

**2010**  
**07**

**Working Paper**

**INSTITUTO DE POLÍTICAS Y BIENES PÚBLICOS (IPP)**

**NATIONAL AND  
SUBNATIONAL DEMOCRACY  
IN SPAIN:  
HISTORY, MODELS AND  
CHALLENGES**

**ELOÍSA DEL PINO**

**CSIC-INSTITUTE OF PUBLIC GOODS AND POLICIES**

**CÉSAR COLINO**

**UNED-FACULTY OF POLITICAL SCIENCE AND SOCIOLOGY**

## **INSTITUTO DE POLÍTICAS Y BIENES PÚBLICOS, CCHS-CSIC**

Copyright ©2010, Del Pino, E. & Colino, C.. All Rights reserved.  
Do not quote or cite without permission from the author.

Instituto de Políticas y Bienes Públicos  
Centro de Ciencias Humanas y Sociales  
Consejo Superior de Investigaciones Científicas  
C/ Albasanz, 26-28.  
28037 Madrid (España)  
Tel: +34 91 602 2300  
Fax: +34 91 304 5710

<http://www.ipp.csic.es/>

The working papers are produced by Spanish National Research Council – Institute of Public Goods and Policies and are to be circulated for discussion purposes only. Their contents should be considered to be preliminary. The papers are expected to be published in due course, in a revised form and should not be quoted without the authors' permission.

### **How to quote or cite this document:**

Del Pino, E. & Colino, C. (2010). National and Subnational Democracy in Spain: History, Models and Challenges. Instituto de Políticas y Bienes Públicos (IPP), CCHS-CSIC, Working Paper, Number 7.  
Available: <http://hdl.handle.net/10261/24408>

# NATIONAL AND SUBNATIONAL DEMOCRACY IN SPAIN: HISTORY, MODELS AND CHALLENGES

ELOÍSA DEL PINO

CSIC-INSTITUTE OF PUBLIC GOODS AND POLICIES

ELOISA.DELPINO@CCHS.CSIC.ES

CÉSAR COLINO

UNED-FACULTY OF POLITICAL SCIENCE AND SOCIOLOGY

CCOLINO@POLL.UNED.ES

\*A reduced version of this working paper will be published as “Spain: Strong Regional Government and the Limits of Local Decentralization”, in *The Oxford Handbook of Subnational Democracy in Europe*, Oxford: Oxford University Press. 2010

## ABSTRACT

Democracy in Spain is embedded in a typical configuration of institutional elements characteristic of the Spanish state organization and culture that have been determined by its particular political history, but are comparable to other European states. However, it is not easy to categorize Spain clearly into a single state tradition model. Recent transformations have meant a complete redistribution of power and a rescaling of the traditional Spanish state institutions. The Spanish model of subnational democracy has evolved parallel to the consolidation of the first successful experience of liberal democracy occurred at the national level during the last thirty years. Democracy at the subnational level has been influenced by the state tradition, but at the same time has transformed its structure and the behaviour of political actors from a consensual towards a more majoritarian model. This has been done alongside far-reaching decentralization and the emergence of particular regional democratic institutions, party systems, welfare state policies and the recovering of local self-government.

**CONTENTS**

1. INTRODUCTION: THE HISTORY OF THE DEMOCRATIC STATE IN SPAIN .....	4
2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY. STATE TRADITION AND MODEL OF DEMOCRACY .....	7
3. THE INSTITUTIONAL EXPRESSION OF SUBNATIONAL DEMOCRACY .....	12
The institutional framework of subnational authorities .....	12
Subnational politics .....	19
Subnational citizenship and participation .....	23
Subnational governance .....	26
Spanish Subnational democracy in the Lijphart-Hendriks typologies .....	28
4. CHALLENGES AND OPPORTUNITIES OF SUBNATIONAL DEMOCRACY IN SPAIN .....	29
5. RESPONDING TO THE CHALLENGES AND OPPORTUNITIES .....	31
6. CONCLUSIONS .....	34
REFERENCES .....	36

## 1. INTRODUCTION: THE HISTORY OF THE DEMOCRATIC STATE IN SPAIN

Liberalism arrived early in Spain with the 1812 Constitution, which followed the War of Independence against the Napoleonic occupation. But the Constitution was influenced by the very country – Revolutionary and Napoleonic France – against which Spain was fighting, and it proclaimed the idea of national sovereignty and universal male suffrage. Spanish liberalism, however, was weak and had several peculiarities. It had to struggle during the whole nineteenth century with the supporters of the ancient regime —absolutists and Catholic traditionalists concentrated in some of the north-eastern territories. This meant that, although the moderate liberals who dominated the second third of the century favoured state centralization and created provinces on the model of the French *départements* in 1833, they failed to abolish some of the *ancien régime* privileges or charters (*fueros*) in such territories as the Basque Country and Navarre. Instead, they formed alliances with the local nobilities and bourgeoisies, who retained some special institutions and tax exemptions. Hence, there was never a true Spanish liberal Jacobinism seeking to overcome the remains of the *ancien régime* in several of the provinces (González Antón 2007). Centralism remained at the formal level but in practice localism prevailed. Liberal progressives, republicans and democrats were excluded from government for most of the century and when they came to power after the 1868 Revolution many of them also supported a more ‘*girondin*’ vision based on the old liberties of the old provinces and kingdoms as the basis of the Spanish democratic tradition. In contrast, other republicans and socialist parties would identify democracy with a new centralized state against the forces of the old regime. These forces would attack the First Republic again in the 1870s, with the second Carlist war (Nuñez-Seixas 2008).

Regarding the evolution of the Spanish nation-state, moderate liberalism initiated a state-building project similar to other European countries, modelled on the French state. During the long reign of Isabel II, they carried out some codification, economic integration, building of infrastructures and creation of national symbols. An example of those measures was the unification of the law, the first criminal code of 1844 and 1870, the Civil Code (1855 and 1880), the unification of the tax system (1845) and of the currency (1868). Also, the enactment of the first laws on education and the creation of the Guardia Civil (1844) as a state-wide police corps (Moral 2007). However, by mid-century the Spanish state showed many weaknesses and a chronic fiscal crisis due to several factors. These were, for instance, the devastating effects of the War of Independence, the loss of its empire and naval power, with the related loss of trade benefits from the colonies, and the several internal wars against the proabsolutist ‘Carlists’ in the 1830s. That meant the state inherited several shortcomings compared to other large European states: it was inefficient, small, with an incompetent and clientelistic administrative apparatus and public services that emerged much later than in western and northern European countries. It also suffered from a typical lack of legitimacy, being opposed first by absolutists and the Church, then by republicans and then by socialist, anarchist and regionalist movements. It thus failed to produce a liberal-democratic concept of state citizenship and experienced many

episodes of political violence. Revolutions and changes of governments and constitutions were almost always carried out through the intervention of the military, which became the instrument of the liberal and the democratic revolutions (Genieys 2004; Diamandouros et al. 2006, Vincent 2007).

Despite the existence of a clear Spanish nationalism shared by the liberal and pro-absolutist elites, during the nineteenth century no systematic nation-building or political socialization project or ideology accompanied the liberal state-building that could mobilize the population around a common national project or around a now lost colonial empire. Due to the on-going fiscal crisis, neither the army nor public education were able to nationalize the masses around a liberal national ideology. The army was inefficient and expensive, with politicized officials with no clear external mission or war. It turned to internal enemies such as Carlism — later reconciled and integrated after the compromises that ended the Carlist wars—and to the working class and regionalists. Public education was underfunded, totally controlled by the Church, which traditionally opposed liberalism, and left to financially poor local authorities (Sepulveda 2002, Muñoz Machado 2006).

Nationalization of the masses was weak compared to France, but it was not more problematic than in Germany, Britain or Italy, let alone Austria-Hungary. In any case, this relative weakness of nation-building and of the Spanish state capacity to operate effectively coincided with, and reinforced, the persistence of cultural and institutional particularisms and traditionally strong local identities and languages. Several economic and social circumstances such as a differential industrialization in Catalonia and the Basque Country would combine with socio-cultural differences to lead to the emergence of regionalisms, and later nationalisms in several territories. Their elites based autonomy claims on the idealization of their alleged historical institutions and medieval liberties and immunities under the Spanish monarchy. Sub-state nationalism thus rose simultaneously with the extension of a Spanish national identity in all the country that, as in other European countries, gathered strength as national markets grew, as urbanization progressed and systems of transport and mass communication developed (Fusi 1990). By the end of the century, there existed already a Spanish liberal national discourse and a national public sphere shared by the liberals and the republicans, but also by the labour movement. From the beginning of the twentieth century, with the loss of the last remnants of the Spanish Empire and the disastrous war against the US, emerging regionalist elites mainly in Catalonia complained about the inability of the Spanish state to defend their economic interests. As a result, regionalist claims transformed into nationalist movements, proposing alternative nation-building projects and at the same time seeking to participate and reform the Spanish political system through their own parties (De Blas 2007).

As regards the evolution of liberal-democratic institutions and ideas, democratic revolutions similar to those in the continent did not occur in Spain until the end of the 1860s. Progressive liberals and republican democrats produced the 1869 constitution. After much instability, both unitarist and federalist republicans attempted a more advanced short-lived constitutional federal

republic. It produced a federal constitutional project in 1873 that was never approved. This regime failed to consolidate and ended in social chaos, with several presidents in less than two years. Some of the liberal-democratic achievements of this revolution were consolidated after 1876 with the new liberal constitutional Restoration monarchy. This constitution, which lasted until 1931, was based on a notion of shared sovereignty between the parliament and the king and a system of patronage and organized elections by the liberal and conservative parties. These parties would secure alternating parliamentary majorities through electoral manipulation and fraud, using a clientelistic network of local notables —*caciquismo*— This system, not very different from similar arrangements in other European countries at that time, promoted nonetheless constitutional government, parliamentarianism, and stability during several decades (Juliá 1995; Moreno 2007).

Male universal suffrage, freedom of speech and association were not effectively consolidated until the 1890s, with the liberal governments in office (Varela 1997), but after that, there were also long periods of exceptional rule and suspension of rights to repress the labour movement, partly due to the anarchist use of terrorism, which killed several Spanish prime ministers at the turn of the century. Growing political instability and permanent social unrest and political violence led the king to support the military dictatorship initiated with the coup of Primo de Rivera in the 1920s.

In this sense, the transition from liberalism to democracy, which occurred peacefully and gradually in other European countries at the turn of the century, was frustrated in Spain. This was due to the erosion of the constitutional parties of the Restoration and the lack of continuity of a liberal political class, the absence of a Catholic democratic party committed to liberal democracy and the virtual exclusion from the parliament of the groups outside the system —republicans, regionalists and the labour movement— either through the organized electoral manipulation, or through the military dictatorship of Primo de Rivera in the 1920s. Besides that, the labour movement was dominated by anarchist and revolutionary Marxist movements, which were not committed to elections, parliamentarianism, or liberal democracy either. The limits of suffrage and the exclusion of these groups prevented the creation of a party system similar to other continental countries. The opposition of republicans, left parties and regionalists to the Restoration monarchy, for them a corrupt democracy, and then to the military dictatorship, and their criticism of the state and the monarchy, led them to ally to promote the instauration of the Second Republic in 1931.

The Second Republic introduced female suffrage in 1933 and an advanced democratic constitution in terms of democratic rights. It allowed for decentralization and the integration of the new urban middle classes and workers into the system. As in other periods, and as a reaction to the centralism and authoritarianism of previous regimes, democracy was identified with territorial autonomy and cultural recognition, and the forces that sustained the republic came mainly from the left and from sub-state nationalisms and small centre-republican parties (Townson 2001). The Republic, however, showed the difficulties of a shaky liberal democracy in Spain supported

by weak social bases. The fragmentation and polarization of its party system, and its enemies on the left and the right made it vulnerable again to military intervention (Álvarez Tardío 2005). This time the coup provoked a horrific civil war, which would be the prelude of WW II in the rest of Europe and eventually large parts of the world, and extinguished liberal democracy during the long dictatorship of Franco lasting from 1939 to 1976.

The transition to democracy in 1977 and its consolidation in the early 1980s required the combined action of elites and civil society with a skilful leadership through a process of ‘crystallization’ of institutions and new patterns of behaviour originated during the economic and cultural modernization phase in the 1960s. It also implied the conscious willingness of avoiding the mistakes considered to have led to the demise of democracy and to civil war in the 1930s (Juliá 1994; Gunther et al. 2004). The design of new institutions, together with the moderation and demobilization of the mass movements and the support of parties both from the left and the right and regional nationalists, served as a necessary condition of the successful negotiation and accommodation between elites of a new constitution which somewhat ‘refounded’ Spanish democracy and the Spanish state (Powell 2001; Tusell 2007).

The new 1978 Spanish constitution would embrace democracy, rule of law, cultural pluralism and the welfare state as their main values. It was intended by its founding fathers to promote political stability and the prevention of conflict and polarization. Issues where complete agreement could not be reached were dealt with through ambiguous formulas, to be resolved when democracy was fully consolidated. It restructured the traditional Spanish state by identifying democracy with regional and local autonomy thus creating the basis of new constitutionally protected local self-government and regional democracies. By recognizing nationalities and regions throughout the Spanish territory, it responded to old aspirations of autonomy not just in the territories with nationalist movements but in all of them. At the same time, the process still followed the old Spanish familiar pattern of constitutional pacts with territorial local elites. In this case, a new pact was made with nationalist elites of the Basque Country that recognized pre-constitutional historical rights giving special fiscal powers to their territories in return from their acceptance of the constitution and the relinquishing of political violence. At any rate, it was the first constitution that elicited high popular consensus and legitimacy and the only one to have allowed a true liberal democracy to flourish in Spain.

## **2. THE INSTITUTIONAL EXPRESSION OF DEMOCRACY. STATE TRADITION AND MODEL OF DEMOCRACY**

Democracy in Spain is embedded in a typical configuration of institutional elements characteristic of the Spanish state organization and culture that have been determined by its particular political history, but are comparable to other European states. However, it is not easy to categorize Spain clearly into a single state tradition model. Recent transformations have meant a complete redistribution of power and a rescaling of the traditional Spanish state institutions. A modern



welfare state has been built in the process virtually from scratch in the last 30 years. Welfare state institutions and policies have been essentially operated by subnational governments. Accordingly, regions and local governments have come to control more 50 per cent of public expenditure and have 73 per cent of public employees in the country. Due to this restructuring since the beginning of the democratization period, it shows now a mixture of traits from the Napoleonic and the Germanic state traditions (Loughlin and Peters 1997).

Regarding the Napoleonic features, many of them were explicitly imported from France during the nineteenth century. For example, legalism and the important role of civil servants corps and administrative law as a separate body that regulates all public life, the rights and duties of citizens, and at the same time safeguards them from the undue action of public administration. The Spanish state had been characterized until the end of the 1970s by a centralized bureaucracy, a prefectural system organized in provinces, the supervision of local governments by central government, and a role for national career civil servants as separate bodies at all levels. It had also featured a largely legal technocratic policy style and a typical public law approach towards the everyday management and the study of public administration. Most, but not all, of these traits have eroded, or evolved, with the creation of Autonomous Communities (ACs) and the devolution of powers and resources to them (Parrado 2008).

The state has clearly been transformed in the direction of the Germanic state tradition, even if paradoxically, some of the Napoleonic traits have remained entrenched in the new established regional governments. For example, legalism, centralized administration at the regional capitals, largely prefectural organization in their territories, or the informal dominance or supervision over local governments, which have repeatedly been denied additional legislative or implementing powers and resources by regional governments. That means that the form of political organization of the Spanish state, which experimented with some asymmetrical devolution during the Second Republic in the 1930s but remained a unitary state, has evolved towards a composite or federative state. This has occurred through the constitutional entrenchment of regional and local autonomy, and the entrenchment of some asymmetries in certain territories that remind more of the Anglo-Saxon than the Germanic tradition (Aja 2001; Watts 2009).

The form of decentralization has thus evolved from some asymmetrical devolution towards a kind co-operative federalism with shared competences and revenues in most policy areas, alongside weak local autonomy in practice. Despite the considerable devolution process, the central Spanish government maintains a relevant concurrent legislative role and its own state-wide implementation network for some policies such as social security, public order, infrastructures, tax collection (with the exception of the Basque Country and Navarre). That has led to efforts at rationalizing its central and deconcentrated administrative organization and co-ordinate with regional and local administrations to deliver public services (Parrado 2008).

Regarding state-society relations, the Spanish state tradition also presents a mixed picture. They have oscillated between organicist and corporatist. The Spanish state attributes itself a central

role in integrating society and intervening in most areas of civil society, but at the same time being unable to perform adequately and respond to their demands due to its traditional lack of resources. This interventionist role has traditionally led to the dominance of corporatist interest intermediation over pluralistic access to decision-making processes and has been shifted to the role of political parties as only or main intermediaries between citizens and the state. This particular Spanish state tradition may have influenced the theory and practice of democracy by citizens and authorities, both in the legislative and the executive branches at the national and subnational levels. For example, state interventionism, the political culture of so-called ‘cynical statism’ of most of the population—a general complaint about government alongside an intense preference for public provision of services and policies—, and the legalistic and hierarchical conception of the role of governments, combined with the recent strong ‘colonization’ by parties of most state bodies, for example, the Council of the Judiciary and the Constitutional Court.

We may try to categorize the structures and practices of Spanish democracy, as it has developed in the last thirty years, using the famous Lijphart typology of Westminster and consensus models of democracy. Spain does not lend itself easily to classification in this respect either. Due to the combination of institutional traits developed with the recent transformation and to the workings of several informal elements that operate differently in different periods, it is difficult to assign Spain consistently into one of Lijphart’s ideal types. What seems clear is that Spanish democracy shows, at least in their formal arrangements, a combination of predominant majoritarian features in the executive–parties dimension with a consensual configuration in the federal–unitary dimension.

In the executive–parties dimension, all features are clearly majoritarian except the interest-group system, which showed punctuated periods of corporatist concertation during the transition years. If we look at the other characteristics, Spanish democracy shows a clear concentration of executive power in single-party majority cabinets, without having experienced a single executive coalition. Even in the case of minority government, the most frequent situation in the Spanish parliament, central governments dispose of both political and constitutional resources that make them able to govern as if they had a majority (Ajenjo and Molina 2009). The executive, in particular the prime minister, is dominant in executive legislative relationships. This produces a comparatively high stability of governments and a loss of influence of parliament. Several factors account for this dominance, the discretion of the prime minister to appoint his cabinet - not accountable to parliament - the rules on the parliamentary groups promoting total party discipline, and the existence of the constructive non-confidence vote, taken from the German Constitution, requiring an absolute majority. That means that all the opposition groups have to agree to support an alternative candidate before ousting a prime minister (Field and Hamman 2008).

In addition, the electoral law, theoretically proportional but with clear disproportional effects, due to the small size of most constituencies - half of them working as in a purely majoritarian

system - has shaped a largely bipolar and highly stable party system. This has produced a restraint on competition and a low partisan polarization and fragmentation. Third parties at the national level have been gradually disappearing. Besides, despite the consensus-seeking behaviour and the moderation of elites typical of the first years of transition, party politics and competition since the mid-1990s have been evolving very clearly towards adversarial politics and high polarization between the two main state-wide parties typical of some majoritarian democracies (Hopkin 2005; González and Bouza 2009). Polarization of the media, the conscious negativism of campaigning strategies, and the personalization of politics have reinforced this trend (Sampedro and Seoane 2008). In the other hand, this Spanish form of majoritarianism is occasionally tempered by some informal practices. These are the informal parliamentary coalitions with small or non-state-wide parties, the existence of certain conventions in the workings of parliament, and partisan proportionality in the election or appointment of members of constitutional bodies. Parliamentary collaboration among all groups has also remained usual regarding legislation on basic institutional rules, if not so much in policy sector-specific legislation (Gunther et al. 2004; Field and Hamman 2008).

If we turn to the federal–unitary dimension, we find more similarities with consensual democracies, since Spain displays features of federal and decentralized government, a rigid constitution that may be changed only by supermajorities and two consecutive legislatures; strong judicial review of constitutionality through courts and a Constitutional Tribunal, and an independent central bank typical of the consensus model. It also has a second chamber, the Senate, which although clearly not powerful, may have some scrutiny and control role. It has only suspensive veto capacity and is subordinated in most issues to the Congress of Deputies. Since 2004, however, the Senate’s party composition has been different to that in the Congress, with the main opposition parties - the People’s Party and Catalan nationalists - able to veto legislation passed by the lower chamber if allied against the government. The Senate has returned the national budget bill to the Congress in 2004, 2007 and 2008. Even in these cases, the Congress has been able to override the veto by negotiating a majority vote with different groups.

Following the typology proposed by Hendriks (see introduction), we should also seek to look at whether decisions are made in an aggregative versus an integrative fashion, and at the role of the institutions and preferences for representative democracy versus direct involvement of citizens in decision making. We should also consider other informal behavioural elements and their contrast with the formal arrangements and regulations. From the discussion above, it seems clear that most decisions are taken in an aggregative process, even if for some institutional policy decisions there is a tradition of reaching the widest possible agreement through a typical consensus-building process between elites more typical of integrative democracy.

Maybe as a consequence of past experiences with democracy and the way the transition was accomplished, stability and governability seem to be more valued by politicians and citizens

alike than representativeness and inclusiveness of all minorities and groups. This has been reflected in the reinforcement of executives and the parties' centralization. Some of the problems of aggregative or majoritarian decision-making, such as the possible representational bias regarding some cleavages, have been avoided, however, through informal arrangements or due to the effects of the electoral formula. These have worked well to allow fair representation of the two main cleavages, the territorial one –through fair representation of sub-state nationalist and regionalist parties— and the left-right one within state institutions –with the incorporation of labour through left parties and the alternation in office— (Field and Hamman 2008). Third national parties with a spread vote, however, as an unintended effect of the electoral system, may be said to be unfairly represented.

As regards representative versus direct democracy, we should distinguish between the rules and the reality. The 1978 Spanish Constitution mandates the government “to facilitate the participation of all citizens in political life” and establishes the right of citizens to participate in public affairs, not only through representatives but also directly. It regulates the so-called citizens or popular legislative initiative and the possibility of consultative referendum on policy decisions. It recognizes the direct-democratic system of open council for small municipalities and the obligation of public authorities to listen to organizations and users, the right of teachers, parents, and students in the control and management of schools, etc. Other national regulations appeal to the principles and forms of citizen participation, such as procedural administrative laws, laws on Local Government and the regional Statutes of Autonomy, especially of the most recent generation (Aguiar 2000; Sánchez Morón 2008).

The practice of democracy at the national level, however, differs strongly from these rules and is characterized by the domination of representative democracy, especially through the monopoly of political parties in the institutional arena coupled with a relatively high turnout in national and subnational elections. Political participation and party and union membership have remained low despite political and social and value changes (Torcal et al 2005; Morales 2005; Mota 2006). Socialization during the dictatorship, where lack of civil and political liberties led to total privatization of life and feelings of apathy and lack of trust, may explain this. Despite very high and stable support for democracy, not affected by its performance, the transitional way of elite accommodation may have reinforced for many observers a political culture of disaffection (Benedicto 2004). As both citizens and parliamentary representatives recognize, it is clear that despite regulations supporting the involvement of citizens, there is low participation and a low wish to participate (Martínez 2006).

At the same time, institutional design decisions about the electoral system and the party funding regulations reinforced parties. Furthermore, the internal life of most parties has also prevented party members' involvement despite some attempts to use primary elections within them and the decentralization in regional party organizations. The late arrival of Spanish democracy would explain some of these peculiarities, such as weak party membership, and others such as the comparatively high influence of television and other media in voters, the ‘presidentialization’

of the executive power and the increasing cartelization of the political parties. Spain did not experience the rise of mass and catch-all parties in the mid-20th century, and leaped straight to a later stage, more dominated by individualism, post-materialism, or what has been called the Americanization of Spanish politics (Magone 2009).

In sum, this mostly aggregative process and its representative or indirect democratic nature produces a typical model of *pendulum democracy* (Hendriks) in which power alternates between two parties, and where citizens periodically cast their votes and hand over legislative powers to their elected representatives. These produce mostly single-party cabinets that take their own decisions and make policies on their own, which may be reversed or changed by the in-coming government. Although with consistently high turnout, citizens limit themselves to participate in elections. Participation will be higher or lower depending on polarization and the main issues involved. This pendulum democracy may occasionally be tempered by some informal elements of a more integrative nature and by some direct formal elements contemplated in the national and regional laws.

### 3. THE INSTITUTIONAL EXPRESSION OF SUBNATIONAL DEMOCRACY

#### The institutional framework of subnational authorities

Spain is composed of seventeen Autonomous Communities (ACs) with constitutionally entrenched autonomy, whose legislative assemblies are directly elected by their citizens. All of the ACs have adopted parliamentary systems in which regional presidents and governments are politically responsible to regional parliaments.

**Table 1. The number of inhabitants in Autonomous Communities (2008)**

SPAIN	46,157,822
Andalusia	8,202,220
Aragon	1,326,918
Asturias	1,080,138
Balearic Islands	1,072,844
Basque Country	2,157,112
Canary Islands	2,075,968
Cantabria	582,138
Castille & Leon	2,557,330
Castille-La Mancha	2,043,100
Catalonia	7,364,078
Extremadura	1,097,744
Galicia	2,784,169
Madrid	6,271,638
Murcia	1,426,109
Navarre	620,377
Rioja	317,501
Valencia	5,029,601
Ceuta and Melilla	148,837

Source: INE

In addition to the seventeen ACs, there are three types of elected local bodies in Spain: fifty provinces, 8,112 municipalities and ten islands (Table 1). More than two thirds of Spanish municipalities (71.5 per cent) have a population of less than 2,000 inhabitants; 85 per cent have less than 5,000 inhabitants, concentrating only 13.1 per cent of the population; 145 municipalities have more than 50,000 inhabitants with 52.5 per cent of the population. Twenty-four large municipalities of more than 250,000 have 30 per cent of the population (see Tables 2 and 3).

**Table 2. Range of Population Size in Municipalities. December 2008**

	Municipalities		Total population	
	Number	%	Number	%
<b>0 to 2,000</b>	5,797	71.5	2,837,647	6.1
<b>2,000 to 5,000</b>	1,025	12.6	3,217,354	7
<b>5,000 to 20,000</b>	906	11.2	8855578	19.2
<b>20,000 to 50,000</b>	239	2.9	6997338	15.2
<b>50,000 to 500,000</b>	139	1.7	16681191	36.1
<b>More than 500,000</b>	6	0.1	7568714	16.4
	8,112	100	46157822	100

Source Ministry of Public Administration

Provinces are based on territorial divisions established in the early 19th century and comprise inter-municipal councils with indirectly elected provincial governments (*diputaciones*) and presidents, which assist and co-operate with municipalities ensuring the provision of local services to the smallest ones. During the devolution process seven provincial governments were merged with regional governments in those ACs formed by only one old province —Asturias, Cantabria, La Rioja, the Balearic Islands, Madrid, Murcia and Navarre—. The Spanish islands —Balearic and Canary Islands— are served by councils that perform functions similar to those of the continental provinces and possess some of the powers of the other ACs.

ACs have also established other subnational units of government. Catalonia and Aragon have been active in creating counties (*comarcas*) for multi-municipal servicing and planning. Moreover, several ACs have established 1,023 inter-municipal single or multi-purpose horizontal service partnerships (*mancomunidades*), by bringing together two or more municipalities to manage local public services (Agranoff 2007). Special arrangements also exist for the two autonomous cities in North Africa (Ceuta and Melilla) and the major cities of Madrid and Barcelona. The metropolitan areas of Spain's other large cities are not served by their own government bodies, since ACs have opposed such structures because they would compete for powers and functions (Alba and Navarro 2005). Nonetheless, the metropolitan areas of some large cities such as Barcelona and Valencia do provide different organizational structures for selected public services.

**Table 3. The number and types of local authorities by Autonomous Community (2009)**

Autonomous Communities	Municipalities	Provinces	Islands	Sub-municip. units	Mancomunidades	Comarcas	Metro-politan Areas	Other	Total
Andalusia	770	8	0	47	89	0	0	0	914
Aragon	731	3	0	43	62	32	0	0	871
Asturias	78	1	0	39	19	0	0	1	138
Balearic Islands	67	1	4	1	7	0	0	0	80
Basque Country	251	3	0	340	37	7	0	0	638
Canary Islands	88	2	7	0	17	0	0	0	114
Cantabria	102	1	0	524	22	0	0	0	649
Castile & Leon	2.248	9	0	2.233	244	1	0	13	4748
Castille-La Mancha	919	5	0	40	134	0	0	1	1099
Catalonia	946	4	0	58	73	41	2	0	1124
Extremadura	383	2	0	26	73	0	0	0	484
Galicia	315	4	0	9	41	0	0	0	369
Madrid	179	1	0	2	49	0	0	0	231
Murcia	45	1	0	0	8	0	0	0	54
Navarre	272	1	0	352	60	0	0	2	687
Rioja	174	1	0	4	27	0	0	0	206
Valencia	542	3	0	7	61	0	2	0	615
*** Autonomous Cities	2	0	0	0	0	0	0	0	2
<b>TOTAL</b>	<b>8112</b>	<b>50</b>	<b>11</b>	<b>3725</b>	<b>1023</b>	<b>81</b>	<b>4</b>	<b>17</b>	<b>13023</b>

Source: Registro de Entidades Locals 05/01/2009.

If we look at the executives and legislative bodies and their leaders, their electoral systems and financial arrangements in all these subnational governments, we should first refer to ACs, which comprise overall 17 legislatures with 1186 regional MPs and play an important role in shaping regional politics and policies. Their role, however, is conditioned by the predominance of regional executives (López Nieto 2004). The presidents and governments of the regional executives have followed the model of the central government. Regional prime ministers have had considerable influence in their institutional systems. This influence is greater when they control their party organizations and are charismatic leaders (Calvet 2007). They have important powers such as the appointment of regional ministers and the structure of governments thus leading to ‘presidentialization’ of regional governments (Magone 2009). The fact that they usually are the leaders of their party regional branches, along with the effects of the parliamentary system, has made them the main representatives of their territories’ interests and also given them political influence at the centre. This is particularly true when their own parties are not in office in central government. There have been around sixty different presidents, 80 per cent of whom belonged to the two main state-wide parties. In addition, a regional political class has developed, but there is also a high degree of circulation between regional and national political careers (Oñate 2006).

Regional statutes of autonomy in all ACs regulate their electoral systems and almost all of them have approved electoral laws that outline electoral procedures (Table 4). Regional electoral systems share the basic features of central regulations such as closed, blocked party lists, and the D’Hondt formula. The number of seats, the type and size of the districts and the

electoral thresholds all vary across ACs and have changed in some cases over time - all ACs have thresholds to win seats, although these vary between 3 and 5 per cent of valid votes. Overall, regional electoral systems produce more proportional effects than those of general elections, since 40 per cent of constituencies assign more than fifteen seats (López Nieto 2008).

**Table 4. The electoral system(s)**

Elected institution	Electoral rules
Congress of Deputies	<ul style="list-style-type: none"> <li>• 350 members directly elected by universal adult suffrage for a four-year term of office. Fifty provincial constituencies is entitled to an initial minimum of two seats.</li> <li>• The remaining 248 seats are allocated among the fifty provinces in proportion to their populations.</li> <li>• Closed and blocked party lists,</li> <li>• Seats apportioned according to the largest average method of proportional representation (PR) D'Hondt.</li> <li>• Three percent threshold of all valid votes cast in the constituency, including blank ballots.</li> </ul>
Senate	<ul style="list-style-type: none"> <li>• 208 Senators elected directly by voters</li> <li>• Majority system applied in provincial multi-nominal constituencies with open lists.</li> <li>• Each mainland province directly elects four Senators, Island provinces elect three senators on each of the larger islands and 1 on the remaining islands or groups of islands. Cities of Ceuta and Melilla also directly elect two Senators each.</li> <li>• 56 Senators are appointed by the Legislative Assemblies of each Autonomous community pursuant the procedure laid down in its own legislation.</li> </ul>
Autonomous Communities Parliaments	<ul style="list-style-type: none"> <li>• Different number of deputies to elect (ranging Catalonia with 135 seats to La Rioja with 33).</li> <li>• Different types of districts</li> <li>• Proportional representation with D'Hondt formula and multimember districts</li> <li>• Threshold of 3 % or 5 % of valid votes in a district</li> </ul>
Local governments	<ul style="list-style-type: none"> <li>• Municipality is a single district with a number of councillors according to population</li> <li>• Majoritarian uninominal in small municipalities (&lt;100), majoritarian plurinominal with open lists and preferential vote (25- 250), proportional plurinominal in municipalities (&gt;250)</li> <li>• Mayor elected by the councillors in towns of more than 5000, by the citizens assembly in open council municipalities in less than 100 inhab.</li> <li>• If there are no majority, the head of most voted list gets elected</li> <li>• Threshold of 5%</li> </ul>

Source: Own elaboration

There are two distinct funding arrangements and tax systems for the ACs: the common and the special or charter regimes – for the Basque Country and Navarre (Loughlin and Lux 2008). These two ACs have maintained particular fiscal and tax regimes, which allow them to raise their own taxes and negotiate a transfer to Madrid to pay for common services. This is a source of tension, but agreement has always been reached. The scheme causes some resentment in other regions, since the Basque Country and Navarre not only are able to have a higher level of public of regional public expenditure per capita, but they are also not integrated in the structured system of state-wide fiscal equalization despite being among the wealthiest regions in Spain. Within the common regime, ACs' revenue autonomy has significantly increased, through both the devolution of some taxes and the revenue sharing of tax yields in main taxes —personal income, VAT— (see Table 5). The Sufficiency Fund —fiscal equalization scheme—supplements the gap between the funding needs of ACs and their tax capacity with the existing taxes.



**Table 5. The subnational system of finances and taxation: sources of finance Autonomous communities 2006**

	Milion euros	%	%
<b>TAXES</b>	<b>70,587</b>		<b>55.7</b>
Own taxes	1,759	1.4	
Shared taxes	68,828	54.4	
<b>GRANTS</b>	<b>48,495</b>		<b>38.3</b>
Sufficiency Fund	29,941	23.6	
Grants from EU	8,608	6.8	
Interterritorial compensation Fund	1,142	0.9	
Other grants	8,804	7.0	
<b>BORROWING</b>	<b>4,898</b>		<b>3.9</b>
<b>OTHER REVENUES</b>	<b>7,544</b>		<b>2.1</b>
Provincial revenues	191	0.2	
Fees and others	2,455	1.9	
<b>TOTAL REVENUES</b>	<b>126,627</b>		<b>100.0</b>

Adapted from Bosch and Vilalta (2008),

Regarding municipalities, the municipal executive is formed by the mayor (*alcalde*), who presides the full council (*ayuntamiento*) comprising all elected councillors. Legislation dictates the number of councillors according to population size. The largest cities have between twenty-five and fifty-five councillors -in Madrid-, but around twenty-seven in most large cities. In Spain, there are more than 65,000 elected councillors, 50 per cent of whom are in municipalities with populations between 250- 5,000 and of whom 31 per cent are women. There are 8,112 mayors, of which 15 per cent are women (see Tables 6).

**Table 6. How representative local councillors are by... (Percentages)**
**Table 6a. Age**

	Councillors 03	Councillors 07
18 a 25	0.7	2.22
26 a 45	46.72	51.48
46 a 65	46.26	42.47
Más de 65	6.32	3.83
	100	100

**Table 6b. Gender**

	2003			2007		
	Mayors	Councillors	Major +Councillors	Mayors	Councillors	Major+Councillors
Men	91.96	73.87	82.91	85	69	77
Women	8.04	26.13	17.1	15	31	23
	100	100	100	100	100	100

**Table 6c. Social class. Level of education**

	Mayors	Councillors	Majors+Councillors
No education	0.34	0.47	0.405
Incomplete	6.94	6.44	6.69
Secondary	25.94	28.91	27.425
Vocational Training	12.12	13.18	12.65
High School	17.95	17.22	17.585
Pregraduate studies	18.83	15.89	17.36
Graduate studies	17.87	17.89	17.88
	100	100	100

Source: Registro de Representantes Electos (Ministry of Public Administration)

Until very recently, the full council also had many executive powers. Several reforms of national legislation regulating local institutions have tried to strengthen local democracy by attributing to the mayor more executive powers and administrative tasks, and have limited the power of the council to that of making strategic decisions or regulations. Reforms have given the full council more scrutiny and control powers over the mayor, which means local government has been under a process of progressive ‘parliamentarization’. These reforms have introduced the automatic calling of the full council, the censure motion, and the motion of confidence in the mayor, related to the adoption of certain decisions such as budgets, organizational regulations, urban planning, or financial controls (Salvador 2006). Recent attempts have also been made in law to decentralize local council administration through the creation of districts. So far, and with the exception of a few cities, councils had been reluctant to decentralize or even to deconcentrate their administration. A highly centralized model has prevailed with concentration of power in the hands of the mayor and their deputy mayors.

The political profile of the mayor has also been reinforced by transferring most of his administrative functions (public procurement, public services, local public employment, economic management, permits and authorizations, and others) to the local government board or cabinet, formed by several councillors supporting the mayor (Salazar 2007). Especially in large cities, a strong executive body has taken on most of the management functions from the mayor (Magre and Bertrana 2005). This has also ended with the traditional concentration of executive powers in the mayor and the traditional local ‘semi-presidentialist’ model, produced in practice by his domination of the local party structure and its independence from the national parties. In many cases continued electoral success and the support of the local party may maintain the mayor in power for many years.

The main bodies of the provincial governments are the president and vice-president of the provincial council (*Diputación*), the plenary assembly of the provincial council, formed by delegates of the different municipalities within the province, and the government commission, which supports the president, formed by several members of the provincial council (Salazar 2007).

The mayor is elected by the councillors in the full council, and must be a party group leader. Normally the mayor is the leader of the largest party but not always so. The mayor's office lasts four years, unless he loses a motion of censure. The municipal electoral regulations contained in national framework laws, establish a procedure under which the head of the most voted list becomes the mayor in case that none of the party group leaders obtains a majority of votes. There is no possibility of dissolving the council or calling for new elections, which may produce instability in those cases where none of the party leaders is able to command a majority and is subject to repeated motions of censure or vulnerable to the effect of turncoat councillors.

Citizens elect councillors directly through a system of closed party lists. In the case of municipalities with fewer than 100 inhabitants (934 municipalities, 11.51 per cent), subject to the open council regime, the mayor is elected through a majority vote in the citizens assembly. The same is true in the 3,814 sub-municipal units, where citizens elect sub-local mayors (*alcaldes pedáneos*) directly. For municipalities with populations between 100 and 250 inhabitants (20 per cent of them), five councillors have to be elected through *panachage*<sup>1</sup> in open lists and preferential vote. Councillors then elect the mayor. For municipalities with more than 250 inhabitants (69 per cent) election of the mayor is made by the councillors in closed party lists and a proportional formula. Three quarters of councillors are elected in councils whose size is between 7 and 17 councillors, and 14 per cent in districts of five councillors. This means that the electoral system has effects that are more proportional in large cities and is more majoritarian in small municipalities. Overall it is more proportional than the national system (Delgado 2008).

The main funding for local governments comes mainly from the central government but since recently also from the ACs (Loughlin and Lux 2008). Revenues, however, are clearly insufficient, since municipal governments carry out a great deal of unfunded mandates. Despite this, they have more tax autonomy than regional ones, since the share of own-source revenues is of 60 per cent (see Table 7). These are based largely on taxes and fees related to development permits, building and housing, which has led to many cases of irregular financing and to an uncontrolled urban development.

1 This allows voters to choose candidates from different party lists.

**Table 7. Revenue Composition of Municipalities for 2004 without borrowing**

<b>FEES, PUBLIC PRICES AND OTHERS</b>			<b>28.50</b>
<b>MUNICIPAL TAXES</b>			<b>31.92</b>
	Property Tax	16.06	
	Local Business Tax	3.04	
	Vehicle Tax	4.93	
	Tax on increased property values	2.92	
	Tax of constructions, facilities and infrastructure	4.95	
	Other	0.02	
<b>TAX SHARING</b>			<b>1.82</b>
	Personal Income Tax	0.97	
	Value Added Tax, VAT	0.6	
	Excise Duties	0.24	
<b>GRANTS</b>			<b>37.76</b>
	From Central government	20.63	
	From Autonomous Communities	9.31	
	From abroad	0.67	
	From other sources	7.15	

Source: adapted from López Laborda et al. 2006

### Subnational politics

Subnational politics has been dominated in the last decade, similarly to the national level, by the three main state-wide parties –Socialist Party (PSOE), the People’s Party (PP), and United Left (IU)–, and by several regional, AC-based or non-state-wide parties (Hanley and Loughlin 2006; Verge 2007). Some of the latter have also been important in the national parliament (Convergència i Unió (CiU) -, Basque Nationalist Party (PNV) and Canary Coalition (CC)) when supporting the Socialist and People’s Party minority governments (Pallarés and Keating 2006). Non state-wide parties are in parliament or cabinets in all but five regions. In Catalonia, the Basque Country, Galicia, Navarre and the Canary Islands they have given rise to distinct regional party systems. In some cases —until 2003 in Catalonia and 2009 in the Basque Country— they have dominated regional parliaments and cabinets from its inception. Also state-wide parties and their regional branches have adapted to decentralization and electoral competition with regional parties and have changed their organizations accordingly, gaining growing influence within state-wide party’s organizations and leadership.

Regarding government formation, most ACs – nine until 2009 but currently eleven - have single-party governments, of which nine rule with a majority (see Table 8a). The other six ACs are usually governed by coalition governments between state-wide and non state-wide parties —three dominated by non state-wide parties, Catalonia, Navarre, and Canary Islands, and three dominated by state-wide parties, Aragon, Cantabria, and Balearic Islands. Overall, in 46.4 per cent of regional elections there was a majority in parliament and government. In addition, in nine ACs there has been practically no alternation in government —six PP and three PSOE (López Nieto 2008). Catalonia and the Basque Country have alternated only after 30 years of

domination by nationalist parties. In twelve ACs the competition is bipartisan and in the other five it is multiparty, with three to five parties (Ocaña and Oñate 2006; Wilson 2009).

**Table 8.a. Government Formation and Electoral Results for State-wide and Non State Wide Parties in the last Regional Elections**

	State Parties or its regional branches	Non-State Wide Parties (% Votes)	Government formed by
Andalusia 2008	PSOE (48.1); PP (38.6); IU (7.1)	PA (2.9)	PSOE (Maj)
Aragon 2007	PSOE (41.03); PP (31.09); IU (4.12)	PAR (12.12); CHA (8.17); Other (4.72)	PSOE PAR (Maj)
Asturias 2007	PP (41.8); PSOE (41.6); IU (9.8)		PSOE (Min)
Balearic Islands 2007	PP (46.01); PSOE (31.75);	BLOC (9.8); UM (6.75);	PSOE UM PSM IU (Maj)
Basque Country 2009	PSE-EE/PSOE (30.70); PP (14.1); UPD (2.15);	PNV-EAJ (38.56); ARALAR (6.03); EA (3.6); EB-B (3.51);	PSOE (Min)
Canary Islands 2007	PSOE (34.72); PP (24.37)	CC (23.36);	CC PP (Maj)
Cantabria 2007	PP (41.52); PSOE (24.33)	PRC (28.87)	PSOE PRC (Maj)
Castile & Leon 2007	PP (49.41); PSOE (37.49);	UPL (2.74)	PP (Maj)
Castille-La Mancha 2007	PSOE (51.92); PP (42.45)		PSOE (Maj)
Catalonia 2006	PP (10.65)	PSC (26.82); CiU (31.53); Ciutadans-Partido de la Ciudadanía (3.03); ERC (14.03); ICV (9.52);	PSC ERC ICV (Maj)
Extremadura 2007	PSOE (52.9); PP (38.79)		PSOE (Maj)
Galicia 2009	PP (46.68); PSOE (31.02). UPD (1.41);	BNG (16.01); TEGA (1.11);	PP (Maj)
Madrid 2007	PP (53.3); PSOE (33.46); IU (8.89)		PP (Maj)
Murcia 2007	PP (58.49); PSOE (31.81); IU (6.24)		PP (Maj)
Navarre 2007	PSOE (22.4); IU (4.4)	UPN (42.2); CDN (4.4); NB (23.7)	UPN CDN (Min)
Rioja 2007	PP (48.74); PSOE (40.47);	PR (5.95)	PP (Maj)
Valencia 2007	PP (52.52); PSOE (34.49);	IU-CPV (7.07)	PP (Maj)

Source: Junta Electoral Central (2009) and own elaboration

Aralar (Basque Independentist Party); Bloc (Balearic Block); BNG. Bloque Nacionalista Galego (Galician Nationalist Block); Ciutadans-Partido de la Ciudadanía (Citizens' Party); CC. Coalición Canaria (Canary Islands Coalition); CDN. Convergencia de Demócratas de Navarra (Navarre Democrats' Grouping); CHA Chunta Aragonesista (Aragonesist Group); CÍU. Convergència i Unió (Convergence and Union); EA. Eusko Alkartasuna (Basque Solidarity); EB Ezquierda Batua (Basque United Left); IU Izquierda Unida (United Left); IU-ICV Iniciativa per Catalunya-Verds (Initiative for Catalonia-The Greens); NB Nafarroa Bai (Navarra Yes); PA. Partido Andalucista (Andalusian Party); PAR. Partido Aragonés Regionalista (Aragones Regionalist Party); PNV-EAJ. Partido Nacionalista Vasco (Basque Nationalist Party); PP. Partido Popular (Popular Party); PR Partido Riojano (Riojan Party); PRC. Partido Regionalista de Cantabria (Cantabrian Regionalist Party); PSOE. Partido Socialista Obrero Español (Spanish Socialist Party); PSE-EE (Basque socialista Party); PSC Catalan Socialist Party; UM. Unión Mallorquina (Mallorcan Union); UPL Unión del Pueblo Leonés (Union of the Leonese People); UPN. Unión del Pueblo Navarro (Union of the People of Navarre); UPD Unión Progreso y Democracia (Union Progress and Democracy)

In several ACs, voting patterns may be different between general and regional elections. For example in the Basque Country and Catalonia a significant portion of votes go for state-wide parties in general elections and for nationalist parties at the regional ones. Even in those four regions with a different electoral calendar, the dynamics of regional politics and electoral competition are closely linked to those at the national level. Recent research has shown, for example, that those ACs do not necessarily show a distinctive issue profile in their electoral campaigns (Libbrecht et al. 2009). Nevertheless, one may also witness a regionalization of

national politics, due to the importance that non-state-wide parties have acquired for the stability of the government in the national parliament. Circulation of politicians among levels is frequent. Over 60 per cent of regional MPs were re-elected in the election of 2007, half of them have had prior political experience at municipal level and around 10 per cent at the national level — (Oñate and Delgado 2006).

The recent electoral trends signal a concentration of votes on state-wide parties or their branches both in national and regional elections. At present, if we consider the Catalan Socialist Party (PSC) as a counterpart of PSOE, sixteen ACs are governed by state-wide parties alone or in coalition —only Navarre is not, due to UPN's recent tensions with its associate party PP. This trend has been visible in March 2008 national elections —where 89 per cent of votes (93 per cent of seats) went for state-wide parties— and in recent regional elections. After the Basque and Galician elections on 1 March 2009, nationalist parties do not have a majority in parliaments or control the executives in any of their traditional strongholds, with the exception of the Canary Islands. It is not still clear whether this reflects an underlying crisis or a momentary electoral retreat of regional nationalisms in Spain. In any case, it signals a clear success of state-wide parties and their regional branches, able to act both as national and regional parties according to the elections. This notwithstanding, new third parties have emerged for the first time and entered the national and regional parliaments, some of them campaigning on territorial issues (UPD and Ciutadans), which shows some disaffection with both national and sub-state existing parties.

At the local level, there are numerous political parties that run in the municipal elections alongside state-wide or regional parties. Many of them are independents, left wing radicals, greens, and alternatives. They may win in small towns but would normally need the support of one of the large state-wide or AC-based parties, which usually present candidates in all municipalities (Márquez 2007; Velasco 2009). They play a direct role in exercising local power, since local politicians are well represented within the central structures of political parties, or because parties deal with local matters with a supra-local perspective. Around 70 per cent of mayors belong to the three main state-wide parties and the rest to non-state-wide parties and to independent parties and citizens' electoral groups.

**Table 8b. Municipal Elections 2007**

Party	Votes	Share of Votes	Councillors	% of Mayors	Majorities	Pluralities	Tie
PP	7,915,014	36.61%	23.349	35.66	2880	472	2
PSOE	7,758,783	34.91%	24.029	28.82	2328	572	2
IU	1,216,944	5.47%	2.035	4.17	58	54	
CIU	722,653	3.25%	3.384	0.72	337	116	
ERC-AM	347,460	1.56%	1.594	1.29	104	37	
PNV	309,625	1.39%	1.038	1.13	91	41	
PAR	94,087	0.42%	982	1.89	153	35	
BNG	315,449	1.42%	661	0.1	8	9	
ICV-EUIA-EP	257,048	1.16%	449	0.07	6	16	
PA	235,201	1.06%	526	0.21	17	7	
CC-PNC	217,540	0.98%	403	0.3	24	11	
EAE-ANV	94,825	0.43%	439	0.31	25	15	
Rest of parties	2,318,306	10.43%	7.241	5.94	481	177	
<b>TOTAL Votes Parties</b>	<b>21,802,935</b>	<b>99.09%</b>	<b>66.130</b>	<b>80.61</b>	<b>6512</b>	<b>1562</b>	
Blank ballot	<b>427,234</b>						
Void	263,515						
<b>TOTAL VOTES</b>	<b>22,493,684</b>						

Source: Ministry of Interior 2009.

During the 1999-2003 period, there was a government with an absolute majority in 83.1 per cent of municipalities. Majority governments predominated in the smaller municipalities, while they decrease in middle-sized towns and especially in big cities (Salazar 2007: 163). According to data provided by the Ministry of Territorial Affairs, after the 2007 elections 80 per cent of mayors had a majority in their councils. If we look at large cities in seven local elections from 1979-2003 an average percentage of 45.1 were elected by a majority of one party (63.5 per cent in 2003), 22.8 per cent had a single-party majority, and 32.1 per cent ruled in coalition. Of the seven largest municipalities during 2003-2007 only three managed to rule with an absolute majority, the rest counting on other municipal groups (Márquez 2007, 306 ff).

These figures show a picture of a party system similar to the national and regional one and increasingly bipartisan. If we look at the stability of local governments and the use of censure motions, we know that in 2003-2006, 185 motions of censure were tabled, which is very few if we consider the number of municipalities. The data show that they largely occur in small municipalities, where political fragmentation of the municipalities is higher and where the parties have more difficulty in maintaining discipline in their groups. Likewise, the data show that cases of turncoat councillors (*transfuguismo*) are at the origin of less than half of the motions of censure (Salazar 2007). At the same time, this shows how the balance between governability and representativeness of the local government is accomplished by the electoral system more fairly than many of its critics suggest when advocating its reform.

Regarding the nationalization of local elections, until now the party winning the local elections has usually won the subsequent national election. For this reason, many in the parties' campaigns and in the media see local elections as the first round of general elections (Magone 2009). Local

election turnout, at around 60 and 70 per cent, similar to regional elections but usually lower than national elections, has remained stable. When it has risen, it has been due to ‘nationalization of local politics’. Within parties, central organizations decide frequently on the candidates and the coalitions in municipal governments, especially regarding the big cities. On the other hand, the ‘localization’ of national politics is less important than in other countries. For example, among the deputies of the lower chamber, the congress of deputies, there are eight mayors and forty-one councillors (see Table 9). Unfortunately, we lack data on how many senators accumulate local and national mandates.

**Table 9. Cumul des mandats among Deputies in the Lower Chamber (Congress of Deputies)**

	Mayors	Councillors	Major + Councillors
% of MP	2.3	11.7	14
Number	8	41	49

Source: Registro de Representantes Electos (Ministry of Public Administration)

### Subnational citizenship and participation

Spanish citizens in all regions give high support to democracy as the best political system. Electoral turnout is very similar to other democracies such as the French, Irish or British. This support for democracy co-exists, however, with a widespread disaffection among citizens towards the political sphere. For instance, with small regional variations, only a quarter of Spaniards feel ‘very’ or ‘quite’ interested in politics and around three-quarters have negative opinions about politics and politicians. Citizens’ movements of the 1970s declined with the formation of a representative democracy and most of their leaders were co-opted into party politics, regional legislatures and local councils, joining the local and regional political classes. Most analysts expected that the period of political socialization in democracy would improve some of these attitudes inherited from the Franco dictatorship. However, after more than thirty years since the restoration of democracy, the resilience of some of these negative attitudes makes some observers pessimistic regarding the quality of democracy.

However, although Spanish civil society has traditionally been considered weak and with poor social capital, some recent data on associational activity, showing regional variations, allow for some qualifications to this perception (Montero et al. 2006; Morales 2005; Encarnación 2008). For instance, while the number of associations remains small in most regions, there has been an increase of non-political associations in many regions. Younger citizens are less involved in politics, but they are more oriented towards other types of association. Data on protest events, especially demonstrations, show very active citizens, comparable to that of other neighbouring democracies. Similarly, although the levels of interpersonal trust are low, they score better than in other advanced democracies. Some authors have suggested that social capital in the Spanish case is only weak when measured against the usual criteria in Anglo-Saxon studies. It could



be considered much higher if more expansive criteria were used and frequent bar hopping or clubbing were included, as an equivalent to bowling for American case (Encarnación 2008).

Spaniards in all regions also adhere to a statist view and to a universalistic concept of the welfare state, with a strong emphasis on equal opportunities. Most citizens believe that the government should be responsible for the welfare of all citizens and around 70 per cent would rather pay more taxes and have more or better services, than pay less for fewer or lower quality ones (Del Pino 2005). In sharp contrast to the traditional view of Spaniards as having a consistently negative attitude and as being unsatisfied with government performance, a majority of citizens, with some regional variations, are 'very' or 'quite' satisfied with public services provided by regions and the central government (Arriba et al. 2006), although satisfaction with education and health has been decreasing lately.

The decentralization model of the so-called State of Autonomies (*El Estado de las Autonomías*) has high levels of support in most ACs. Nowadays more than 80 per cent of citizens have a dual identity or allegiance both to their AC and to Spain, identifying with the two political communities. Since 1976 support for centralism decreased from 43 per cent to 9 per cent in 2005. The percentage favouring more powers for ACs has gone from being about half of the population in 1984 to almost 78 per cent in 2005. At the same time, with some regional variations, citizens are divided in their preferences as to which level of government should have the responsibility for providing health and education. Most citizens would like the central government to retain responsibilities for pensions and social security (Del Pino and Van Ryzin 2008). Finally, municipal governments are seen as the ones most responsive to citizens' needs and as those encouraging citizen participation the most.

Subnational governments on their part have made efforts in recent years to improve instruments of citizen participation. They have sought to address both the improvement of public action and the widespread belief that there is a certain crisis of democracy. Traditional mechanisms of public consultation in administrative procedures are fully consolidated in Spain and function relatively well in issues of high public salience. Some regional governments have also created directorates-general in their administrations to promote citizen participation, for example Catalonia, Canary Islands, Valencia and Aragon. All ACs have regulated regional popular legislative initiatives. Catalonia for instance has introduced innovations in the number of signatures and holders of the right to submit it, extending to those over 18 years and residents with non-Spanish nationality. These mechanisms have not been used much. In the Spanish parliament there have been fifty-seven popular initiatives, and in the Catalan Parliaments, for instance, eleven, virtually all without success.

At the local level, the 'popular municipal initiative' was introduced in 2003. The 2003 Law on Modernization of Local Governments regulated standards and procedures for the effective participation of the residents in local affairs, both in the municipality as a whole and in the districts. It also provides for the improvement and modernization of the mechanisms of public consultation

and for municipal deconcentration in large population cities. It has regulated participation in strategic planning and local development policies through the creation of the Social Council of the City and the participation in the improvement of the municipal administration (Rodríguez 2005). It is still soon to see the effects of these measures, but data show decreasing interest in participation in local politics, even where there are channels of participation, such as the attendance to the meetings of the council, citizens' assemblies in the open council system or the possibility of following the council meetings through the broadcasting by local TV stations.

To this, we must add the very limited practice of direct democracy mechanisms provided for in the Constitution and other regulations. Referendums have been little used in Spain. In addition to the four state-level referendums in total, only seven regional referendums have been held, three in Andalusia, two in Catalonia and one in the Basque Country. Regarding municipalities, the central government has to authorize referendums. Between 1985 and March 2009, only twenty-six were authorized out of the 111 proposed by municipal authorities in more than 8100 municipalities (see Table 10). In addition, the open council in municipalities with less than 100 inhabitants has had mixed success in practice.

**Table 10. Number and Type of Local Referendums en Spain (1985-2009)**

AC	Requested	Authorized	Issues involved
Andalusia	17	4	Local festivals (2), Integration of municipality in supramunicipal consortium (1), Facilities (1)
Aragon	4	1	municipal segregation
Basque Country	8	1	Dissolution of municipality
Canary Island	4	2	Environment (1), change name of municipality (1))
Castile and Leon	20	2	Environment (1), municipal organization (1))
Castile-La Mancha	9	3	Facilities (1), Local festivals (2),
Catalonia	15	4	Town-planning (2), change name of municipality (1), Local festivals (1)
Extremadura	6	2	Facilities (1), Local festivals (1)
Galicia	3	0	-
Madrid	3	2	Facilities (1)
Murcia	2	0	-
Navarre	3	1	Environment (1)
La Rioja	1	1	Environment (1)
Valencia	15	3	change name of municipality (1), Local festivals (2)
Ceuta	1	0	-
<b>TOTAL</b>	111	26	

Source: Own elaboration with data from Ministry of Public Administration.

Consultative councils are the most used mechanism of citizen participation in municipalities. They can be sector-specific (*consejos sectoriales*) or territorial (*consejos territoriales*). Most consultative councils have a plenary session meeting on a regular basis and a specific commission for the daily work, which produces much of the debate. All Spanish municipalities with more than 100,000 residents have some consultative sector-specific councils and nearly 40 per cent

have territorial councils. At the same time, municipalities across Spain have been experimenting with various mechanisms for citizen participation, especially salient in Catalonia and Andalusia (Font and Blanco 2006). For example, there have been innovative experiments such as the Council of the 100 Young in the city of Barcelona, selected randomly from the local population. Another experiments are Scenario Workshops which bring together a diverse group of people to discuss future scenarios on a given issue, to deliberate and eventually reach agreements and recommendations. Many municipalities hold public municipal hearings usually, as for example the forums that have developed in recent years within the framework of Local Agenda 21.

The practice of participatory budgeting is recent and still small-scale in several municipalities, but there are some experiences worthwhile mentioning. In Catalonia, it was launched in Sabadell in 2000 and Rubí in 2002. Other examples are found in the province and the city of Cordoba or Cabezas de San Juan, Albacete, and Getafe, and more recently in Seville. In this city, the council allocated between 32 and 42 per cent of its budget to eighteen districts; and all residents in the neighbourhoods voted for particular projects, social policies and actions in their area. Local governments have also used polls and surveys on specific aspects of municipal life, or deliberative polls in some Andalusian cities. According to a recent survey in middle-size cities, most citizens do not know or use many of the mechanisms mentioned above (Navarro 2008a).

### **Subnational governance**

Apart from parliaments, audit courts, ombudsman offices, and economic and social councils, ACs in Spain have developed independent regional administrations and civil services to implement their policies and co-ordinate national policies with the central government's administration. Most of them followed the national bureaucratic model in their departmental organization and concentrated powers in the regional capitals, establishing ministerial field offices over their territories, frequently following the traditional division in provinces. ACs with a greater number of powers at the beginning, the fast-track ACs, developed a more stable and professionalized civil service and some others have relied more on non-career-civil servants posts (Ramió and Salvador 2002). Many ACs have created agencies or public companies for regional economic development, and have independently regulated spatial planning, urbanism and land use, saving banks, or have set strategic plans for big cities. They have also approved regional economic strategies, such as Regional Pacts for the Employment, Regional Spatial Strategies, Regional Transport and Infrastructures Plans, etc. They have their own R+D policies, education and vocational training schemes, or set their own environmental standards or transport regulations within EU and Spanish framework directives (Colino 2008).

It appears that their institutions and resources have enabled growing, if still limited, policy and financial discretion by regions. Most of the revenues of ACs governments are unconditioned and have constantly grown in the last years. That has given them a certain capacity to implement innovative policy options and policy experiments. AC governments have chosen different public-private mixes for the provision of their services, have decided to invest more on cultural,

linguistic or in welfare policies, on primary or secondary education, on technology or in tourism, or to change their priorities. Additionally, they have produced policy innovation in several programmes such as family assistance, housing policies, poverty assistance, environmental impact assessment, health care management, development aid, etc. This has led to increasing policy diversity across them in such important sectors as health, education, social services, or environmental policy (Gallego et al. 2005; Subirats 2006).

Growing demands from their populations have produced ever-growing spending on health and other services, which has led to diverging fiscal situations across regions. All ACs feel now in urgent need of additional financing. In addition, most regional administrations have been under pressure to modernize even more than the central government. Some processes of ‘agentization’ and contracting out can be observed. Many public-private partnerships have been established (Catalonia, Andalusia, Madrid). Additionally, several ACs have attempted systems of quality management, E-government, and information technologies.

As regards municipalities and the other local entities, they do not possess specific powers assigned by the Constitution. The central law and regional laws may assign responsibilities for several policies in some matters. In most cases, it is the laws of the ACs that transfer these responsibilities. According to their population size, they have to provide a number of basic services, such as local policing, fire fighting, refuse collection, street cleaning, land use control, urban transportation, social services, leisure and cultural activities, public works and town planning, central markets, housing, etc. Only the larger municipalities have a role in the delivery of services such as education or health, which are under AC government’s responsibility. Municipal and provincial councils have mostly secured an efficient delivery of public services such as water supply, waste disposal, roads and freeways maintenance; they have also been successful in promoting economic development at the local level (Velasco 2009). In metropolitan areas, public services have also been mostly successful and delivered jointly by the ACs administration and one or several local councils, with different levels of integration of services and normally managed by agencies or public companies governed by the councils (Tomàs 2005). A good example of this joint delivery is urban and intercity transport in the metropolitan area of Madrid.

Recently, local governments have turned to welfare state services and have had to deal with new problems such as environment sustainability, immigration, new technologies, and educational deprivation, coupled with demands for greater social participation. Often they have done this without having explicit jurisdiction or resources given by the other two levels. In this sense, the high number, fragmentation, and diversity of local governments in Spain has led to the lack of sufficient financial means and a chronic financial deficit, and made them dependent on other governments—central and regional—in order to be able to provide their services. That means that a high percentage of their expenditure is constituted by unfunded mandates. This has led to two typical solutions, intermunicipal co-operation, with the creation of horizontal service partnerships (*mancomunidades*) or consortia (Nieto 2007), or to the privatization of the delivery of important local services, such as solid waste collection and water. In many cases, local councils have privatized the delivery of social, cultural, and educational services to private companies or to the third sector NGOs, non-profit and religious organizations. Services

managed by private operators represented 44 per cent for municipalities between 100,000-500,000 inhabitants (Torres et al. 2003).

At the same time, mayors and councillors have changed their styles of governing and increasingly learnt to interact with other public and private actors, establishing local policy networks that in many cases have implied the participation of stakeholders in main local policies (Blanco and Gomà 2002; Navarro 2008b)

### **Spanish Subnational democracy in the Lijphart-Hendriks typologies**

Summarising the situation of subnational democracy so far, if we try to apply the existing models of democracy to the subnational democracies in Spain, at the regional level we find mostly majoritarian features albeit with some qualifications. For instance, we find concentration of executive power in one-party regional governments in eleven ACs, the executive dominance in relations between regional parliaments and governments and two-party systems or bipolar competition in electoral blocks in most of them. There are also centralized regional administrations with strong central institutions and weak sub-regional institutions and a concentration of regulatory powers in regional governments, with financial-economic auditing under regional political control. On the other hand, some consensual elements are the electoral system of proportional representation with fairly proportional effects; some indications of an interest group system that stresses regional corporatism, and finally the legal-administrative supervision by higher regional courts.

If we look at the local democracy, there are clear differences between large cities and small municipalities. But generally we may also find a majoritarian concentration of executive power in one-party local government, mostly supported by pluralities; increasing executive dominance of mayors vis-à-vis the council, a two-party system in most of the councils, and a more pluralist local interest group system. We also find concentration of regulatory powers, the importance of council sectoral committees and related bureaucracies; mostly centralized local government with weak sub-local institutions. On the consensus model side, we may find the proportional electoral system; a dispersal of regulatory powers in co-ordination with other governmental tiers and external financial-economic auditing with legal-administrative supervision by courts, with independent local auditing weakly developed.

If we add the consideration of direct forms of democracy at the subnational levels, we observe again an apparent gap between the rules and the reality. Despite the clear representative approach of subnational democracy in Spain, there are many regulations establishing the requirement to encourage citizens' participation and even direct democracy in micro-municipalities. The introduction of many participatory mechanisms in the last ten years in many municipalities imply the co-existence of traditional representative democracy with a model imbued with a new logic. This causes great variance in practice as to the levels of compliance with these regulations and the use of existing mechanisms across regions and types of local governments. At the same

time, citizens do not seem to be eager to participate. This situation produces overall a type of pendulum democracy at the subnational level again, even if a certain plebiscitary logic of voter democracy has been also visible through the intense use of consumer surveying, opinion polling, and public-service marketing. Other mechanisms such as Internet fora or e-democracy have shown elements of a more direct democratic or ‘deliberative’ logic.

#### **4. CHALLENGES AND OPPORTUNITIES OF SUBNATIONAL DEMOCRACY IN SPAIN**

Subnational democracy in Spain faces several exogenous and endogenous challenges that affect its quality, that is, the responsiveness, efficacy, and legitimacy of governments. Some of them are unique to its specific configuration and evolution. Others are shared by other subnational units both in similar countries in Mediterranean Europe and in the rest of Europe. The response to these challenges implies constitutional and institutional reform proposals and policy changes that at the same time represent an opportunity to adapt to new social realities and policy problems.

The first challenge we can mention is globalization, Europeanization, and economic competitiveness, which are three different albeit related dimensions of the exogenous challenge to subnational democracy. Global competition and adaptation to EU membership has been a challenge that has put a strain on the capacity of subnational governments to compete with each other in international markets for private investments and domestically for public investments and structural funding from central government and EU. This competition, aggravated with the international economic crisis has also affected big cities and metropolitan areas in Spain that have also competed for a new role in the global scene. For example, Madrid and Barcelona metropolitan areas –among the 10 biggest in Europe— have tried with different strategies to place their economies in the new global economy. This has had consequences for regional governments, which as in the case of Catalonia have demanded more resources to promote their economic growth and employment.

In this sense, lack of resources seems to be the main challenge for the effectiveness of subnational governments in Spain. Decentralization of most welfare state functions in the 1990s produced ever-growing spending in health and other services, aggravated by a strong increase of the immigrant population and related spending. Redistribution mechanisms, cohesion policies, and the ever-increasing cost of the welfare state, supported mostly by regional governments, become thus one of the more debated issues in need of reform. The fragmentation of local governments and the very many unfunded mandates they have been taking on, - leading some municipalities to virtual bankruptcy or high amounts of government debt - also calls for urgent solutions. These solutions have to be agreed and co-ordinated among central, regional, and local governments. Thus far, regional governments have been unwilling to decentralize resources and competences to the local tier, which has maintained the same share of public spending since the transition to democracy.

Corruption in regional and local government seems to be one, if not the most serious, of the malaises plaguing subnational democracy in Spain. In virtually all parties and at all governmental levels, regional, provincial, and municipal, there have been repeated scandals in the last years. They have impelled legislators and judges, so far unsuccessfully, to try to address what seems to be a structural phenomenon. It has its causes in the afore-mentioned lack of resources of subnational governments, the increasing financial needs of political parties, and the real estate boom that Spain experienced in recent times. Most of the corruption scandals have involved regional governments, presidents and deputies, and both small towns and large cities like Madrid. Many of the corruption cases revolve around the irregular funding of parties and work in several ways. Some involve donations from large companies, credit debt write-offs from banks, or the use of regional or local public administrations to channel funds to the party controlling it, by charging commissions from the awarding of public procurement or in exchange for certain urban development decisions or permits (Fundación Alternativas 2007). The pervasive party politicization of the higher echelons of both regional and local administrations and the ineffectiveness of audit and other supervision mechanisms aggravates the situation. In 2009, the European Parliament (Auken Report) severely criticized land speculation and other irregularities in Spain, rampant sprawl and urbanization programmes, especially at the seaside.

In other cases, accusations of the squander of public moneys by regional presidents and ministers have caught the attention of the media. Finally, a last source of corruption at the regional and local level has been the ‘turncoat’ phenomenon. For example, the two regional turncoat deputies in Madrid in 2003, who were allegedly bribed and refused to vote the investiture of their own party leader, forcing the regional parliament of Madrid to repeat regional elections. This prevented the left coalition that won the elections from forming a government. Many cases of turncoat councillors have also occurred at the municipal level, and main state-wide parties tried to agree a national pact against this phenomenon that has subsequently not been honoured. In any case, one of the most worrying developments related to corruption is that public opinion and voters in general do not seem to seek retribution against politicians or governing parties after these have been suspect of corruption and in most cases have re-elected candidates involved in corruption cases. For some observers, this lack of retribution occurs most frequently among conservative voters. High party bipolarization and the political culture of extended cynicism of voters towards politicians may explain this (Fundación Alternativas 2007).

This creates a climate in public opinion and attitudes that undoubtedly lead to political disaffection and to increasing levels of abstention and cynicism. In some ACs, such as Catalonia, increasing disaffection has brought about a debate about its causes and solutions. This debate has intensified with the decreasing participation in regional and local elections, and in the referendums on the new Statutes of Autonomy in both Catalonia and Andalusia —with 48 and 36 per cent turnout respectively, alongside other signs of citizen discontent regarding the political system and politicians (Vallès 2008).

However, if corruption and disaffection are severe problems of subnational democracy in Spain, still more serious for its survival is the problem, currently unique in Europe, of the persistence of political violence and nationalist terrorism in the Basque Country and in Navarre, affecting indirectly the rest of the country. The terrorist organization (ETA), which has a sizeable (albeit decreasing) support of the

population, has sought independence of the Basque Country and annexation of Basque lands in France and Navarre. It has done this through the killing of nearly 900 people and dividing the population in the Basque Country (Mansvelt-Beck 2008). According to data from *El País*, from 1995 onwards, almost 30 per cent of the killed have been political adversaries —local town councillors (16), party leaders or ex-leaders from non-nationalist parties (5), officials (5). In 2008 alone, there were thirty-eight terrorist attacks, of which eight were bomb-cars, with four people killed and sixty-four injured.

In many areas of the Basque Country, non-nationalists cannot campaign freely in elections, and dozens of journalists and thousands of other professionals have been forced into self-exile through fear and persecution. Most non-nationalist politicians, local councillors and MPs, and their families in the ACs of the Basque Country and Navarre, must live with round-the-clock bodyguards. That means that rights to freedom of expression or representation are denied in that region to many citizens (Mata 2005; Gil-Robles 2005). Parties supporting violence have until recently enjoyed regional parliamentary seats and governed many municipalities without condemning or criticizing violence against their fellow councillors or deputies. At the same time, they have controlled more than sixty local councils, which have been used as a major source of income and patronage to support the terrorist organization.

Finally, regional and local governments have to face the challenge of integration and management of old and new diversities. Apart from the smaller participation of women in political offices and other inequalities, immigration in Spain has increased dramatically in the last ten years, from 6 to 12 per cent of total population. Cities like Barcelona have now 18.1 per cent of foreign residents. Muslim and Latin American immigrants have been the most numerous, and their distribution has varied in different regions. ACs with double national identities and two languages have felt the integration of immigrants as an additional hurdle in their particular integration and nation-building projects. On certain occasions, immigration has led to acts of racism and xenophobia. In Catalonia, for example, some extreme right parties have emerged (e.g. *Plataforma per Catalunya*) that campaign against Muslim immigration and have had electoral success in local elections in several municipalities.

## **5. RESPONDING TO THE CHALLENGES AND OPPORTUNITIES**

Most of these challenges have been addressed through institutional reforms and policy changes carried out by the central parliaments and governments or through co-ordination of the three governmental levels. That does not mean that most of them have been addressed adequately. Many are complex structural problems that require the combined action of many actors and even a change in public attitudes. The demands of globalization, Europeanization, and the lack of resources have been mainly dealt with through legal and policy reforms to promote co-ordination, collaborative government and increased political and fiscal autonomy of subnational units, alongside reforms in public management at the three levels in the direction of more



evaluation and accountability of public activity. A new funding system for regional governments is currently being negotiated that achieves more revenue autonomy and responsibility of governments. Co-operation bodies for vertical and horizontal co-ordination both in domestic and EU affairs have been created or reinforced, such as the Conference of Presidents or the new horizontal bodies to promote and co-ordinate subnational participation in EU decision-making.

Regarding the overdue reform of local government and its financial problems, several reform measures have been implemented since 1999 within the so-called Local Pact among the main parties. Based on a 2005 White Paper on Local Government, the government drafted a bill that tried to clarify and expand local jurisdiction and the financial resources available to local governments and to strengthen democracy at the local level. Other proposals have advocated the reinforcement of intermunicipal co-operation or the amalgamation of some existing micro-municipalities. Still others have been defending the direct election of the mayor. This proposal, despite being supported by some in the ruling Socialist Party, has not reached sufficient consensus among politicians and experts thus far. In view of corruption at the municipal level, uncontrolled urban sprawl, and environmental deterioration of coastal zones, many have proposed introducing new regional powers of legal control over local governments, at least the smaller ones.

The central government has also been committed to a programme of ‘Regeneration of Democracy’ in recent years that includes the integration of minorities and the extension of rights and civic education. It has introduced “Education for Citizenship and Human Rights” in secondary education, opposed by the conservative party (PP) and the Church. It has promoted the equality of women in political representation in public offices, through quotas in party lists. The 2007 Organic Law for Effective Equality between Women and Men has established that candidate lists must now have a balanced presence of women and men, with each sex accounting for at least 40 per cent. Due to this law, female participation in local elected offices has increased, compared with local elections in 2003, with a 17 per cent rise in the number of women mayors and a 23 per cent rise in the number of women councillors. The central parliament also legalized same-sex marriage.

On the other hand, an opportunity has been lost to democratize the internal workings of parties with the Law on Political Parties in 2002. The government has also relinquished the traditional governmental control of public television and radio by the executive, transferring to the parliament the appointment of the director of the national public television corporation. Unfortunately, regional executives have not followed this path in their publicly controlled media.

Finally, the government has advanced, with the support of some left and nationalist forces, the recognition of the victims of dictatorship and historic memory through the ‘Reparation Law’ or the ‘Law of Historical Memory’, as it is usually known in the media. This law recognizes the victims on both sides of the Spanish Civil War, and is the first legal pronouncement condemning the dictatorship since the return of democracy (Aguilar 2008). It has ensured moral compensation for victims of repression, provided for the removal of francoist symbols from public buildings and spaces, and committed the government to help in the tracing, identification, and eventual exhumation of victims of Francoist

repression whose corpses are still missing, often buried in mass graves. It has also meant a change to Spanish citizenship regulations, granting citizenship to those who left Spain under Franco for political or economic reasons and their descendants.

However, the principal set of measures to regenerate democracy has been those addressed to fight corruption and promote transparency. This has been done through the change of party finance regulations, a law regulating conflict-of-interest cases for high officials, and the promulgation of a Code of Good Governance for members of the central government, who must act in accordance with a series of ethical principles. These two regulations were limited to central administrators, although some regional governments had proposed similar initiatives within the framework of their jurisdiction. Municipalities so far have not developed a code of ethics specific to their officials, but the national Association of Municipalities and Provinces (FEMP) is currently developing a code of conduct for the Councils. The Anti-corruption prosecutor of the Public Prosecutors Office has also been re-organized and some specialized judges created. Other anti-corruption measures have targeted those areas most prone to corruption, party funding, public procurement and contracting, and land use and planning. The 2007 Land use Law increases the limits for local public authorities to change urban plans and grant building or development permits (Fundación Alternativas 2008).

Regional and local governments have also taken several measures to fight citizens' disaffection and lack of involvement in political life. They have done that partly through the promotion of more direct democracy and public participation in ACs and municipalities. To mention an example, based on the reform of its new statute of autonomy, the Catalan government has proposed a new bill on regional referendums. This proposal makes Catalonia the first AC to promote the calling of referendums on sensitive political issues. They can be held if requested by 3 per cent of the Catalan population, proposed by the regional government, the Catalan president, one fifth of MPs or two parliamentary groups. Also 10 per cent of Catalan municipalities (about ninety-five) representing at least half a million people, may request the convening of a referendum. Parliament must approve any proposal by an absolute majority. The central government, according to the constitutional distribution of powers, will have the final say to authorise the referendum, whose results will not be binding.

The FEMP has also developed on its part a standard regulation or agenda for public participation with forty-five lines of action. These are related to municipal organization, the strengthening of partnerships, the associative network in municipalities, the training of citizens to exercise the right to participate and/or their involvement in civic associations, and the co-ordination with regional and central governments to promote civic participation.

Finally, terrorist and political violence in the Basque Country has been addressed through a combination of a ban on violent parties, social isolation of violent groups and attempts to establish political negotiations with terrorists. By means of the 2002 Law on Political Parties, the Spanish parliament decided to ban those parties clearly linked with the terrorist organization

ETA and advocating violence. Accordingly, legitimate grounds for such a ban include, among other things, “giving express or tacit political support, legitimizing terrorist actions or excusing and minimizing their significance”, providing institutional or economic support to those who carry out such actions, and helping to create a ‘culture of confrontation’ that infringes the fundamental rights of those who take a contrary view (Bale 2007). Despite some political and legal controversy and the opposition of ruling Basque nationalist parties, the law proved somewhat effective in reducing terrorist resources and weaken their room for manoeuvre. Some rulings of the Constitutional Court have meanwhile specified the scope of the ban and recognized the law’s exceptional character, establishing the conditions to recover legality—for example by proving the party’s independence of ETA through a simple condemnation of terrorist attacks—. Recently in June 2009, the European Court of Human Rights has also upheld the ban on Batasuna and other parties supporting terrorism in the Basque Country, who had appealed the Spanish courts’ rulings.

ETA’s ceasefire in 2006 raised hopes of a long-term peace and incited the Zapatero government to conduct direct talks with ETA. This was deeply controversial and divisive among the main political parties and public opinion. With violence back in the scene, the central government has utilized again all means in the Law on Political Parties to ban dozens of candidates of ANV (Basque National Action) and PCTV (Basque Homeland Communist Party), the legal successors of ETA’s now illegal political branch, from taking part in 2007 local elections in the Basque Country. Also in March 2009, for the first time in democracy, parties supporting terrorism were banned from participating in Basque regional elections, which has resulted in the first ever alternation of the Basque government in thirty years.

## 6. CONCLUSIONS

The Spanish model of subnational democracy, it has been argued in this chapter, has evolved parallel to the consolidation of the first successful experience of liberal democracy occurred at the national level during the last thirty years in Spain. Democracy at the subnational level has been influenced by the state tradition, but at the same time has transformed its structure and the behaviour of political actors from a consensual towards a more majoritarian model. This has been done alongside far-reaching decentralization and the emergence of particular regional democratic institutions, party systems, welfare state policies and the recovering of local self-government. Democracy, identified with autonomy from the start, has provided cultural-political recognition, social integration, and economic development for most of the newly created autonomous communities and other local representative governments. At the same time, the building of subnational democratic institutions and governance systems has been dominated by ACs to the detriment of local entities.

The type of Spanish democracy has served to overcome traditional cleavages present in Spanish society since long, and has guaranteed political stability, improved governance and respect

for minorities. On the other hand, due to the manner in which it emerged and to some unique characteristics of Spanish history and political culture, democracy both at the national and the subnational level has suffered from some shortcomings in terms of their capacity to promote and channel citizens' participation in the public sphere. Despite the apparent willingness of the founding fathers and subsequent regulations at the national and subnational level to promote a participatory democracy, Spaniards have been reluctant in practice to make use of participation mechanisms and to get involved in politics. The consequences of this fact for the quality of democracy and governance in Spain remain controversial.

## REFERENCES

1. Agranoff, R. (2007), 'Local governments in Spain's multilevel arrangements', in H. Lazar and C. Leuprecht (Eds.) *Spheres of governance*, Montreal & Kingston: McGill-Queen's University Press: 23-70.
2. Aguiar, L. (2000), "Democracia directa e instituciones de democracia directa en el ordenamiento constitucional", in G. Trujillo et al. eds. *La experiencia constitucional (1978-2000)*, Madrid: CEPC, 67-96.
3. Aguilar, P. (2008), "Transitional or Post-transitional Justice? Recent Developments in the Spanish Case", *South European Society and Politics*, 13:4, 417- 433.
4. Aja, E. (2001), "Spain: Nation, Nationalities and Regions", in J. Loughlin, et al., *Subnational Democracy in the European Union. Challenges and Opportunities*. Oxford, Oxford University Press, 229-253.
5. Ajenjo, N. and Molina, I. (2009), "Spain: Majoritarian Choices, Disciplined Party Government and Compliant Legislature", in B.E. Rasch and G. Tsebelis (eds.) *The Role of Governments in Legislative Agenda Setting*, Taylor & Francis.
6. Alba, C. and C. Navarro (2005), "Metropolitan areas in Spain, a diverse and unknown reality" in V. Hoffmann-Martinot, J. M. Sellers eds. *Metropolitanization and Political Change*, Opladen: Verlag fur Sozialwissenschaften, 265-293.
7. Álvarez-Tardío, M. (2005), *El camino a la democracia en España. 1931 y 1978*. Madrid, Gota a Gota.
8. Arriba, A.; Calzada, I. and Del Pino E. (2006), *Los ciudadanos y el Estado de Bienestar en España (1985-2005)*, Madrid: CIS.
9. Bale, T. (2007), "Are Bans on Political Parties Bound to Turn Out Badly? A Comparative Investigation of Three 'Intolerant' Democracies: Turkey, Spain, and Belgium", *Comparative European Politics*, 2007, 5, (141-157).
10. Benedicto, J. (2004), "Cultural Structures and Political Life: The Cultural Matrix of Democracy in Spain", *European Journal of Political Research*, 43, 287-307.
11. Blanco, I. and Gomà, R. (2002), *Gobiernos locales y redes participativas*, Barcelona, Ariel.
12. Bosch, N. and M. Vilalta (2008), *Informe sobre el finançament de les comunitats autònomes. Any 2006*, Monografies 1/2008, Barcelona: Departament d'Economia i Finances.
13. Calvet J. (2007), "Political power in Spanish regional executives", Paper presented to the 2007 Joint Sessions of Workshops, Helsinki, ECPR.
14. Colino, C. (2008), "The Spanish model of devolution and regional governance: evolution, motivations and effects on policy making", *Policy & Politics* vol 36 no 4, 573-86.
15. De Blas, A. (2007), "Poder, Estado y nación en la España contemporánea", in M. Menéndez ed. *Sobre el poder*, Madrid: Tecnos: 315-332.
16. Del Pino, E. (2005), "Attitudes, performance and institutions: Spanish citizens and public administrations", *Public Performance and Management Review*, 28, 4: 512-531.
17. \_\_\_\_ and Van Ryzin, G. (2008), "Regionalism and the Devolution of health services, pensions, and education: An analysis of public preferences in Spain". Presented at the Fourth TransAtlantic Dialogue, Universidad Bocconi, Milan, June 12-14.
18. Delgado, I. (2008), "Elecciones municipales", in Delgado, I. and López Nieto, L. *Comportamiento político y sociología electoral*, Madrid: UNED: 507-563.
19. Diamandouros, P. N. et al. (2006), "Introduction: Democracy and the State in the New Southern Europe", in R. Gunther, P. N. Diamandouros and D. A. Sotiropoulos (eds.), *Democracy and the State in the New Southern Europe*. Oxford: Oxford University Press, 1-41.
20. Encarnación, O. G. (2008), *Spanish Politics*, Cambridge, Polity Press.
21. Field, B. N. and Hamman, K. (2008), "Conclusion: The Spanish Case and Comparative Lessons on Institutions, Representation, and Democracy", in Field, B. N. and Hamman, K. eds. *Democracy and Institutional Development. Spain in Comparative Theoretical Perspective*, Basingstoke: Palgrave MacMillan, 203-216.
22. Font, J. y Blanco, I. (2006), "Experiencias de participación ciudadana: Polis, la ciudad participativa:

- Participar en los municipios: ¿Quién?, ¿Cómo? y ¿Por qué?”, Papers de participació ciutadana, 9, Diputació de Barcelona.
23. Fundación Alternativas (2007), “The Impact of Corruption on Democracy”, in Fundación Alternativas *Report on Democracy in Spain 2007. The strategy of confrontation*, Madrid.
  24. \_\_\_\_\_ (2008), “A review of the fight against political corruption”, in Fundación Alternativas ed. *Report on democracy in Spain 2008. The strategy of confrontation: down but not out*, Madrid: Fundación Alternativas: Fundación Alternativas: 214-252
  25. Fusi, J. P. (1990) “Centre and Periphery 1890-1936: National Integration and Regional Nationalisms Reconsidered”, in F. Lannon and Paul Preston eds. *Elites and Power in Twentieth Century Spain. Essays in Honour of Sir Raymond Carr*, Oxford, 33-44.
  26. Gallego, R.; Gomà, R. and Subirats, J. (2005), ‘Spain, From State Welfare to Regional Welfare?’, in N. McEwen and L. Moreno (eds.), *The Territorial Politics of Welfare*. London: Routledge.
  27. Genieys, W. (2004), *Las élites españolas ante el cambio de régimen político. Lógica de Estado y dinámicas centro-periferias en el siglo XX*, Madrid, Centro de Investigaciones sociológicas.
  28. Gil-Robles, A. (2005), “The Human Rights Situation in the Basque Country. Chapter IX of the Report by Commissioner for Human Rights of The Council of Europe, on his visit to Spain in March 2005.
  29. González-Antón, L. (2007), *España y las Españas*, Madrid: Alianza Editorial.
  30. González, J. J. and Bouza. F. (2009), *Las razones del voto en la España democrática 1977-2008*, Madrid: Los libros de la Catarata.
  31. Gunther, R. Montero, J.R. and Botella, J. (2004), *Democracy in Modern Spain*, New Haven & Londres, Yale University Press.
  32. Hopkin, J. (2005). “From consensus to competition: the changing nature of democracy in the Spanish transition”, In Balfour, Sebastian (Ed) *The Politics of Contemporary Spain*, London/New York: Routledge, 6-26.
  33. Juliá, S. (1994), “Orígenes sociales de la democracia en España”, in Redero, M. (ed.), *La transición a la democracia en España*. Madrid: Marcial Pons, 165-188.
  34. \_\_\_\_\_ (1995), “Liberalismo temprano, democracia tardía: el caso de España”, in J. Dunn (ed.), *Democracia. El viaje inacabado*, Barcelona: Tusquets, 253-291.
  35. Libbrecht, L.; B. Maddens, W. Swenden and E. Fabre (2009), “Issue salience in regional party manifestos in Spain”, *European Journal of Political Research* 48: 58-79.
  36. López-Nieto, L. ed. (2004), *Relaciones entre gobiernos y parlamentos autonómicos*, Madrid: Senado.
  37. \_\_\_\_\_ (2008), “Elecciones autonómicas”, in I. Delgado y L. López Nieto *Comportamiento político y sociología electoral*, Madrid: UNED; 423-506.
  38. López-Laborda, J.; Martínez, J. and Monasterio, C. (2006), “The Practice of Fiscal Federalism in Spain”, International Studies Program Working Paper 06-23, Andrew Young School of Policy Studies, Atlanta.
  39. Loughlin, J. and D. Hanley (2008) (eds.) *Spanish Political Parties*, (Cardiff: Wales University Press, 2006).
  40. Loughlin, J. and S. Lux (2008), “Subnational Finances in Spain: Lessons for the UK?”, *Revista Internacional de los Estudios Vascos*, Vol. 53, no. 3, pp. 211-234.
  41. Loughlin, J. and B. G. Peters (1997), “State Traditions, Administrative Reform and Regionalization”, in M. Keating and J. Loughlin, (eds.) *The Political Economy of Regionalism*. London: Frank Cass. pp. 41 - 62.
  42. Magone, J. M. (2009), *Contemporary Spanish Politics*, London: Routledge. 2nd ed.
  43. Magre, J. and Bertrana, X. (2005), ‘Municipal presidentialism and democratic consolidation in Spain’, in Berg, R. and Rao, N. (eds) *Transforming local political leadership*. Basingstoke: Palgrave:73-84.
  44. Mansvelt-Beck, J. (2008), “The Basque power-sharing experience: from a destructive to a constructive conflict?”, *Nations and Nationalism* 14 (1): 61–83.
  45. Márquez, G. (2007), *Política y gobierno local: La formación de gobierno en las entidades locales en España*, Madrid: Centro de Estudios Políticos y Constitucionales.

46. Martínez, A. ed. (2006), *Representación y calidad de la democracia en España*, Madrid: Tecnos.
47. Mata, J. M. (2005), "Terrorism and nationalist conflict: the weakness of Democracy in the Basque Country", in S. Balfour, (Ed) *The Politics of Contemporary Spain*, London/NY: Routledge, 39-60.
48. Montero J.R., J. Font, M. Torcal eds. (2006), *Ciudadanos, asociaciones y participación en España*, Madrid: Centro de Investigaciones Sociológicas.
49. Moral, J. del (2007), "Las funciones del Estado y la articulación del territorio nacional", in Moral J. del, J. Pro; F. Suárez *Estado y territorio en España, 1820-1930: la formación del paisaje nacional*, Madrid: Los Libros de la Catarata, 17-358.
50. Morales, L. (2005), "¿Existe una crisis participativa? La evolución de la participación política y el asociacionismo en España", *Revista Española de Ciencia Política*, 13, 51-87.
51. Moreno, J. (2007), "Political Clientelism, Elites, and Caciquismo in Restoration Spain (1875–1923)", *European History Quarterly*, Vol. 37(3), 417–441.
52. Mota, F. (2006), "¿Hacia la democracia participativa en España? Consenso y discrepancias entre ciudadanos y representantes políticos", in Martínez, A. ed. *Representación y calidad de la democracia en España*, Madrid: Tecnos.
53. Muñoz Machado, S. (2006), *El problema de la vertebración del Estado en España (del siglo XVII al siglo XXI)*, Madrid.
54. Navarro, C. J. (2008a), "Participación local. Estudio CIS nº 2.661", *Boletín CIS*, 4, 2008.
55. \_\_\_\_\_ (2008b), "Gobernanza local en España: redes y dominios políticos locales", *Documentos de trabajo* 01/08, Centro de Sociología y Políticas Locales, Universidad Pablo de Olavide, Sevilla.
56. Nieto, E. (2007), "Inter-municipal co-operation in Spain: dealing with microscopic local government, in R. Hulst and A. van Montfort (eds.), *Inter-Municipal Co-operation in Europe*, Springer: 169–192.
57. Núñez Seixas, X. M. (2008), "Unidad y diversidad de las naciones en España. Una visión panorámica", *Cuadernos de Alzate* nº 39.
58. Ocaña, F. y P. Oñate (2006), "Las arenas electorales en la España multinivel", in J. Molins y P. Oñate (eds.), *Elecciones y comportamiento electoral en la España multinivel*, Madrid, Centro de Investigaciones Sociológicas, 23-76.
59. Oñate, P. and Delgado, I. (2006), "Partidos, grupos parlamentarios y diputados en las asambleas autonómicas", P. Oñate (ed.), *Organización y funcionamiento de los parlamentos autonómicos*, Valencia, Tirant lo Blanch, 135-174.
60. Pallarés, F. and Keating, M. (2006), "Multi-level electoral competition: sub-state elections and party systems", in D. Hough and C. Jeffery (eds), *Devolution and electoral politics*. Manchester: Manchester University Press.
61. Parrado, S. (2008), "Failed policies but institutional innovation through "layering" and "diffusion" in Spanish central administration", *International Journal of Public Sector Management*, Vol. 21 No. 2, 230-252.
62. Powell, C. (2001), *España en democracia, 1975-2000: las claves de la profunda transformación de España*, Barcelona: Plaza y Janés.
63. Ramió, C. and Salvador, M. (2002), "La configuración de las administraciones de las comunidades autónomas: entre la inercia y la innovación institucional", in J. Subirats and R. Gallego, *Veinte años de autonomías en España*, CIS, Madrid: 99-1234.
64. Rodríguez, J. M. (2005), "La democracia local en las grandes ciudades españolas", in O. W. Gabriel, V. Hoffmann-Martinot eds. *Democracias urbanas: el estado de la democracia en las grandes ciudades de trece países industrializados*, Madrid: Ministerio de Administración Pública: 405-454.
65. Salazar, O. (2007), *El sistema de gobierno municipal*, Madrid: Centro de Estudios Políticos y Constitucionales.
66. Salvador, M. (2006), "Gobierno local (enero 2005-agosto 2006)", *Revista General de Derecho Constitucional*, n.º 2, Oct.
67. Sampedro, V. and Seoane, F. (2008), "The 2008 Spanish General Elections: "Antagonistic Bipolarization"

- geared by Presidential Debates, Partisanship, and Media Interests”, *International Journal of Press/Politics*, Vol. 13, No. 3, 336-344.
68. Sánchez Morón, M. (2008), “Reflexiones sobre la participación del ciudadano en las funciones administrativas en el sistema constitucional español”, *Revista Catalana de Dret Públic*, vol 37, 12/2008.
  69. Sepúlveda, I. (2002), “De intenciones y logros: fortalecimiento estatal y limitaciones del nacionalismo español en el siglo XIX”, *@mnis, Revue de Civilization Contemporaine de l’Université de Bretagne Occidentale*, 4, september.
  70. Subirats, J. (2006), “Multi-level Governance and Multi-level Discontent. The Triumph and Tensions of the Spanish Model”; in S. L. Greer ed. *Territory, Democracy and Justice. Regionalism and federalism in Western Democracies*, Basingstoke: Palgrave. 175-200.
  71. Tomàs, M. (2005), ‘Building metropolitan governance in Spain: Madrid and Barcelona’, in Heinelt, H. and Kubler, D. (eds) *Metropolitan Governance. Capacity, Democracy and the Dynamics of Place*. Oxford: Routledge.
  72. Torcal, M., L. Morales y S. Pérez-Nieva eds. (2005), *España: sociedad y política en perspectiva comparada. Un análisis de la primera ola de la Encuesta Social Europea*, Valencia, Tirant lo Blanch.
  73. Torres, L. Pina, V. and Acerete, B. (2003), “Public-Private Partnership in Spanish Local Governments”, *European Business Organization Law Review*, 4:3:429-452.
  74. Townson, N. (2001), *The Crisis of Democracy in Spain. Radical Centrist Politics Under the Second Republic 1931-36*, Brighton, Sussex Academic Press.
  75. Tusell, J. (2007), *Spain- From Dictatorship to Democracy: 1939 to the Present*, Oxford: Wiley Blackwell.
  76. Vallès, J. M. (2008), “Actituds polítiques i comportament electoral a Catalunya: materials per a un debat social”, Barcelona: DG de Participació Ciutadana.
  77. Varela, J. (1997), “De los orígenes de la democracia en España, 1845-1923”, in S. Forner (co-ord.), *Democracia, elecciones y modernización en Europa, Siglos XIX-XX*. Madrid, Cátedra, 129-201.
  78. Velasco, F. (2009) ‘Local government in the Spanish decentralized state’, in N. Steytler (Ed.), *Local government and metropolitan regions in federal countries*, Montreal & Kingston/London/Ithaca: McGill-Queen’s University Press.
  79. Verge, T. (2007), *Partidos y representación política: Las dimensiones del cambio en los partidos políticos españoles, 1976-2006*. CIS: Madrid, Colección Monografías, núm. 249.
  80. Vincent, M. (2007), *Spain 1833-2002. People and State*, Oxford: Oxford University Press.
  81. Watts, R. L. (2009), “Spain: a Multinational Federation in disguise?”, Paper prepared for the conference on “The Federalization of Spain-Deficits of Horizontal Co-operation”, Saragossa, Spain, 27-28 March
  82. Wilson, A. (2009), “Party Competititon in the Spanish Regions”, EUI Working Papers, SPS2009/01.



**WORKING PAPERS PUBLISHED IN:  
INSTITUTO DE POLÍTICAS Y BIENES PÚBLICOS (IPP), 2010**

1. **CRUZ CASTRO, L. y SANZ MENÉNDEZ, L.** Endogamia, Productividad y Carreras Académicas.
2. **CORROCHANO, D.** Guía Bibliográfica sobre Inmigración en España (1990-2009). Datos y Reflexiones sobre la Institucionalización de una Comunidad Académica.
3. **GOLOB, S.R.** Evolution or Revolution? Transitional Justice Culture Across Borders.
4. **ARIAS APARICIO, F.** Organización y Producción del Conocimiento Científico en los Organismos Públicos de Investigación Agraria: El Instituto Nacional de Investigación Agraria y Alimentaria (INIA).
5. **MORENO, L.** Welfare Mix, CSR and Social Citizenship.
6. **MARTÍNEZ, C. & RAMA, R.** The control and generation of technology in European food and beverage multinationals.
7. **DEL PINO, E. & COLINO, C.** National and Subnational Democracy in Spain: History, Models and Challenges.
8. **CLOSA, C.** Negotiating the Past: Claims for Recognition and Policies of Memory in the EU.