time		0.00177 (0.00185)
Observations	1,892	784
R-squared	0.048	0.342
Wave FE	YES	NO
Day FE	YES	NO
Hour FE	YES	NO
Comarca FE	NO	YES
Controls	NO	YES
Waves	W2 W3 2010	W3 2010
Estimation	OLS	OLS

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Non-response rates



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Trust in tribunals

Robustness for non-responses

VARIABLES	(1) Trust: Courts	(2) No answers on trust: Courts	(3) Trust: Courts
Ruling	-0.327** (0.139)	0.00282 (0.00650)	-0.398** (0.165)
Observations	961	2,000	1,513
R-squared	0.088	0.000	0.100
Comarca FE	YES	NO	NO
Controls	YES	NO	NO
Weights	YES	E.B. x p.w.	E.B. x p.w.
Estimation	OLS	OLS	OLS

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EL PAÍS

EL PERIÓDICO GLOBAL EN ESPAÑOL

www.elpais.com

VIERNES 29 JUNIO 2010 14,95 € IVA INCLUIDO (PAGO ADELANTADO)



Estadística 2010
España se juega más que un partido ante Portugal. Con el fútbol, continúa la selección. Hoy es su día



El rodillo de Brasil también acaba con Chile
La Selección gana 2-0 y se enfrentará en cuartos de final a Holanda. **Párrafo a 12**



EL GOBIERNO AFIRMA QUE EL FALLO CONSTITUYE UNA "DEIROTA EN TODA REGLA" DEL PP

El Constitucional avala el Estatuto pero niega validez al término nación

Los magistrados anulan por inconstitucionales 14 preceptos e interpretan otros 23
La sentencia rechaza la "preferencia" del catalán en las Administraciones públicas

El Tribunal Constitucional avala que la lengua para el Estado de Cataluña, península de Galicia y el resto de España sea el castellano. Los magistrados rechazan 14 preceptos de la Ley del Estatuto de Cataluña que otorgan un "carácter" de nación al catalán y la opción de entenderse únicamente en catalán en Cataluña como no aplica en el Principado de Asturias y la zona lingüística valenciana. En cambio, se otorga un "carácter" de nación al catalán en las Administraciones públicas, pero esta opción no es obligatoria.

El presidente de la Generalitat, Artur Mas, ha expresado su satisfacción por el fallo del Tribunal Constitucional, que avala el Estatuto de Cataluña pero niega validez al término "nación". Mas ha señalado que el fallo constituye una "derrota en toda regla" del Partido Popular que había recurrido el fallo de un artículo de la sentencia. **Párrafo a 12**

- LOS PRINCIPALES VOTOS**
- La sentencia condena. Carencia de "eficacia jurídica" las referencias del Preámbulo a "Cataluña como nación". Los derechos reconocidos al catalán se refieren a Cataluña como nacionalidad, no como nación.
 - La Lengua. El fallo declara que el catalán no es una "lengua" en las Administraciones públicas, pero admite que sí lo es lingüísticamente hablando como lengua y de aprendizaje en la enseñanza.
 - La justicia. La sentencia elimina algunas referencias jurídicas al Estatuto del Consejo de Justicia de Cataluña.
 - Tributos locales. El Constitucional otorga a la Generalitat capacidad para establecer y regular impuestos municipales.

Montilla: "Acatamos, pero no compartimos ni renunciaremos"

El líder catalán reclama a Zapatero otro pacto para Cataluña

El presidente de la Generalitat, Artur Mas, afirma que "acatamos" con la sentencia del Tribunal Constitucional pero no reconocemos "nacionalidad" a la Generalitat. Mas cuestiona el pacto de San Esteban y pide un nuevo pacto con Zapatero. Mas afirma que el Estatuto de Cataluña es un pacto de Estado y que el fallo del Tribunal Constitucional constituye una "derrota en toda regla". Mas pide un nuevo pacto con Zapatero para Cataluña.

El presidente del Gobierno, José Luis Rodríguez Zapatero, ha afirmado que "acatamos" con la sentencia del Tribunal Constitucional pero no reconocemos "nacionalidad" a la Generalitat. Mas cuestiona el pacto de San Esteban y pide un nuevo pacto con Zapatero. Mas afirma que el Estatuto de Cataluña es un pacto de Estado y que el fallo del Tribunal Constitucional constituye una "derrota en toda regla". Mas pide un nuevo pacto con Zapatero para Cataluña.



Artur Mas, que declaró en un momento de euforia. **Párrafo a 12**

El Supremo de EE UU establece el derecho sin restricciones a llevar armas
El Tribunal Supremo de EE UU ha declarado que el derecho a llevar armas sin restricciones es un derecho constitucional. El fallo afecta a los estados que tienen leyes más restrictivas. **Párrafo a 12**

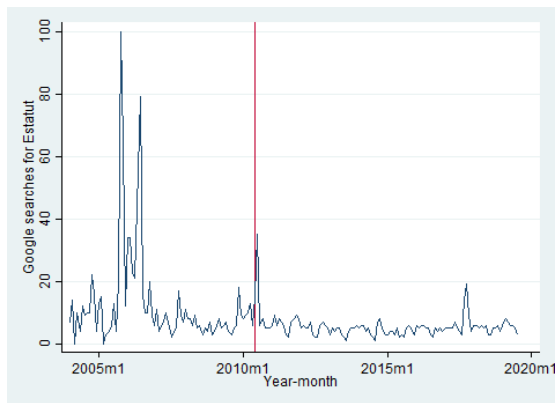
La inmobiliaria Sacresa suspende pagos lastrada por su deuda
La inmobiliaria Sacresa, una vez declarada en concurso de acreedores, se declara en suspensión de pagos. La suspensión de pagos afecta a los acreedores de la empresa. **Párrafo a 12**

Soluciones salvaescaleras

Elecciones para personas con dificultades de movilidad en casa

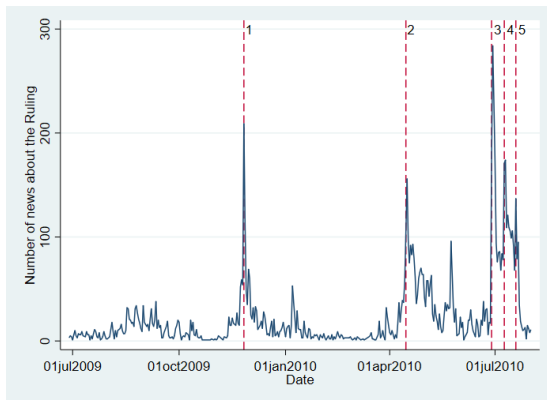
900 466 414

www.salvaescaleras.com



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News containing Estatut and Constitutional Court



1. Joint editorial of 12 Catalan newspapers about a possible Ruling
 2. Meeting of the Constitutional Court to discuss about the Ruling
 3. Ruling
 4. Demonstration against the Ruling
 5. Release of all details of the Ruling
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El Constitucional intenta desde hoy cerrar la sentencia del Estatuto. Casas, dispuesta a votar artículo por artículo y con un sistema de desempate

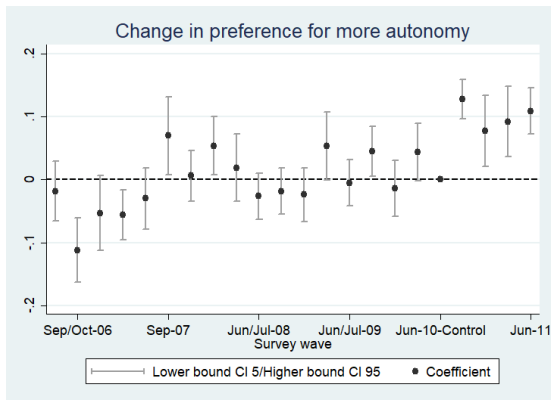
- El Tribunal Constitucional inicia a partir de hoy el que puede ser su último Pleno, convocado para "votación y fallo" de la sentencia del Estatuto catalán, aunque está previsto que se prolongue en "días sucesivos"
- Se trata de una ponencia progresista, muy similar en los resultados al quinto y fracasado proyecto de sentencia, elaborado por la magistrada Elisa Pérez Vera. Deja a salvo la constitucionalidad del término "nación" aplicado a Cataluña, aunque lo somete a una interpretación de conformidad, tanto en el enunciado del Preámbulo como en lo relativo a los símbolos "nacionales" de Cataluña del artículo 8.1
- Según las fuentes jurídicas consultadas, los magistrados llegan al Pleno con las mismas posiciones de partida que han hecho encallar los anteriores proyectos de sentencia, por lo que no es probable que la ponencia de Casas sea aprobada. Sobre todo porque la magistrada no ha llevado a su texto el reconocimiento de la "indisoluble unidad de la Nación española" como exige Manuel Aragón, descolgado del sector progresista del tribunal
- La ponencia de la presidenta es la que menos tachas de inconstitucionalidad tiene, 14, respecto a los seis proyectos anteriores, es decir, es la más favorable al Estatuto catalán

Disagreement between judges, El País, 9:21 PM, June 28th 2010

EL ESTATUTO YA TIENE SENTENCIA. El Constitucional aprueba un recorte moderado que permite aplicar el Estatuto. El alto tribunal alcanza el fallo con una votación por bloques en la que los jueces conservadores logran que el término "nación" no tenga eficacia jurídica

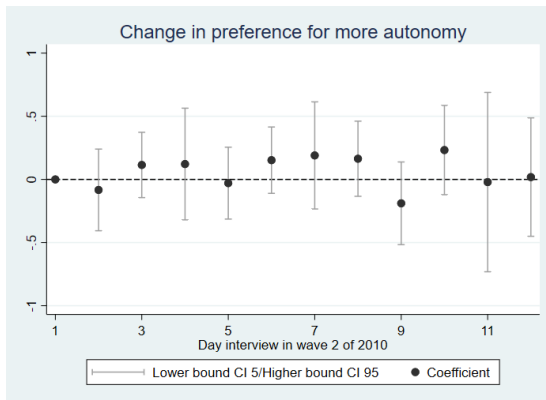
- La sentencia se votó por bloques. El primero y más delicado fue el referido al Preámbulo del Estatuto, que perdió el bloque progresista
- En el segundo bloque, en el que se decidían los preceptos inconstitucionales, -y en el que se prevía una votación por unanimidad- ocho magistrados frente a dos votaron por la inconstitucionalidad de 14 artículos. De los artículos declarados no ajustados a la ley fundamental, ninguno lo es en su totalidad, salvo el 97 [órgano de gobierno de los jueces en Cataluña]
- El tercer bloque fue el de las interpretaciones de artículos de conformidad, aprobado por seis votos a cuatro después de que se introdujesen matices que suavizaban la redacción en sintonía con las tesis de los magistrados progresistas
- Finalmente, se sometieron a votación los preceptos considerados ajustados a la Constitución, que fueron rubricados como tales por seis votos a cuatro
- Fuentes del tribunal explicaron que cuatro magistrados del bloque conservador han anunciado su voto particular disidente a la sentencia

Pre-trends analysis 2006-11



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Pre-trends analysis previous wave



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Guardia política ante el inminente fallo del Estatut

- El Tribunal Constitucional se reúne hoy con el objetivo de emitir una sentencia esta semana

Los partidos políticos catalanes tienen pocas dudas acerca de la inminencia del fallo del Tribunal Constitucional sobre el Estatut. Un ejemplo es Duran Lleida, que

ha llegado a suspender su viaje oficial a Guatemala para mantenerse de guardia política ante la sentencia que se podría conocer esta semana. **POLÍTICA 13 Y 14**

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- Political declarations
 - Previous propaganda affected both treatment and control
 - Not change of votes towards parties previously active in propaganda
Voting
 - Not stronger effect as time passes (and more propaganda takes place)
Heterogeneity by day
 - Demonstration against Ruling after survey-work finished (July 10th)
- Other events
 - Not important political or economic event between June 28th and July 8th
 - World Cup 2010 (downward bias, Depetris-Chauvin et al.,18) Robustness
- Placebo inside same wave or using other waves ●

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Robustness for for 2010 Football World Cup

VARIABLES	(1) More autonomy	(2) Feeling Catalan
Ruling	0.101*** (0.0323)	
Spain match World Cup		-0.0610 (0.0588)
Observations	786	987
R-squared	0.344	0.420
Comarca FE	YES	YES
Controls	YES	YES
Sample	No World Cup	All
Estimation	OLS	OLS

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Robustness placebo distribution of the treatment

VARIABLES	(1) Indep.	(2) Indep.	(3) Indep.	(4) Indep.	(5) Indep.	(6) Indep.	(7) Indep.	(8) Indep.	(9) Indep.
Placebo: 2nd 227 obs wave3-2010	0.00681 (0.0331)								
Placebo: 3rd 227 obs wave3-2010		0.0461 (0.0316)							
Placebo: 4th 227 obs wave3-2010			0.000537 (0.0232)						
Placebo: 5th 227 obs wave3-2010				-0.0362* (0.0207)					
Placebo: 6th 227 obs wave3-2010					-0.0154 (0.0219)				
Placebo: 7th 227 obs wave3-2010						-0.00757 (0.0343)			
Placebo: 1st day wave2-2010							-0.0379 (0.0272)		
Placebo: 1st day (and Monday) wave4-2010								-0.0256 (0.0140)	
Placebo: 1st Monday wave2-2010									0.00823 (0.0298)
Observations	999	999	999	999	999	999	419	461	419
R-squared	0.248	0.249	0.248	0.249	0.248	0.248	0.182	0.242	0.182
Comarca FE	YES	YES	YES	YES	YES	YES	YES	YES	YES
Controls	YES	YES	YES	YES	YES	YES	YES	YES	YES
Sample	Wave 3	Wave 3	Wave 3	Wave 3	Wave 3	Wave 3	Wave 2	Wave 4	Wave 2
Estimation	OLS	OLS	OLS	OLS	OLS	OLS	OLS	OLS	OLS

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Coefficient stability and selection on unobservables

More Autonomy on Ruling	Uncontrolled	Controlled	$R_{max} = 1.3\bar{R}$		$R_{max} = 1$	
			Identified set	δ for $\beta = 0$	Identified set	δ for $\beta = 0$
Treatment effect	0.153	0.133	[0.133;0.147]	-12.930	[0.133;0.231]	-2.038
s.e.	(0.058)	(0.043)				
R-squared	0.004	0.339				

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Robustness standard errors

VARIABLES	(1) More aut.	(2) More aut.	(3) More aut.	(4) More aut.	(5) More aut.
Ruling	0.133*** (0.0431)	0.133* (0.0793)	0.133** (0.0562)	0.110* (0.0570)	0.133*** (0.0431)
Observations	960	960	960	960	960
R-squared	0.339	0.339	0.339	0.324	0.339
Controls	YES	YES	YES	YES	YES
Comarca FE	YES	YES	YES	YES	YES
Estimation	OLS	OLS	OLS	OLS	OLS
Cluster s.e.	prov.Xday	prov.XsizeXday	comarcaXday	boot. prov.Xday	m.c. prov. day
t or z wild boot					10.64
p-value wild boot					0.04

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Unbalancedness sample

VARIABLES	(1) More autonomy	(2) More autonomy	(3) More autonomy	(4) More autonomy
Ruling	0.156** (0.0501)	0.147*** (0.0344)	0.130*** (0.0375)	0.110*** (0.0379)
Observations	340	3,032	2,318	960
R-squared	0.435	0.279	0.296	0.324
Controls	YES	YES	YES	YES
Comarca FE	YES	YES	YES	YES
Balanced sample	YES	NO	NO	NO
Waves	W3 2010	W2 W3 2010	W2 W3 2010	W3 2010
Hour sample	All	All	Before 19	Before 19
Weights	YES	YES	YES	NO
Inference	cluster s.e.	cluster s.e.	cluster s.e.	random. inf.
Estimation	OLS	OLS	OLS	OLS

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Persistence of political attitudes

Objective

- We want to see whether the change of preferences that the ruling caused is persistent
- Are citizens also more likely to express more support to secession and less trust in tribunals in subsequent waves of the survey?

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Persistence of political attitudes

Econometric strategy

Predict marginal effects (ME_i) of the Ruling for each category of respondents $\widehat{ME}_i = \widehat{\beta}_4 + \widehat{\lambda}_4 \times X_i$

$$Y_i = \alpha_4 + \beta_4 Ruling_i + \gamma_4 X_i + \lambda_4 Ruling_i \times X_i + GEO_i + \varepsilon_i$$

Persistence of political attitudes

Econometric strategy

Predict marginal effects (ME_i) of the Ruling for each category of respondents $\widehat{ME}_i = \widehat{\beta}_4 + \widehat{\lambda}_4 \times X_i$

$$Y_i = \alpha_4 + \beta_4 Ruling_i + \gamma_4 X_i + \lambda_4 Ruling_i \times X_i + GEO_i + \varepsilon_i$$

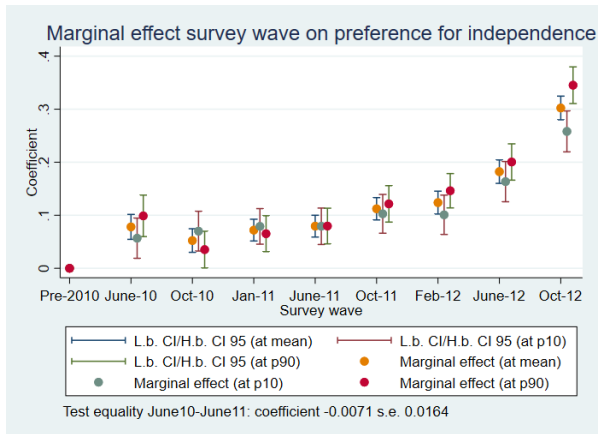
Explore how preferences evolve differently between people with different level of individual marginal effects due to the Ruling (estimate ME of Wave at mean, p10 and p90 of ME_i)

$$Y_{it} = \alpha_5 + \tau \widehat{ME}_i + \delta_t Post2010_t \times Wave_t + \chi \widehat{ME}_i \times Post2010_t \times Wave_t + e_{it}$$

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Persistence of political attitudes

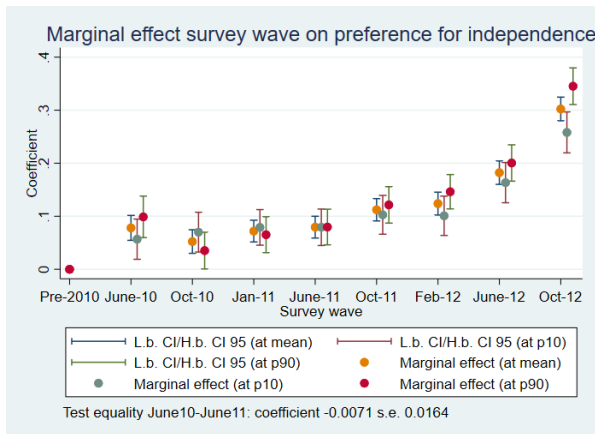
Results preference for independence



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Persistence of political attitudes

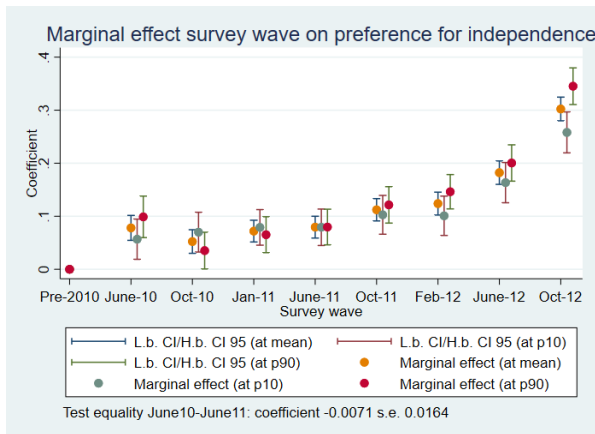
Results preference for independence



Preference for independence increased after the Ruling took place and reach its peak in October 2012 (first big Diada)

Persistence of political attitudes

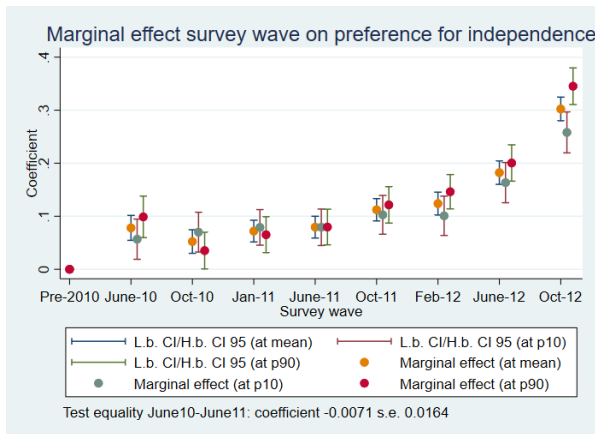
Results preference for independence



Preferences for independence increased in a statistically significant way when the Ruling took place with respect to the period before 2010

Persistence of political attitudes

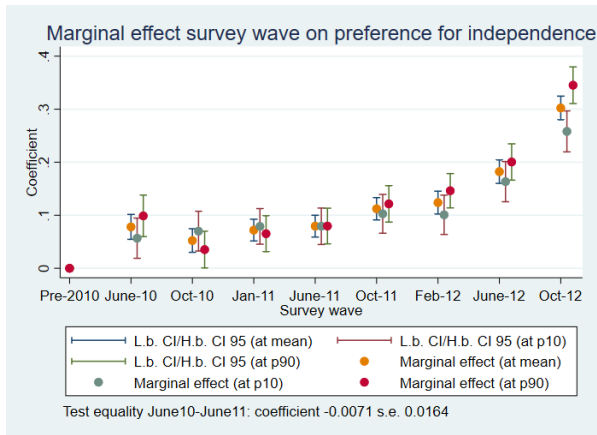
Results preference for independence



Preferences for independence maintain statistically equal one year after the Ruling

Persistence of political attitudes

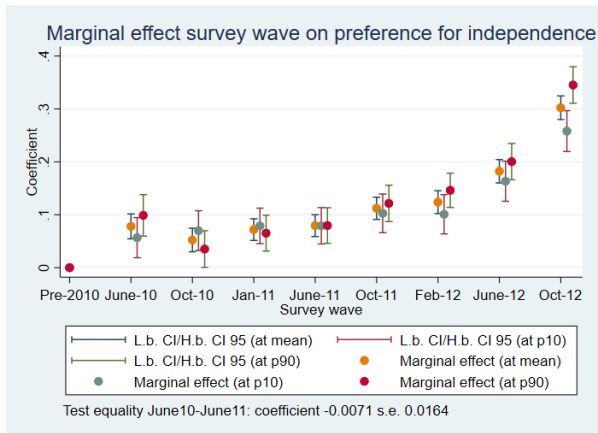
Results preference for independence



Two years after the Ruling s.s. difference in the evolution of the preference for independence for people at the 10th and 90th percentile of the individual marginal effect of the Ruling

Persistence of political attitudes

Results preference for independence

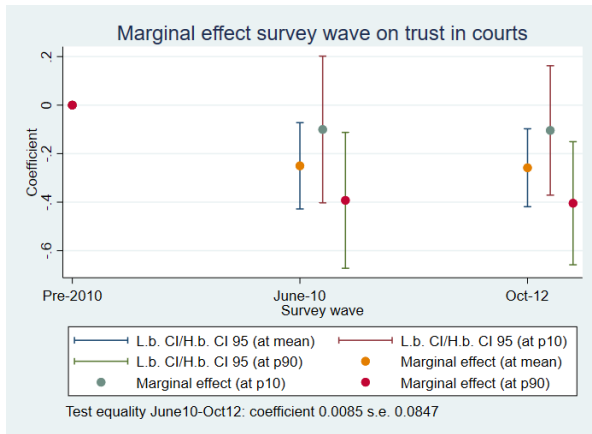


Other important factors explain increase in preferences after Ruling

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Persistence of political attitudes

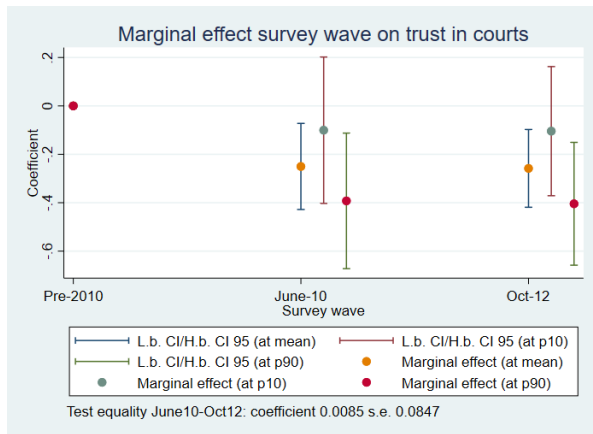
Results trust in tribunals



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Persistence of political attitudes

Results trust in tribunals

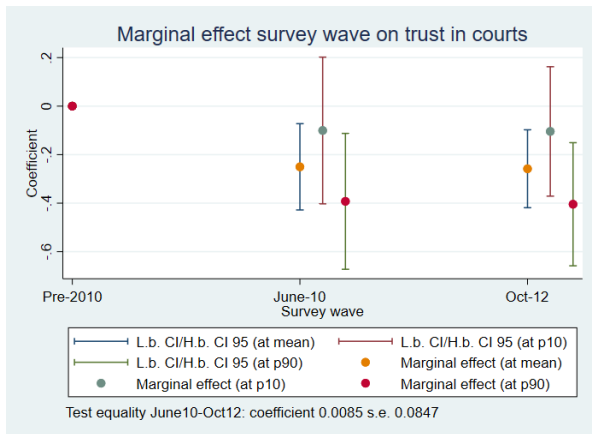


Persistent effect

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Persistence of political attitudes

Results trust in tribunals



Increase in 2012 stronger for citizens with higher individual marginal effect of the Ruling

Voting outcomes

Objective

- Are change in preferences intense and lasting enough to have any impact on the political events that occurred in Catalonia since then?
- How do changes in preference for independence transform in voting outcomes in favour of parties campaigning on that issue?
- Citizens in areas who reacted more to the Ruling, were also more likely to exhibit different voting behaviour later?
- Use the 2015 Catalan regional election as our voting outcome of interest: stance for independence main cleavage of the electoral campaign

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Voting outcomes

Econometric strategy

Predict marginal effects (ME_{ps}) of the Ruling for each category of province-city size dummy (finest level of representativeness of the survey)

$$\widehat{ME}_{ps} = \widehat{\beta}_2 + \widehat{\lambda}_2 \times PROVI_{i(p)} \times SizeMun_{i(s)}$$

$$Y_i = \alpha_2 + \beta_2 Ruling_i + \gamma_2 X_i + PROVI \times SizeMun + \lambda_2 Ruling_i \times PROV_i \times SizeMun$$

Voting outcomes

Econometric strategy

Predict marginal effects (ME_{ps}) of the Ruling for each category of province-city size dummy (finest level of representativeness of the survey)

$$\widehat{ME}_{ps} = \widehat{\beta}_2 + \widehat{\lambda}_2 \times PROVI_{i(p)} \times SizeMun_{i(s)}$$

$$Y_i = \alpha_2 + \beta_2 Ruling_i + \gamma_2 X_i + PROVI \times SizeMun + \lambda_2 Ruling_i \times PROVI_i \times SizeMun_i$$

Estimate the correlation between voting behaviour in the 2015 election and changes in preferences due to the Ruling

$$Vot_{ce} = \alpha_3 + \tau_c + \psi_t Post2010_e + \phi_3 \widehat{ME}_{ps} \times Post2010_e + v_{ce}$$

- Diff-in-diff. Pre-treatment: 1999, 2003, 2006. Post-treatment: 2015
- Vote share independentist parties (ERC+CiU (or JuntsXSi)+CUP)

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Voting outcomes

Results

VARIABLES	(1) Share Indep.	(2) Turnout	(3) Share Indep.	(4) Share Indep.
Post 2010	0.0472*** (0.00260)	0.145*** (0.00171)	0.0641*** (0.00343)	0.0299*** (0.00375)
Post 2010 X M.E. Ruling	0.0197 (0.0163)	-0.00779 (0.0106)	0.0621*** (0.0209)	-0.0347 (0.0244)
Observations	3,784	3,784	1,900	1,884
R-squared	0.887	0.825	0.765	0.904
City FE	YES	YES	YES	YES
Sample	All	All	ERC-99 P50+	ERC-99 P50-
Estimation	OLS	OLS	OLS	OLS

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Voting outcomes

Results

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Not effect of change in preferences to voting outcomes

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Voting outcomes

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Sample	All	All	ERC-99 P50+	ERC-99 P50-
Estimation	OLS	OLS	OLS	OLS

Positive voting effect change in preferences due to Ruling in places previously more pro-independence

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Voting outcomes

Results

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City FE	YES	YES	YES	YES
Sample	All	All	ERC-99 P50+	ERC-99 P50-
Estimation	OLS	OLS	OLS	OLS

Small effect. City that changed preferences for independence as in our baseline estimate, 5.2 percentage points, increased the vote share for independentist parties by 0.32 percentage points more

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Voting outcomes

Additional results

VARIABLES	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Turnout	Turnout	Share ERC	Share CiU	Share PSC	Share PSC	Share indep.	Share indep.
Post 2010	0.144*** (0.00209)	0.145*** (0.00271)	0.00910*** (0.00172)	-0.00838*** (0.00226)	-0.120*** (0.00233)	-0.163*** (0.00288)	0.0470*** (0.00258)	0.0469*** (0.00257)
Post 2010 X M.E. Ruling	0.0108 (0.0129)	-0.0290* (0.0172)	-0.0273** (0.0112)	0.0261* (0.0148)	-0.0665*** (0.0137)	-0.0124 (0.0189)	-0.0323 (0.0246)	-0.215** (0.0999)
Post 2010 X M.E. Ruling x ERC 1999 (> med.)							0.0972*** (0.0325)	
Post 2010 X M.E. Ruling x ERC 1999								2.440* (1.327)
Post 2010 X M.E. Ruling x ERC 1999 (sq.)								-4.335 (4.170)
Observations	1,900	1,884	3,784	3,784	1,900	1,884	3,784	3,784
R-squared	0.817	0.820	0.599	0.776	0.824	0.877	0.887	0.888
City FE	YES	YES	YES	YES	YES	YES	YES	YES
Years	99-03-06-15	99-03-06-15	99-03-06-12	99-03-06-12			99-03-06-15	99-03-06-15
Sample	ERC-99 P50+	ERC-99 P50-	All	All	ERC-99 P50+	ERC-99 P50-	All	All
Estimation	OLS	OLS	OLS	OLS	OLS	OLS	OLS	OLS

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Voting outcomes

Robustness

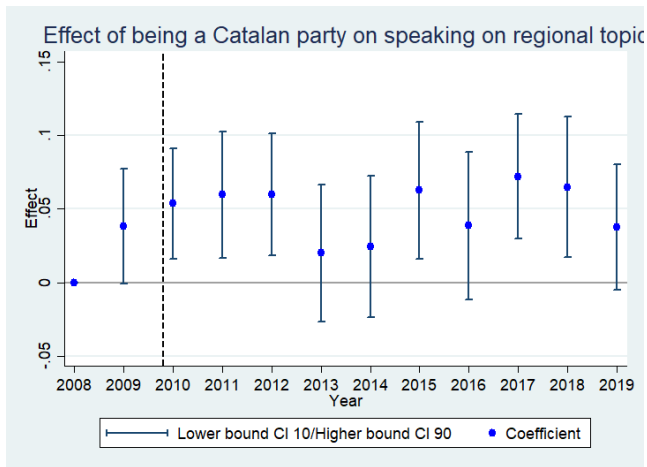
VARIABLES	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Share Indep.	Share Indep.	Share Indep.	Share Indep.	Share Indep.	Share Indep.	Share ERC+CiU	Share ERC+CiU
Post 2003	0.000390 (0.00197)							
Post 2003 X M.E. Ruling	0.00294 (0.0123)							
Post 2006		-0.00277 (0.00197)						
Post 2006 X M.E. Ruling		0.00388 (0.0127)						
Post 2010			0.0635*** (0.00349)	0.0330*** (0.00396)	0.0641*** (0.00399)	0.0299*** (0.00444)	-0.0431*** (0.00327)	-0.0593*** (0.00330)
Post 2010 X M.E. Ruling			0.130*** (0.0430)	-0.206*** (0.0539)	0.0621** (0.0295)	-0.0347 (0.0404)	0.0350* (0.0191)	-0.0258 (0.0213)
Observations	3,784	3,784	1,900	1,884	2,000	2,000	1,900	1,884
R-squared	0.867	0.867	0.765	0.906			0.765	0.917
City FE	YES	YES	YES	YES	YES	YES	YES	YES
Pred. Sample	W3 2010	W3 2010	W2 W3 2010	W2 W3 2010	W3 2010	W3 2010	W3 2010	W3 2010
Vot. Years	99-03-06-15	99-03-06-15	99-03-06-15	99-03-06-15	99-03-06-15	99-03-06-15	99-03-06-15	99-03-06-15
Vot. Sample	All	All	ERC-99 P50+	ERC-99 P50-	ERC-99 P50+	ERC-99 P50-	ERC-99 P50+	ERC-99 P50-
s.e.	Rob	Rob	Rob	Rob	Boot	Boot	Rob	Rob
Estimation	OLS	OLS	OLS	OLS	OLS	OLS	OLS	OLS

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- 4th largest economy in Europe
- 2018 Economist Intelligence Unit's Democracy Index: Spain is considered as a "full democracy"
 - Index of 8.08/10, and ranks number 19 in the world
 - Downgraded to "flawed democracy" in 2021
- Center for Systemic Peace (Polity Scores) classifies it as "Full Democracy" since 1982:
 - Maximum "grade" for democracy (10 out of 10)
 - Lowest for Autocracy (0 out of 10).
- Third most "diverse" in Europe (according to ethno and linguistic fractionalization)

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Speeches in Spanish Parliament



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Endogenous choice of identity: Bonomi, Gennaioli and Tabellini (2021, QJE) and Shayo (2021, ARE)

- Citizens belong to multiple groups in multiple dimensions
- According to race (white, non-white), gender, social class, national identity, etc.
- However, they choose one identity that defines which group determines their preferences and actions.
- HOW? They can act in conformity with the "group preferences" (average), to maximize their group's utility (total and self), and to use the groups' (XXX)typical member to update their own beliefs.
- Shayo would predict that Catalans' national sentiment increases (as opposed to Spanish) and therefore Catalans become more pro-independence (and would vote for lower taxes with the majoritarian partner, CiU). XXXX
- Bonomi et al would predict that polarization increases in the salient dimension and it is reduced in the other one.

$$Institutional_i = \alpha + \beta Ruling_i + \gamma_1 Region + \gamma_2 Ruling_i * Region + \epsilon_i$$

$$Economic = \alpha + \beta Ruling_i + \gamma_1 Region + \gamma_2 Ruling_i * Region + \epsilon_i$$

$$Institutional_i = \alpha + \beta Ruling_i + \gamma_1 Class + \gamma_2 Ruling_i * Class + \epsilon_i$$

$$Economic = \alpha + \beta Ruling_i + \gamma_1 Class + \gamma_2 Ruling_i * Class + \epsilon_i$$

Polarization increases iff $sign(\gamma_1) = sign(\gamma_2)$.