Diversity and Decentralization in the Democratization Process in Spain

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This paper will deal with the history of an important political change in Spain during the transition to democracy between 1976 and 1982: the transformation of a unitary and centralized state to one composed of several political units capable of self-government. The starting point of that process was the confirmation of regional diversity and of the existence of clearly differentiated political sensibilities in some of its territories. The researchers shall rely especially on the legacy of some of the principal actors, and explore the connection between such diversity and the political change that took place.

Keywords: Spain, Europeanism, European Union, democratization, decentralization

To Be a Democrat Is to Be European

Spain was configured as one of the first modern states in history. However, certain international circumstances lead to its very existence being questioned at the beginning of the 20th century, when the rest of the great European powers found themselves in the heights of the age of nationalism and imperialism. We can cite the following circumstances: (1) The defeat of the Spanish fleet at Trafalgar in 1805 and the consequent difficulty of keeping its empire in America; (2) The Napoleonic invasion of Spain and the long war against the French (1808-1814): six years—the same duration than the second world war—which destroyed the country; (3)The marginalization of Spain in the aftermath of the Napoleonic wars in negotiation at the congress of Vienna; (4) The process of the emancipation of her colonies with wars until 1825; and (5) Internal political instability, which degenerated into a civil war from 1833 to 1840.

In the last third of the 19th century, two more circumstances lead to the worsening of the problem: (1) The maturation of the liberal process and its evolution towards democracy produced a radicalization which lead to a change of regime. The first Spanish republic of 1873 ended in a division of power into miniscule territorial units, equivalent to a power vacuum, which was resolved by restoring monarchy in 1875; and (2) Defeat in the Spanish-American war of 1898 and the loss of the last oversea possessions, i.e., Cuba, Puerto Rico and the Philippines, events known in Spain as "The Disaster". These events showed clearly the relative weakness of the Spanish state which was emerging after the loss of empire (Ehrlich, 1998). Such weakness allowed the

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strengthening of separatist nationalisms, especially in Catalonia, followed by the Basques and at a certain distance, Galicia. The theory based themselves on the existence of local vernacular languages and rooted regional differences. It must be pointed out that these regional differences also existed in other regions without their own language (Núñez, 2001).

Thus Spain had gone from having a first rank role on the international stage to having hardly any, firstly marginalized and afterward excluded from the club of the great powers. The political reality of Spain, furthermore, had been blown to bits and had gone from being a world empire to a European country with some colonial territories in Africa. Spanish politics had to tackle the challenge and adapt to the new situation.

The most significant cultural and political movement to emerge from the disaster was known as regenerationism (Pozo Andrés & Braster, 1999). It sought to bring about the construction of a bran-new Spain, out of what was then seen as evident humiliation. The models to imitate were the big European countries: The United Kingdom, Germany or France. The idea that it was necessary to be European condensed the desire to reconstruct the country.

Certainly the Spanish thinker who best synthesized the idea about what was sought was the philosopher José Ortega y Gasset, who made the Europeanization of Spain—the leitmotiv of his political discourse[1]. Of course, he was not alone in this. Europeanization as a goal was common place in the Spain of the 1930s. However, the crises of democracies in the Europe of the 1930s and the breakdown of Spanish democracy, led to a civil war that Europe viewed with concern and passionate division.

In effect, Spain became a republic for the second time in 1931 and again nationalist tensions became the focus of political life. Catalonia proclaimed that it was an independent republic in 1931and was reincorporated. We must point out here that the question of nationalism was one of the causes of the civil war and one of its key elements. In order to comprehend the complexity of the phenomenon it is useful to remember that if Catalonia did not join forces with the military rebels, Galicia did and the Basque country was divided on the decision: A part joined the rebels and a part did not (Payne, 1971).

To Democratize Is To Decentralize

One of the fundamental objectives of the emerging regime of General Franco after the civil war was to foment Spanish political unity. The negation of any political recognition of internal differences was considered to be a duty and also a punishment for the separatists, all of whom were on the other side during the war (Harrison, 2009).

The Franco regime partly achieved its objectives: The state strengthened and public administration became more efficient in those years, at the same time that the country industrialized and developed economically becoming the 11th world economic power and 5th in Europe in 1975. But regional differences did not disappear. In some cases, they accentuated (Dowling, 2012).

However, the most important legacy of the regime in this matter was precisely the opposite of what was

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[1] It's possible to find those ideas in his first writings, in 1910, as well as in his main books like *Invertebrate Spain* (Madrid 1921) or *The Revolt of the Masses* (Madrid 1929). In 1960 was published his unpublished text *Meditation on Europe,* where he wrote: «Es, pues, un estricto error pensar que Europa es una figura utópica que acaso en el futuro se logre realizar. No; Europa no es solo ni tanto futuro como algo que está ahí ya desde un remoto pasado; más aún, que existe con anterioridad a las naciones hoy tan claramente perfiladas», (Madrid 1960), 35.

sought. The overriding idea in the final years of the regime might be summed up thus: after the death of Franco it was necessary to do something different to the regime. This something had to consist of democratizing the country and if the Franco regime was a synonym of dictatorship and centralization, democracy would have to guarantee political freedom and decentralization[2] (Núñez, 1999).

The model of democratic political organization was the European neighbors, in this there was consensus among the post-Franco reformist forces and the anti-Franco opposition except for some marginal exceptions. Everyone was anxious to be like the neighboring democracies, free and prosperous. All wished, also, to be involved in the process of European construction which had begun in the 1950s. To enter the European community was a synonym of democratization (Bassols, 1995, pp. 191-192).

On the other hand, the question of decentralization posed a more difficult problem which did not have one single answer. At the outset, the political strength of the nationalisms seemed to be limited. In the first free elections in June 1977, in Catalonia the most voted party was the socialists[3], followed by the communists[4]. After these there were, in an equal position, a Catalonian nationalist party on the center-right[5] and the centrist party which won the elections at national level, the Union of the Democratic Center, UCD[6].

In the Basque country, the Basque Nationalist Party was indeed the most voted[7], but not in the whole territory: In one of the three provinces, of which it is composed, Alava, it came in behind the two big national parties, the centrists and the socialists[8]. Finally, in Galicia no nationalist party managed to gain national parliamentary representation[9].

In the opinion of one of the leading figures of these years, the then minister Rodolfo Martín Villa, nationalisms gained strength for three reasons. Firstly, because all political parties with parliamentary representation showed themselves to be favorable to a process of decentralization; secondly, the winning party (UCD) in the elections did not have an absolute majority in Parliament so that support from other groups was necessary in order to govern. Its main rival, the socialist party was not going to be that support and therefore it had to have recourse to the nationalist groups who thus gained protagonism; thirdly, the wish to stop the Basque separatist terrorism of ETA. In effect, resolving the terrorist problem was a priority for the government who thought that through concessions in questions of self-government, it would contribute to annul the arguments of the terrorists and bring about the end of their activity. Sadly time showed that they were wrong (Villa, 1984).

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[2] Two conditioning factors were now present, which deeply influenced and reinforced the new forms of regionalism: the deficit of legitimacy of Spanish nationalist discourse, due to its appropriation of and identification with the Francoist legacy, which pushed almost all political parties of the democratic spectrum towards decentralizing proposals; and the implementation of a decentralized territorial structure extended to the whole of Spain, creating 17 administrative and political units under the 1978 constitution.

[3] Partido Socialista de Cataluña-Partido Socialista Obrero Español, PSC-PSOE: 880,563 votes, 28.78%.

[4] Partido Socialista Unificado de Cataluña, PSUC: 564,581 votes, 18.45%.

[5] Pacte Democràtic per Catalunya, PDC: 522,128 votes, 17.07%.

[6] Unión de Centro Democrático, UCD: 521,598 votes, 17.05%.

[7] PNV, 296,193 votes, 29.4%. The PSOE received 267.897 votes, 26.6%; and UCD 129,600 votes, 12.8%.

[8] Election results in Álava: Unión de Centro Democrático (UCD), 38,338, 30.9%; Partido Socialista Obrero Español (PSOE), 34,244, 27.6%; Partido Nacionalista Vasco (PNV), 21,708, 17.5%.

[9] Election results in Galicia: Unión de Centro Democrático (UCD), 606,726, 54.0%; Alianza Popular (AP), 148,239,13.2%; Partido Socialista Obrero Español (PSOE), 175,127, 15.6%; Partido Socialista Popular-Unidad Socialista (PSP-US), 53,067, 4.7%; Partido Comunista de España (PCE), 34,188, 3.0%; Others, 106,524, 9.5%.

The Pace of Change

The process of political change was experienced with great pace and with a notable social participation, which, in its majority, gave its approval to such change and also showed its rejection of radical moves. At the beginning of the Transition, one of the slogans heard at the demonstrations was "Amnesty and Liberty". The first demand referred to the end of the existence of political crimes and pardon for those condemned for those reasons.

Well then, in Barcelona massive demonstrations were held in which the slogan was extended to "Liberty, amnesty, and autonomous statute", that is, self-government. In little more than a year, between 1978 and 1979, the claim for a statute of autonomy became contagious throughout all the other regions without exception (S. Sánchez-Terán, personal communication, February 10, 2012).[10] What had happened?

The case of Catalonia had, for historic reasons, special importance for the government. In fact, a claim for a special statute for Catalonia and the reinstatement of its traditional institution of self-government, the Generalitat, was supported by political sectors that ranged from Franco regime people to the extreme left. The idea of a possible reestablishment of the Generalitat and the call for it to be presided by the man who carried out this task in exile Josep Tarradellas, resident in France, ended up with a wide variety of support. The process can be summed up:

(1) At the end of 1976 a business man who had occupied positions in the Franco administration introduced himself as the political representative of Tarradellas in Madrid and spoke to the government which listened to his proposal and prepared a plan for negotiation in agreement with Tarradellas. The process was stalled as the changes in Spain, which dissolved the Franco regime took place and saw arrive a constitutive period after the holding of free elections in June 1977 (Sánchez-Terán, 1988, pp. 282-284).

(2) Those elections saw victory go in Catalonia to the socialists and communists. The most voted nationalists (the center-right Pacte Democràtic per Catalunya) were nervous before the possibility that the Generalitat would be reestablished with a socialist-communist majority. The nationalist leader, Jordi Pujol, had asked the government before the elections to try to avoid this (Sánchez-Terán, 1988, pp. 279-280). The Catalonian deputies for the party of government, UCD, especially Carlos Sentís, insisted on the same after the elections. It was then that the prime minister—Adolfo Suárez—decided to put into operation the process of negotiation to bring back Tarradellas and reestablish the Generalitat with him as president (Sánchez-Terán, 1988, pp. 286-287).

(3) In the negotiation during the summer of 1977, participating were Josep Tarradellas, Salvador Sánchez-Terán as the representative of prime minister—Suárez, and all the deputies elected in Catalonia. It culminated with an agreement which led in October of the same year to the reestablishment of the Generalitat by Spanish government decree and the appointment of Josep Tarradellas as its president (Sánchez-Terán, 1988, pp. 290-320).

As José-Pedro Pérez-Llorca, one of the writers of the text of the 1978 constitution, has underlined, all of

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[10] Sánchez-Terán was Gobernador civil (Governor) of Catalonia during the Spanish Transition to democracy and he was also MP for Salamanca. He remembered that listen the same slogans in Salamanca and in Barcelona. Sánchez-Terán was appointed Secretario de Organización (Deputy Secretary-General) of the UCD in 1977-1978, Ministro de Transportes y Comunicaciones (Secretary of State for Transport and Communications) in 1978-1980 and Ministro de Trabajo (Secretary of State for Work) in 1980.

this occurred before the actual constitutive process was formally put into operation and that meant the existence of an implicit, de facto, constitutive process, which went before the explicit one of drafting the constitutional text (J. P. Pérez-Llorca, personal interview, January 11, 2012).

(4) When the decision to reinstate the organ of Catalonian self-government became known, almost immediately in all Spanish regions a copycat phenomenon was produced. All of them claimed political autonomy and they set about it by fomenting popular actions of campaign with a view to the issue. To the weight of the equation "Democratization is decentralization", was then added that of the equally popular inequation: "We are not less than the Catalonians" (Núñez Seixas, 2001).

The big problem was to find harmony with these wishes and the building of a regime of liberties and the maintenance of Spanish unity. That was one of the most important challenges of the drawing up of the text of the new constitution.

The Constitution and the Autonomies (1978)

The labor of drawing up the constitution was based on the idea of reaching consensus, that is to say that the text would not privilege some groups over others. If it were thus achieved it would be a unique milestone in Spanish history. It was necessary, then, to reach agreement among all the political parties represented in the Madrid parliament. The procedure chosen for the drawing up of the constitution was the creation of a constitutional commission, which would prepare a draft of the text in the Spanish lower house. Here all groups were represented with the exception of Basque nationalists who opted not to participate and were represented informally by the Catalonian group. The majority party, UCD, was represented by three: José-Pedro Pérez-Llorca, Miguel Herrero and Gabriel Cisneros; the PSOE by Gregorio Peces; the right, Alianza Popular, was represented by its leader Manuel Fraga; the communists by Jordi Solé, and the Catalonian nationalists of Convergencia i Unió by Miquel Roca.

All understood that they would have to renounce their complete agendas and give way in order to reach agreements. However, some groups, such as the nationalists, had a very clear idea of what they wanted to obtain especially concerning the territorial organization of power. Opposing these, UCD had to limit itself to indicating the extremes which if crossed would destroy the entire project and risk the very existence of the country (J. P. Pérez-Llorca, personal interview, January 11, 2012).

We would like to make some observations on the process of negotiation within that constitutional commission, which is in the heart of the solutions adopted?

The centrists could not reach agreement with the representative of the right, Manuel Fraga, in order to work together. They feared that such an alliance would provoke an obstructionist attitude on the left that would block the process.

The attitude of the three centrists in the commission turned out to be fundamental for the result. Pérez-Llorca and Cisneros maintained a position of putting the brakes on nationalist claims, convinced that a chaotic decentralization would end up dismembering the state. Herrero, on the other hand, sought proximity with the nationalists to obtain their backing for the constitutional project, and held that an uneven decentralization had to be articulated that treated the Catalonian, Basque and Galician cases in a different manner (Herrero Miñón, 1993; Cisneros Laborda, 1998; Fraga Iribarne, 1978; J. P. Pérez-Llorca, personal

communication, January 11, 2012; Soléura, 1985).

The socialist representative, Gregorio Peces, did not compromise himself in an alliance with the centrists. The difficulty, which in his own party meant the integration of the Catalonian socialists, inclined him to give way to the Catalonian nationalists, and this he did (J. P. Pérez-Llorca, personal communication, January 11, 2012; Peces-Barba & Sanchis, 1981).

Herrero, the centrist, staked his claims in the opening stages of the negotiations, which led to initial concessions which were difficult to revoke. With time, Pérez-Llorca and Cisneros, who had gained support within their own party, managed to introduce mechanisms that would preserve the power of the state and put brakes in place to avoid an escalation of claims on the part of periphery powers. They managed this only partially (J. P. Pérez-Llorca, personal interview, January 11, 2012).

On the other hand, the implicit constitutive process was greatly important in this question: In addition to the reestablishing of the Generalitat and the demand of autonomy from other Spanish regions, the political entities called pre-autonomous ones, were to be the road maps of what in fact could be legislated (J. P. Pérez-Llorca, personal interview, January 11, 2012). Definitively, there would not be part of Spain with the capacity for self-government, but the whole country would cut up into autonomous entities.

Finally, the text of the constitution developed the organization of the state with calculated ambiguity[11]. In some way, at the same time, a solution was being negotiated and its precision was kept open: It recognized the insoluble unity of Spain and also the right of regions and nationalities to autonomy. Significantly, it avoided listing which or how many of these regions or nationalities were. That is, it took up the demands of the nationalisms, but it also included mechanisms to safeguard national unity and solidarity among autonomies.

In the opinion of Pérez-Llorca, this calculated ambiguity seeking maximum consensus generated not a special brilliant text, but managed not to exclude anyone in any radical way. Above all, mistakes that Spanish history proved to be fatal were avoided, but perhaps at the expense of making others that seemed minor (J. P. Pérez-Llorca, personal interview, January 11, 2012). The final design was a country open to the creation of autonomous political entities. Two methods were differentiated to do this, one more ambitious and rapid, the other more limited and slow. It was expected that the first would serve to channel the more historic claims and the second would facilitate the remainder.

The Constitution was passed by a large majority in a referendum (88.5% in favor with a turnout of 67.1%). The process of democratization seemed to have arrived safely home in record time. Now came the time to live according to the new rules which brought along new solutions and also new difficulties.

The Attempt to Harmonize, the Process of Autonomy (1979-1982)

Putting into practice the new territorial power structure had begun, as we have seen, even before the approval of the constitution. After adopting the new constitution, it now was time to create the new institutions provided for in it. The task required the drawing up of autonomous statutes which were the laws that defined the execution of self-government in each of those new constituencies. It was precisely in this task where what was established in the constitution was not going to solve all the problems of the distribution of territorial power.

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[11] Spanish Constitution. Part VIII: Territorial Organization of the State; Section 137-158.

J. P. Pérez-Llorca, appointed minister of the presidency in 1979, was in to be in charge of negotiating such statutes and the preparation of the proposals of the government for their passing in parliament. He recalls those negotiations as greatly tense, not only because of the pressure from the nationalists, but also because of the lack of agreement on the issue within his own party, UCD (J. P. Pérez-Llorca, personal interview, January 11, 2012). Why such tensions and disagreements?

Firstly, because the decentralization provided for in the constitution did not meet the aspirations of the nationalists. On the contrary, a form of competition was set up to see who could obtain the greatest degree of self-government. In this competition the common enemy was the Spanish Government and the competitors the rest of the autonomous government. Nobody wanted to be less than the other, specifically less than the Catalonians who were the first to have new devolved powers, but the Catalonians, like the Basques, did not agree to be treated as equals with the rest.

The most serious circumstance of the whole process continued to be the existence of ETA terrorism in the Basque country. Its continuity after the passing of the constitution demonstrated that it was not a phenomenon related to the struggle for democracy but something else[12] (Martín Villa, 1984, p. 171; S. Sánchez-Terán, personal communication, February 10, 2012). This factor made negotiation with Basque nationalist politicians very difficult. They were especially demanding in the negotiation of their autonomous statute, threatening to leave the table if they were not to be granted powers in affairs such as education, of great political consequence for the future (J. P. Pérez-Llorca, personal interview, January 11, 2012). The government gave way on this and like any concession it set a precedent and the competition to gain devolved powers went up a point on the scale.

The growing complication of the process was clearly demonstrated on negotiating the autonomous statute for Galicia, one of the so-called historic regions, where nationalists had no seats in Madrid. Negotiation could be resolved between the two Spanish state parties, UCD and PSOE. Then it was attempted to change the negotiation mechanism and its passage through parliament in order to set a limit to escalating territorial claims. This attempt failed. The idea that Galicians were treated differently to the Catalonians and Basques was not accepted.

This escalation seemed to have no end and so UCD decided to take a firmer position in the negotiation of the next statute: that of Andalusia. But the socialist party did not follow suit: Here was an opportunity to obtain an important political advantage over the centrists, UCD, and PSOE refused to support them. The result was, in effect, an important defeat of UCD, which paid for its effort, furthermore, with heavy internal divisions (J. P. Pérez-Llorca, personal interview, January 11, 2012).

However, the socialists were aware that continuing in this line would lead to a situation in which the country could become ungovernable or accumulate serious problems. So when the centrists offered once again to pact a harmonization of the autonomous processes still pending (13), the socialists accepted.

The process of applying the constitution, in general, went through its most delicate hour when in February 1981 a failed coup promoted by army members and civil guards was aborted. The failed plot was justified according to those behind it because of political chaos, the persistence of terrorism and a feeling of political disintegration. Those promoting democracy and who wanted to defend it, recognized by then that the issue of

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[12] The new Constitution meant a hope of a new era and changes. In this line, the Government considered to negotiate with the terrorists of ETA. The attitude of terrorists (they wanted to negotiate at the same level as the State) was the key to understand the resigned from the project.

autonomy was a source of problems, and the reaction to the failed coup convinced them to look for solutions. One of these solutions might be a pact on questions of autonomous and local power.

The government presided by Leopoldo Calvo-Sotelo in office after the failed coup made this one of its priorities and one of its achievements. The agreement between UCD and PSOE led to the passing of a law on the harmonization of the autonomous process which sought to put an order on the question (Martín Villa, 1984, pp. 190-196; J. P. Pérez-Llorca, personal interview, January 11, 2012). In reality, this did not mean the end of the problem, but this is where we conclude here in this paper.

Conclusions

The process of the democratization of Spain aspired to assimilation among its European neighbors and integration within its unifying project. As a part of this democratization, recognition of regional diversity was accepted as an objective of democratization. This led to a process of creation of regional self-government entity from the very beginning of the transition. Institutionalized by the constitution, their development implied a solution to the question of diversity, but it also posed the problem of governing harmony and the attribution of powers (Núñez, 1999, p. 135). The facts show that the zeal to sew up centers of political decision had its own dynamic which was difficult to control.

Without doubt, the question was based on the existence of legitimate differences of cultural or social character for which an appropriate political reflection was sought. Everybody agreed with this general idea. But subsequent events showed that this concurrence hid a more difficult problem to be tackled. The reason seems to be in the very nature of the political action required to get it done.

In effect, in the whole process the decisive importance of the politicians turns out to be obvious. Firstly, in the taking of decisions that overtook the actual constitutional process itself, especially the decision by Adolfo Suárez to reestablish the Generalitat. Secondly, in the course of the negotiations for the drawing up of the constitutional project, the fundamental importance of the attitudes adopted by the members of the commission who were preparing it is appreciated. When commitment to self-government became popular in the region where it wasnot so—as a consequence of galvanized opinion in due, to a large extent, by the desire of political leaders to make the most of such opportunities to gain clout. This was borne out in the cases of Galicia and even more in Andalusia.

Political life is rooted in social reality, but it has its own dynamic which becomes independent once the process of negotiation and decision begins, when politics itself becomes more a cause of social reality rather than a consequence of social realities. From this reason the concept of political responsibility concerns those who exercise power.

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