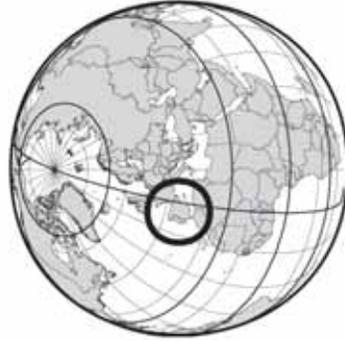


## Kingdom of Spain

Capital: Madrid  
(Madrid Province)  
Population: 40 Million  
(2001 est.)

Boundaries and place names are representative only and do not imply any official endorsement.



Source: ESRI Ltd., CIA World Factbook;  
Times Atlas of the World



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# Spain

## *(Kingdom of Spain)*

SIOBHÁN HARTY\*

### 1 HISTORY AND DEVELOPMENT OF FEDERALISM

The Kingdom of Spain (504,750 km<sup>2</sup>) is located in the southwestern part of the European continent, on the Iberian Peninsula. Its population for 2003 was just over 40 million. The country's current configuration dates back to 1492, when the last Muslim kingdom fell in Granada. From 711 until 1492, a period known as the *Reconquista*, Christian and Islamic forces were locked in a battle over control of the territory. During this period, Spain was a series of kingdoms, two of the most powerful of which, Castile and Aragón, were united in 1469 with the marriage of Ferdinand of Aragón and Isabella of Castile.

Until the eighteenth century, Spain was made up of various kingdoms on the Iberian peninsula. Each kingdom was treated as a distinct entity with its own laws and institutions. Spain's composite monarchy was a loose dynastic union that worked against the consolidation of a unified and coherent Spanish national identity, the consequences of which have been felt up until the present day. In the eighteenth century, a new Bourbon monarchy attempted to centralize state power along the French model most notably by eliminating Catalan political institutions following the War of Spanish Succession (1700–13).

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In the nineteenth century several political and military challenges stretched the capacity of the Spanish crown to build a unified nation-state and remove the threat of rival nationalities in the peripheral regions, including the Napoleonic invasion, a succession of civil wars, and the loss of Spain's last colonies. The consequence of these events was a weak state that relied heavily on the military to maintain order. Added to these difficulties was a particular pattern of industrialization that was concentrated in Catalonia and later the Basque Country, bringing wealth and prosperity to these regions while Castile remained largely agricultural. The state's inability to achieve political and economic modernization was compounded by competing visions of the Spanish state and national identity, most notably state centralism, which did not preclude some political or administrative decentralization, and unitarism, which viewed the territorial state and the Spanish nation as one and indivisible.

Federalism was one possible response to the problem of state and nation building in Spain. Historically, federalism was a democratizing force in Spain, which meant that it was a political project pursued by many republicans. The failure of nineteenth and early twentieth century republicanism, then, necessarily meant the failure of federalism. There was, first, the radical experiment of the Federal Republic – also known as the First Republic – of 1873–74 which sought to introduce federalism *abajo-arriba* (from the bottom up). Due to political opposition, however, republican leaders failed to introduce and implement a federal territorial structure and division of power. Under the Second Republic (1931–39) there was never an explicit commitment to creating a federation, although the “*Estado integral*” may have provided some similarities in terms of its emphasis on regions. During the Second Republic Madrid was controlled by centralist republicans, while in the regions, federal republicans worked towards self-government through Statutes of Autonomy. Catalonia led the way with a Statute that was passed by the Spanish Parliament in 1932. The Autonomy Statutes created a political controversy that contributed directly to the outbreak of the Civil War (1936–39), which was won by the forces of General Francisco Franco.

The Civil War was, in part, about destroying regional autonomy and re-instating Spanish unity. During Franco's dictatorship (1939–75), the regime severely repressed nationalism and regional culture in the Basque Country, Catalonia and Galicia. Towards the end of the dictatorship, the minority nations began campaigning for a return to autonomy. But the autonomy question and the idea of federalism would prove to be substantial obstacles to a peaceful transition to democracy

following Franco's death in 1975. Nevertheless, a commitment on the part of Spanish political elites (including King Juan Carlos I) to reverse discrimination against minority nations opened up the path to constitutional innovations.

## 2 CONSTITUTIONAL PROVISIONS RELATING TO FEDERALISM

Spain is a parliamentary monarchy with King Juan Carlos I as its current head of state. The constitution of the Kingdom of Spain was passed by the Cortes Generales on 31 October 1978 and was ratified by the Spanish people in a referendum on 7 December 1978.

Spain is not a federation in name nor is it a state made up of "constituent units," as is the case with most federations, but it does share many of the institutional features of federal states. There has been much debate in Spain over the precise nature of the constitutional relationship between Madrid and the regions, especially the historic nationalities of Catalonia, the Basque Country and Galicia. The debate is due to the ambiguity of Article 2 of the constitution, which states that "[t]he Constitution is based on the indissoluble unity of the Spanish Nation, the common and indivisible country of all Spaniards; it recognizes and guarantees the right to autonomy of the nationalities and regions of which it is composed, and solidarity amongst them all." Although this article promotes the idea that there is only one constituent nation (Spanish), there are constitutional provisions that promote aspects of federalism. Thus, according to Article 137, "[t]he State is organized territorially into municipalities, provinces and any Autonomous Communities that may be constituted. All these bodies shall enjoy self government for the management of their respective interests." Accession to autonomy is a voluntary right and the constitution specifies how this right can be exercised. Since there are three<sup>1</sup> different ways in which a territory can acquire autonomy, Spain is often referred to as characterized by a form of asymmetrical federalism.

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<sup>1</sup> The North African cities of Ceuta and Melilla each became an Autonomous Community in 1995 through Transitory Provision No. 5 of the constitution, which states: "The cities of Ceuta and Melilla may set themselves up as Autonomous Communities if their respective Municipal Councils should so decide by means of a resolution adopted by an absolute majority of their members and if the Cortes Generales so authorize, in an organic law, under the terms provided in Article 144.

The first path to acquire autonomy is through Transitory Provision No. 2, which allowed the Basque Country, Catalonia and Galicia, as “territories which in the past have, by plebiscite, approved draft Statutes of Autonomy and which at the time of the promulgation of this Constitution, have provisional autonomous regimes,” to proceed to autonomy immediately after the constitution was passed. (The Statutes of the Basque Country and Catalonia came into force in 1979 and that of Galicia in 1981.) This procedure, known as the “rapid route” to autonomy, recognized the status of these three communities as historic nationalities.

Second, according to Article 143, “bordering provinces with common historic, cultural and economic characteristics, island territories and provinces with historic regional status may accede to self-government and form Autonomous Communities.” Generally referred to as the “slow route” to autonomy, Article 143 requires several complicated steps intended to prove popular support for autonomy before a community can acquire powers specified in Article 148. However, it produces a limited form of autonomy, since a newly-established community has to wait five years before expanding the range of its powers to include those allowed under Article 149.

Third, Article 151 (the “exceptional route”) allows non-historic communities to proceed to autonomy along a route that eliminates the five-year waiting period through a system of local initiatives and referenda. This process is even more complicated than that outlined in Article 143 as it requires more than one popular referendum. Andalusia is the only community that has been allowed to proceed to autonomy along this path.

Spain’s central government is bicameral. The Cortes Generales consists of the Congreso de Diputados (Congress of Deputies), the legislative body, and the Senado (Senate), the upper house. Article 64 of the constitution states that the Senate is a chamber of territorial representation for the Autonomous Communities. However, most Senators are elected from the provinces<sup>2</sup> – only a minority is elected from among the members of the regional assemblies of the Autonomous Commu-

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2 As noted, Spain is divided into municipalities and provinces, as well as the Autonomous Communities. The provinces are territorial units that were established in the nineteenth century. Historically, each province was run by a *diputación*, a delegation from Madrid, and some of these bodies still exist. It is the Autonomous Communities that are of importance in terms of the modern federal-type elements of the country.

nities. In 1994, an inter-party working group was set up in the Senate to consider the possibility of a constitutional amendment that would transform the upper house into a chamber of the regions. Although there is support for such an amendment, its progress has been slow.

There are 19 Autonomous Communities in Spain (two of these communities – Ceuta and Melilla – are non-contiguous, located on the north coast of Morocco), each having an Autonomy Statute that was approved by the Spanish Cortes. In this sense, the autonomy of each community ultimately depends on parliamentary authority. The Autonomy Statute sets out the constitutional division of powers, which is provided for in Articles 148, 149 and 150. Article 148 specifies the exclusive powers of the Autonomous Communities and includes: the organization of their institutions of self-government; town and country planning and housing; promotion of the economic development of the Autonomous Community within the objectives set by national economic policy; museums, libraries and music conservatories of interest to the Autonomous Community; the promotion of culture, of research and, when applicable, the teaching of the language of the Autonomous Community; the promotion and planning of tourism within its territorial area; social assistance; and health and hygiene.

Article 149 specifies the exclusive powers of the Spanish state. These powers include: nationality, immigration, emigration, status of aliens, and right of asylum; international relations; customs and tariff regulations; foreign trade; defence and the armed forces; the administration of justice; civil legislation and legislation on intellectual property; taxation; promotion of scientific research; public safety; and promotion of Spanish culture.

Several Autonomous Communities have, over time, negotiated the transfer of the central state's exclusive powers through two mechanisms contained in Article 150. The first mechanism is the delegation of powers and the transfer of financial resources to fund these powers. This delegation in no way implies a ceding of sovereignty on the part of the central power. Second, some normally exclusive powers of the state (justice, fiscal affairs, public security and international affairs) have been acquired by the "rapid route" Autonomous Communities.

There is one important special constitutional provision relating to the division of powers – Additional Provision No. 1. According to this, the constitution protects and respects the historic rights of the territories with "*fueros*," which are the historic privileges of different Spanish regions. Most of these privileges were lost during the

eighteenth and nineteenth centuries, although the Basque Country and Navarra retained some of theirs. The *fueros* are not merely residual powers that are largely irrelevant for the twenty-first century. Additional Provision No. 1 makes it clear that these privileges can be updated within the framework of the Autonomy Statutes and, indeed, the *fueros* have been central to current debates on increasing federalism in Spain.

Financing for the governance of the Autonomous Communities is provided for under several different constitutional articles. Article 156 recognizes the right of the Autonomous Communities to financial autonomy. Article 157 stipulates that “[t]he resources of the Autonomous Communities shall comprise: a) taxes wholly or partially made over to them by the State; surcharges on State taxes and other shares in State revenue; b) their own taxes, rates and special levies; c) transfers from an inter-territorial clearing fund and other allocations to be charged to the General State Budget; d) revenues accruing from their property and private law income; e) the yield from credit operations.” In addition, Article 158 states that an allocation may be made to the Autonomous Communities in the General State Budget in proportion to the volume of state services and activities for which they have assumed responsibility.

The details of the financial arrangements and mechanisms to be applied to finance the Autonomous Communities were laid out in the Organic Law on the Funding of Autonomous Communities (Ley Orgánica de Financiación de las Comunidades Autónomas (LOFCA)) in 1980. In addition to the law, various multi-year agreements have been negotiated between a state body set up by this law and the regional assemblies. Financing is also regulated by the principle of solidarity among the communities, which is designed to correct regional imbalances (Articles 2, 138, 156). The Inter-Regional Compensation Fund (Article 157.1) redistributes funds among regions according to criteria such as population density, relative income, level of unemployment, level of integration, population dispersal and insularity.

The central government has primary responsibility for raising taxes under Article 133.1, but Autonomous Communities and local governments may also raise some taxes (Article 133.2) where the state has delegated the power to do so. Very few Autonomous Communities do raise taxes, the exceptions being the Basque Country and Navarra, which have retained historic tax-raising powers through Additional Provision No. 1. The rates for some of these taxes (personal income tax, company tax and value-added tax (VAT)) must be the same as those set by the state.

Given Spain's troubled constitutional history, the fathers of the current constitution were careful to create institutions and procedures for the resolution of disputes, and in particular this role falls to the Constitutional Court (Title IX (Articles 159-165)). According to Article 159, the Court consists of 12 members appointed for nine years. Members are nominated by Congress (4), the Senate (4), the government (2) and General Council of the Judiciary (2). The Court has jurisdiction over all Spanish territory and is empowered to hear appeals about the unconstitutionality of laws and regulations, individual appeals for protection against violation of rights and liberties, and conflicts of jurisdiction between the state and the Autonomous Communities or between the Autonomous Communities themselves (Article 161). The Spanish government is permitted to contest before the Constitutional Court rules and regulations adopted by the agencies of the Autonomous Communities (Article 161.2). This right can potentially cause divisions between Madrid and the Autonomous Communities since the decision to contest a provision causes its immediate suspension. The Court then has five months in which to ratify or lift the suspension.

The procedures for constitutional amendment are complicated and vary depending on which parts of the constitution are to be amended. The government, Congress and Senate can propose an amendment (Article 166), which must then be approved by three-fifths of each House (Article 167.1). Once this has been achieved, the amendment is submitted to a popular referendum, if one-tenth of either House requests it within 15 days of its passage (Article 167.3). If, however, the three-fifths threshold is not reached in the two Houses, a Commission of Deputies and Senators is set up to redraft the bill. It is then resubmitted to the two Houses for voting (Article 167.2). If approval is not achieved in this way, but at least the majority of the Senate has passed the bill, then the Congress can pass the bill by a two-thirds vote in favour (Article 167.2).<sup>3</sup> The amendment procedure is more complicated in the two following situations: (1) a total revision of the constitution is proposed or (2) a partial proposal is made that will affect the Preliminary Title (Articles 2-9), Chapter Two, Section 1 of Title I

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3 It appears from this that the role of the Autonomous Communities is limited in the amendment process – Article 87.2 states only that “the Assemblies of the Autonomous Communities may request the Government to pass a bill or refer a non-governmental bill to the Congressional Steering Committee and to delegate a maximum of three Assembly members to defend it.”

(Fundamental Rights and Liberties), or Title II (the Crown). In these cases, a two-thirds majority of the members of each House must approve the principle of amendment, at which point the Cortes is dissolved and general elections are held (Article 168.1). The newly-elected Cortes must approve the decision, proceed to an examination of the new constitutional text and ratify it through a two-thirds majority of both Houses (Article 168.2). Finally, the new constitution must be ratified in a popular referendum (Article 168.3).

### 3 RECENT POLITICAL DYNAMICS

The year 2003 marked the 25<sup>th</sup> anniversary of the Spanish constitution. In a survey of opinion about the constitution, it was revealed that 54% of Spanish citizens are “fairly” or “very” satisfied with it and 49% are confident that the constitution can help resolve some of Spain’s current political problems. A constitutional culture has obviously taken root in Spain despite the fact that 88% of Spaniards admit to not knowing the constitution very well.<sup>4</sup> Just over half of Spaniards support the existing constitutional structure but nearly one-third of Spanish citizens (32%) would prefer a constitution which gave Spain’s Autonomous Communities more power than they currently have (24%) or even recognized that they could become independent states (8%). Indeed, the anniversary of the constitution has created an opening for a public debate on the constitutional pact of 1978 and on the possibilities of reforming it. Political leaders in the Basque Country, Catalonia and Valencia – a new addition to regional nationalist politics of this nature – have seized upon the 25<sup>th</sup> anniversary of the constitution as an opportunity for change.

There is certainly a lot of momentum for change within Spain’s three historic substate nations (Basque Country, Catalonia and Galicia), which have repeatedly argued that they would like a re-reading of the constitution to recognize the plurinational nature of Spain. Their combined efforts produced the Declaration of Barcelona (16 July 1998), the Gasteiz Agreement (15 September 1998) and the Santiago Agreement (1 November 1998). The first of these called for a public debate on a new political culture that recognizes and supports the plurinational character of the Spanish state, while the second expressed a commitment to work collaboratively in the Spanish Cortes as

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4 Centro de Investigaciones Sociológicas (CIS), *Barómetro de septiembre*, Estudio No. 2.535, September 2003, <http://www.cis.es/>

well as in EU institutions to promote their shared objectives and to raise awareness about plurinationalism. Finally, the Santiago Agreement was critical of what were seen as the centralist and mononationalist tendencies of the institutions of the central state, including the Constitutional Court, which together have negated “the exclusive competencies of autonomous communities.”

In addition to these cross-regional efforts to promote plurinationalism, the Basque, Catalan and Valencian political parties of different leanings are also pursuing efforts to reform their Autonomy Statutes. In Catalonia, three political parties introduced proposals for a new Autonomy Statute in advance of the regional elections of 16 November 2003: the ruling party, *Convergència i Unió* (ciU); *Partit dels Socialistes de Catalunya* (PSC); and *Esquerra Republicana de Catalunya* (ERC). Each of these proposals is based on a pair of shared assumptions: first, the Catalan people enjoy the right to self-determination and thus to make collective decisions about their future; and, second, the Spanish constitution provides the legal means by which to enhance the region’s autonomy. So, none of the parties is proposing to amend the constitution; rather, they are all asking that it be fully implemented so that regional autonomy might be enhanced.

The results of the election were inconclusive at best. The Catalan newspaper *Avui* reported on 17 November 2003 that ciU had won with 46 seats (down from 56 in 1999). One month later, 17 December 2003, *Avui*’s headlines told a much different story: Pasqual Maragall, leader of the PSC, was elected President of the Generalitat (the institution in which the self-government of Catalonia is politically organized) by the members of the Catalan Parliament. Although the PSC had obtained only 42 seats (down from 52 in 1999), it negotiated a tripartite governing pact with two other parties on the left: ERC (23 seats, up from 12 in 1999) and the coalition of *Iniciativa per Catalunya Verds* and *Esquerra Unida i Alternativa* (ICV-EUiA, 9 seats, up from 3 in 1999). The post-election negotiations were lengthy and dramatic, and the outcome has substantially reconfigured the political map in Catalonia. Perhaps in recognition of his huge electoral success, the leader of ERC, Josep-Lluís Carod-Rovira, will be the ‘*conseller en cap*’ (first minister), with responsibility for certain functions that were previously presidential ones (such as foreign relations, language policy and immigration) in addition to the coordination of all legislative functions.

In the Basque Country, the leader of the Basque regional government and of the *Partido Nacionalista Vasco* (PNV), Juan José Ibarretxe, presented a “Political Pact for Coexistence” in September 2003, which proposes “a new political model of relations with the Spanish

state based on free association and compatible with the possibilities of developing a composite, plurinational and asymmetric state.” As with the various Catalan proposals, the plan is supported by three pillars: the distinctive identity and history of the Basque people; the right of the Basque people to decide their own future; and the right of the Basque people to be consulted through public channels so that they might decide their own future. Like the Catalan proposals, the Basque plan is to re-read the constitution in such a way as to implement it fully so as to deepen self-government within the Basque Autonomous Community.

Calls for reform were not limited to the historic nationalist communities. In Valencia, the opposition Partit Socialista Del País Valencià (PSPV) recently presented a plan to reform the region’s Autonomy Statute that will “deepen self-government so as to consolidate [its] historic rights and identity as a people in order to enhance the capacity of the region to improve the living conditions of all Valencians.” Finally, the socialist President of the Junta of Andalucía, Manuel Chaves, has also called for a reform of the community’s Autonomy Statute, a move that is supported by most political parties.

Madrid has been extremely reluctant to respond to calls for increased autonomy and has virtually rejected these. The conservative and narrow interpretation of the Spanish constitution that holds sway in Madrid has resulted in the view that it is untouchable because it reflects and upholds civic consensus. The Spanish Prime Minister and leader of the Partido Popular, José María Aznar, has stated that “No modification of our constitutional trademark is possible without the support of the same representation which was responsible for its birth.”<sup>5</sup> So, any attempt by Spain’s substate nations to seek further autonomy must leave the magna carta, as the constitution is popularly known, intact.

As if to support the Prime Minister’s statement and to put their mark of authority on current debates on reforming the constitution, its seven authors issued the Declaration of Gredos on 7 October 2003. Reunited at the historic hotel where they produced a draft of the constitution in 1978, they seemed to accept that there might be future reforms to the constitution but signalled the conditions under which they should be pursued. They stated that “[a]ny possible reforms to the constitutional text that the future might counsel must

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5 “Aznar encarrega al seu successor que mantingui la unitat constitucional,” *Avui*, 1 July 2003 (Internet edition), <http://www.avui.com>

conform to the rules of the game established by the Constitution and obtain equal or greater consensus than that which presided over its elaboration.” That probably would not be too difficult. In 1978, the all-Spain turnout for the referendum was a disappointment: 33% of eligible voters stayed home. Of total eligible voters, 58% supported the constitution (88% of those who actually voted), while 8% rejected it. The constitution received majority support in Catalonia and Galicia but only 35% of eligible Basque voters supported it, with a large number abstaining, and none of the Basque nationalist parties would support it.

So, while 2003 was a year for celebrating Spain’s constitution, there are signs that some political leaders see the maturation of Spain’s democracy as an opportunity for a public debate on the country’s path into the twenty-first century while others are afraid to make that leap.

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Table I  
Political and Geographic Indicators

Capital city	Madrid
Number and type of constituent units	<p><i>17 Autonomous Communities:</i> Andalucía, Aragón, Asturias, Balears (Balearic Islands), Canarias (Canary Islands), Cantabria, Castilla-La Mancha, Castilla y León, Cataluña, Comunidad Valenciana, Extremadura, Galicia, La Rioja, Madrid, Murcia, Navarra, País Vasco (Basque Country).</p> <p><i>2 Non-Contiguous Autonomous Communities:</i> Ceuta and Melilla (located on the north coast of Morocco)</p> <p><i>3 Sovereign Areas</i> (off the coast of Morocco): the Islas Chafarinas, Peñón de Alhucemas, and Peñón de Velez de la Gomera are under direct Spanish administration</p> <p><i>1 Principality:</i> Andorra (under the shared sovereignty of Spain and France)</p>
Official language(s)	Castilian Spanish
Area	504 782 km <sup>2</sup>
Area – largest constituent unit	Castilla y León – 94 224 km <sup>2</sup>
Area – Smallest Constituent Unit	Baleares – 4 992 km <sup>2</sup>
Total population	41 180 000 (2002)
Population by constituent unit (% of total population)	<p>Andalucía 17.9%, Cataluña 15.5%, Madrid 13.2%, Comunidad Valenciana 10.3%, Galicia 6.5%, Castilla y León 5.9%, País Vasco 5.0%, Canarias 4.4%, Castilla-La Mancha 4.2%, Murcia 2.9%, Aragón 2.9%, Asturias 2.6%, Extremadura 2.6%, Balears 2.2%, Navarra 1.4%, Cantabria 1.3%, La Rioja 0.7%, Ceuta 0.2%, Melilla 0.2%</p>
Political system – federal	Constitutional Monarchy with a Parliamentary System
Head of state – federal	King Juan Carlos I de Borbón y Borbón (1975)
Head of government – federal	<p>President of the Government Jose Maria Aznar Lopez (1996–2000). President is elected by the National Assembly on the recommendation of the Monarch (absolute majority if it is the first voting, and simple majority if it is the second voting).</p> <p>President appoints the Cabinet (Council of Ministers). Both serve for a 4-year term.</p>
Government structure – federal	<p>Bicameral: Las Cortes Generales (General Courts)</p> <p><i>Upper House:</i> Senate (Senado), 259 seats. Some members are elected by the assemblies of the Autonomous Communities/Regions; most are elected by the provinces.</p> <p><i>Lower House:</i> Congress of Deputies (Congreso de los Diputados), 350 seats. Members are elected by popular vote on block lists by proportional representation to serve 4-year terms.</p>

Table I (continued)

Number of representatives in lower house of federal government of most populated constituent unit	Andalucía – 62
Number of representatives in lower house of federal government for least populated constituent unit	La Rioja – 4
Distribution of representation in upper house of federal government	<p>259 seats.</p> <p>The 17 (mainland plus Canarias) Autonomous Communities have 1 representative in the Senate and 1 additional member for every million of inhabitants in their territories, appointed by the Legislative Assemblies of the Autonomous Communities. Since 2000, the representation is as follows: Andalucía 8, Aragón 2, Asturias 2, Balears 1, Canarias 2, Cantabria 1, Castilla-La Mancha 2, Castilla y León 3, Cataluña 7, Comunidad Valenciana 5, Extremadura 2, Galicia 3, Madrid 6, Murcia 2, Navarra 1, País Vasco 3, La Rioja 1. Ceuta and Melilla have 2 seats each.</p> <p>The remaining 204 senators are directly elected in the provinces, or the islands in association with Spain.</p>
Distribution of powers	<p>The federal government legislates and implements policies related to few areas such as foreign policy, defence, customs and tariffs, immigration, scientific research, intellectual property, fiscal and monetary policy – under the guidelines of the European Union – and criminal law (Article 149). For many other areas the federal government is the policy maker (it has exclusive power over 32 matters), while the regions implement the policies. The federal government issues basic legislation over matters such as environmental policy, land use and physical planning, forestry, transportation, cultural heritage and economic development. In case of conflict, federal law will prevail. The exclusive powers of the Autonomous Communities include, among other things, town and country planning and housing, museums, libraries and music conservatories, social assistance, health and hygiene, the promotion of culture and tourism, and when applicable, the teaching of the language of the Autonomous Community (Article 148).</p>
Residual powers	Residual powers belong to the federal government and the regions. <sup>1</sup>

Table I (continued)

Constitutional court (highest court dealing with constitutional matters)	Constitutional Court (Tribunal Constitucional de España). There are 12 members of the Constitutional Court of which 4 are nominated by a three-fifths majority in Congress, 4 are nominated by the Senate with the same majority, 2 are nominated by the government, and 2 by the General Council of the Judiciary. Justices are appointed for a 9-year term and one-third of the membership is renewed every 3 years. The President of the Constitutional Court is appointed by the Monarch on the recommendation of the Court to serve a 3-year term (the President can be reappointed only once).
Political system of constituent units	Unicameral: Legislative Assemblies. Proportionally elected, with the specific composition determined by the community.
Head of government – constituent units	President of the Governing Council. The President is elected by the Legislative Assembly from among its own members.

Table II  
Economic and Social Indicators

GDP	US\$852.3 billion at PPP (2002)
GDP per capita	US\$20 697 at PPP (2002)
National debt (external)	US\$617.7 billion (December 2002)
Sub-national debt	US\$48.3 billion (September 2003)
National unemployment rate	10.5 % (2001)
Constituent unit with highest unemployment rate	Andalucía – 18.8% (2001)
Constituent unit with lowest unemployment rate	La Rioja – 4.4% (2001)
Adult literacy rate	97.7 % (2001) <sup>2</sup>
National expenditures on education as % of GDP	4.5 % (1998–2000)
Life expectancy in years	79.1
Federal government revenues – from taxes and related sources	US\$88 billion (2002)
Constituent unit revenues collectively – from taxes and related sources	US\$27.3 billion (2002)
Federal transfers to constituent units	US\$23.9 billion (2002)
Equalization mechanisms	Federal transfers calculated on the basis of, among other things, population, size, number of internal provinces within constituent unit, personal income.

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#### Notes

- 1 Note that “5 of the 17 sub-national orders of government retain residual powers, for the others the residual powers are federal.” Ronald L. Watts. 1999. *Comparing Federal Systems*. Second Edition. Kingston: Institute of Intergovernmental Relations, Queen’s University, p. 126.
- 2 Age 15 and above.