

Contents

PART I THEORETICAL APPROACHES TO NATIONAL PLURALISM

1. The Plurinational State in Context	3
I. Introduction	3
II. Sub-state Nationalism and Historiography	6
III. The Normative Challenge to Traditional Liberalism	9
IV. Constitutional Praxis	12
V. Case Studies	17
2. Theories of Nationalism and National Identity	20
I. Introduction	20
II. Nations and Nationalism	21
III. Sub-state National Societies: An Introduction	32
IV. Concluding Remarks	45
3. The Plurinational State: A Normative Challenge	46
I. Introduction	46
II. Sub-state National Societies as Societal Cultures	48
III. Sub-state National Societies and the State	51
IV. Catalonia, Quebec and Scotland as Sub-state National Societies	68
4. Sub-state National Societies and Contemporary Challenges to the Nation-state	80
I. Introduction	80
II. Neo-nationalism, Re-territorialisation and Constitutional Orders	82
III. Sub-state National Societies and Constitutional Discourse	98
IV. Alternative Visions of Sovereignty in Catalonia, Quebec and Scotland: Interpretational and Amendatory Constitutional Critiques	100
V. Concluding Remarks	121

PART II THE CONSTITUTIONAL ACCOMMODATION OF CATALONIA, QUEBEC AND SCOTLAND

5. The Process of Constitutional Change in Plurinational States	131
I. Introduction	131
II. Amending the Constitution: The Relationship Between Host State and Sub-state National Society	136
III. Individual Participation in Processes of Constitutional Change	166
6. Substantive Constitutional Accommodation: Autonomy, Representation and Recognition	183
I. Introduction: Institutional Change and Historical Context	183
II. Autonomy	189
III. Representation	208
IV. Recognition	234
V. Conclusion	244
7. The Judicial Role: Mediating National Diversity in Plurinational States	247
I. Introduction	247
II. The Quebec <i>Secession Reference</i>	256
III. Quebec and Self-determination	261
IV. Catalonia and the <i>Tribunal Constitucional</i>	271
V. The Courts and Scottish Devolution	278
VI. Concluding Remarks: Autonomy Disputes and the Judicial Safety-valve	281
8. Referendums: Towards Agreed Models of Constitutional Accommodation	284
I. Introduction	284
II. Referendums and Substantive Constitutional Change	292
III. The Process of Referendums	305
IV. Concluding Remarks	324
9. Future Prospects for the Plurinational State	325
I. The Value of Plurinational States	325
II. Liberal Theory and the Plurinational State	326

III. Sub-state National Societies and Constitutional Change	328
IV. Changing Approaches to National Pluralism	335

<i>Bibliography</i>	341
<i>Index</i>	367