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Scotland, Catalonia and the “Right” to Self-Determination: A Comment Suggested by Kathryn Crameri’s “Do Catalans Have the Right to Decide?”

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Introduction

Kathryn Crameri’s article on the dilemmas of the Catalan movement for statehood is illuminating, particularly for those of us who have recently undergone the independence referendum experience in Scotland (Crameri 2015). At several points in her article she contrasts the treatment of these two stateless nations at the hands of their central governments and finds the attitude of David Cameron’s Conservative-led Coalition to be preferable, on democratic grounds, to that of Mariano Rajoy’s comparably right-wing Partido Popular. It is understandable why supporters of Catalan independence would wish to use the British government’s approach as a means of criticizing the Spanish government and Constitutional Court’s blank refusal to concede a referendum, but this also gives Cameron too much credit.

Crameri does note that Cameron was ‘no doubt’ more inclined to recognize the Scottish National Party’s mandate to hold a referendum because he expected the margin of victory for the No camp to be considerably greater than it ultimately was. Given the Conservative Party’s general attitude to democracy, most recently demonstrated by its increasing reliance on statutory instruments to introduce new laws rather than attempt to pass legislation through Parliament, we can probably assume that this expectation carried greater weight than the democratic wishes of the Scots. Crucially, Cameron made a condition of holding the referendum that it included only two options, Yes or No to independence, and not—as the then SNP leader Alex Salmond wanted—a third option for Maximum Devolution (“Devo Max”), which was probably the outcome desired by most Scots when the referendum was announced early in 2012. Support for independence had remained relatively stable at around 30% since the establishment of the Scottish Parliament in 1999, but was low on the priorities of even these supporters. Since Salmond was as aware of the polling figures as Cameron, there must be some doubt as to whether the SNP actually believed that an independence referendum could be won, hence the attempt to include Devo Max on the ballot. It is easy to forget this now, given the relative closeness of the actual result.

The main difference between Spain and Britain, at least in relation to their internal stateless nations, is not the respective attitudes of the current governing politicians, but rather their constitutions, and what these permit or forbid. Neither, however, recognizes any “right” on the part of the Catalans or the Scots (or the Basques or the Welsh) to exercise self-determination to point of secession. Self-determination does not of course necessarily *mean* secession, it simply means being able to *decide* whether or not to secede. When a majority of Scots voted to remain part of the UK in 2014 they were exercising self-determination, but they were only granted permission to do so as the result of a miscalculation on the part of the governing coalition, not because they had possession of a right.

Crameri’s expertise in the Catalan situation is clearly much greater than mine, so this comment will seek to explore two more general issues which her discussion brings into focus. One—an immediate one for the Scots, the Catalans, and any other national group seeking self-determination—is whether any right to it does, or *can* exist outside of the constitutional form of the states from which they hope to secede. Before turning to this theme, however, it may

be worth reviewing the prior issue of what exactly is meant by “nation” and “nationalism”, and whether the Scottish and Catalan variants are sufficiently similar to bear comparison with each other in the first place.

National Consciousness, Nationalism, Independence

Scottish analysts of nationalism have divided on the question of whether Catalonia and Scotland are comparable at all. Keating, probably representing the majority, writes that they (and Quebec) need to be considered together as they “are the places where the process of ‘stateless nation building’ has been taken furthest” (Keating 2001, xv). MacInnes rejects this, partly because of the difference between the historical experiences of Catalonia and Scotland, but partly because what he regards as the inability of academics to offer a generally applicable definition of a nation or, consequently, to establish where their boundaries lie. As for the main factor which they are widely supposed to have in common, their “statelessness”: “It is clear that the only sense in which these nations are stateless is that they are not independent states in their own right” (MacInnes 2004, 143). MacInnes’s use of the word “only” in this sentence is sufficiently audacious as to inspire a certain degree of admiration. It is true, of course, that the autonomous or devolved governments of Scotland, Catalonia and Quebec all exercise some of the functions of central states, including aspects of its repressive apparatus like Police Scotland. But local authorities in Britain have also exercised substantial state powers (although this has been increasingly curtailed throughout the neoliberal period) and no-one suggested that, for example, the former Strathclyde Regional Council was a state in its own right. It was rather a territorially defined component of the British state responsible for certain of its key functions, as are the Scottish Government and the Welsh assembly today. (Indeed, one of the least discussed aspects of the progress of neoliberalism in Britain is the way in which decrease of power at the local authority level has occurred in virtually inverse proportion with its increase at the level of the devolved national administrations.) The ability to participate as an actor in the international states-system is not an optional add-on to a list of domestic powers; it is definitional of *being* a capitalist nation-state (Davidson 2016, 220-235).

MacInnes is on far stronger ground when he points out that the reason why neither Scotland or Catalonia have achieved statehood is not, for the most part, because of opposition from the existing nation-states, but because the majority of Scots and Catalans have not wanted to secede from them, even though both groups have a highly developed sense of their own nation-ness. This has puzzled many commentators. “The most interesting commonality between Scotland and Catalonia”, writes Greer, “is that neither is a state despite credentials as nations second to none” (Greer 2007, 182). To explain this anomaly we need a number of definitions and distinctions.

First, what is a nation? There are both objective and subjective criteria for answering this question. The former, which usually involves a checklist of factors like language or territory, certainly presents an appearance of scientific rigour. Unfortunately, nations have a tendency to emerge in groups who do not tick all the factorial boxes, inconvenient though this undoubtedly is for social and political scientists; but telling the Swiss that they are not a nation because they lack a common language, or the Kurds that they are not a nation because they lack a contiguous territory is, however, unlikely to convince either of these (otherwise very different) groups. In fact, the only conceivable definition of a nation which does not immediately lead to anomalies and exceptions is a subjective one: a group of people feel themselves to be collectively distinct from other groups, usually for accumulated historico-cultural reasons, but they need not be. The reasons may be different from case-to-case, but

this subjective feeling of identification is the only attribute which they all have in common. Hobsbawm has, however, identified two problems with a subjective definition of nationhood.

One is that it is “open to the objection that defining a nation by its members’ consciousness of belonging to it is tautological and provides only an a posteriori guide to what a nation is” (Hobsbawm 1990, 7-8). A subjective definition would, however, only be tautological *if group members did not already know what a nation was*. The only group of which this would not have been true was the first to consider itself a nation, since it would have had nothing to measure itself against. Following Smith, we can identify three basic positions on the historical emergence of nations. The first is “primordialism”, which is less a theory than the common sense assumption that nations have always existed throughout history. The second is “perennialism”, where modern nations are simply larger and more complex versions of earlier types of human community. The third position is “modernism”, which places their emergence much more recently in time (Smith 1986, 7-13; Smith 1998, 1-24, 145-169). For our purposes the divisions within the modernist position, between the Classical sociological tradition (which emphasises the need for societies to achieve cohesion during the process of industrialisation) and the Marxist tradition (which emphasises the emergence of the capitalist system within which industrialisation takes place) are less important than their shared refusal of all ahistorical attempts to claim that nations are an inescapable part of the human condition. Of course, “national consciousness” took as many centuries to become the dominant form of consciousness as the capitalist mode of production did to become the dominant mode of production, and it did so as a *consequence* of the latter. But once the former did emerge, above all in England during the sixteenth and seventeenth centuries, other groups could then identify it in themselves. In that sense it is irrelevant that Scotland was one of the most backward areas in Europe and Catalonia one of the most advanced at the time of their respective incorporations into Britain and Spain during the War of the Spanish Succession: national consciousness is an inescapable aspect of capitalist development (Davidson 2016, 67-76, 235-243).

Hobsbawm’s other objection is that subjectivism “can lead the incautious into extremes of voluntarism which suggest that all that is needed to be or recreate a nation is the will to be one: if enough inhabitants of the Isle of Wight wanted to be a Wightian nation, there would be one” (Hobsbawm 1990, 7-8). But this is a question of state viability, not national existence, and is one reason why national groups do *not* all seek statehood. One can put the point more strongly: given that there are a greater number of national groups (or potential national groups) than there are nation-states, there have to be reasons why a majority of people among any of the former should wish to achieve the latter and why many have not done so.

We therefore need to make a first distinction, between the sense of mutual recognition implied by the term “national consciousness” on the one hand and “nationalism” on the other. It is perfectly possible for a people—including, until recently, the majority of modern Scots and Catalans—to develop the former without subsequently adopting the latter. National *consciousness* is a more-or-less passive expression of collective identification among a social group; *nationalism* is a more-or-less active participation in the political mobilisation of a social group for the construction *or* defence of a state. The latter aspect is particularly important since defenders of the British or Spanish states have a propensity to act as if British or Spanish nationalism did not exist.

Smith has argued against the kind of political definition of nationalism offered here on the grounds that “not all nationalisms have in practice opted for independent statehood: most Scots and Catalans, for example, have not to date supported their movements and parties which sought outright independence, and have settled instead for a large measure of social, cultural and economic autonomy within their borders”. He asserts that a consequence of

defining nations politically is that they can only then be said to exist when embodied in a state, leading to a situation where "Scotland cannot become a 'nation' until the majority of Scottish voters agree with the Scottish National Party's platform and vote for an independent Scottish 'nation-state'" (Smith 1998, 73, 75). This is a classic example of confusion between nationhood (consciousness of an identity) and nationalism (embedding that identity in a territorial state). The former has to exist before the latter is possible.

The second distinction concerns the reasons for desiring a nation-state, since there can be both nationalist reasons and non-nationalist (socialist, environmentalist) reasons for secession. One legal theorist (and Scottish Nationalist) the late Neil MacCormick argued that nationalism could take either an "existential" form in which attaining statehood is an end in itself or a "pragmatic" means to achieving social and political ends *through* statehood (MacCormick 1981, 247-265). MacCormick himself noted that the latter was a very "weak" form of nationalism, but in certain contexts it need not be nationalism at all. As a political ideology, nationalism—*any* nationalism, relatively progressive or absolutely reactionary—involves two inescapable principles: that the national group should have its own state, regardless of the social consequences; and that what unites the national group is more significant than what divides it, above all the class divide. It is clear from the Scottish experience at least, however, that non-nationalist arguments for supporting independence were widely used by many Yes activists, particularly around the Radical Independence Campaign (Davidson 2014a; Davidson 2014b).

Legality and Democracy

What have these definitions and distinctions to do with whether or not the Scots, the Catalans or any other national group have the right to decide on their future? In relation to the Catalan case, Cramer points out that they are subject to two conflicting principles. One is "the right to decide", a democratic principle according to which they should be able to choose their own constitutional arrangements. The other is "the duty to abide", a legal principle under which they should respect a Spanish constitution that excludes any threats to the territorial integrity of the nation-state. Supporters of the latter position could of course argue that it too involves a democratic principle, particularly given that the Catalans gave majority support to the constitution when it was adopted in 1978. Following Comella, Cramer notes that there are two normative systems in play here: how to choose between them? For the Catalans, the outcome is likely to be decided in the manner outlined in Marx's aphorism: "Between equal rights, force decides" (Marx 1976, 344). In relation to political philosophy, however, a more theoretical position is perhaps required.

No nation-state recognizes a constitutional right to secede from it. Some, like the UK, do not refer to the issue at all, leaving politicians and state managers to deal with national issues on an ad hoc basis as they emerge, rather than tying their hands in advance with legal constraints. Others, among which the Spanish state is preeminent, explicitly exclude the possibility. There are strong continuities here with the Franco dictatorship—unsurprisingly, since the Spanish state was not overthrown or fundamentally transformed with the introduction of democracy after 1975. Instead a new *regime* was installed—in other words, there was a shift to a different form of capitalist rule which has since then been maintained continuously over a series of governments involving several parties or coalitions. One aspect of the new regime was the turn—more or less in line with the rest of the developed world—towards neoliberalism; but another, much rarer feature, was a new settlement involving the devolution of governance to what the constitution describes as the "autonomous communities", while simultaneously maintaining the former dictatorship's obsession with

“indissoluble unity”. It is not surprising that the majority of Catalans supported the 1978 constitution, seeing it as finally guaranteeing recognition and protection of their “nationality” after it being suppressed throughout the Franco era. However, as China Mieville writes, in general, “it is very likely that the powerful will be able to accommodate or co-opt whatever progressive intentions are imbedded in a particular law”, since “it is usually the representatives of the powerful who actually make the laws, who force particular political contexts into the abstract legal form” (Mieville 2006, 120). Specifically, the constitution involves two long-term difficulties for the Catalans.

One was is that it effectively treats Catalonia—a stateless nation—on the same basis as the other 16 component parts of Spain, variously classified as communities, nationalities or regions. But most of the other nationalities, with the obvious exception of the Basque Country, have no history of national movements, and some of the communities were simply geographical constructs. The effect was to downplay the distinctiveness of the Catalan situation, by placing it on the same level as the Canary Islands. This was not simply a matter of status. During the 1980s just under 40% of the cases heard by the Constitutional Court involved Catalonia (Keating 2001, 150). But behind this apparent equality between entities with quite different histories and size, lay a deeper inequality. Castile, the territorial heart of the Spanish state, does not even exist as a nationality or as an autonomous community of any sort, but is divided into several regions, but the Castilian-speaking majority “receives no appellation distinct from the nation as a whole”: “It is the nation’s core—the national ‘default option’” (Gat 2013, 354).

The other and more serious difficulty is that the current regime can claim to be upholding the will of the majority in denying Catalonia, not only the possibility of independence, but even that of “statehood” within a new federal structure. And this is where the clash of normative values begins. For those who support the Catalans aspirations to statehood, defending their right to decide, to exercise self-determination, may seem unquestionable—particularly when so many voices are seeking to deny them it. As Erica Benner wrote in the 1990s, in her undervalued reconstruction of Marx’ and Engels’ views on nationalism: “Today liberals and democrats of all shades are busy laying down conditions for the exercise of this right. Some have even begun to doubt whether the principle of self-determination should be interpreted as a right at all, since a variety of other considerations—including ‘strategic’ ones—might in many cases have to trump it” (Benner 1995, 253). This conditionality applies even where groups clearly require not only self-determination but actual secession as a “remedial right in cases of last resort”, as in the case of the Kurds.

Several of the liberal thinkers whom Crameri quotes display this hostility to secession: Buchanan argues that international law should repudiate the right of all nations or peoples to secede; Wellman, more generously, is prepared to countenance secession in the developed world providing it does no harm (or at least irrecoverable harm) to the existing nation-state. But even those accounts which appear to be more supportive of the right to self-determination also do so by emphasizing *individual* rights to a personal identity which, in the words of one account, “can be satisfied through a variety of political arrangements—the establishment of national institutions, the formation of autonomous communities, or the establishment of federal or confederal states—able to ensure individuals the opportunity to participate in the national life of their community”. There can be no “overall guiding principle”; costs have to be weighed against benefits; and so on (Tamir 1993, 75).

The problem here, however, is not an insufficient commitment to this particular right, but whether it has any ontological reality in the first place. “Rights talk” has not of course been confined to liberals. The 1896 London Congress of the Second International passed a resolution declaring that it stood “for the complete right of all nations to self-determination” (Lenin 1964, 430-431; Luxemburg 1976, 107). As was quite often the case with the Second

International, the adoption of a position did not mean that constituent parties or individual members regarded themselves as bound by it. As was also quite often the case with the Second International, however, revolutionaries in that body tried to both uphold Congress policy and clarify what it would mean in concrete terms if consistently applied. The clearest expression of their position was given by Lenin who explained what it meant in practice: “the proletariat confines itself, so to speak, to the negative demand for recognition of the *right* to self-determination, without giving guarantees to any nation” (Lenin 1964, 410). In other words, socialists support the democratic demand of national groups (“peoples”) to be able to make an unimpeded decision about their constitutional status (“self-determination”) without necessarily supporting the particular decision which they make—and indeed, possibly arguing against it.

This is certainly a more consistent position than the liberal one and does not pretend that nations are simply the sum of individual subjects. It does, however, introduce new difficulties. One need not accept Rosa Luxemburg’s belief in the ultimate pointlessness of national self-determination under capitalism to recognize the truth of her assessment: “A ‘right of nations’ which is valid for all countries and all times is nothing more than a metaphysical cliché of the type of ‘rights of man’ and ‘rights of the citizen’” (Luxemburg 1976, 110-111). Who or what, for example, is supposed to confer such a right? Assuming these are not unalienable rights granted by the Creator, such as those listed in the American Declaration of Independence, they could perhaps be recognized in international law; but as Mievil writes: “That law is made actual in the power-political wrangling of states, ultimately at the logic of capital, in the context of an imperialist system” (Mievil 2006, 316). The Palestinians have long since had reason to be aware that motions passed by the United Nations do not have the force of law, at least so long as they are not supported by the US and its allies. It is not, of course, that all rights are completely intangible; they can and have been won, including, most obviously, the right to vote; but these are outcomes of class and other social struggles within the territories of individual nation-states, subsequently enshrined in their laws, but “at an international level, the struggle over the legal form is far more mediated” (Mievil 2006, 317).

But even discounting the metaphysical aspects of a right to self-determination, there is a more practical issue concerning its status as a right at all. For one thing, it clearly does not mean all nations, but something more like “those minority nations which currently are not nation-states but in which a majority of the population wish to become a nation-state”. Lenin made this explicit in his famous distinction between “oppressed” and “oppressor” nations. A hundred years ago this distinction was relatively clear and provided a basis for deciding which national movements should be supported and which opposed by socialists. The oppressed were those nationalities held against their collective will within the remaining absolutist or tributary empires of the Hapsburgs, Romanovs and Ottomans, or the colonies and semi-colonies of the Great Powers in Africa, Asia, Latin America and, of course, Ireland. These national movements had to be supported, whatever the exact nature of their politics, which were in most cases uninformed by socialist aspirations. (The oppressed approximate to those nations which require “remedial right in cases of last resort” in liberal discourse.) On the other hand there were the “oppressor” nations (or in the case of the absolutist and tributary empires, states) which prevented the oppressed from achieving independent statehood. The nationalisms of these oppressor states had to be opposed, above all by working class within them. It was in this context that Lenin drew his famous analogy with the right to divorce: people should have the right to divorce, but this does not mean that every couple should necessarily do so. The assumption being that a situation of national oppression was analogous to an unhappy or abusive marriage, in which the abused or oppressed could be expected to exercise their “right” to divorce or secession (Lenin 1964, 413).

The distinction between oppressor and oppressed was never an entirely adequate device for establishing the attitude of Marxists towards national movements. It had nothing to say about the attitude of socialists to nations which may have had legitimate grounds for claiming that they were oppressed—as Serbia did in 1914, for example—but which were part of a wider inter-imperialist struggle in which their situation was manipulated by one side. Nor did it provide guidance in a situation in which a socialist revolution in a multi-national empire—like Russia in 1917—might result in some of the formerly oppressed nations seeking to secede *from* a worker’s state, as for example Ukraine attempted to do during the early stages of the Russian Revolution. My argument here is not that the positions adopted by Lenin and the Bolsheviks in these cases were necessarily wrong from a socialist perspective (although I believe they were in the case of Ukraine); it is rather that they were based on a wider set of political considerations than simply the oppressor/oppressed distinction. It could nevertheless be legitimately argued that these were exceptional cases and that as a broad distinction the categories of oppressor and oppressed generally allowed socialists to arrive at correct operational conclusions.

In the context of our present discussion, however, the central problem with the “oppressor/oppressed” distinction is that it completely undermines the “right to self-determination”, even if we leave aside the “oppressor” nations, since their position of power meant they were already more than capable of defending their interests, without any need to rely on “rights”. In the case of those groups which remained loyal to, or identified themselves with the oppressors, the situation is more complex. The Ulster Loyalists in the North of Ireland were a manufactured majority in the Six Counties, but a minority in Ireland as a whole. Do they have the right to decide whether or not to remain British? There have been more recent cases where right-wing politicians have attempted to mobilise regional identities against social reforms, as in 2007 when the four *media luna* departments in the east of Bolivia voted for regional autonomy against the government of Evo Morales. Did they too have the right to decide whether or not to comply with Bolivian national legislation? In these examples, socialists could legitimately argue that respective adherence to British or regional identities was directed towards reactionary ends, but implicitly means abandoning the notion of a “right to decide”, since a right by definition has to be universal and cannot be restricted to those with whom we politically agree. An alternative strategy would be to deny that groups with which we disagree are nations at all, but this involves returning to the some variant of the discredited “checklist” method of definition, in which one sets the criteria to get the result one desires: in this case the notion of a “right to decide” can be retained, but only by denying the existence of certain nations.

Conclusion

The “oppressed/oppressor” distinction is, in any case, of decreasing relevance. There are certainly still oppressed national groups. I have already referred to the Kurds and the Palestinians, and to these could be added the Tibetans and Chechens; but the colonial aspects of imperialism which provided the context in which it was originally formulated have mostly gone, never to return. More to the point, it is of little relevance in relation the cases we have been discussing, those “stateless nations” seeking autonomy in or independence from long-established Western capitalist states. In some cases these had an earlier history of oppression, in others not; but by the 1980s differences between Catalonia and Quebec on the one hand and Scotland on the other were marginal. Today, the former are no more “oppressed” than the latter, and pretending otherwise is simply to insult those who are suffering under genuine oppression. But simply rejecting their demands on that basis is to embrace a stultifying

formalism which takes no account of the exigencies of the class struggle or the dangers of inadvertently supporting the existing constitutional structures of the leading capitalist nation-states. The preceding discussion suggests that there is, however, no secure ground from which to argue for a “right to decide”. There needs to be a means of deciding which national movements to support in both making their decision and in the decision itself.

From a left perspective, it possible to argue, for example, that the secession is a means of resisting the neoliberal strategy of devolving responsibility for implementing austerity down from governing parties and central state apparatuses to elected bodies whose policy options are severely restricted both by statute and partial reliance on the central state for most of their funding. In the case of the devolved nations the assumption is that the people most likely to participate in local decision-making will be members of the middle-class, who can be expected to behave, *en masse*, in ways which will impose restrictions on local taxation and public spending, and thus maintain the neoliberal order with a supposedly popular mandate: atomised citizens voting for which services they want to close. In these circumstances, without any illusions in the ability of small states to resist the pressures of the world capitalist system, deciding to secede can be seen as both a progressive and democratic option which need not involve nationalism at all. In each case, however, constructing an argument for why a particular group should determine their own future has to be done on the basis of a political argument, and not by circumventing it through reliance on the notion of a “right”.

References

- Benner, E. 1995. *Really Existing Nationalisms: A Post-Communist View From Marx and Engels*. Oxford: Clarendon Press.
- Cramer, K. 2015. “Do Catalans have ‘the Right to Decide?’: Secession, Legitimacy and Democracy in Twenty-first Century Europe”, *Global Discourse: An Interdisciplinary Journal of Current Affairs and Applied Contemporary Thought* (2015).
- Davidson, N. 2014a. “‘Yes’: a Non-nationalist Argument for Scottish Independence”, *Radical Philosophy* 185 (May/June): 2-7.
- Davidson, N. 2014b. “A Scottish Watershed”, *New Left Review* II/89 (September/October): 5-26.
- Davidson, N. 2016 *Nation-States: Consciousness and Competition*. Chicago: Haymarket Books.
- Gat, A. 2013. *Nations: The Long History and Deep Roots of Political Ethnicity and Nationalism*. Cambridge: Cambridge University Press.
- Greer, S. L. 2007. *Nationalism and Self-Government: The Politics of Autonomy in Scotland and Catalonia*. Albany: State University of New York Press.
- Hobsbawm, E. J. 1990. *Nations and Nationalism since 1780: Program, Myth, Reality*. (Cambridge: Cambridge University Press.
- Keating, M. 2001 [1996]. *Nations against the State: The New Politics of Nationalism in Quebec, Catalonia and Scotland*. Second edition, Houndmills: Palgrave.
- Lenin, V. I. 1964 [1914]. “The Right of Nations to Self-Determination,” in *Collected Works*, vol. 20, *December 1913-August 1914*: 393-454. Moscow: Progress Publishers.
- Luxemburg, R. 1976 [1908]. “The National Question and Autonomy: 1. The Right of Nations to Self-Determination,” in *The National Question: Selected Writings by Rosa Luxemburg*, edited by Horace B. Davis: 101-156. New York: Monthly Review Press.
- MacCormick, N. 1981. *Legal Right and Social Democracy*. Oxford: Clarendon Press.
- MacInnes, J. 2004. “Catalonia is Not Scotland,” *Scottish Affairs* 47 (May): 135-155.
- Marx, K. 1976 [1867]. *Capital: A Critique of Political Economy*, Volume 1. Harmondsworth: Penguin Books.
- Mieville, C. 2006. *Between Equal Rights: A Marxist Theory of International Law*. London: Pluto Press.
- Smith, A. D. 1986. *The Ethnic Origins of Nations*. Oxford: Blackwell.
- Smith, A. D. 1998. *Nationalism and Modernism: a Critical Survey of Recent Theories of Nations and Nationalism*. London: Routledge.
- Tamir, Y. 1993. *Liberal Nationalism*. Princeton, New Jersey: Princeton University Press.