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" PLURALISM AND POLITICAL AUTONOMIES IN SPAIN".

The problem of autonomies in Spain is not only nor mainly a problem of institutional analysis. It is, in the deepest sense of the word, a historical problem. Even more: it is an ideological problem, since it has divided the Spanish society not along traditional class liness but along interclass ideas about the true meaning of the Spanish nation.

This historical discussion has been by no means a simple theoretical discussion. It has been a deep political confrontation enlarged to national simbols -like flags and even the name of Spain itself- that has been at the very root of all the events of contemporary Spanish politics.

Even more: this political confrontation has been one of the main subjects of the 1936-39 Civil War, and one the strongests ideological justifications af the two military dictatorships -Primo de Rivera and Franco- as they allegedly fighted against "reds" and "separatists".

In fact, the Spanish Army has been along the XIX and XX centuries not an Army of external wars -with some minor exceptions and, of course, with the important exception of the war with the United States in 1898 ,in wich the Spanish Army was humiliated -but largely an Army of internal wars, of "coups d'Etat" and political interventionism.

In the begining of the XX century, when the so-called "peripherical nationalisms" appeared in Catalonia and the Basque Country the Army was commited to fight both nationalisms, so becoming itself the main depositary of Spanish great-nationalism, which identified the "true" and "unique" sense of the Spanish nation with the centralist structure of the Spanish State as it was built by the most reactionary oligarchies throughout XIX and XX centuries. This deep conflict ended in military dictatorships and a bloody civil war.

The dividing line between franchism and antifranschim was not only the line between dictatorship and democracy but also the

line betweewn centralism and autonomies. During the Spanish II Republic (1931-1939) a system of political and administrative autonomies was forecast and regulated by the Constitution. In fact,only the Catalan autonomy became a reality and also, for a brief period, the Basque autonomy. The general Franco's dictatorship abolished both autonomies as well as the whole constitutional democracy, and strongly persecuted catalan and basque cultures, languages and national feelings. In this way, reivindications of autonomy was deeply linked to reivindication of democracy, not only by catalan and basque nationalists but also by the large majority of antifranchist groups and mainly by the left clandestine parties and mouvements.

When the transition to democracy began in 1976-77, after general Franco's death, autonomy was one of the main items in all democratic programs and proposals. But, at the same time, the remaining and powerful institutions of the Franchist system continued to oppose strongly to autonomies, charging them to be a threat to the sacred unity of the Spanish nation.

Autonomies were, then, the crucial point of the constitutional process opened after the 1977 first general elections. About autonomies developed a strong political fight in which the ideologial themes of "nation","nationality","selfdetermination","federalism","separatism", "unity" and so on were the core of confronted political positions and in which the protagonists were not only political positions and public opinion but also the Army, the Church, the public servants and, last but not least, the ETA terrorism.

As said before, autonomies are not only a technical and a legal problem. So I think it is necessary to put forward some general considerations about the recent Spanish political history and about the meaning and the conditions of transition from dictatorship to democracy.

THE MEANING OF SPANISH RECENT POLITICAL HISTORY.

The Spanish political system has a very strong tradi - tion of centralism, rooted in one of the most ancient absolute monarchies and developed with no significant breaks through the constitutional institutions in XIX and XX centuries.

During this constitutional period, Spain has had seven Constitutions, three non enacted Constitutions, four civil wars, two overthrows of the established monarchy, two republics, two restorations of the monarchy, two military dictatorships and a large number of military coups d'état.

Throughout this tortous path, the Spanish State developed as a highly centralized State, on a Jacobin model, under the hegemony of a very narrow ruling class formed mainly by landlords, the high bureaucracy and the speculative bourgeoisie. The industrial middle class was not, throughout the XIX century a significant part of the oligarchical ruling class or it had, in any case, a subordinate position in it. Industrial and financial capitalism developed late, in the last years of the XIX century, but only in some parts of Spain -- Catalonia and the Basque Country, mainly. The rest of the country remained mainly and agrarian system, but with great diversities in the social structure. Even the developing capitalist system was quite different in Catalonia and the Basque Country: light industry in the first: heavy industry and strong finance capital in the latter..

The main feature of the centralized political system was the strong role of the Crown, which gave to the King a decisive weight in the conduct of Spanish politics, so destroying in fact the parliamentary system.

Another decusive feature was the role of the Army. As said before, the Spanish Army did not fight external wars during XIX and XX centuries. It was an Army of internal wars, that's to say, of civil wars. This role increased in the XX century and for nearly fifty years Spain has been under military rule (the general Primo de Rivera dictatorship from 1923 to 1930 and the general Franco dictatorship, from 1936 to 1975.

Lastly, I must point up the very important role of the Catholic Church in the field of ideology, public morality and behavior, as well as in education and cultural production. In fact, the capilar organization of the Church was a very important instrument of political centralization.

As a result, the Spanish political system was largely impenetrable to liberal reforms an, obviously, to working class demands. In fact the reformistic periods through XIX and XX centuries were all short and all of them ended with military interventions. That means that in the Spanish political history has been impossible to establish and to develop a political party system, that civil rights and liberties have been unknown in practice, that the large majority of the Spanish people has been expelled from any form of political participation, that working class political organizations and trade unions have met great difficulties to develop and that even middle-class organizations found strong obstacles.

One of the consequences of this historical situation was the development of the so called "peripherical" nationalism, mainly the Catalan and the Basque nationalisms. This nationalisms were developed firstly by industrial middle-classes as a way to press for a reform of centralism and to obtain a significant position in the block of the ruling class. The central oligarchy answered calling the Army to fight against this middle-class nationalism. As a result, the Spanish Army became itself the main depositary of the Spanish traditional "great nationalism", that's to say, the main interpreter of the "true" sense of the Spanish nation.. as opposed to peripherical nationalisms, systematically presented as separatisms opposed to the "true" concept of Spain as an unified nation.

As Catalans and Basque middle-classes looked for compromises with the central oligarchy to protect themselves against the working-class movement, these middle-classes were finally replaced by more radical sectors in the leadership of peripherical nationalisms. So the opposition between central and peripherical nationalisms became one of the more crucial problems of the Spanish politics, with the subsequent rebounding on symbols, flags, and so on.

The second great result of the impermeability of the Spanish State was that the working-class political culture and organization developed not only out of the State but against it. The main features of the Spanish working-class political culture, in the Socialist and latter Communist organizations, as well as in the powerful Anarchist organizations were antimonarchism (that's to say, republicanism), anticlericalism and antimilitarism. The Catholic Church and the Army were seen largely as political enemies, and so did the Church and the Army as regards working-class organizations.

It's easy to see that political and social pluralism were not the dominant features of the Spanish political and cultural modern history. The main economic decisions, por example, were not the result of bargaining between social organizations but they were imposed by force throughout political power. This explains, for instance, the great development of anarchism among the industrial working-class as well as among agrarian workers. From the political point of view political parties were weak and in the working-class field they were largely replaced in their role by trade-unions. The same weakness was also the main feature of social organizations.

All these features reached an extreme acuteness during the Franco dictatorship. After the bloodiest civil war in modern Spanish history, followed by a terrible political repression that not only killed or exiled all the leaders of the left political parties and trade unions but destroyed as well all the working-class organizations and the middle-class nationalist movements, the Franco dictatorship did not create a new State but strongly enforced the previous features of the Spanish political system.

The Franco regime was characterized by the destruction of the constitutional system, of civil rights and liberties, of political parties and trade unions. A single party system and a " vertical" trade union -- that's to say, a fascist-like "corporate" union --were installed. Centralism was reinforced. All powers -- executive, legislative, administrative and military -- were concentrated in the hands of general Franco. Elections were not held, with the exception of some plebiscitarian referenda and some very res-

tricted corporate elections. A strong censorship was imposed in the cultural life. The role of the Catholic Church in education and culture increased. The Army became a sort of political superparty. In the economic field, an important public sector was developed in a corporate way, but at the same time free enterprise was proclaimed as an essential objective of the system.

This was the general structure through the forty years of general Franco's regime. But it coexisted with significant social and economic changes.

After 1960 Spain entered the stream of accelerated economic development of the whole capitalist system. Foreign investments, tourism and some degree of planning were the sources of development. But, at the same time, State owned enterprises remained largely bureaucratic and non competitive, financial capital controlled indisturbed the process, Spanish capital was largely invested in speculative affairs and new large corporations -- mainly trasnational ones --coexisted with an ocean of small and middle size enterprises in an economic space limited by a very strong protectionism.

In this context, the underground fight against the dictatorship changed some of the foundations of the system. Important political vanguards developed, underground trade unions began to be organized , the University became an essential focus of political and cultural new pluralism. In Catalonia and the Basque Country the battle for democracy mingled with the fight for national rights and with the revival of a new national culture.

One of the main causes of the final decline of Franco's regime was, in fact, its incapacity to cope with the new social conditions created in spite of itself. Economic development in the sixties and the opening to foreign influences, for example, created a strong demand for political and social pluralism. The same thing happened in the political and cultural fields. Some sort of pluralism in the press began to appear, strong censorship in the cinema, the theatre and the literature began to recede and, most important of all, political parties began to organize themselves even in semi-open forms or inside legal institutions, in spite of the existing obstacles.

After the death of general Franco in 1975 all these pro-

cesses precipitated and franchism as a such was not able to survive without general Franco.The Reform Law of 1976 and the first general elections of june 1977 opened the way to democracy and pluralism.

In the general perspective of the Spanish political history, the general elections of 1977 and ,mainly, the enactment of the 1978 Constitution -- which, for the first time in the Spanish history was drafted by a seven member Comission formed by the representatives of all the political parties present in the new Parliament -- were enormous steps forward to democracy. But I have remainded the main features of this political history to put the question in ist real terms. In my opinion the most crucial problem to understand the Spanish situation is the problem of the transition from dictatorship to democracy .

This transition was not a smooth process. Antifranchism found very great difficulties to overcome the defeat of 1939. It was able -- at a very high price -- to develop significant vanguards but not to organize a large mass movement. Contrary to similar models of dictatorship(Mussolini's fascism, for instance), the Franco's dictatorship was not crushed by a military external defeat or by a popular armed uprising.Antifranchism was able to stop the continuity of franchism after Franco but it didn't win the battle against the franchist State.

Certainly, the more specific features of general Franco's regime desappeared, like single party, corporate trade unions, censorhip, concentration of all powers, military rule,non elected Parliament and supression of civil and political rights.

But the more important institutions of the State -- as developed throughout the Spanish history and not only in the franchist period -- remained untouched as democracy began to develop. I mean the Army, the Police, the Public Administration, the Judicial system, the educational system and, of course, the economic public and private system.The political weight of these State institutions was really enormous in face of the new political parties emerging from clandestinity or simply created at the very eve of the 1977 general elections.

The general Franco's regime had also a lasting effect on another crucial field, as it obstructed the emergence of a large network of civic organizations. Between the isolated citizen and the all-powerful State there was nothing or nearly nothing.

The economic crisis was also a very strong burden. At the beginining of the transition to democracy the rate of unemployment exceeded 12 % and this fact strongly contributed to public opinion confusion on the benefits of democracy.

Lastly, the continuing political terrorism in the Basque Country, linked to demands of independence, was a very strong ~~obstacle to the~~ integration of the Army and the Police in the new democratic system and also a strong obstacle for a smooth acceptance of autonomies and descentralization.

In face of the hostility and the reluctance of the traditional apparatus of the State, political parties and trade unions were weak. A new political culture, hostile to dictatorship developed even under franchism, but at the same time public opinion was confused as the parties were wholly new and the political leaders were also new and hardly known.

These are in my opinion, the most general features of the transition period in Spain. I underline them because whithout taking them into account is impossible to understand the conditions, the limits and the possibilities of the Socialist government experience in Spain.

THE TRANSITION TO DEMOCRACY AND CONSTITUTIONAL PROCESS.

The general elections of june 1977 - the first to be held after 40 years - had some very significant consequences. First of all the most voted party was the "Union de Centro Democrático " (U.C.D), with the 33'4% of the total voting. The U.C.D was a reformist party created some months before the elections and with a very heterogeneus composition. It was headed by Adolfo Suárez, former head of the single party -"the Movimiento Nacional"- under Franco, as a such, member of a general Franco's government. In the U.C.D. assembled reformist sectors of the "Movimiento Nacional", the monarchists, some liberals, some christian-democrats and even some social-democrats opposed Franco.

The second consequence was the high score of the Socialist Party (P.S.O.E.) who obtained 28'1% of the votes and as the second most voted party became the most important opposition force and the most credible alternative to U.C.D.

The third consequence was the law electoral score of the Communist Party, who got only 8'9% of votes. It was an unexpected score, as the C. P. was the undoubtly the most active and the better organized party in the fight againts Franco's regime. Only in Catalonia did the C.P. -with the name of P.S.U.C. (Socialist Unified Party of Catalonia") reach nearly 20%.

The fourth consequence was the low score of the right party, the "Alianza Popular", which under the leadership of another ancient minister of Franco, Sr. Fraga Iribarne, obtained only 8% .

Lastly, another consequence was the electoral consolidation of nationalist parties in Catalonia and the Basque Country and the good score of another socialist group (the "Partido Socialista Popular ", P.S.P.) who under the leadership of Prof. Tierno Galvan challenged the socialist political space but was finally absorbed by the P.S.O.E.

Most important contribution was also the distribution of voting. Socialists and Communists had the majority in the urban and the industrial zones. In Barcelona, for example, the Socialist with 30'4% and the Communists whith 19'8% became the most voted parties, largely ahead of nationalists and U.C.D.

By contrast, U.C.D. won in the agrarian zones, specially in Castilla (the old center of Spain), where franchism was more rooted.

Generally speaking, Spaniards voted for new parties and new men and rejected all that remembered continuity with franchism and the civil war. The fear of civil war was a general feeling. The Communists, for example, were presented during 40 years as the great enemy defeated in the civil war and this was one of the explanations of their low score.

Transition to democracy began, then, under the leadership of a center-right party, but in a parliamentary situation of almost parity between government and oposition.

In such a set of conditions, the transition to the democracy is only feasible if three factors come together. The first is a factor of power, personal or institutional stability. The second is a capacity for negotiation among the different forces present and the capacity of integrating the significant subjects in the same process of disussion and consensus. The third is an active mobilization of large social sectors in favor of the same objectives.

The first two factors were present in Spain while the third was much less aparent. The factor of principal stability was the Monarchy, the principal and almost unique bridge through wich the previous state -principally the Army- accepted the new situation, though passively.

The negotiation capacity was very scarce during the first government of the Monarchy -that of Arias-Fraga- and this was the principal cause of its failure with the movements and growing demands of population. In contrast, this was the principal trait of the Suarez government, once it was demonstrated that the principal form of advance would be reform and not rupture.

The initial negotiation betweewn the government and the opposition permitted the initial limits of reformism from the previous regime to be overcome, as the legalization of the Comunist Party, the true touch-stone of the feasability of the undertaken reform. After the 1977 elections, this negotiation was the basis of consensus among the principal parliamentary forces.

The mobilization of the population around the principal democratic objectives was, in contrast, very precarious and unequal, in any case. In Catalonia and in the Basque Country, for example, the mobilization for autonomy reached very high levels. The mobilizations

against fascist provocations were high in other parts of Spain. In general, however, there was an imbalance between the political consensus of the parties and the popular mobilization, so that the great objectives of the transition were essencially dealt with from the leaders of the principals parties, without an authentic communication with the public opinion . This was, in my opinion, one of the greatest weaknesses of the transition, and one of the principal causes of many of the problems which arose immediately after the end of the constitutional process.

The truth is that the consensus beetwen tne principal political forces was in its time misunderstood by the public opinion and by a good deal of commentators and information agencies. Perhaps, due to the bad memory of the pseudo parliamentaty life of the regime of the Restauration, and due to factual inexistence of an authentic democratic tradition and an authentic party system in contemporary Spain, there was a tendency to confound consensus whit "horse trading", "sharing the pie" and with agreement withour principles. Surely the attitudes of the party leaderships contributed to all this. They were worried about the weakness of their respective organizations and with little aptitude or scant means -or both at the same time- to explain the reality of things to the public.
In spite of all this, the consensus was really an historical event, an extraodinary demonstration of realism and historic conscience of all its protagonists.

Its principal accomplishment was, undoubtely, the drawing up and approval of the Constitution of 1978. Other accomplishments not so tangible and much less effective were the signing

of the Pacts of La Moncloa, and the political amnesty.

This is not the place to continue on to an in-depth analysis of these results. My aim is only to recall the general cirumstamces of a transistion that conditioned in a very specific way the forces which were protagonists and the results of their action.

I do, however, wish to briefly refer to the experience of the consensus in the elaboration of the Constitution.

It is evident that once it was decided to open a constitution process the Constitution could be drawn up in many ways. The exclusive initiative of the government could be chosen, for example, or a two-party system through the agreement between the two principal forces the UCD and the PSOE.

But the necessity to look for the greatest support possible before the resistance which they were going to find without a doubt, made them finally pass over the initial, more retrictive plans, and consensus imposed itself as the general method.

This meant to accept that the Constitution had to be a common task for all the political parties committed to the Constitution whatever their size or background, so that all were co-responsible for the Constitution,

The concrete form of this consensus was the fromation of the parliamentary working group or "ponencia" in Spanish terms, made up of seven deputies -three from the majority party, the UCD, one from the PSOE,one from the PCE, one from Alianza Popular and one that represented the nationalist groups of Catalonia and the Basque country. This working group -lately to be known as "The Founding Fathers"- not only took charge of the Constitutional bill, but was a decisive instrument to specify the great political compromises of the constitutional process.

At the end of 1978, after nearly a year and a half of work, the Constitut could be presented to the population for referendum with the total support of all of the parliamentary forces, with the exception of the Basque nationalist -who promoted non-participation- , some minority sectors of Catalonian nationalism and some member of Alianza Popular.

For the first time in the history of Spain, the Constitution was a co-responsible work carried out by the great majority of the political forces and not by some against others. Each one of the political forces which took part in the consensus of the Constitution had to make an extraordinary effort to know how to clearly distinguish the principal from the secondary, in other words, to know what had to be obtained and what had to be sacrificed to obtain it. In the end, not one political force could say that it was "its" Constitution 100%. This shows the value of the method used, since all of the political forces had to sacrifice something important to obtain the most important of all : the legal basis of a new democratic system.

I believe it is necessary to insist on this because the topic of consensus has given way to many mistakes and many misunderstandings. I am perfectly conscious of the limits and of the insufficiencies of this method and of the problems it caused, more than anything due to the semi-secret way in which it was carried out.

However, the consensus in itself and its principal result, the Constitution, reached far beyond those situational problems or the anecdotes which characterized it to the public opinion. The truth is that thanks to this method, and thanks to the attitude and the clarity of vision of the political forces which participed in it, Spain has been able to count on, for the first time, a Constitution which does not divide citizens into two groups opposed about the general political model. With all of this limitations the political model of the Constitution of 1978 is not a model of exclusion nor of division but a model of integration.

THE CONSTITUTION AND THE AUTONOMIES AS A SYSTEM.

With the Constitution a new legitimacy began, bringing to an end the franchist system. Mostly important was the compromise about Monarchy. not only because the King was democratically legimitated breaking with its own franchist origins, but also because it meant a new compromise between Monarchy and the left --socialists and communists -- putting to an end the historical confrontation between them.

The same can be said of the constitutional implementation of Autonomies in its article 2 and Title VIII.

In this constitutional text, Spain is defined as a single and indivisible nation -- which is the terminology of traditional centralism --, but at the same time it is said that this Spanish unique nation is composed of "nationalities" and "regions", each of them having a previous right to autonomy, as this one is recognized and garanted -- not created --by theConstitution itself. This is obviously a great compromise between the two opposed concepts of the Spanish nation. On this basis, the Constitution recognizes the plurality of cultures, of languages and of symbols, so opening the way to the political pacification of one of the major conflicts of Spanish politics.

Article 2 is the conceptual basis of the system of autonomies, as established in Title VIII of the Constitution. This is a complex system in which all the "nationalities" and the "regions" can accede to autonomy by a large diversity of ways. The autonomic levels are also initially different, and so are the levels of competences. But the logic of the whole system is that after a period of time, all the Autonomous Communities -- as they are legally called -- will have the same level of competences and the system will become, in the whole,uniform.

In spite of its conceptual complexity, article 2 is the legal basis to overcome the historical confrontation between the two conceptions of Spain as a nation, since it melts into the same constitutional definition the concept of a united Spanish "nation" and the concepts of "nationality" and "region" as essential components of this nation. On this conceptual basis, the Constitution opens the way to a deep reorganization of the Spanish State, in a federal sense. This is obviously one of the main aspects of the 1978 Constitution and one of the biggest challenges for the new democratic State.

The political model of the Spanish Constitution is, therefore,a model based in the agreement of the majority of the political forces and the ratification of the large majority of electors. It is a model of integration. radically new in contents and in logic. But it is also the political result of a set of contradictions. The system of autonomies, por example, opens a new way,but not a radical new one.It can replace the old centralist system, but due to the contradictions of the constitutional process it does'nt replace it, but overlaps it in quite a number of very important issues. In this way, it can be said that the political model of the Spanish Constitution is not a closed model but rather an open one, which must be built. It faces inertia, resistance and opposition, both by the right and the nationalist left. But,of course, a lot of fundamental problems remain to be solved, among them the great problem of autonomies institutionalization.

Actually the consolidation and the further development of the Spanish autonomies as a system depend of quite a number of factors.

The first, as it has been said, the basic agreement of the plural concept of the Spanish nation as defined in article 2 of the Consttution. The second is the acceptance of all the implications of the general systmem of autonomies as defined by Constitution.
The third is the working up of whole system of ways and institutions of cooperation and coordination between the central power and the autonomies.

Autonomies are seen and regulated as a general form of organization of the Spanish system, thus breaking the traditional centralism.And from the political point of view, they are seen also as way to a smoother working of the public administration and, mainly, as a way to enlarge pluralism and popular participation. In this sense, it can be said that without being explicitely a federal system, the Spanish system of autonomies can work like a federal state if a number of preconditions are filled.

In fact, the system of autonomies is an open system and it can be developed in different ways.It can work finally as a federal system, but also it can be limited to a system of mere administrative decentralization. And it can even go backwards,both by the resurgence of old centralism and by the development of a new technocratic centralism, specially as regards the implementation of all the requierements of European integration.

All these possibilities depend,obviously,on the political agreement or desagreement of the main political forces. At present,middle class nationalist parties are in power in Catalonia and the Basque Country and their strong opposition to socialist government in central power becomes a new form of opposition between peripherical nationalisms and central government which tends to develop as a deep desagreement on the concept of nation and on the acceptance of the whole political model defined by the Constitution. This is a big menace, because in the stream of this political confrontation develops some forms of new radical independentism and separatism, both in the Basque Country and Catalonia.

Besides, the implementation of Autonomous Communities has not filled till now the prospects of a new organization of political power, in the sense of larger pluralism and participation.In fact,the institutions and the actual working of the Autonomous Communities tend to become an imitation of the institutions and the actual working of the central State.

Of course, a deep analysis of the whole set of problems related to the background, the setting up ,the actual working and the prospects of the Spanish autonomies would need a larger consideration of all the subjects. But I think that first of all it is necessary to understand the full complexity of the historical and the political problem.And this is the aim of this paper.

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