

## **Policy, Law, and the Future of the Nation State in Europe**

EURO-POLI-3500 (3 credits / 45 hours)

SIT Study Abroad Program:  
Spain: Policy, Law, and Regional Autonomies in Europe

PLEASE NOTE: This syllabus is representative of a typical term. Because courses develop and change over time to take advantage of unique learning opportunities, actual course content varies from term to term.

### **Description**

During this course, students develop an understanding of the historical roots and contemporary manifestations of ethnic and national cleavages in Spain and other European nations. Students learn about the European Union's institutional and political framework and its influence on the internal political and judicial systems of EU members. The course uses a multidimensional approach to explore and analyze from legal, policy, and human rights perspectives some of the main issues facing the contemporary European Union in the context of regional autonomies and independence movements. Using empirical examples from the Basque country, Catalonia, and Scotland, students assess, from a comparative perspective, the legal, institutional, and policy architecture developed by the European Union and EU's regulation and policy approach to sovereignty, citizenship, and the claim to statehood. The course also addresses the current state of human and cultural rights in the EU, and most concretely, in the Basque country and Catalonia, and assesses the future of the nation-state in the context of regional independence movements. The course includes lectures by academics, meetings with policy makers, and field visits to cultural and memory sites in the Basque Country and Catalonia.

### **Learning Outcomes**

The Policy, Law, and the Future of the Nation State in Europe course comprises 45 hours of instruction (3 credits). Upon completion of the course, students will be able to:

- Demonstrate understanding of the current European Union legal, institutional, and political organization;
- Articulate the historical roots of ethnic and national conflict in Spain and other European nations;
- Gain country-specific knowledge regarding local efforts to uphold the values of social justice and cultural rights;

- Evaluate the multidimensional process of integration in Europe in the context of regional autonomies and independence movements;
- Synthesize the policy and legal debate about independence movements and the future of the nation state in Europe in the form of a critical paper.

### Language of Instruction

This course is taught in English but students will be exposed to vocabulary related to issues concerning policy, law, human rights and social movements in Spain and the EU.

### Course Schedule

\*Please be aware that topics and excursions may vary to take advantage of any emerging events, to accommodate changes in our lecturers' availability, and to respect any changes that would affect student safety. Students will be notified if this occurs.

### Module 1: National Identities, Conflict, and Memory

This module analyzes the basis and current manifestations of ethnic and national conflicts in contemporary Europe. The module focuses on the political and social cleavages, their roots, and impact on the current independence and self-determination movements in Basque Country, Catalonia, and other parts of Europe. The module also addresses the legal and human rights framework which regulates national identity movements and the role memory and oblivion play in conflict transformation.

Sessions may include:

- Historical Context of Ethnic Conflict and “Dirty War” in Spain
- Ethnic Cleavages in Spanish Society and Politics
- Memory, Oblivion, and Cultural Rights in Spain
- Constitutional Law and Independence Movements in Spain
- Regional Autonomy, Conflict, and The Emergence of Plurinationality
- Law, Justice, and Human Rights in Europe
- Law and Social Policy in Spain
- The Nation State and Transnational Identity in The Basque Country and Catalonia

*Required Readings:*

Urrastabaso, U. R. (2017). *Modern Societies and National Identities: Legal Praxis and the Basque-Spanish Conflict*. Springer.

Coppieters, B. (2018). The EU's Policies towards Contested States. In *Secession and Counter-Secession: An International Perspective*. Barcelona: CIDOB Edicions, Barcelona Center for International Affairs.

*Recommended Readings:*

Ahedo, Igor (2008). *Transformation of National Identity in the Basque Country of France*. Reno: University of Nevada Press.

Coller, X., Jaime-Castillo, A. M., & Mota, F. (Eds.). (2017). *Political Power in Spain: The Multiple Divides Between Mps and Citizens*. Springer.

Storm, Eric (2018). A new dawn in nationalism studies? Some fresh incentives to overcome historiographical nationalism. *European History Quarterly*, 48:1, 113-121.

### Module 2: European Integration, International Law, and Self-determination

This module focuses on the European Union integration process and the status of relationship between the EU and its member States. Students learn about the legal and institutional

framework of European integration and examine EU constitutional framework and international law in the context of regional independence and self-determination movements.

Sessions may include:

- European Regional Integration and the Future of the EU
- Brexit and its Implications on the EU
- International Law and Regional Self-Determination Movements
- EU Institutions, National States, and Regional Autonomies: Legal and Policy Perspectives
- National Minorities and Cultural Rights in Europe
- Catalonia and The Spanish Triple Crisis: Economic, Political, and Territorial
- Refugees, Immigrants, and EU Policy and Legal Framework
- Constitutional Law and Self-Determination Referendums in the EU
- Regional Autonomies in Spain and Former Yugoslavia

*Required Readings:*

- Fentiman, R. (2005). National Law and the European Jurisdiction Regime. In Nuyts, Arnaud and Watte, Nadine. Eds. *International Civil Litigation in Europe and Relations with Third States*. Bruylant, Belgium.
- Elias, A. (2013). *Minority nationalist parties and European integration: a comparative study*. Routledge, London and New York.

*Recommended Readings:*

- Macià Serra, P. Ubasart González, G. and Martí i Puig, S. (2018). Cataluña y la triple crisis Española. *Nueva Sociedad*, Enero – Febrero. ISSN: 0251-3552. Accessed: <http://nuso.org/articulo/cataluna-y-la-triple-crisis-espanola/>
- Harvie, C. (2004). *Scotland and nationalism: Scottish society and politics, 1707 to the present*. Psychology Press.
- Setala, M. T. (1997). *Theories of referendum and the analysis of agenda-setting* (Doctoral dissertation, London School of Economics and Political Science (United Kingdom)). Accessed: <http://etheses.lse.ac.uk/1485/>
- Lock, T. (2017). Scotland's Place in Europe after Brexit: Between a Rock and a Hard Place? A Legal Scoping Exercise. *European Papers – A Journal on Law and Integration*, 2:1.
- McEwen, N. (2018). Insights from the Scottish independence referendum. In Muro, Diego and Woertz, Eckart. *Secession and Counter-secession. An International Relations Perspective*, CIDOB edicions.
- Binzer, S. B. (2009). A Theory of Referendum Behaviour. In Binzer Hobolt, Sara. *Europe in Question: Referendums on European Integration*. Oxford: Oxford University Press.

### **Module 3: Contemporary Human Rights in Spain in the EU Context**

This module examines current human rights issues in Spain and Europe. The focus is on the legal and policy framework regarding human rights protection and emerging claims from minority groups including women, immigrants, LGBTQ, and national minorities. The module also examines constitutional framework for the cultural rights protection of indigenous populations in autonomous regions.

Sessions may include:

- Law and Human Rights in Spain
- Language Activism and Human Rights

- Women Refugees in Spain
- Immigration and Human Rights in the Southern Border of Europe
- Refugee Narrative in Spain
- LGBTQ Rights in Spain and Europe
- Alternatives for European Integration from Below

*Required Readings:*

Del Real Alcala, J. Alberto. Ed. (2017). *Currents and Future Development in Law: The Rights of Minorities: Cultural Groups, Migrants, Displaced Persons and Sexual Identity (Volume 2)*. Bentham eBooks. Accessed:

[https://books.google.com/books?id=MYxCDwAAQBAJ&pg=PR9&lpg=PR9&dq=cultural+rights+and+constitutional+law+Spain&source=bl&ots=6rdexkFUU\\_&sig=J-2Z4\\_pWuv8xYXxSpZ9ZA8eb1IM&hl=en&sa=X&ved=0ahUKEwjy2MzHu87ZAhUH2IMKHQgDDgMQ6AEImwEwCQ#v=onepage&q=cultural%20rights%20and%20constitutional%20law%20Spain&f=false](https://books.google.com/books?id=MYxCDwAAQBAJ&pg=PR9&lpg=PR9&dq=cultural+rights+and+constitutional+law+Spain&source=bl&ots=6rdexkFUU_&sig=J-2Z4_pWuv8xYXxSpZ9ZA8eb1IM&hl=en&sa=X&ved=0ahUKEwjy2MzHu87ZAhUH2IMKHQgDDgMQ6AEImwEwCQ#v=onepage&q=cultural%20rights%20and%20constitutional%20law%20Spain&f=false)

Baruchello, G. and Þór Arnason, Á. (2016). Europe's constitutional law in times of crisis: a human rights' perspective. *Nordicum Mediterraneum: Icelandic E-Journal of Nordic and Mediterranean Studies*, 10:3 Accessed: <https://nome.unak.is/wordpress/volume-10-no-3-2016/conference-paper-10-3/europe-s-constitutional-law-in-times-of-crisis-a-human-rights-perspective/>

*Recommended Readings:*

Urla, J. (2012). *Reclaiming Basque: Language, Nation, and Cultural Activism*. Reno, Nevada: University of Nevada Press.

Barbero, I. (2015). When rights need to be (re)claimed: austerity measures, neoliberal housing policies and anti-eviction activism in Spain. *Critical Social Policy*, 35:2.

The Law on the Self-Determination Referendum. Accessed:

[http://exteriors.gencat.cat/web/.content/00\\_ACTUALITAT/notes\\_context/Llei-del-Referendum\\_ENGLISH.pdf](http://exteriors.gencat.cat/web/.content/00_ACTUALITAT/notes_context/Llei-del-Referendum_ENGLISH.pdf)

de Lucas, J. (2016). Deficits and Fallacies of Liberal Democracy in the Light of Management of Diversity: the Case of Migration and Asylum Policies. *Deusto Journal of Human Rights*, (1), 15-37. ISSN: 2530-4275

Wigger, A. (2018). From dissent to resistance: Locating patterns of horizontalist self-management crisis responses in Spain. *Comparative European Politics*, 16(1), 32-49.

**Module 4: Policy, Regional Autonomies, and Pro-Independence Movements**

During this module students analyze the intersection between policy and regional autonomies in the context of rising pro-independence movements. The module explores possible correlation between the 2008 economic crisis and the resulting EU austerity measures which have led to the emergence of strong social and political mobilization in Spain and across Europe. Students also draw a comparative assessment of the future of regional autonomies and analyze legal and policy challenges facing states and the EU in the context of independence and self-determination movements.

Sessions may include:

- Alternatives to The Status Quo: From the Streets to the Ballot Box
- The Rise and Consolidation of New Political Alternatives
- Tides of Color and Discontent
- Cultural Rights in a Context of Crisis
- Historical Origins of Independence Discontent in Spain

- Independence Movements in Spain in the XXI Century
- Economic Crisis, Liberal Democracy, and the European Project

*Required Readings:*

- Galson, W. A. and Hendrickson, C. J. (2018). The European Project and Its Enemies. In *Anti-Pluralism: The Populist Threat to Liberal Democracy*. New Haven and London: Yale University Press.
- Della Porta, D. (2015). *Social Movements in Times of Austerity: Bringing Capitalism back into Protest Analysis*. John Wiley & Sons.

*Recommended Readings:*

- Castells, M. (2015). *Networks of Outrage and Hope: Social Movements in the Internet Age*. John Wiley & Sons.
- Marti-Puig, S. (2011). The “indignados”: new Spanish social movement against the crisis. *The Occupy Handbook*. New York: Back Bay Books, 209-217.
- Tejerina, B., & Perugorría, I. (Eds.). (2017). *Crisis and Social Mobilization in Contemporary Spain: The 15M Movement*. Routledge.
- Franzé, J. (2018). The Podemos Discourse: A Journey from Antagonism to Agonism. In *Podemos and the New Political Cycle*. Palgrave Macmillan, Cham, 49 – 74.
- Costa-i-Font, J. (2014). Furthering sub-central autonomy in Europe? The roles of identity and redistribution. *Intereconomics*, 49(1), 36-43. Retrieved from: <https://archive.intereconomics.eu/year/2014/1/furthering-sub-central-autonomy-in-europe-the-roles-of-identity-and-redistribution/>

**Module 5: Art, Sports, Media, and Cultural Expressions of Conflicts**

This module focuses on different cultural manifestations of the tension between nation states, the EU, and national minorities. Conflict and discontent are also embedded in cultural and aesthetic expressions and media constructions, and i.e. arts, cinema, literature or sports of agency for national discourse.

Sessions may include:

- Cultural Policy and the Preservation of Basque Cultural Identity
- Markers of Identity and Basque Collective Memory: Food, Dance, and Dress
- The Bilbao Effect: Cultural Institutions and Rebranding of Basque Identity
- The Spanish Football League: Regional Identity and Political Aspirations
- Sport and Nationalism in Scotland
- Constructing Basque Identity in Basque Cinema
- Cultural minorities in Basque and Catalanian Regions

*Required Readings:*

- Rodríguez Ortega, V. (2016). Soccer, nationalism and the media in contemporary Spanish society: La Roja, Real Madrid & FC Barcelona. *Soccer & Society*, 17(4), 628-643.
- Juventeny Berdún, S. (2017). Much ‘more than a club’: Football Club Barcelona’s contribution to the rise of a national consciousness in Catalonia (2003–2014). *Soccer & Society*, 1-20.
- Caballero Gálvez, A. A. (2017). The downfall of Spanish stereotypes: Andalusian, Basque and Catalan identities in ‘plurinational’ Spain. *Catalan Journal of Communication & Cultural Studies*, 9(1), 67-85.

*Recommended Readings:*

- Stone, R. and Rodriguez, M. P. (2015). *Basque Cinema: A Cultural and Political History*. I. B. Tauris.
- Moore, R. (2017). The Bilbao effect: how Frank Gehry's Guggenheim started a global craze. In *The Guardian*, Sunday 1 October, 2017. Accessed: <https://www.theguardian.com/artanddesign/2017/oct/01/bilbao-effect-frank-gehry-guggenheim-global-craze>
- Plaza, B. and Haarich, S. N. (2015). The Guggenheim Museum Bilbao: Between Regional Embeddedness and Global Networking. *European Planning Studies*, 23:8, 1456-1475. Accessed at: <https://doi.org/10.1080/09654313.2013.817543>.
- Ray, N. M. and Bieter, J. P. (2015). It Broadens Your View of Being Basque": Identity Through History, Branding and Cultural Policy. *International Journal of Cultural Policy*. Available at: 10.1080/10286632.2014.923416.
- Bairner, A. (2001). *Sport, Nationalism and Globalization: European and North American Perspectives*. Albany: State University of New York Press (Chapter Three: "We are the England Haters!" Sport and National Identity in Scotland").
- Bieter, J. and Ray, N.M. (2013). Dilution versus Dancing: Scotch-Irish and Basque Cultural Assimilation and Preservation. *The Journal of Scotch-Irish Studies*, 3(4), 77-94.
- Whigham, S., & Gibbons, T. (2017). The 'Auld Enemy'? Exploring the England vs. Scotland rivalry from the perspective of soccer fans. *Soccer & Society*, 1-14.
- Tuñón, J., & Brey, E. (2012). Sports and Politics in Spain—Football and Nationalist Attitudes within the Basque Country and Catalonia. *European Journal for Sport and Society*, 9(1-2), 7-32.

### **Evaluation and Grading Criteria**

Timely completion of all assignments is expected. Late hand-ins will be penalized. All assignments are evaluated according to organization, analytical quality, depth, and argumentation, presentation of evidence and use of comparative perspective.

### Description of Assignments

#### Text Analysis

Students choose two texts from the list of their course required readings and engage with the main argument in each text. The text analysis should demonstrate the student's capacity to synthesize arguments, integrate data collected through class lectures and field visits, and provide critical insights into how issues dealt with in the two texts could be approached from a policy or legal perspective. The paper should be 3-5 pages long and should also demonstrate the student's familiarity with policy discourse or methods of legal interpretation.

#### Oral Presentation

Students will be required to present orally and creatively at the end of the thematic seminar highlighting the most relevant and important issues discussed in class and on the different excursions. Students choose one policy or legal issue that illustrates the challenge of the nation state by the autonomy of a particular region (Basque or Catalonia) and elaborate on how course lectures, readings, and field visits have helped (or not) map viable approaches to the issue at hand.

#### Comprehensive Essay Exam

The comprehensive essay exam will consist of a 3-page essay which should demonstrate the student's capacity to synthesize and engage critically with main policy and legal arguments addressed through lectures, readings, or field visits throughout the course. Students will be provided with two essay questions to choose from.

### Class Attendance and Participation

Attendance during the thematic seminar is mandatory and your grade will reflect your involvement in class and during other activities and excursions.

### Assessment:

Text analysis	40%
Oral presentation	20%
Comprehensive essay exam	30%
Class Attendance and Participation	10%

### Grading Scale

94-100%	A
90-93%	A-
87-89%	B+
84-86%	B
80-83%	B-
77-79%	C+
74-76%	C
70-73%	C-
67-69%	D+
64-66%	D
below 64%	F

### **Expectations and Policies**

- Show up prepared. Be on time. Have your readings completed and points in mind for discussion or clarification. Complying with these elements raises the level of class discussion for everyone.
- Have assignments completed on schedule, printed, and done according to the specified requirements. This will help ensure that your assignments are returned in a timely manner.
- Ask questions in class. Engage the lecturer. These are often very busy professionals who are doing us an honor by coming to speak.
- Comply with academic integrity policies (no plagiarism or cheating, nothing unethical).
- Respect differences of opinion (those of classmates, lecturers, local constituents engaged with on the visits, etc.). You are not expected to agree with everything you hear, but you are expected to listen across difference and consider other perspectives with respect.

**Please refer to the SIT Study Abroad Student Handbook** for policies on academic integrity, ethics, warning and probation, diversity and disability, sexual harassment, and the academic appeals process.

**Disability Services:** Students with disabilities are encouraged to contact Disability Services at [disabilityservices@sit.edu](mailto:disabilityservices@sit.edu) for information and support in facilitating an accessible educational experience. Additional information regarding SIT Disability Services, including a link to the online request form, can be found on the Disability Services website at <http://studyabroad.sit.edu/disabilityservices>.