Competing States: The Use of Public Policy by Minority and Majority Nations

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This paper is a condensed version of two chapters of my PhD dissertation: one on the framework that is used to describe the competition occurring between the minority nation's government and the (majority nation) central government through public policies; and one on immigration policy in Québec-Canada and Catalonia-Spain.

The dissertation compares the competition that takes place, through the use of public policy, between minority nations and their respective majority nations. The focus is on two case studies: Québec-Canada and Catalonia-Spain. Since the 1960s for the former and the 1970s for the latter, these minority nations have competed with their respective majority nations for the loyalty of their citizens. The competition is played out at the level of the state, that is, the minority nations' and the majority nations' governments fight for their citizens' loyalty through public policies. The objective of this dissertation research is two-fold. First, it portends to describe competition between minority nations' and majority nations' governments over the citizens' loyalty through public policies. Second, it asserts that the competition may be modeled for most industrialized federal states.

In the dissertation, three policy areas are examined: language, foreign affairs, and immigration. These policy areas have evolved differently in the two cases studied. In Québec-Canada, all policy areas started with high competition and function, nowadays, collaboratively. On the contrary, these policy areas are increasingly matters of conflict in Catalonia-Spain. After Franco's dictatorship, the majority nation was open to greater recognition of its minority nations' demands; since Catalonia's revised Statute of Autonomy of 2006, the competition through public policy appears more conflictual.

This paper first discusses the framework developed for the dissertation. It links the
competition that exists between the central government and the minority nation's government with the public policies that both employ. It then presents some methodological aspects of the dissertation. To make this model tangible, the paper offers a historical description of the one of the three fields of policy selected, that is, immigration.

1 Political competition in public policy

This section begins with a description of the academic literature relevant to the dissertation, that is, literature on competition between minority nations and their respective majority nations. After highlighting the gap in the literature on which this dissertation is based, it presents the model of competition in public policy that will serve as a framework for the analysis of the cases studied.

1.1 Academic literature on competition between the minority nation's government and the majority nation's central government

The following starts with a brief account of how minority nationalism is constructed. It continues by discussing how the central government deals with minority nationalism.

A well-known description of a “nation” is that of Benedict Anderson. He labels it an “imaginary community”. “It is imagined because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion” (Anderson 1991, 6). And it is “imagined” in two ways: as limited (because even the largest nations recognize finite boundaries and do not aim at conquering the whole human race) and as sovereign (nations dream of being free) (Anderson 1991, 7). As for the term “community”, it refers to the idea of an existing comradeship between
citizens, even though there is inequality among themselves.

This explanation is in line with the explanation formulated by Immanuel Wallerstein as to why sub-national movements emerge. In Race, Nation, Class: Ambiguous Identities, Wallerstein claims that all sovereign states (countries) and subgroups (within the former) have an interest in promoting a “national” sentiment in order to lessen the respective threats of internal disintegration and external aggression (Wallerstein 1991, 81-82). Moreover, he suggests that the rise of nationalism is explained by the idea that, “For a state not to be a nation is for that state to be outside the game of either resisting or promoting the alteration of its rank [relative to other states]” (Wallerstein 1991, 82).

In its most basic form, there are two types of actions that a central government can take to deal with minority nationalism. First, it can try to “crush” it, that is, try to make it disappear. To do so, the central government can use military action against minority nationalism. It can also employ financial tools, or financial menace. For example, a central government could openly decide to put an embargo on the territory where minority nationalism is present. It could outwardly forbid the use of the language. Or it could be more subtle and use assimilationist measures, such as increasing immigration where there is minority nationalism or promoting majority nationalism's traits as offering more potential, more guarantee of a successful life. On the one hand, this strategy may indeed destroy the minority nationalism due to, on a full spectrum, either deaths of the minority nationalists or mere assimilation. On the other hand, this strategy may strengthen the minority nationalism; again on a wide spectrum, the minority might get international support or protection, or threat of disappearance may act as a catalyst for the minority nation to create its own institutions and become more perennial than before.
Second, the central state can give to the minority nationalism what it seeks. It can push decentralization, giving more powers and full financial autonomy to the minority nationalism. A potent illustration of this strategy is Belgium, where the federal government only has responsibility in army, central banking, and a limited one in international actions – the remaining competences belong to the Communities and the Regions of Belgium. On the one hand, this strategy satisfies the minority nationalism, giving it was it asks for, that is, more autonomy. On the other hand, once the minority nation has so much autonomy, there is a small step remaining before becoming a full state itself.

This is what Will Kymlicka labels the “paradox of multination federalism”: it seems that for the central state, no strategy warrants that the minority nationalism is managed. This paradox might explain why states seem to have such trouble dealing with their minority nations. In Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship, Kymlicka studies the situation of minority groups in Western democracies. He concludes from studying the strong secessionist movements of the Flemish, Scots and Québécois, that contemporary states have not yet found ways to accommodate minority nations (Kymlicka 2001, 91-92). Federalism is somewhat successful in accommodating minority nations, that is, “successful in the sense of fairly managing these conflicts in a peaceful and democratic way, while protecting individual rights and prosperity” (Kymlicka 2001, 93) But it is no panacea, namely because the borders of sub-nations do not always match the legal ones\(^1\), because the separation of powers between different levels of government is not respected, and because federalism does not prevent a threat of secession. On the bright side, federalism does create a loose sense of “togetherness”, even if it

\(^1\) For example, the territory where Catalan is spoken is larger than the Spanish autonomous community called Catalonia.
involves questioning the federation (Kymlicka 2001, 93-94). Indeed, “the paradox of multination federalism [is that] while it provides national minorities with a workable alternative to secession, it also helps to make secession a more realistic alternative to federalism” (Kymlicka 2001, 118).

All central governments display some majority nationalism, and if the minority nationalists do not also promote their nation, then majority nationalism will supersede the minority nationalism, eventually leading to the disappearance of the latter. Kymlicka illustrates this phenomenon with findings on the specific case of Québec. He suggests that Québec is a model of a minority nation that has resisted nation-building from the majority nation – through nation-building itself (Kymlicka 2001, 156-158). According to Kymlicka:

“it is not enough for a minority to simply resist the majority’s efforts at diffusing a single common language. The minority must also engage in its own competing form of state-sponsored nation-building. Nationalists in Quebec or Puerto Rico realize that to sustain their national culture, they too must seek to diffuse a common culture and language throughout their society so as to promote equality of opportunity and political solidarity. And they must use the same tools that the majority nation uses in its program of nation-building—i.e. standardized public education, official languages, including language requirements for citizenship and government employment, etc.” (Kymlicka 2001, 159).

In reference to the two strategies that the central government can use to deal with minority nationalism, Alain-G. Gagnon favors the second one. In *La Raison du plus fort*, he studies how in federal states the pursuit of identical rights for everyone – a unity vision toward which federal states tend – can be accommodated with the ideal for people in minority states who seek a community identity. Gagnon writes that federal states are incapable of making everyone adhere to a national (unitarian) state project (Gagnon 2008, 21). He recommends that federal states move from a “territorial federalism” to a “multinational federalism”. While the former
treats all citizens identically, the latter offers the same possibilities of fulfillment to all national communities within the state (Gagnon 2008, 15-16). He claims that this transition is the freedom condition par excellence for minority nations (Gagnon 2008, 17). According to Gagnon, four key elements explain federalism and the way it deals with internal conflicts: 1) non-superposition of powers between government levels in order to respect their shared sovereignty; 2) autonomy of political entities while encouraging collaboration between them; 3) hence confidence («lien de confiance»); and 4) its corollary, federal loyalty and solidarity(Gagnon 2008, 18-19). Gagnon argues that non-recognition of a nation leads to a feeling of oppression, and that the recognition of the institutions of a nation is crucial (Gagnon 2008, 30).

Stephen May vows for the same strategy as Alain-G. Gagnon. In Language and Minority Rights, Stephen May “attempts the unenviable and increasingly unfashionable task of defending the ongoing relevance and importance of minority languages in the modern world” (May 2008, 1). May argues that the national minorities no longer tolerate their “evisceration” by the central government, which is done in order to further the idea of the homogeneity of the nation-state, itself based on the basis of political cohesion and “civism”: “What such minorities are asking is simple and direct – why should the notion of a homogenous national identity, represented by the language and culture of the dominant ethnie, invariably replace cultural and linguistic identities that differ from it?” (May 2008, 307). According to May, the problem comes from the majority nation's government: “It is not the cultural, linguistic and political expression or mobilisation of (minority) ethnicities and nationalisms which are the cause of so much contemporary mayhem in the modern world, but their disavowal” (May 2008, 308). Hence, May suggests a reconfiguration of the nation-state “in order to accommodate greater cultural and linguistic diversity” (May 2008,
The portrait of the relationship between the minority nation's government and the central government depicted by Kymlicka, Gagnon, and May seems full of inadequacies. Yet, the rapport between the central state and the minority nation's government does not need to be a belligerent one. In *Plurinational Democracy*, Michael Keating argues that citizens in “stateless nations” (those within United Kingdom, Spain, Canada, and Belgium) display multiple identities – and a multiple nationalist loyalty – but that politicians have not yet understood the current post-sovereignty era, hence still think that citizens equal “nation” with “statehood” and seek strict independence when belonging to a stateless nation. To be sure, Keating writes that “many nationality movements do not want a state on traditional lines at all, but seek other expressions of self-determination” (Keating 2004, 8). In other words, claims for nationality do not entail claims for statehood; Keating refers to this idea as “post-sovereignty era”. Keating lists three grounds for nationalistic claims: the first one, which is fading, is that, “the nation is a self-evident sociological category or an immanent community of fate”; the second one refers to the nation as being a historically self-governing community; and the third one argues that people of a nation, “see themselves as a nation and wish to determine their future as a collectivity” (Keating 2004, 3). According to Keating, the first two claims “have been used to catch nationalities in a logical trap – they cannot claim self-determination without proving that they are “different”, yet if they are different they are condemned as ethnic particularists unworthy of self-determination rights” (Keating 2004, 4).

In sum, minority nationalism poses a menace to the majority nation's central government. Minority nations want more autonomy, more power – not necessarily independence – and they
use the same tools as the majority nation to promote themselves, most of which are public policies. This threat for the central government can be dealt with in various ways, but a recognition of the minority nation seems inevitable if the former wants to appease the latter.

1.2 A model of political competition in public policy

In order to describe the competition between minority and majority nations' governments via public policies, a model has been developed. The minority nation's citizens seek to maintain or develop their own language and identity. Thus, they will accord their loyalty to a specific government based on this need (and other needs too, such as economic development). As for governments, they have an incentive to defend this language, identity of their citizens because it is convenient for them in practical terms (for reelection, for easiness of implementing non popular policies).

All governments seek the maximization of their citizens' loyalty. Citizens are loyal to their government (be it the sub-state or the state) because they believe that it is better for them or that it will become better for them than the other option available. Hirschman claims that “nationalist” loyalty can be envisioned the same way as political convictions, church denominations or tribes (Hirschman 1970, 33)2. What people ultimately seek in a national identity is a difficult question. The main academic literature on the topic concords towards some necessary feeling of group belonging (Smith 1993, 74). National minorities are not satisfied with mere language laws that grant them the right to pursue their lives in their language; they want autonomy over laws that affect their identity in order to secure power to influence, gear their

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2 In that sense, ‘being loyal’ means that, even after betrayal, people remain loyal to their government. For example, even though the Québec government forced municipal fusions under the Premier Lucien Bouchard, the affected (yet unhappy) citizens still define themselves as more Québécois than Canadian.
identity. What is more, they want to possess their own institutions to protect and develop the key elements of their identity. The government that offers the strongest potential for perpetuating one's language and identity will receive one's loyalty. Hence, citizens will be loyal to the government that offers the highest potential of long-term maintainability of their language, identity.

Loyalty is crucial to determine a government's potential room to maneuver. The more citizens' loyalty a government possesses, the more easily it can enact the specific public policies that it wants to implement because citizens assert that the government does match their needs, that is, is legitimate. The citizens' loyalty is a capital good that can be depreciated or augmented. In the short run, the sub-state government and the central government compete for the loyalty of their citizens. In order to procure it, both seek to represent as many components as possible of the identity of their respective citizens.

To summarize, loyalty can be taken advantage of by a government that possesses it; it is useful for enacting not so popular policies or laws. It can also be rewarding for the citizens in the sense that they have the guarantee from their government that their descendants will perpetuate their language and culture, hence live happily.

“Identity” may be envisioned as a bundle of many characteristics. Thus, “identity”, like any other good, should not be thought of as a single object, but rather as a set of joined mini-goods. In a famous example, Kelvin Lancaster lists a car’s characteristics: accommodation, ride qualities, handling and steering, engine, brakes, frequency of repair record, and retail price (Lancaster 1971, 170). Some of these characteristics are more important for a given individual

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3 I will not discuss the construction of the citizens’ identity by governments.

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than are other characteristics. In the case of the cars analyzed by Lancaster (1971), ride qualities and brakes were, surprisingly, the least important characteristics for a majority of respondents (Lancaster 1971, 174). The lesson is that what matters to an individual or to a government may appear frivolous or irrelevant to a peer. Nevertheless, one’s assessment of the value of specific characteristics is as relevant as another one’s assessment of the same characteristics. “Identity”, in that sense, is conceived of as a mix of various elements. Language and international action might be viewed as crucial (primordial) for one government, while culture and social welfare carry more importance for another government. The same finding is modeled differently by Akerlof and Kranton (2005). They theorize that citizens do not only have financial (pecuniary) interests. In fact, their utility function (or well-being) is shaped by what they envision as an ideal (Akerlof et Kranton 2005). This may include religious values, cultural values, or others. Put differently, the economic wealth is not all that matters.

Nationalist actions are essential to the preservation of a nation. Alexander Wendt claims that the state has intrinsic interests that are not socially constructed, that are simply inherent to each of them. These interests force the state to act upon them; the state cannot ignore them. Specifically, they are “underlying needs [that] are common to all states and must somehow be addressed if states are to reproduce [develop, maintain] themselves” (Wendt 1999, 235). Moreover, Wendt claims that once states exist, “they acquire interests in reproducing [developing, maintaining] themselves that create resistance to disappearing of their own accord. This creates substantial path-dependency and “stickiness” in international politics.” (Wendt 1999, 238) In that sense, Catalonia and Québec are “states”, as are Spain and Canada. The former were (or consider that they were) states-almost-countries before being incorporated into
the latter. Catalonia considers that it was an independent entity before the dynasty of the Bourbons in 1715; Québec was independent (although colony of France) until the *Traité de Versailles* of 1763. Since Catalonia and Québec are states, they are bound to “reproduce” Wendt's interests of the state: 1) physical survival (survival of a state's core territory); 2) autonomy (in the allocation of resources and choice of government); 3) economic well-being; and 4) collective self-esteem. This latter is relevant for the present paper. It is defined as “a group's need to feel good about itself, for respect or status.” (Wendt 1999, 236) It is a basic need for states, just as it is for individuals. And the self-image of a state can be either positive or negative, depending on its relationship with other states, “since it is by taking the perspective of the Other that the Self sees itself.” (Wendt 1999, 236) On the one hand, negative images cannot be tolerated for a long time because they lower the state's self-esteem. If states are confronted to such negative images, “they will compensate by self-assertion and/or devaluation and aggression toward the Other.” (Wendt 1999, 237) On the other hand, positive images – or recognition – “[reduce] the need to secure the Self by devaluing of destroying the Other” (Wendt 1999, 237).

Put differently, if a state is not recognized by the “other” state, Wendt predicts competition between these two states. However, if there is recognition, one may expect an absence of competition.

The competition that occurs between the minority and the majority nations' governments is due to the confrontation of two nationalisms: the minority and the majority ones. Minority nationalism consists of the observation that the minority nations' public policies include an

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4 The word “state” in English cannot be translated to «État» in French. The former refers to a country, while the latter is much broader. For example, a province is an «État», but one could hardly argue that it is a “state”. Thus, Québec is undeniably an «État», while the case needs to be made that it is a “state”. It is probably a “sub-state” and an «État» at the same time.

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identity-promotion (representation) component. For example, the *Charter of the French Language* in Québec stipulates in its preamble that “the French language, the distinctive language of a people that is in the majority French-speaking, is the instrument by which that people has articulated its identity” (Québec 1977). The igniting element of the minority nationalism is the perception, by the minority nation, of the difference between its identity and the majority nation's one. An objective measure is not necessary here – the aim is not to determine the veracity of a minority nation’s claims. What matters is the assessment of the difference by the minority nation. Considering the stage of the threat to minority languages, Joshua Fishman writes that the fear of Québécois vis-à-vis the status of French in Québec might not be justified up to the height of its current degree, but this fear alone suffices to assert that the ultimate “stage of effortless and ‘taken for granted’ existence [of French in Québec]” has not been reached yet (Fishman 1991, 318-319). Thus, as long as a minority nation feels a difference from the majority nation, this difference is considered to exist. As an illustration of this feeling of difference, in 2007, 7.1% of the Québec respondents to a Moreno Question survey claimed that they felt “only Canadian” (Lachapelle 2007, 603), while 12.2% of the Catalan respondents self-identified themselves as “only Spaniard” in 1995 (Lachapelle 2000, 215).

On the other hand, the majority nation carries a majority nationalism as part of normal nation-building. As an illustration, the *Multiculturalism Act* of Canada is part of the majority nation's nationalism (Lecours et Nootens 2007, 36-38). It states a fundamental element of Canada's nation-building: it strives to reduce discrimination based on race, origin, or religion – not language – and to reach individual equality of all citizens (Canada 1985a).
1.2.1 With components/characteristics

All sub-states perceive a difference between their collective identity and that of the majority nation. For example, the citizens of Andalusia call themselves Andalusian Spaniards, meaning that they self-identify both with Spain and with Andalusia. That said, this difference between the country-as-a-whole’s identity and the sub-state’s identity is more acute in some sub-states, notably where the language spoken is specific, as is the case in Catalonia and in Québec. In other words, the citizens of a sub-state as Andalusia may display the identity $I_A = \{a_1, a_2, s_1, s_2\}$, where $a_i$ are components proper to the identity of Andalusians, and $s_i$ are components of the identity of all Spaniards. By contrast, the identity of Catalans would look like $I_C = \{c_1, c_2, c_3, c_4, s_1, s_2\}$. Hence, the proper identity of Catalans is larger (or more prominent) than the Andalusian one: 

$$\{c_1, c_2, c_3\} > \{a_1, a_2\}.$$ 

By their own nature, citizens identify with a government if it represents their identity. The central government may display its representativeness of the sub-state nation through public policies that match the sub-state’s citizens’ reality, but it is limited because it must represent the citizens of the entire country. Madrid could try to enact policies in $c_3$ or $c_4$, but it would have to do it to for other regions at the same time, such as Andalusia, where there exists no equivalent of $c_3$ nor $c_4$. Thus, if Madrid sought to interact with a sub-state’s identity, it would be restricted to components that are prevalent in all of its sub-states, such as $a_1, a_2$ and $c_1, c_2$ – and then Madrid could not possibly match these components, because $a_1 \neq c_1$ and $a_2 \neq c_2$ by the definition of a
“sub-state”. The sub-state government is advantaged in that it can show that it represents this proper identity of the citizens via the enactment of policies that address specifically the sub-state’s identity, particularly linguistic policies. In other words, it is easy for Barcelona to address public policy if the specific fields $c_1$, $c_2$, $c_3$, and $c_4$. Even more, this government can invest the public policy of $s_1$ for the territory of Catalonia alone.

In practical terms, a government’s policies ought to fit the characteristics deemed important for a citizenry’s identity. This can be seen as an investment in the citizens’ loyalty to the government. A policy that would not fit the characteristics of a citizenry’s identity would be a disinvestment in the loyalty of the citizens (Breton et Wintrobe 1982, 74). Governments want to preserve or increase their citizenry’s loyalty because its gives them more leverage to implement the policies that are important to them, or policies that would otherwise be unpopular (or simply because they like the power that they can potentially impose on their citizenry). Put differently, when the time comes to implement a new policy, less marketing will be required on the part of the government thanks to an existing loyalty. This concurs with Margaret Levi’s conclusion from her study of military service (i.e. conscriptions) in France, Britain, the U.S., Canada, New Zealand, and Australia, according to which citizens will be loyal to their government provided the latter makes credible commitments (based on historical precedents) and uses fair/legitimate procedures for implementing public policy (Levi 1997, 20-21). That said, governments can never be sure that when they need to redeem the loyalty for the implementation of a non-popular policy, citizens will still demonstrate loyalty towards them. The competition does occur through public policies because these are all that citizens have to assess governments. What the citizens
see of their governments are their actions. Citizens thus can only assess their governments based on their public policies.

At the equilibrium, both the central and the sub-state governments represent the citizens, in a differentiated and complementary way. Citizens are loyal to both governments, although each belongs to a specific sphere (policy field). As an illustration, one may envision that the sub-state government specializes in linguistic matters, while the central government enacts policies in monetary regulation. At the equilibrium, the sub-state government of Catalonia will carry matters in $c_1$, $c_2$, $c_3$, and $c_4$ and the government of Spain as a whole will be in charge of $s_1$ and $s_2$.

2 Methodology

I will examine three policy areas over time, and portray their dynamics: language, foreign affairs, and immigration. These choices are mainly informed by Keating (1996). In his essay, Keating “seeks to integrate the study of nationalism with that of public policy by asking what nationalists want and how they can get it” (Keating 1996, 1-2). In order to do so, he focuses on Québec, Catalonia, Scotland, and on some specific policy areas: language, culture, economy, civil society, and international affairs. I follow partially the path set by Keating.

2.1 Rationale for the choice of public policies

Language policy is ubiquitously recognized as a core element of national identity in the literature on minority nationalism, and is at stake in minority nations' demands (Kymlicka 2001). It is also the minority government’s jurisdiction in both countries and, as written in the previous sections, it is not managed the same way in Canada and Spain. The Official Languages Act of Canada
renders the country officially bilingual from coast to coast (Canada 1985b); Spain's Constitution states that all Spaniards have the duty to know Castilian, while letting autonomous communities apply bilingualism if they wish (España 1978). The second policy area, foreign affairs, is also very prominent in the literature on minority nations. Although foreign affairs are officially part of the central government’s jurisdiction in both Canada and Spain, both national minorities are very active in this field (Paquin 2004). Moreover, international actors may play a role in the powers accorded to minority nations: while the Maastricht Treaty “forces” Spain to give some powers to Catalonia through the European Union's Committee of the Regions (Keating 2004, 99), Québec has benefited from France's support to develop its international presence (Bernier 1996). Finally, immigration seems relevant. Immigration policy is related to linguistic policy. In order to maintain their language in the long term, and thus their national identity, minority nations must ensure that immigrants choose (agree) to learn their language. This observed necessity was an impetus in the case of the Charter of the French Language in Québec in 1977. (Nothing comparable occurred in Catalonia.) Immigration policy is also related to foreign policy. To look “good” on the international scene, minority nations must demonstrate that they are contemporary societies that can thrive while accepting immigrants. Furthermore, just like their respective majority nations (and unrelated to linguistic and foreign policies), minority nations need immigrants to ensure demographic-economic development.

2.2 Classification of the competition via public policies

The two-fold objective of this dissertation is to describe competition between the minority

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5 The argument according to which immigration benefits economic development has recently been contradicted by the essay Le Remède imaginaire: Pourquoi l'immigration ne sauvera pas le Québec (Dubreuil et Marois 2011). It has not led to much political debate about the current immigration policy in Québec, but most media mentioned it. Do not quote. Ne pas citer. Favor de no citar.
nation's government and its majority nation's government over the citizens' loyalty through public policies, and to model this competition.

The actions related to each public policy will be classified on a continuum depending on the nature of competition. The actions rank from cooperative to aggressive as illustrated in the graph below.

Illustration 1: Continuum of competition

Cooperative  Neutral  Confrontational

The premise is that ranking the actions for each public policy in this manner will allow for generalizations. When are actions cooperative rather than confrontational?

2.3 Definition of “public policy”

In line with Leslie Pal (2009), I define “public policy” as the actions taken by a government in a specific set of problems or to address a specific issue. What composes a public policy? The problem at its source, its objectives, and its tools. Public policies are largely instrumental. First, they are not enacted for the sake of it, but because they constitute an instrument to deal with a set of problems: “policies are largely “instrumental”—that is, they are not ends in themselves, or even good in themselves, but are instruments or tools to tackle issues of concern to the political community” (Pal 2009, 3). Second, in the case of sub-state nations, they serve as an indication of the action of the government that enacts them. A public policy in a specific field thus represents the position of the government that enacts it (Malloy 2005, 35).
Therefore, a public policy in a specific field encompasses all formal documents, mainly the laws enacted. It also includes the public programs, the discourses by main political actors, and the commissions created to study a set of problems.

3 Immigration Policy in Québec-Canada and Catalonia-Spain

Québec and Catalonia face a different reality when it comes to immigration policy. The former has a great deal of power over who immigrates to its territory, while the latter has merely the right to welcome and support immigrants, and deal with labour conditions. In a sense, Catalonia has power similar to that of Québec in 1971, minus a clear constitutional provision that gives it joint jurisdiction in this area. This lack of constitutional power over immigration for Catalonia does not explain all of its meagre capacities in this domain. Indeed, Spain also has all power, according to the Constitution, in international relations, yet, over time, Catalonia has come to be entitled with power over “external activity”.

In other words, Québec and Canada have a collaborative relation, while Catalonia and Spain share one full of confrontation. Why? I argue that Québec sought Canada from more powers incrementally. The Cloutier-Lang Agreement in 1971 provided Québec with right to inform immigrants in Canadian offices. The Bienvenue-Andras Agreement in 1975 wrote down that immigration was a shared competence; added that Québec and Ottawa would together plan immigration policy and temporary residence in Québec; and said that they would share information about immigrants, with a veto for Ottawa. Ottawa's Immigration Act in 1976 confirmed that immigration was a shared provincial-federal competence in practice. The
The *Couture-Cullen Agreement* in 1978 stipulated that Québec would be in charge of the criteria for those applying as independent immigrants, temporary workers, students, post-secondary education teachers, and medical-reason tourists. Québec's *Immigration Policy* in 1990 requested that Québec be in charge of more categories of immigrants and also willingness from Ottawa to maintain the proportion of Francophones in Canada. Finally, in 1991, Québec and Ottawa signed the *Gagnon-Tremblay-McDougall Agreement*, which still constitutes nowadays the basis of the relationship for dealing with immigrants: the former is in charge of their “selection,” while the latter takes care of their “admission.” Every time, Ottawa could see that Québec was collaborating: as mentioned earlier, it even officially said so in the agreement of 1975, referring to “increasingly cordial contacts and the growing co-operation” (Bienvenue et Andras 1975, 4-5). By contrast, Catalonia “woke up” in the late 1990s and wanted all at once. In 1993, it released an *Interdepartmental Immigration Plan* for 1993-2000; created an Interdepartmental Immigration Committee; and commenced 40 programs to deal with immigration. In 2000, Spain passed the *Act on Rights and Liberties of Foreigners in Spain and their Social Integration* and gave hope to Catalonia that further action in immigration would be allowed by ACs. It was agreed between Madrid and Barcelona that the Generalitat would be in charge of education and social services for immigrants. Later the same year, the Generalitat put up a Secretariat for Immigration and published its *2001-2004 Immigration Plan*. Then, as part of a larger project to gain more powers (the revision of its 1978 *Statute of Autonomy*), Catalonia planned that it would henceforth have exclusive competence over the integration of immigrants and foreign workers; be involved in key immigration decisions. and grant the initial work permits. While the revised *Statute of Autonomy* was being judged before the Constitutional Court, Catalonia gathered relevant civil
society's actors and published its consensual *National Agreement on Immigration* in 2008. This was followed by Catalonia's *Citizenship and Immigration Plan* the next year. These two documents express clearly how Catalonia intends to deal with immigration based on three themes. Later in 2009, Spain updated the 2000 Act with the passage of the *Revised Act on Rights and Liberties of Foreigners in Spain and their Social Integration*. It did not respond to Catalonia's increasing requests regarding immigration policy, but instead discussed instances (whose usefulness is not determined) where Barcelona and Madrid meet to discuss immigration policy. Then, finally, in 2010, the Constitutional Court released its judgment of the 2006 *Statute of Autonomy*, ruling out all that Catalonia wanted in terms of immigration policy. Moreover, in 2012, the funds allowed by Madrid to Catalonia for the integration of immigrants were axed, even though Madrid recognizes that Catalonia is in charge of this. In sum, Catalonia commenced requesting more power in immigration to Spain in the 1990s, just as immigration was becoming significant in Spain (and Catalonia). Right from then, Barcelona requested much from Madrid, and this was met with a blunt refusal from the central government.

More than the pace of the minority nations' demands is necessary to explain the difference between Québec-Canada and Catalonia-Spain. In the 1970s, Ottawa was alarmed over the possibility of Québec leaving the federation; Spain does not seem to feel this threat coming from Catalonia, as Madrid has the right to not even recognize referendums on secession⁶ (Bozonnet 2009; Europa Press 2009; Gibson 2010). More importantly, Québec raises its own taxes while Barcelona does very little. Nevertheless, this dissertation seeks to explain the relationship based on the actions of the minority and the majority nations' governments, hence

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⁶ Many referendums were locally organized in Catalonia from 2009 to 2011. The results are available at [http://www.decidim.cat/index.php](http://www.decidim.cat/index.php) Decidim.cat describes itself as a “Moviment de càrrecs electes locals”, that is, a movement of locally elected officials.

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the interest here is on how one's actions influences the other's.
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