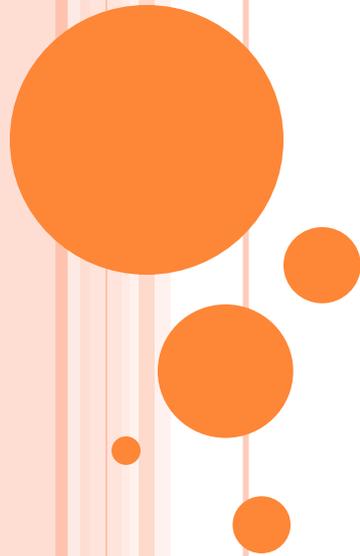


**POL 3107 COMPARATIVE
GOVERNMENT AND POLITICS**

**The Spanish Political
System**

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City University of Hong Kong

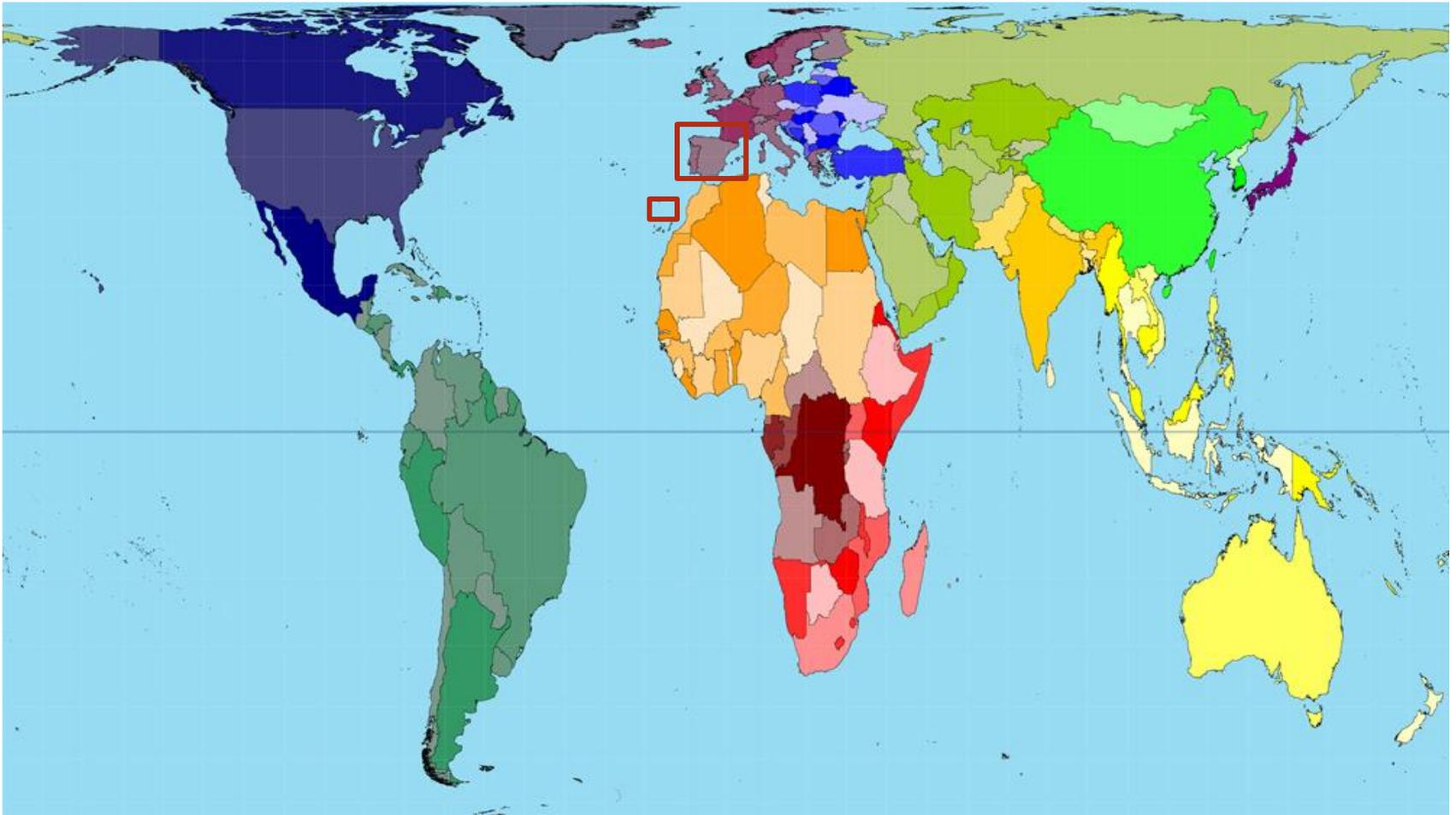


FROM DICTATORSHIP TO DEMOCRACY: REGIME CHANGE AND INSTITUTIONAL DESIGN

- General description
- Historical Background
- Myths and Reality of the Transition
- 1978 Constitution



SPAIN IN THE WORLD



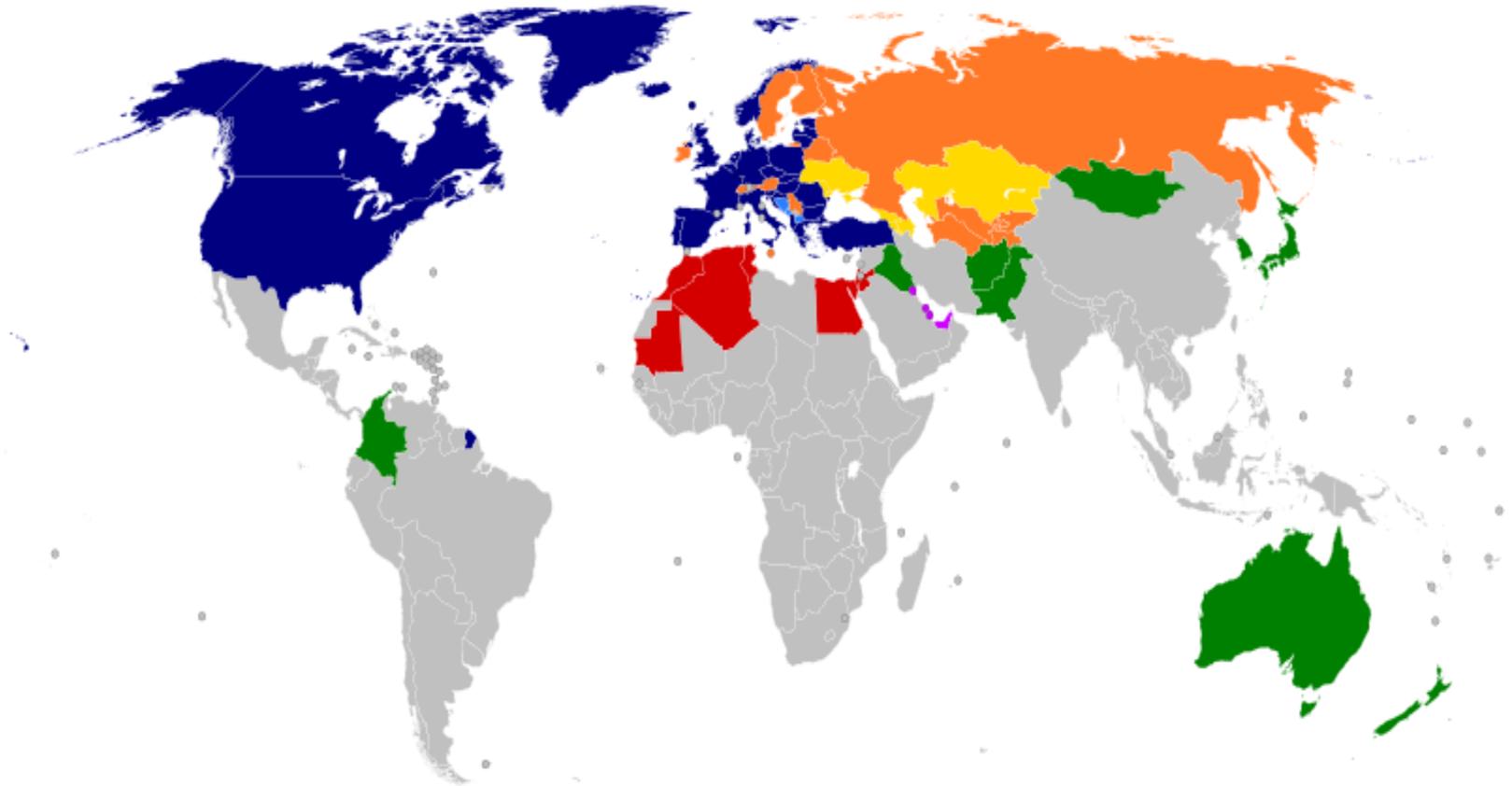
Note: Exclude Portugal from the Iberian Peninsula and add Ceuta and Melilla Autonomous Cities. Inferior square: Canary Islands



SPAIN IN EUROPE



SPAIN IN THE NATO



■ Nato members
Partnerships and cooperation (other colours)



SPAIN: CONTINENTAL AREAS AND ARCHIPELAGOS



Continental Areas: part of the Iberian Peninsula (Europe) and two cities in the African continent (Ceuta and Melilla)
Archipelagos: Canary and Balearic islands



SPAIN: GENERAL OVERVIEW

- Population: 46.7 million
- Foreign population: 12% (5.7 million) (2011)
- GINI (wealth gap): 33.7% (medium-high)

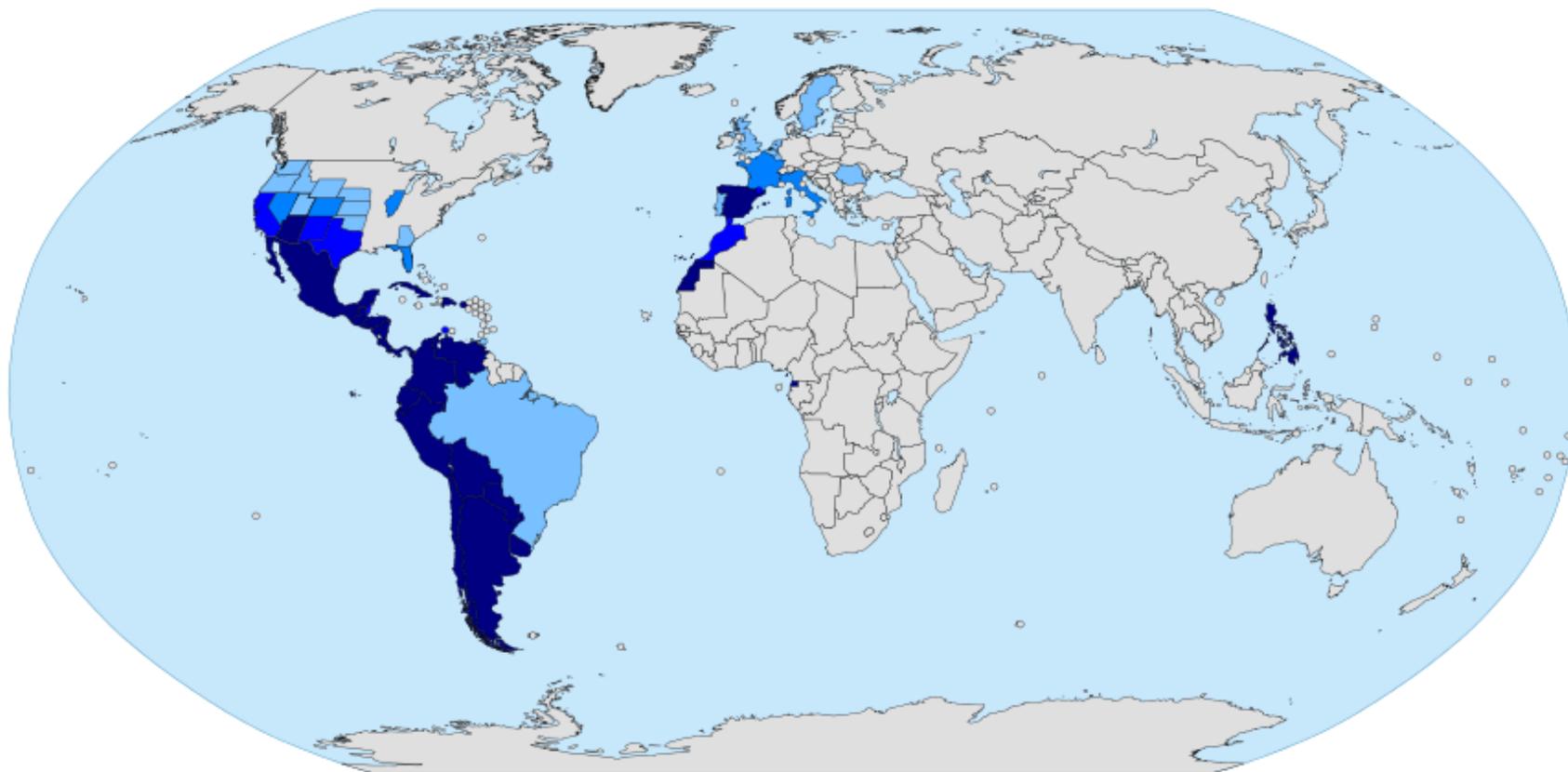
- Government: Parliamentary Constitutional Monarchy
- First Liberal Constitution: 1812
- First Constitutional Democracy: 1931
- Present Constitution: 1978
- NATO member: 1982
- European Union / EEC/ member: 1986

- Official languages: Spanish, Basque, Catalan and Galician

- Spanish language in the world: 442 million speakers in countries where Spanish is the official language (2nd world's most spoken "first language") and more than 500 million of speakers worldwide



SPANISH LANGUAGE IN THE WORLD



- Countries where Spanish has official status.
- Countries and U.S. states where Spanish has no official status but is spoken by 25% or more of the population.
- Countries and U.S. states where Spanish has no official status but is spoken by 10–20% of the population.
- Countries and U.S. states where Spanish has no official status but is spoken by 5–9.9% of the population.



HISTORICAL BACKGROUND

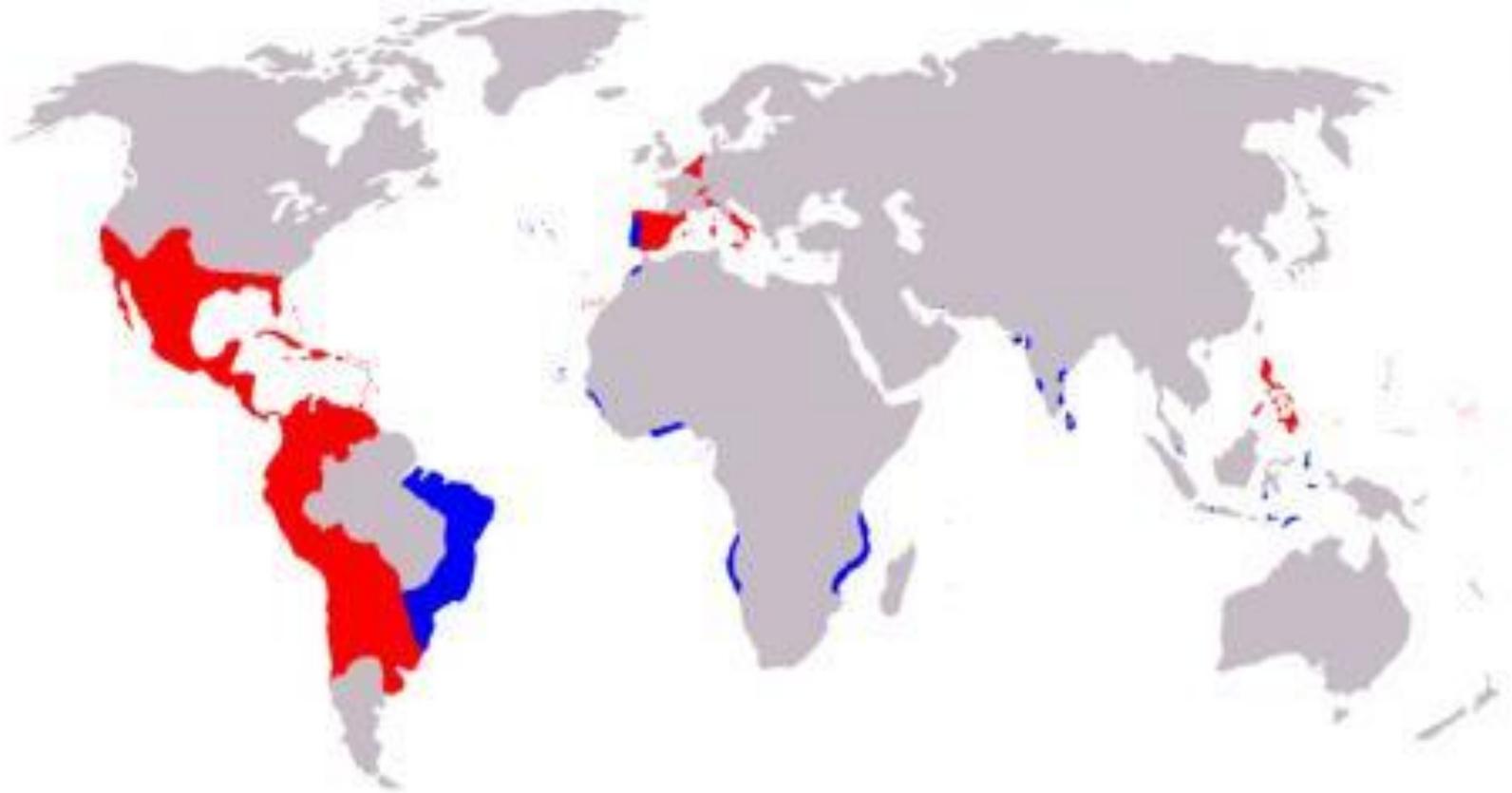
- Empire and decline (1492-1898)

...

- Republic (1931)
- Civil War (1936-1939)
- Dictatorship (1939-1975)
- **Transition**
- Democratic Monarchy (1978)
- NATO (1982) and EU (1986)
- Economic Globalisation (1996-2008)
- Crisis (2008...)



HISTORICAL BACKGROUND



Golden Age of the Spanish (red) and Portuguese (blue) empires
between 1492 and 1700



HISTORICAL BACKGROUND

- 1898 // End of most of the **colonial possessions** of the Spanish empire (US-Spain wars in the Philippines, Cuba and Puerto Rico)... still control over Equatorial Guinea, Sahara and North of Morocco.
 - 1931-1939 // End of Monarchy, **II Democratic Republic** with many progressive achievements (universal suffrage, education, women rights, etc.) electoral victory of a Leftist Coalition in 1936, military insurrection against the Republican Government and **Civil War** (1936-9) in parallel to an Anarchist Revolution.
 - 1939-1975 // Franco's military **Dictatorship**, “organic democracy” led by fascist and Catholic organisations, fake elections and Parliament, training of the future King and proclamation as successor in 1969.
- 

HISTORICAL BACKGROUND

Spain after Franco (1971)

[https://www.youtube.com/watch?v=t5qz4ZBlkWM&list=P
L4oKcuSjF1BWz40wNStclND6SvsDqdSfg&index=11](https://www.youtube.com/watch?v=t5qz4ZBlkWM&list=P
L4oKcuSjF1BWz40wNStclND6SvsDqdSfg&index=11)

(0-9'40")



HISTORICAL BACKGROUND

- 1975-1978 // **Transition to Democracy Monarchy-led**, referendum for Political Reform, elections for the Parliament (won by the Centre-Right Government – UCD; Communist Party was legalised two months before and far-left parties were illegal) and referendum for the Constitution (1978).
- 1981 // Failed attempt of **military putsch** (coup d'Etat) with involvement of the King and different political parties, but halted by the King as well.
- 1982 // Social Democratic party (PSOE) wins the General Elections, integration in the **NATO** and the **EU** and the, ETA's terrorism (1959-2011)...

THE MYTH OF THE TRANSITION

- It was a "**peaceful consensual pact**" between the society and the elites of different political parties
- Winners and losers of the Civil War became finally "**reconciled**" and there was no need to mess into the past
- Brand **new democracy**, less imperfect and violent than the Republican one and those troubled times
- **Exemplary model** for Latin American and Eastern-Central European countries after military-fascist-USA-backed and communist-like dictatorships in the 1980s and 1990s



HISTORICAL BACKGROUND

The Spanish Transition - Memory, Dignity and Struggle (2011)

<https://www.youtube.com/watch?v=gz0PfNYmNw8>
(1'-15'45'')



THE REALITY OF THE TRANSITION

- Continuing workers' strikes over the transitional period and before (i.e. 18,000 strikes in 1976) and repression (10 killed in Vitoria, 1976), strong citizen **movements**, feminist's claims for equality, emergence of multiple media and demands for free speech, students' protests, nationalist mobilisations... and more than **600 killed** by the police or fascists between 1975 and 1978
- *The "losers" never had access to the **Truth** of the Dictatorship's violations of human rights. More than 150,000 people were executed by the army between 17 July 1936 and December 1951... which is a genocide. Most are **not identified yet**. Around 300,000 newborn babies were stolen from their Republican mothers and handed in to Francoist families (1939-1990).

THE REALITY OF THE TRANSITION

- There was a **reproduction of the Francoist elites** (in the army, the corporations and the institutions) and their offspring (in different political parties) who remained as powerholders... even the Army and former authorities remained untouchable (i.e. death penalty as an exception in the military justice until 1995, increasing military budget, etc.)... and, in particular, at the top, the Crown
- Model **impossible to imitate** due to the contextual constraints and limitations experienced... but useful to legitimate the new elites –both the social-democratic and conservative ones



1978 CONSTITUTION

- Several aims:
 - a) To preserve capitalism within a new regime of liberal democracy
 - b) To preserve the alliance with the US-NATO
 - c) To preserve the privileges and immunity of former authorities
 - d) To distribute power among old and emerging elites in order to prevent instability and revolution
 - e) To make a difference with the democratic institutions of the II Republic
- Referendum in 1978: turnout of 67% and approved by the 88%



1978 CONSTITUTION

- **Sovereignty** lies in the people and full recognition of human rights, universal suffrage and liberal democracy (pluralism)
- **Parliamentary (democratic) Monarchy**: re-legitimation of the King proclaimed by Franco in 1969 as his successor, with “symbolic” (not executive) powers above the President, the Parliament and the Army
- Historic *Nationalities* and Autonomous Regional Governments: **semi-federal and asymmetric state** with 3 regions enjoying more competences and own languages due to past nationalist movements and institutions (Basque country, Catalonia and Galicia)



1978 CONSTITUTION

- Nevertheless, a strong role of the **army** as a safeguard of the "territorial integrity" is recognised, which is used as a threat against pro-independence claims of the "historic nationalities"
- **Bi-cameral** system: Congress or Parliament (low chamber) and Senate (high chamber to increase regional representation), as a legacy of arrangements previous to the II Republic (with just one chamber)
- **Proportional electoral representation** according to universal suffrage in territorial constituencies in order to favour the configuration of a stable two-party system -instead of choosing the majoritarian rule in a single constituency 

1978 CONSTITUTION

- Democratic **political parties** and **labour unions** are recognised, even the right to strike (business associations and other civic associations are also encouraged)
 - Freedom, justice, equality, pluralism and participation are the basic values to be preserved
 - **Rule of law** and normative hierarchy
 - **Separation of powers** (Executive, Legislature and Judiciary) but there is a strong party control over the top judiciary bodies (CGPJ, *General Council of the Judicial Power* and TC, Constitutional Tribunal)... the Executive-Government is under the control of the Congress
- 

1978 CONSTITUTION

- Rigid procedure for modifying the Constitution: either majoritarian approval of 3/5 in each chamber or 2/3 of the Congress plus majority in the Senate + possible referendum... there was only a slight re-phrasing in 1992 of one article regarding the right to vote and a very **substantial change in 2011** regarding the “absolute priority for the payment of the public debt of the state”

