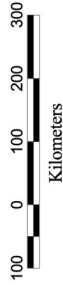


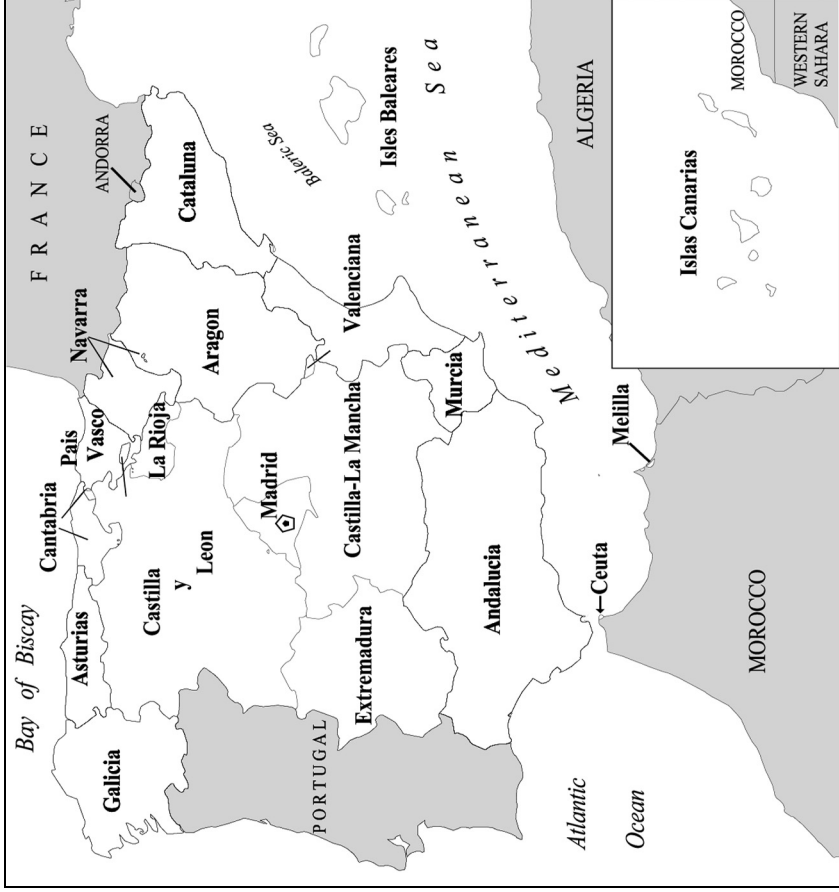
# Spain

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

Boundaries and place names  
are representative only and do  
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Source: ESRI Ltd., CIA World Factbook,  
Times Atlas of the World



# Kingdom of Spain

FRANCISCO ALDECOA AND NOÉ CORNAGO

Although not formally a federal country, Spain, the so-called State of the Autonomies, is a highly decentralized political system.<sup>1</sup> Its uniqueness is largely due to the complex territorial organization that was created during the post-1975 transition to democracy, when Spain achieved a new and widely shared legitimacy. After decades of dictatorship, the most influential political forces agreed on the need to significantly decentralize political power in order to contain separatist trends as well as to try to win the widest popular support for the new democracy. As an outcome of this political climate, the framers of the Spanish Constitution of 1978 established a quasi-federal system, albeit with significant asymmetric features.<sup>2</sup> Nonetheless, for more than two decades, the Spanish political system has quite successfully managed the political tensions between centralist forces and ethno-territorial demands. More recently, however, the situation changed dramatically. A wave of new legal reforms and political decisions is challenging the Spanish political model and engendering significant political debate.

The Spanish Constitution stipulates that international relations are the exclusive competence of the central government, but from the very first moment, the new political system revealed a quite unexpected foreign dimension when regional governments tried to develop a presence abroad. Reasons for this development are very diverse, depending on the different specific cases, but in broad terms, it is the result of a more or less balanced combination of both functional and symbolic concerns. For some regions, such as Catalonia and the Basque Country, both governed by nationalists for a prolonged period, developing a presence abroad was from the outset of democracy very important because it made possible symbolic representation of these regions as political entities differentiated from the rest of Spain. Rarely spectacular in form and content, this international activism has, however, provoked considerable concern among more centralist political forces. But generally, economic reasons are the most powerful motives for autonomous communities' international activism. The impact of globalization and

more specifically the effects of European integration have induced all subnational governments, not only those with an ethno-nationalist profile, to look abroad and to intensify international economic and political relations. As a result of this trend, a combination of legal and intergovernmental mechanisms has been created during the past decades to facilitate the necessary policy learning among the different orders of government, with the aim of assuring institutional stability and democratic legitimacy.<sup>3</sup>

#### COUNTRY OVERVIEW

The Kingdom of Spain is formally a unitary yet decentralized state. Although the 1978 Constitution emphasizes the indissoluble unity of the Spanish nation, it also expresses the need to protect cultural diversity and the right to territorial self-government. The Constitution does not specify the identity and number of constituent units, but it does establish the distinction between the so-called *nationalities* and mere *regions*. Until very recently, it was generally accepted that the nationalities were the Basque Country and Catalonia, which already enjoyed autonomy during the Spanish Second Republic (1931–39), as well as Galicia, which came close to attaining this status at the end of this period. But the situation has changed recently because Article 1 of the new Statute of Autonomy of Andalusia, formally adopted in 2007, establishes that Andalusia is also a historic nationality. However, in spite of the ambiguity of the constitutional text, between 1979 and 1983, seventeen autonomous communities and two autonomous cities were created, each with its own specific statute of autonomy.<sup>4</sup> These are Andalusia, Aragon, Asturias, the Basque Country, the Balearic Islands, the Canary Islands, Cantabria, Castille-LaMancha, Castille-Leon, Catalonia, Extremadura, Galicia, La Rioja, Madrid, Murcia, Navarre, Valencia, and two African enclaves, the autonomous cities of Ceuta and Melilla.<sup>5</sup>

Each autonomous community has a parliament or legislative assembly, elected by direct universal suffrage. The parliament elects the president of the community, who later appoints the Regional Government Council. Within the limits established by Articles 148 and 149 of the Spanish Constitution, each autonomous community holds all the powers that are listed in its own Statute of Autonomy and effectively transferred by the national state in fields such as organization of the institutions of autonomous government, land-use planning, town planning, housing, public works, agriculture, fisheries, culture, economic development, and tourism, among others. In the case of the Basque Country and Navarre, for historical reasons, the powers are also extended to regulation and tax collection. The communities wield legislative power in their areas of both exclusive and shared authority. A delegate of the central government represents the state's central administration within each autonomous community.<sup>6</sup>

Spain is a country of great cultural diversity that lacks a single and all-embracing national identity. Although Spanish is the only official language for the whole state, it shares its official status with others such as Catalan, Basque, and Galician in their respective autonomous territories.<sup>7</sup> In these regions, significant parts of the population have developed a strong nationalist feeling that questions the idea of a fully coherent and unanimously shared Spanish national identity. In addition, as a way to show refusal with the proverbial Spanish rightist national patriotism that characterized Francisco Franco's dictatorship (1939–75), the Spanish left has usually been quite sympathetic to ethno-national claims. But interestingly, the result of this pluralism has not been a growing social or political polarization because even in those regions in which ethno-nationalist feelings are widely shared, most of the population shows what has been called a dual identity. According to a 2002 survey, 78% of Spain's people define themselves in dual terms (e.g., Basque and Spanish, Catalan and Spanish, Galician and Spanish, and Andalusian and Spanish) but only 22% as simply Spanish, Basque, Catalan, Galician, or Andalusian. Even in the Basque Country, in which nationalist feelings are particularly salient, only around 25% of the people define themselves as simply Basque, against more than 40% who prefer to identify as both Basque and Spanish. As Luis Moreno has rightly pointed out, the pervasiveness of this dual identity explains the fact that Spanish citizens generally feel loyalty to both orders of government without perceiving this dual loyalty as contradictory.<sup>8</sup>

More recently, however, the situation has changed considerably because the political system established by the Constitution of 1978 is being widely questioned, particularly by Basque and Catalan nationalists. In addition, the two major political parties – the Socialist Party and the centre-right Popular Party – have such different understandings of the issue that achieving consensus for any constitutional reform seems almost impossible. But while resistance to constitutional reform is strong, changes have already begun from below. In 2004, after the accession to power of President<sup>9</sup> José Luis Rodríguez-Zapatero with the conditional support of Catalan left-wing nationalists, a new era of significant changes began. In 2005 the Basque government proposed a new framework for bilateral relations between the Basque Country and Spain, aiming to achieve a new, more loosely structured model of association, but the so-called Ibarretxe Plan was abruptly turned down by the Spanish Parliament. The Basque case stands in contrast to the successful adoption of new statutes of autonomy in Andalusia, Catalonia, and Valencia. Moreover, at present, various autonomous communities, such as Aragon, the Balearic Islands, and the Canaries, are also formally involved in their own reform processes.

In some political quarters, these statutory reforms are seen simply as an opportunity for the autonomous communities to slightly increase their

level of autonomy, but for ethno-nationalists, the current process could open the way to full constitutional recognition of Spain as a *plurinational* state, although this is much more controversial. The idea of a plurinational state is certainly gaining recognition in some academic and political circles, not necessarily ethno-nationalist, as a way to renew the grammar of the political legitimacy of Spain, but it also provokes resistance among those who understand Spain as a unitary nation-state.<sup>10</sup>

Finally, in addition to the political and institutional context, and to understand the growing international activism of the Spanish regions, it is worth noting Spain's economic transformation over the past decades. Until 1978 Spain was officially regarded as an underdeveloped country by the Organization for Economic Cooperation and Development (OECD), but in the short time since the restoration of democracy, it has acquired the features of a middle power whose economic, political, and cultural influence in the world is growing rapidly.<sup>11</sup> With a population of around 44 million inhabitants<sup>12</sup> and a gross domestic product (GDP) of more than US\$1.4 trillion in 2007,<sup>13</sup> Spain is presently the eighth-largest economy in the world as well as one of the most dynamic within the European Union (EU). According to a recent OECD survey,<sup>14</sup> Spain has managed a remarkable performance in terms of growth, employment, public finances, foreign trade, and inward and outward investment since the early 1990s. Spanish corporations have made a global name for themselves in crucial sectors such as banking, textiles, energy, construction, and telecommunications. This corporate international presence has added a new economic dimension to Spanish foreign policy, advancing the international position of Spain in the global market. But these favourable developments are threatened by weaker performances in the control of inflation, competitiveness, household debt, external deficits, and territorial economic imbalances. Another weakness of Spain's economy lies in its dependence on foreign supplies of energy. Because Spain produces less than a quarter of its energy needs, access to secure supplies of energy while keeping consumption in line with its Kyoto commitment is an important foreign policy priority. This is a major issue that has only recently begun to attract the attention of the autonomous communities.

In addition to good economic performance, the positive effects of EU membership have also facilitated the improvement of social welfare and domestic political cohesiveness. The 2006 United Nations' Human Development Index, for instance, places Spain in nineteenth position, immediately after France, Italy, and the United Kingdom and before Germany. However, Spain's GDP per capita, now US\$25,600, remains 7% below the OECD average and more than 17% below that of the EU. Further, important territorial inequalities exist among the autonomous communities. A small group of regions have average incomes considerably above the EU

average. This is the case for the Balearic Islands, the Basque Country, Catalonia, La Rioja, Madrid, and Navarre, while others like Andalusia, Extremadura, and Castille-La Mancha have significantly lower values. Economic dynamism is also concentrated in some regions. Andalusia, the Basque Country, Catalonia, Madrid, and Valencia produce more than 70% of Spain's GDP. These imbalances are at the base of the increasing competition among the autonomous communities, and they act as an incentive for political mobilization at both the domestic and international levels.

#### SPAIN'S CHANGING ROLE IN THE WORLD

Since the transition to democracy, Spanish foreign policy has been characterized by a firm determination to avoid direct involvement in armed conflict, as well as the will to make its diplomatic resources and negotiation capabilities available to the service and promotion of international cooperation. During the past decades, this peaceful approach to foreign policy – only recently interrupted – greatly facilitated widespread acceptance of Spain as a legitimate member of the democratic world, but it contrasts significantly with the long historical tradition of war and conquest that characterizes Spain's imperial past from its early beginnings to its final decline.

In 1898, after the Spanish-American War and the consequent loss of Cuba, Puerto Rico, and the Philippines, Spain's international ambitions declined dramatically. Absorbed first by domestic problems and later by a long civil war, Spain remained formally neutral during both the First World War and, albeit more disputably, the Second World War. After Franco's victory in 1939, the Republican government in exile was quickly disappointed in its expectations of obtaining the international support required to overturn Franco's regime. But for more than a decade, Spain experienced almost total international isolation. Both the Soviet Union and the United States, as well as their allies, rejected Franco's dictatorship and promoted the diplomatic isolation of Spain, even exclusion from United Nations (UN) membership. Only Argentina offered limited support in the early years of the Franco regime. During this period, both the Basque and Catalan governments in exile enjoyed a certain degree of international legitimacy, although in practice they lacked any substantial political influence. After many previous failed attempts, Spain became a member of the UN in 1956, and in 1969 Spain was even elected, somewhat unexpectedly, as a nonpermanent member of the UN Security Council. But the diverse efforts employed by the regime to obtain international recognition usually failed. However, the ideological climate of the Cold War and Franco's resolute anticommunism facilitated escape from this isolation. In 1953 a bilateral military treaty with the United States set the stage for a long and tedious process of gaining diplomatic recognition across the world.

After Franco's death in 1975, Spain's transition to democracy was widely celebrated around the world, but for many years its foreign policy remained particularly discreet. The adaptation of Spanish foreign policy to the standards of Western democracies was even characterized by continuity more than renewal. In this context, only the rapid signing and ratification of some of the most important international legal agreements on human rights in 1979, the establishment of diplomatic relations with the Soviet Union in 1977 and with Israel in 1986, and membership in NATO in 1981 and in the European Communities in 1986 marked a long awaited break with the past. With the exception of the somewhat controversial process of gaining membership in NATO, these achievements were widely supported by the main political parties, and it can be said that for more than three decades, the successive centrist, socialist, and centre-right governments generally formulated and implemented Spanish foreign policy in a climate of national consensus.

In this context, the leading role of Spain in both the Central American and Middle East peace processes in the 1980s as well as the institutionalization of both the Iberoamerican Summits and Euro-Mediterranean Conferences by the early 1990s fulfilled Spain's international ambitions in record time. But surprisingly, most of the international priorities of the new democratic Spain look almost the same as those that for many years characterized the Franco dictatorship's international efforts: deeper participation in European integration; commitment to Western security schemes under the leadership of the United States; and special attention to economic and political developments in Latin America and, to a lesser extent, in the Arab states.<sup>15</sup>

Nonetheless, the Popular Party's second period in office, under the leadership of Jose María Aznar, led to changes in Spanish foreign policy that resulted in the breaking of the so-called national consensus in foreign policy. Aznar's alleged ambition was to achieve international visibility and influence for Spain, which would correspond to its increasing economic weight and cultural presence around the world, through the adoption of a more active and aggressive international role. His staunch alignment with President George W. Bush and Prime Minister Tony Blair in the global "war on terror" and more specifically in the 2003 invasion of Iraq, in contrast with the more moderate position adopted by Germany and France, among others, provoked massive street demonstrations. Later, in March 2004, the tragic train bombings in Madrid three days before the Spanish elections, and the immediate decision by the newly elected President Zapatero to withdraw Spanish troops from Iraq, brought Spanish foreign policy into the international spotlight. The new socialist government adopted a new foreign policy discourse under the rubric of the so-called Alliance of the Civilizations, a global invitation to promote intercultural dialogue launched by Zapatero and the Turkish premier, Recep Tayyip Erdogan,

which immediately received the support of the UN's secretary general, Kofi Annan. However, as discussed below, the most significant source of renewal for Spanish foreign policy has been EU membership.

#### THE SPECIAL RELEVANCE OF THE EUROPEAN CONTEXT

As in other policy domains, the most important force behind the transformation of Spanish foreign policy has been Spain's membership in the EU. Of course, the way that this influence has worked has varied, depending on both the successive stages in the integration process and the changing domestic economic and political factors. But in broad terms, it can be said that the EU and to a lesser extent the Council of Europe have provided international legitimacy and credibility to Spanish foreign policy efforts, helping to promote its national interests, particularly with respect to the relationship with its Atlantic partners and with Latin American, eastern European, and Mediterranean countries, thus maximizing its economic, political, and cultural influence.<sup>16</sup>

The implications of EU membership have been even more decisive for the internationalization of the autonomous communities. The initial erosion of regional governments' authority across Europe as a result of integration soon provoked the political mobilization of regional elites in Spain, as it did in countries like Austria, Belgium, and Germany. This sub-national mobilization has facilitated the establishment of both formal and informal mechanisms for regional participation in the EU's political process, creating the basis for policy learning and domestic administrative adaptation in member states. There have been three milestones in the EU's political recognition of the regions: first, the 1994 creation of the Committee of the Regions with a consultative role on issues such as territorial and social cohesion, education and culture, public health, transport, and infrastructure; second, the recruitment of regional authorities as partners in implementing European policies; and third, the provision that member states can be represented in the Council of Ministers by ministers of their respective regional governments.<sup>17</sup> As this chapter shows below, the political debate about the establishment of this policy was particularly intense in Spain because the autonomous communities have always considered gaining access to European institutional resources and decision-making procedures their international priority.

EU membership has been a particularly important source of revenue for Spanish regions and municipalities. As the largest net beneficiary of European structural and cohesion funds in absolute terms, Spain received more than US\$72.5 billion – that is, more than 25% of total net EU subsidies – from 2000 to 2006. Due to the most recent EU enlargement, however, Spain will eventually become a net contributor to the EU budget and will



thus lose one of the driving forces behind its economic success. This scenario is causing increasing concern among regional elites, but in the meantime European programs have provided strong incentives for autonomous communities to participate in activities across Europe and beyond.

The EU's important domestic implications for Spain contrast with NATO's weak impact on the Spanish political system. Spanish participation in the Western alliance has been largely irrelevant in shaping the autonomous communities' international role. Although the accomplishment of Spanish NATO membership was preceded by significant popular opposition – particularly in the Basque Country – the Constitution explicitly reserves military and defence powers to the national government, and none of the autonomous communities has ever questioned this seriously. Occasionally, however, there has been some controversy between the central government and some autonomous communities about the utilization of American military bases in Spain, particularly during the Iraq and Afghanistan wars. In addition, in the context of the “war on terror,” some autonomous communities that have their own autonomous police forces, such as Navarre, Catalonia, and especially the Basque Country, have explored, albeit without success, the possibility of participating in cross-border operations in the framework of Interpol cooperation. More recently, other issues with implications for security, illegal immigration, and organized crime have given rise to increasing concern in some autonomous communities, especially in Andalusia and the Canaries.

#### THE CHANGING CONSTITUTIONAL SETTING

The Spanish quasi-federal political system is not a fully accomplished political project but an evolving reality. The Spanish transition to democracy produced a constitutional arrangement that allows each of the regions subsequently to decide its own model of autonomy within Spain. Once a statute of autonomy is enforced, the fulfilment of its provisions is subject to continuous negotiation between the constituent government and the central government in order to determine the specific terms and character of the devolution process. In this context, therefore, the international role of the State of the Autonomies is certainly an issue open to negotiation. Of course, the Constitution of 1978 establishes the base in this regard, as do, more modestly, the statutes of autonomy, but the final model is far from being built because its construction is evolutionary by nature.

The Constitution of 1978 does not refer explicitly to any foreign activity of the autonomous communities. Rather, it establishes very concisely and without further explanation that the domain of “international relations” is an exclusive power of the state (Art. 149.1.3). The state also has exclusive power over foreign and defence policy (Art. 97), foreign representation

and diplomacy (Arts 56.1. and 63.1), treaty making (Arts 93, 94, and 96), and many other domains, such as nationality, migration, status of aliens, asylum, foreign trade, currency and monetary policies, customs, public health measures, air space, flag shipping, and licensing of aircraft (Art. 149.1). However, in contrast with other countries where federal institutions have power to implement foreign policy domestically regardless of the division of powers, the Spanish model requires the cooperation of the autonomous communities to implement any foreign policy measure or international law (including European law) that affects regional powers. In addition, in accordance with the evolving jurisprudence of the Constitutional Court, the autonomous governments are entitled to become engaged internationally insofar as this serves the management of the foreign aspects of their own areas of jurisdiction. However, to understand the Spanish political process, it is important to note that, in contrast with federal countries such as Germany and Austria, Spain's constitutional system does not provide for the effective representation of the autonomous communities at the national level. Although there is a territorial chamber, the Senate, it lacks clout and is basically irrelevant in the decision-making process. Consequently, reform of the lower house is one of the most important constitutional issues.<sup>18</sup>

In addition to the constitutional provisions, the legal framework for the autonomous communities' foreign relations also depends on the specific provisions contained in the different statutes of autonomy.<sup>19</sup> For purposes of clarity, four types of provisions can be identified here:

- 1 Some statutes include the right of the autonomous communities to be informed about international treaties signed by the central government when they could have binding implications for them. This is the case of Andalusia (Art. 240), Aragon (Arts 41 and 97), Asturias (Art. 34.3), Balearic Islands (Art. 102), Basque Country (Art. 20.5), Canary Islands (Art. 37.1), Catalonia (Arts 187 and 191), Madrid (Art. 33.1), Murcia (Art. 12.2), Navarre (Art. 68), and Valencia (Arts 22 and 62). In contrast, the issue is ignored in the statutes of Galicia, Cantabria, La Rioja, Castilla-La Mancha, Castilla León, and Extremadura.
- 2 Some statutes also recognize the right of autonomous communities to ask the central government to enter into international negotiations on matters affecting their interests or concern: Andalusia (Arts 240 to 243), Aragon (Art. 97), Balearic Islands (Art. 102), Basque Country (Art. 6.5), Cantabria (Art. 6), Castille-La Mancha (Art. 7), Castille-Leon (Art. 6), Catalonia (Arts 195 to 197), Extremadura (Art. 3.3), Galicia (Art. 7.2), and Valencia (Art. 62). Some statutes even allow for the possibility of participation in international negotiations within the Spanish delegation: Balearic Islands (Art. 102), Catalonia (Arts 185 to 187), and Valencia

(Art. 62). In contrast, both are ignored in the statutes of La Rioja, Murcia, Canary Islands, Madrid, and Navarre.

- 3 Other statutes of autonomy include measures to facilitate the implementation of international treaties and conventions in areas of a community's own jurisdiction: Andalusia (Arts 240 to 243), Aragon (Art. 97), Asturias (Art. 12), Balearic Islands (Art. 102), Basque Country (Art. 20.3), Canary Islands (Art. 37.2), Castille-La Mancha (Art. 34), Castille-Leon (Art. 28.7), Catalonia (Arts 195 and 196), Extremadura (Art. 9.1), Madrid (Art. 33.2), Murcia (Art. 12.2), Navarre (Art. 58.2), and Valencia (Art. 62). The issue, however, is ignored in the cases of Galicia, Cantabria, and La Rioja.
- 4 Finally, some statutes include special provisions on very diverse issues such as the foreign promotion of culture or vernacular languages: Andalusia (Art. 68), Catalonia (Arts 6, 50, and 127), and Galicia (Art. 7.1); international contacts with overseas migrant communities: Andalusia (Art. 6), Asturias (Art. 8.3), Catalonia (Art. 13), Basque Country (Art. 6.5), Extremadura (Art. 3.3), and Galicia (Art. 7); and foreign aid: Andalusia (Arts 220 to 245), Catalonia (Art. 197), and Valencia (Art. 62).

However, beyond the formal provisions initially adopted, it has been actual practice and the evolving jurisprudence of the Constitutional Court that has established what can be called the "constitutional framework" for the foreign relations of the autonomous communities. Although the content of the statutes of autonomy differs, Constitutional Court decisions apply to all the constituent units, not only to those affected by each specific case, because they create binding precedents.

The evolution of Constitutional Court jurisprudence on this issue has been particularly relevant. The different judgments produced by the court about the scope and limits of the international activities of the autonomous communities reveal very significant change across time. During the 1980s the court maintained a very restrictive position regarding the autonomous communities' involvement in foreign relations. These initial judgments display a restrictive interpretation of Article 149.1.3<sup>a</sup> of the Spanish Constitution, which closes almost any avenue for constituent-unit involvement in foreign affairs. Illustrative of this trend is Judgment 137/89, in which the Constitutional Court considered illegal a simple joint communication signed by the Autonomous Government of Galicia's Ministry of Environmental Affairs and the Kingdom of Denmark's General Directorate for Environmental Affairs.

Subsequently, however, the Constitutional Court significantly changed its position. This change was evident in Judgments 153/1989, 17/1991, and 80/1993, but the most significant step in the new direction was taken in Judgment 165/1994, when the court established, against the Spanish

government's claims, that the Basque Government Delegation in Brussels could be considered official because relations with the EU could no longer be considered "international." Although controversy remains regarding overseas offices established beyond the EU, this judgment, which was unanimously welcomed by the autonomous governments regardless of their political orientation, clarified the scope and limits of the autonomous communities' involvement in foreign affairs. Since then, it has become widely accepted that the autonomous communities are entitled to develop diverse international activities as far as these activities are instrumental for the effective exercise of their own powers, are not invasive of the powers that the Constitution assigns exclusively to the national government, and neither affect the national government's international responsibilities nor create new obligations. Consequently, the involvement of autonomous communities in international relations is in line with the constitutional framework as long as it serves to better accomplish the functions assumed by the autonomous communities resulting from the powers granted to them by the statutes of autonomy.

The implementation of treaties is also an important issue. In strictly legal terms, the Spanish Constitution does not explicitly include the implementation of treaties within the international relations domain; consequently, it does not establish the power to implement treaties either for the central government or for the autonomous communities. In contrast, various autonomous communities include in their own constitutions some provisions regarding the implementation of treaties in the areas of their own competence, including the possibility of adopting further legislation. However, according to Constitutional Court jurisprudence, the most important aspect regarding this issue is not the distribution of powers but the idea that both the central government and the autonomous communities are obliged to comply with international treaties adopted by Spain. Otherwise, noncompliance would affect the international responsibilities of Spain as a whole. Consequently, in case of controversies regarding implementation or lack of cooperation by the autonomous communities, the central government exercises its surveillance responsibilities through ordinary legal mechanisms, not merely through its decree-making powers or through ad hoc executive measures.

Certainly, the new Catalan Statute that came into effect in August 2006 opened a new era in this regard, adopting a much more ambitious approach to international issues that others will no doubt emulate. For this reason, it deserves more attention. The 2006 statute establishes a bilateral commission between Catalonia and the Spanish government, which, among other tasks, will monitor both the participation of Catalonia in the EU as well as central-government international action in any area under Catalonia's jurisdiction. This bilateral approach has always been sought by

both Catalan and Basque nationalists, but its extension to other new statutes seems unlikely. According to the new statute, Catalonia shall be informed by the central government of EU treaty-reform initiatives (Art. 187). Moreover, the position taken by Catalonia shall be decisive for the development of Spain's position if it affects Spain's exclusive powers and if the European proposal or initiative could lead to especially important financial or administrative consequences for Catalonia.

In other cases, this position is to be taken into account by the national government (Arts 185 and 186). Catalonia can engage in foreign relations and promote its interests in this area while respecting the powers of the state in foreign affairs, and it may also establish offices abroad as well as sign international collaboration agreements in areas falling within its powers (Arts 193 to 195). It must be informed in advance by the national government of the signing of treaties that could have any direct effects on its powers, and it is entitled to forward its views to the central government. Moreover, in the case of treaties having a direct effect on its exclusive powers, Catalonia may request to have its own representatives included in the negotiating delegation (Arts 195 and 196).

Furthermore, according to the new statute, the central government shall adopt, in coordination with the Government of Catalonia, the necessary measures to carry out any international legal obligation that affects matters under Catalonia's jurisdiction (Art. 196). In addition, Catalonia shall promote cooperation and establish relations with the European regions with which it shares economic, social, environmental, and cultural interests as well as promote cooperation with other territories through development-cooperation programs (Art. 197). In a provision that seems to take its inspiration from recent developments in Canada,<sup>20</sup> the new statute establishes that Catalonia shall participate in international bodies in matters of major interest, especially the United Nations Educational, Scientific and Cultural Organization (UNESCO) and other cultural bodies "in the manner established by the corresponding regulations" (Art. 198). Finally, the new statute provides that Catalonia shall promote the international activities of its social, cultural, and sporting organizations (Art. 200).<sup>21</sup>

The practical and legal scope of these provisions remains to be seen, but the new Catalan statute has established a model for the new wave of statutory reforms currently in progress. Although the new Catalan statute is already in force, the Spanish Constitutional Court is presently considering its content, following a petition by the Popular Party alleging that the new Catalan statute contains unconstitutional elements. However, it is interesting to note that although the text manifests a clear desire for autonomy in the international sphere, it also indicates a resolve for a renewed cooperation with the Spanish government and emphasizes the importance of inter-governmental mechanisms.

MECHANISMS OF INTERGOVERNMENTAL  
COOPERATION

The legal framework previously outlined neither assures autonomous communities' participation in the Spanish foreign policy process nor impedes its implementation. To explore concrete possibilities in this regard, a number of intergovernmental mechanisms for collaboration have been established in recent years. Of course, the likelihood of support for the central government by the autonomous communities at critical moments has varied significantly depending on political circumstances and changing electoral results at both the national and constituent-unit levels. At the same time, autonomous governments' chances of increasing their international profile with the support of the central government have always depended on the windows of opportunity opened by diverse political developments. As a result, for many years the real template for discussions about foreign relations of the autonomous communities has been the EU and, more specifically, the controversy surrounding the place of regional governments in the new European polity.

Spain's membership in the EU since 1986 has significantly eroded the distinction between domestic and foreign matters, thus challenging the constitutional division of powers and existing domestic mechanisms for accommodating national differences. Despite the strong opposition of regional elites, many areas that were previously under the jurisdiction of the constituent units have been transferred to the EU by the central government by virtue of its exclusive foreign policy powers. This process eroded the legislative powers of autonomous communities while simultaneously requiring their collaboration in implementing EU legislation. The increasing concern about this trend encouraged regional elites to mobilize their efforts to secure greater participation in EU policymaking. Regional participation in the EU has also become a common topic for political debate between centralist and ethno-territorial forces during electoral campaigns. The Basque Country and Catalonia have been the most active regions in this regard, but the issue of direct participation in the EU decision-making process is a concern of every autonomous community. As a result, some demands are widely shared among them: first, participation in the elaboration of Spain's position before the EU Council of Ministers as well as in its working groups when the shared or exclusive competences of the constituent units are directly affected; second, co-management and co-decision in the distribution of the European funds; third, official recognition and institutional support for the autonomous communities' delegations in Brussels; and finally, direct access to the European Court of Justice in matters of their own jurisdiction and concern.

However, due to the asymmetrical character of the Spanish political system, attempts to institutionalize general standards have always been

complicated by the tensions existing between the most powerful and influential autonomous communities and the rest. For instance, the Basque and Catalan nationalists' demand for the creation of distinct autonomic electoral constituencies for European parliamentary elections, instead of the current single country-wide constituency, is supported by Galicia and the Canary Islands but rejected by the rest. This example shows that relations among autonomous communities are becoming more competitive and less cooperative.

In addition, in contrast with their Austrian, Belgian, and German counterparts, successive Spanish governments have been reluctant to proceed through legal reforms, preferring instead to establish informal mechanisms for intergovernmental collaboration and consultation. However, the model that finally emerged is largely the result, both in its formal and informal profiles, of the lessons learned by the central government and the regions from earlier failed attempts.

The most important intergovernmental mechanism has been the so-called sectoral conferences. Departing from previous practice, the central government in 1992 promoted the establishment of a series of thematic multilateral conferences designed to foster intergovernmental cooperation. These conferences are issue-specific – education, agriculture, education, environment, culture, and health, among others – and always constitute representatives of each autonomous community and the corresponding central-government minister. Presently, only one of these conferences, the Sectoral Conference Relating to European Union Affairs (SCREU), which was later institutionalized by Law 2/1997, is explicitly international, albeit only European, in scope, and it works in close collaboration with the other issue-specific sectoral conferences. Whereas the SCREU discusses general EU matters, specific issues are dealt with at the regular meetings of the various sectoral conferences. The SCREU was established as a forum for consultation between the central government and autonomous communities, with the aim to enhance regional participation in the implementation, management, and monitoring of EU policies as well as to facilitate the formulation of common positions on EU matters. Meeting at least twice a year, it serves as a forum where the autonomous communities can exchange views about their European concerns in close cooperation with central-government representatives. In spite of its basically multilateral character, the SCREU permits the establishment of bilateral cooperative mechanisms so as to allow any single autonomous community to participate in dealing with EU matters directly affecting its specific interests. Catalonia and the Basque Country have availed themselves of this procedure, although without substantial results.

Furthermore, Law 2/1997 allows for the participation of constituent-unit representatives alongside central-government representatives in the

complex network of EU working groups. Constituent-unit representatives do not speak for the Spanish state but accompany central-government civil servants and support the position previously agreed to by all autonomous communities in the sectoral conference. Recently, thanks to the willingness of the Zapatero government to advance in this direction, some sectoral conferences have served as venues for intergovernmental information sharing and consultation on international topics beyond those in the European domain, such as the Kyoto Protocol and some matters related to the World Trade Organization (WTO). In addition, although far from being perfect, the SCREU experience will probably serve as a model for the future creation of a Sectoral Conference for Foreign Affairs. In sum, although the SCREU model is a modest achievement and its use has not produced tangible results, it has served as an avenue for developing experience in intergovernmental policymaking for both the central government and the autonomous communities.<sup>22</sup>

More recently, however, after the accession to power of President Zapatero with the support of Catalan left-wing nationalists and in a context of statutory reforms, new steps have been taken to recognize the international relations of the autonomous communities. The most important is without doubt the adoption in December 2004, within the framework of the SCREU, of an agreement granting the autonomous communities direct representation in the EU Council of Ministers on matters affecting their powers. These are employment, social policy, education, culture, youth, health, agriculture, fisheries, the environment, and consumer affairs. Moreover, the autonomous communities are allowed to designate two officials in Spain's Permanent Representation to the EU. The agreement also makes it the responsibility of the relevant sectoral conferences to designate representatives of the autonomous communities.

Almost two years after this mechanism was established, the first evaluations are possible. The absence of any formal rule guiding the appointment of these representatives has provoked serious criticism. Diverse procedures have been adopted by the different sectoral conferences. Sometimes representatives have been appointed because of the length of their personal experience. In other cases, the criterion has been the representation of a sector of the population or the relevance of a particular issue to a specific autonomous community. Political convenience has also played a role. Even balloting has been employed. This absence of well-specified criteria has engendered strong concerns in some autonomous communities while reinforcing the preference of the Basque and Catalan nationalists to pursue special bilateral relations with the central government. Although the system has many shortcomings, it has afforded the constituent units practice in direct participation in the EU Council of Ministers and in Spain's Permanent Representation.<sup>23</sup>



Finally, two other initiatives adopted by Zapatero deserve attention. The first was the launching in October 2004 of the Conference of Presidents. Holding periodic multilateral meetings between the prime minister of the national government and the premiers of constituent units has a long tradition in some federal countries like Canada, but the practice was completely new to Spain. Even so, it was initially welcomed by different political parties and the autonomous communities, although the Basque and Catalan nationalists were less than enthusiastic. The results have, however, been very poor. Three meetings had been held by 2007, and none seemed to have been fruitful. Many autonomous communities have complained that the meetings lacked a serious agenda, especially in matters of substantial political interest. The opposition also argues that they have served merely to increase Zapatero's public profile. But given the importance of similar initiatives elsewhere, the Conference of Presidents could become a significant forum for public discussion of relevant domestic and international matters.

The second and more modest initiative has been to invite presidents of the autonomous communities on the Portuguese border, such as Galicia, Castilla-Leon, Extremadura, and Andalusia, and those on the French border, such as the Basque Country, Navarre, Aragon, and Catalonia, to participate, although merely as guests, in the periodic Spanish bilateral summits with France and Portugal. This initiative has also been criticized by the Basque and Catalan nationalists as mere political marketing intended to promote the image of a central government sensitive to regional concerns, but in the near future such participation could become more important.

#### THE AUTONOMOUS COMMUNITIES ON THE WORLD STAGE

In a country with a history as long as that of Spain, it is not difficult to find, even in the most remote past, precedents for the current involvement of the autonomous communities in foreign affairs. A simple reference to the Kingdoms of Castilla, Aragon, or Navarre, among others, and even Al Andalus long before the others, would remind us of the deep historical roots of the plurality of voices existing in Spain. However, the most influential regions in setting the pace for current autonomous communities' international activism have been the Basque Country, Catalonia, and to a lesser extent, Galicia.<sup>24</sup> In addition to their equally ancient cultures and roots, the reason for this influence is that in the nineteenth century these three regions developed a sense of national belonging that strongly differentiates them from Spain. Later, during the interwar years from 1919 to 1938, the Basque, Catalan, and Galician nationalist elites were particularly active in the international field promoting the cause of national minorities across Europe and beyond.<sup>25</sup> During the Second Republic, the Spanish government tried to

facilitate the accommodation of these regions through a devolution process. The unfortunate outbreak of the Civil War in 1936 forced the recently created autonomous governments of Catalonia and the Basque Country into exile. During the decades that preceded the restoration of democracy, the Basque Country and Catalonia were very active internationally. However, resource shortages as well as the international consolidation of Franco's regime kept them from obtaining strong or enduring foreign support.

Given these historical precedents, it is not surprising that after the transition to democracy, both the Basque Country<sup>26</sup> and Catalonia<sup>27</sup> were, from the outset, particularly active internationally. In addition to their political motivations, they are both wealthy regions with powerful economies. They also share international borders with France and are located next to the sea. For the Basque Country and Catalonia, developing a presence abroad was from the outset very important because it made possible the symbolic representation of their own cultural distinctiveness.<sup>28</sup> Certainly, other autonomous communities also have symbolic concerns. Andalusia, Galicia, Extremadura, and the Canary Islands, among others, have found the promotion of their distinctive cultures a valuable instrument for asserting themselves politically and institutionally, both within and beyond Spain. But it is indisputable that political symbolism is particularly important in some regions. It is worth remarking, for instance, that only the Basque and, less frequently, the Catalan governments officially use the expression "diaspora" in dealing with their expatriate communities. Other autonomous communities with a sizable population living abroad, like Andalusia, Asturias, the Canary Islands, and Extremadura, call them simply "communities abroad." This difference, however, is based not solely on political preferences but also on deep cultural reasons because Basque and Catalan people living abroad frequently maintain a highly shared sense of belonging to a distinctive collective identity. Particularly important is the Basque case. Presently, nearly 200 organized Basque communities in twenty-two countries maintain a dense network of relationships among themselves, receiving the institutional and economic support of the Basque government.<sup>29</sup> In the case of Catalonia, 116 foreign private entities are presently officially recognized as Catalan Communities Abroad (CCA).<sup>30</sup> Finally, Galicia has formally recognized 154 communities abroad, but according to some registers, there are more than 400 such Galician communities.<sup>31</sup>

In addition to symbolic and cultural concerns, more functional motivations always drive autonomous communities' foreign relations. Foreign trade, international fairs, tourism, and foreign investment all apply in the Spanish case, as they do elsewhere. Autonomous communities have, in addition, signed hundreds of international-collaboration agreements of different types with diverse partners: subnational governments all over the world, central governments, international organizations, corporations, and

international nongovernmental organizations (NGOs). This practice was quite controversial two decades ago but is widely accepted now so long as the agreements respect certain conditions. First, such agreements cannot incur international obligations that are binding on the Spanish state. Second, they are not to affect Spanish foreign policy adversely. Third, as entities, autonomous communities entering into international agreements cannot be considered subjects of international law.

Not all autonomous communities have established offices abroad, but all seventeen communities have delegations in Brussels. At first, these offices were established as private-law entities, but following a decision of the Constitutional Court regarding the status of the Basque delegation in Brussels, it is possible to establish official delegations abroad while also maintaining other arrangements under the guise of private law. Presently, only the Basque Country and Catalonia have established official delegations abroad. As discussed earlier, in 1994 the Constitutional Court ruled against the central government, holding that the Basque Government Delegation in Brussels can be considered official because interactions with the EU can no longer be seen as "international relations." Although controversy remains regarding the overseas offices established outside the EU, this judgment has served to clarify the scope and limits of the autonomous communities' involvement in foreign affairs insofar as they do not seek to encroach upon the central government's exclusive domains.

In addition to their delegation in Brussels, all autonomous communities maintain a more or less dense network of trade offices or business delegates abroad to attract investment and to promote the international competitiveness of their local economies. Enumerating them all would lead to an expansive list, but as an illustration of this trend, it can be mentioned that Andalusia maintains fourteen offices abroad through the so-called *EXTENDA* network; Aragon has a delegation in Brussels and ten business centres; Asturias has a delegation in Brussels and ten business centres; the Basque Country maintains official delegations in Brussels, Mexico, Caracas, Bogotá, Santiago de Chile, Buenos Aires, New York, and Paris as well as eleven business and trade centres through its *SPRI* network; the Canary Islands has a delegation in Brussels and seven business and trade offices in Miami, Caracas, Sao Paulo, Praia, Agadir, Nouakchott, and Dakar, constituting the *PROEXCA* network; Catalonia has official delegations in Brussels, Paris, and Perpignan as well as five cultural centres, two information centres, and thirty-eight business and trade offices abroad through the so-called *COPCA*; Extremadura maintains a delegation in Brussels and business and trade offices in Lisbon, London, New York, Buenos Aires, and Shanghai; and the Community of Valencia has delegations in Brussels, Prague, Warsaw, and Vienna as well as twenty-three trade offices abroad. These networks are generally established through the initiative of the

respective autonomous government, in partnership with chambers of industry and commerce, major regional business associations, universities, and banking institutions, among other private-sector organizations. The establishment of these networks has not been particularly controversial. With the exception of the Basque and Catalan official delegations, all these offices abroad adopt various vehicles of private law to avoid controversy and to facilitate more fruitful public and private partnerships.

In budgetary terms, the amount dedicated to international activities by the various autonomous communities is proportional to their respective economic strength but also determined by their international ambitions. In terms of public expenditure, Andalusia, Catalonia, and the Basque Country are particularly relevant. In 2006 Andalusia dedicated more than US\$93 million to its international program, including \$88 million solely to development aid. Also in 2006 Catalonia spent approximately US\$84 million, including \$66 million for development aid, and directly employed around 250 persons in the international field.<sup>32</sup> In the same year, the Basque Country spent US\$70 million, including \$50 million on development aid, and employed fifty staff members.<sup>33</sup>

A salient feature of the autonomous communities' international activism in the economic field is its competitive character. Cooperation among different communities rarely happens, except when they participate with other European regions in cross-border or interregional cooperation schemes. This competition is accentuated because the most dynamic communities – Catalonia, the Basque Country, and even Andalusia and the Canary Islands – prefer bilateral rather than multilateral negotiations with the central government. Aggressive competition among the communities is also growing in the field of business promotion and in the provision of incentives for foreign investment, frequently provoking complaints because of alleged violations of European competition law. Attempts to coordinate central-government trade policy more closely with autonomous communities' promotional activities have failed so far. This is because business associations and firms expect to obtain better treatment and more incentives when the communities compete among themselves. Consequently, multilateral lobbying of the central government has rarely been attempted by the autonomous communities, except in the case of more direct participation by the autonomous communities in the EU decision-making processes. Autonomous communities' international activities have generally been funded by public resources, but more recently some autonomous communities, particularly Madrid and Catalonia, have entered into partnerships with private firms having or seeking greater international exposure in a campaign to compete aggressively on the international scene. For instance, through close collaboration with the private sector, Catalonia mobilizes more than US\$350 million for business and trade promotion abroad.

Another field in which autonomous communities are very active is cross-border relations. Relationships of Galicia, Castilla-Leon, Extremadura, and Andalusia with their various Portuguese counterparts are particularly extensive, as are relationships of the Basque Country, Navarre, Aragon, and Catalonia with French departments. Although these initiatives are generally very pragmatic and technical in the case of the Basque Country and Catalonia, and to a lesser extent Galicia, symbolic dimensions are also relevant because in both cases recognizable cultural affinities exist across the border. In addition to the existing bilateral agreements with France and Portugal, the legal basis of autonomous communities' involvement in cross-border relations is the Council of Europe's European Convention for Transborder Cooperation. This legal framework has greatly facilitated the establishment of transborder relations across Europe. However, the most important driving force for such initiatives is currently the European Union by virtue of programs like INTERREG, an initiative aimed at strengthening economic and social cohesion as well as balanced development in the EU by promoting cross-border, transnational, and interregional cooperation. Actions in relation to the borders between member states and between the EU and nonmember countries are therefore at the heart of such initiatives, particularly in the context of successive EU enlargements. The INTERREG initiatives are always co-financed by both the EU and the member states. Although the specific projects proposed by local and regional governments are submitted by the member states, the European Commission makes a financial allocation to each of them. The allocation is based primarily on border regions' population but also on other social indicators of the internal border areas of the EU, such as the border regions between Spain and France and between Spain and Portugal. But other priorities have been set for the so-called (in EU parlance) *ultra-peripheral* regions like the Canary Islands, in the case of Spain, and the French overseas territories. For the period 2000–06, INTERREG III had a budget of more than US\$5 billion, of which the amount initially proposed for Spain exceeded US\$1 billion.<sup>34</sup>

Autonomous communities have also increasingly and innovatively become involved in development aid. According to a recent OECD survey on so-called “decentralized cooperation,” the Spanish autonomous communities are the world's most active subnational units in this field. One-fifth of Spain's bilateral Official Development Assistance (ODA) is provided by regional governments (e.g., US\$321 million in 2003), two-thirds of which is provided by autonomous communities and one-third by local governments. Data for 2003 identify more than 1,800 initiatives in eighty-one recipient countries, generally with the participation of NGOs. The Spanish Law on Development Cooperation of 1998 provides that Spanish local authorities can conduct “decentralized cooperation activities consistent with

the international cooperation instituted by the Spanish State.” This law stipulates that the Ministry of Foreign Affairs is to coordinate such initiatives by local authorities. Various mechanisms have been established to ensure the coordination and coherence of aid provided by the central administration and other actors. The Interterritorial Commission of Development Cooperation is the most important of these. In recent years, there has been a notable increase in development assistance from the autonomous communities, municipalities, and other local entities, to the extent that they represent more than one-third of Spain’s nonreimbursable foreign aid. Nine of the seventeen autonomous communities have their own annual or multiyear development cooperation plans. Five autonomous communities, and some municipalities, have decided to earmark 0.7% of their budgets for development assistance.<sup>35</sup>

Catalonia, the Basque Country, Andalusia, Madrid, and Valencia are the most active in this field. In addition to offering funding for NGOs, some autonomous governments have established strong relationships with various UN agencies such as the UNDP, the UNHCR, UNITAR, UNESCO, and UNIFEM.<sup>36</sup> Contrary to the wishes of the central government, autonomous communities’ involvement in foreign aid is rarely coordinated with national development aid programs. Their officials distrust the intentions of the central government, and they try to maintain their own programs free from the control and influence of the Spanish Agency for International Cooperation. In this field, it is worth mentioning that in contrast to some cases in the United States, the autonomous communities in Spain have never attempted to apply economic sanctions as a form of political pressure against foreign states or firms. However, they participate actively through different technical programs in institutional and democratic capacity building in the developing world. This is the case with Catalonia’s cooperation with the UNDP in Colombia in the field of peace education and the Basque Country’s partnership with UNITAR in the field of new information technologies and local and regional governance.

However, the international activities of the autonomous communities have generally not been impressive. Catalan and Basque efforts have generated resentment by the central government, but in most instances these initiatives have been deliberately discreet to avoid direct conflict with the Spanish government’s foreign policy. In some cases, close collaboration among different orders of government has indeed been the best possible recipe. The 1992 Barcelona Olympic Games demonstrated close collaboration between the central and autonomous governments, resulting in a very successful outcome for both parties. Only very few exceptions have created serious political concern in Madrid, such as the failed attempt of the Basque Parliament to host a meeting of the Kurdish Assembly in Exile in 1999, which strongly irritated the Turkish ambassador to Spain. The case

immediately provoked a conflict over competences between the central government and the Basque government that was later resolved when, as a result of the political controversy, the Kurdish Assembly formally declined to accept the Basque Parliament's invitation. More recently, Catalonia's decision to open an office in Warsaw devoted to selective contracting of Polish workers at their place of origin provoked some controversy. Given that legislation governing migration and aliens is an exclusive power of the state, the central government has expressed its concern, asking that this facility be closed or reorganized.

Finally, in contrast with Canada, Australia, and the United States, where the domestic implications of the WTO have been highly controversial, the implications for the constituent units of the new global trade regime remain almost completely ignored in the Spanish political debate. In a similar vein and in contrast with the cases of India, Argentina, and Brazil, Spanish constituent governments have not been affected in any specific form by the decisions of either the International Monetary Fund (IMF) or the World Bank.

In sum, until very recently, the international agenda of Spanish local and regional governments was concentrated almost exclusively on the controversies surrounding the EU integration process and the prominent attention devoted to development aid. They have addressed other international issues only rarely. But it can be said that over the past decades, Spain's constituent units have been involved in a learning process. As a result, their foreign relations are becoming more ambitious, more sophisticated, and more effective.

#### CONCLUSION

Although far from being exceptional in either form or content, the growing involvement of autonomous communities in foreign affairs is becoming an important feature of the Spanish political system. The Constitution indicates very clearly that international relations are the exclusive competence of the central government, but it seems that for both normative and functional reasons, this position will be difficult to sustain. The evolving jurisprudence of the Constitutional Court has increasingly opened new spaces for constituent-unit international activities. Moreover, a combination of legal and intergovernmental mechanisms has been created during the past decades to facilitate the necessary policy learning and to assure that these developments will not affect institutional stability and democratic legitimacy.

For some regions, developing a strong presence abroad has important symbolic appeal. But economic motivations have been the most powerful reasons behind autonomous communities' international activism. The impact

of globalization and, more specifically, the implications of European integration have propelled all subnational governments, not only those with an ethno-nationalist profile, to intensify economic and political involvements abroad. Unlike constituent units in federal countries such as Germany and Belgium, Spain's autonomous communities have neither the political influence nor the legal power to veto any central-government foreign policy decisions, even when these fall within areas of their competence or affect their crucial interests. Consequently, they can address such issues only through intergovernmental coordination and institutional dialogue.

As in other European countries, constituent governments' participation in EU decision making has been at the heart of discussions over the foreign relations of the autonomous communities and has been mooted as a model for their international relations more generally. Spain's membership in the EU has significantly eroded the distinction between domestic and foreign matters and has resulted in challenges to the constitutional distribution of powers, thereby affecting previous attempts to accommodate territorial differences. Many powers previously held by autonomous governments have been transferred to the EU by the Spanish government by virtue of its exclusive powers over foreign policy. The increasing concern about this trend has encouraged regional elites to secure greater participation in EU matters. As a result of the learning process associated with these developments, autonomous governments have also urged the establishment of intergovernmental mechanisms that allow them to participate more or less directly in the foreign policy process, particularly when their own powers are affected. The formal establishment of the Sectoral Conference Relating to European Affairs in 1997 is at present the most relevant achievement, but new mechanisms are under development. Although for a long time the central government was reluctant to accede to such developments, the conduct of international relations by the autonomous communities is becoming a more accepted feature of the Spanish political system.

#### NOTES

- 1 Following the Spanish practice, we use the terms "Spain," "State of the Autonomies," or simply "state" as synonyms. "Central government" is equivalent to "federal government." "Autonomous communities" is the name for Spain's constituent units or regions. "Statutes of autonomy" is the term for the constituent units' own formal constitutions, which were all negotiated and approved after the adoption of the 1978 democratic Constitution by virtue of its provisions for territorial self-government.
- 2 As Luis Moreno has pointed out, Spain does not fully qualify as a federation, but certain features of the Spanish constitutional system lend support to its



quasi-federal nature: (1) Spain's autonomic system combines both "self-rule" and "shared rule"; (2) Spain is a democracy where two orders of government – central and regional – enjoy constitutionally separate powers and representative parliamentary institutions; (3) the Spanish Constitution is the source for the right of self-government by the autonomous communities whereby the authority of the regional layer is not a surrogate of the central government; (4) Spain is composed of seventeen autonomous communities, each and every one having democratic constitutional statutes of autonomy for their internal organization; (5) Spain's Constitutional Court is the ultimate arbiter for the demarcation of concurrent powers and government competences; and (6) the Spanish Parliament is bicameral with a Senate envisaged as a "territorial upper chamber." For the full elaboration of this argument, see Luis Moreno, *The Federalization of Spain* (London: Frank Cass, 2001).

- 3 Among the most relevant works, see Gurutz Jáuregui, *Comunidades Autónomas y Relaciones Internacionales* (Oñate: IVAP/HAEE, 1989); Manuel Pérez González, Fernando Mariño, and Francisco Aldecoa, eds, *La acción exterior y comunitaria de los Lánders, Regiones, Cantones y Comunidades Autónomas* (Oñate: IVAP/HAEE, 1994); Jose Luis Prados Cuerdo, *La acción exterior de las comunidades autónomas: Teoría y práctica* (Madrid: Escuela Diplomática, 1995); Jorge Pueyo Losa and Maria Teresa Ponte Iglesias, *La actividad exterior y comunitaria de Galicia: La experiencia de otras comunidades autónomas* (Santiago de Compostela: Fundación Alfredo Brañas, 1997); Pablo Perez Tremps, ed., *La participación europea y la acción exterior de las Comunidades Autónomas* (Madrid: Marcial Pons, 1998); Carlos Conde, *La acción exterior de las Comunidades Autónomas: La institucionalización de gobiernos territoriales y la integración internacional* (Madrid: Tecnos, 2000); José Manuel Sobrino Heredia, ed., *La acción exterior de las Comunidades Autónomas* (Santiago de Compostela: Fundación Galicia Europa, 2001); and Carlos Fernández Casadevante, *La acción exterior de las comunidades autónomas: Balance de una práctica consolidada* (Madrid: Dilex, 2001).
- 4 For a basic but reflective overview of the Spanish constitutional system, see Shioban Harty, "Spain," in Ann L. Griffiths and Karl Nerenberg, eds, *Handbook of Federal Countries 2005*, 324–42 (Montreal and Kingston: McGill-Queen's University Press, 2005); Enric Argullol and Xavier Bernadí, "Kingdom of Spain," in Akhtar Majeed, Ronald L. Watts, and Douglas M. Brown, eds, *Distribution of Powers and Responsibilities in Federal Countries*, 238–64 (Montreal and Kingston: McGill-Queen's University Press, 2006); and Julio López-Laborda, Jorge Martínez-Vázquez, and Caralos Monasterio, "Kingdom of Spain," in Anwar Shah, ed., *The Practice of Fiscal Federalism: Comparative Perspectives*, 287–316 (Montreal and Kingston: McGill-Queen's University Press, 2007).
- 5 Spain regards the small African enclaves of Ceuta and Melilla as integral parts of its national homeland, not as colonial possessions. They are surrounded by Morocco, which views the Spanish presence as a colonial residue and claims sovereignty. Both enclaves acquired a new prominence in the 1990s as a result of the dramatic increase in illegal immigration from Africa and Asia. Spain also controls some tiny islets along the North African coast, including uninhabited Perejil, which was at the

centre of a serious diplomatic conflict in 2002 when Moroccan soldiers occupied it but were later removed by the Spanish army. However, these differences have not prevented the strengthening of relations between Morocco and Spain in recent years. In 2005 Spain and Morocco agreed to deploy extra troops to try to secure the borders.

- 6 In addition to the seventeen autonomous communities and two autonomous cities, Spain is also organized into fifty provinces. Provinces are responsible for coordinating local and central administration, but they also have their own fields of authority in areas such as judicial, economic, and technical assistance. Spain also has 8,092 local governments or municipalities.
- 7 Approximately one-fourth of Spain's population of 44 million are bilingual. Catalan and its variations are spoken by 4.2 million in Catalonia, 2.1 million in Valencia, and 0.2 million in the Balearic Islands; Basque is the language of 0.7 million in the Basque Country and 0.05 million in Navarre; and Galician is spoken by 2.3 million Gallegos. See José Carlos Herreras, *Lenguas y normalización en España* (Madrid: Gredos, 2006).
- 8 For more elaboration, see Luis Moreno, "Federalization in Multinational Spain," in Michael Burgess and John Pinder, eds, *Multinational Federations*, 86–107 (London: Routledge, 2007).
- 9 In Spain, the official title of the chief of government, or prime minister, is "president of government."
- 10 Enric Fossas has pointed out: "The main conditions for a political consensus in the current circumstances would basically be those which might contribute to ensuring a commitment between the nationalist minorities – Basque, Catalan, and Galician – and the Spanish nationalist majority. The idea of a *plurinational* state would be a solution because the nationalist minorities would be obliged to clarify their political demands, articulating them in a constitutional project ... while the latter should recognise without reservation the necessary accommodation within the State of the historical nationalities and guarantee their right to make use of real political capacity for self-government." See Enric Fossas, "Asymmetry and Plurinationality in Spain," *Universitat de Barcelona/Institut de Ciències Polítiques i Socials Working Papers*, no. 167 (1999): 12. For contrasting positions on a plurinational Spain, see Francisco Javier Corcuera, "La articulación del Estado plurinacional desde el punto de vista constitucional," *Ebro: Revista aragonesa de pensamiento*, no. 2 (2000): 67–81; and Ferran Requejo, "Federalismo plurinacional y Estado de las Autonomías," *Ebro: Revista aragonesa de pensamiento*, nos 4–5 (2005): 99–108.
- 11 This brief economic overview is based on the very comprehensive insights in William Chislett, *The Internationalization of the Spanish Economy* (Madrid: Real Instituto Elcano, 2006).
- 12 In 2005 the autonomous communities' shares of Spain's population in decreasing order were Andalusia (7.9 million), Catalonia (7.1 million), Madrid (6 million), Valencia (4.8 million), Galicia (2.7 million), Castille and Leon (2.5 million), Basque Country (2.3 million), Canary Islands (1.95 million), Castille La Mancha

(1.93 million), Murcia (1.3 million), Aragon (1.2 million), Extremadura (1 million), Asturias (1 million), Balearic Islands (1 million), Navarre (0.6 million), Cantabria (0.5 million), La Rioja (0.3 million), and finally, the small autonomous cities of Ceuta (0.075 million) and Melilla (0.065 million). See the website of the Spanish National Institute for Statistics (INE): <http://www.ine.es> (accessed 20 December 2007).

- 13 In 2005 the autonomous communities' shares of Spanish GDP were Catalonia (18.6%), Madrid (17.7%), Andalusia (13.8%), Valencia (9.7%), Basque Country (6.1%), Galicia (5.1%), Castille and Leon (5.4%), Canary Islands (4%), Castille La Mancha (3.4%), Aragon (3.1%), Murcia (2.5%), Balearic Islands (2.5%), Asturias (2.2%), Extremadura (1.7%), Navarre (1.7%), Cantabria (1.3%), La Rioja (0.7%), and finally, the autonomous cities of Ceuta (0.1%) and Melilla (0.1%). See the website of the Spanish National Institute for Statistics (INE): <http://www.ine.es> (accessed 16 December 2007).
- 14 See OECD, *Economic Survey of Spain* (January 2007), <http://www.oecd.org> (accessed 13 December 2007).
- 15 This was pointed out in, among others, Benny Pollack, *The Paradox of Spanish Foreign Policy* (New York: St Martin's Press, 1987).
- 16 For a thoughtful analysis, see José I. Torreblanca, "Ideas, Preferences and Institutions: Explaining the Europeanization of Spanish Foreign Policy," *University of Oslo – ARENA Working Papers*, no. 26 (2001): [http://www.arena.uio.no/publications/working-papers2001/papers/01\\_26.xml](http://www.arena.uio.no/publications/working-papers2001/papers/01_26.xml) (accessed 13 December 2007).
- 17 See Frederik Fleurke and Rolf Willemse, "The European Union and the Autonomy of Sub-National Authorities: Towards an Analysis of Constraints and Opportunities in Sub-National Decision-Making," *Regional and Federal Studies* 16, no. 1 (2006): 83–98.
- 18 See Elise Roller, "Reforming the Spanish Senate: Mission Impossible?" *West European Politics* 25, no. 4 (2002): 69–92.
- 19 A comparative overview of the statutes of autonomy is available at the website of the Spanish Ministry for Public Administration: [http://www.map.es/documentacion/politica\\_autonomica/estado\\_autonomico/estatutos\\_materias.html](http://www.map.es/documentacion/politica_autonomica/estado_autonomico/estatutos_materias.html) (accessed 20 December 2007).
- 20 In May 2006 the Canadian prime minister, Stephen Harper, and the Quebec premier, Jean Charest, signed an agreement between the two governments that will give Quebec an official representative in Canada's UNESCO office in Paris.
- 21 The English version of the new statute is available on the Government of Catalonia website: <http://gencat.net> (accessed 20 December 2007).
- 22 A critical but thoughtful account is given by Elisa Roller, "Conflict and Cooperation in EU Policy-Making: The Case of Catalonia," *Perspectives on European Politics and Society* 5, no. 1 (2004): 81–110.
- 23 According to the Spanish Ministry of Public Administration, in 2005 the pattern was as follows: Castilla-Leon participated five times in the EU Council of Ministers,

- Catalonia four times, Andalusia and Madrid three times, Galicia and the Basque Country twice, and Asturias, Aragon, and Extremadura once. See [http://www9.map.es/documentacion/politica\\_autonomica](http://www9.map.es/documentacion/politica_autonomica) (accessed 10 December 2007).
- 24 See Caterina Garcia i Segura, "La participación de las comunidades autónomas españolas en las relaciones internacionales: Reflexiones sobre la presencia internacional de las comunidades autónomas históricas: Cataluña, Galicia y el País Vasco," in Tullo Vigevani, Walter Wanderley, and Marcelo Passini, eds, *A Dimensão Subnacional e as Relações Internacionais*, 211–49 (São Paulo: EDUC/Fundação Editora da UNESP, 2002).
  - 25 See Alexander Ugalde Zubiri, "The International Relations of Basque Nationalism and the First Basque Autonomous Government (1890–1939)," in Francisco Aldecoa and Michael Keating, eds, *Paradiplomacy in Action: The Foreign Relations of Subnational Governments*, 170–84 (London: Frank Cass, 1999).
  - 26 For a systematic account of the Basque Country's international relations, see José Luis de Castro and Alexander Ugalde, *La acción exterior del País Vasco (1980–2003)* (Oñati: IVAP/HAEE, 2003).
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  - 28 On international relations as a tool for nation building, see for the case of the Basque Country, André Lecours and Luis Moreno, "Paradiplomacy: A Nation-Building Strategy? A Reference to the Basque Country," in Alain-G. Gagnon, Montserrat Guibernau, and François Rocher, eds, *The Conditions of Diversity in Multi-national Democracies*, 267–94 (Montreal: Institute for Research on Public Policy and McGill-Queen's University Press, 2003).
  - 29 See Gloria Totoricagüena, "Diasporas as Non-Central Government Actors in Foreign Policy," *Nationalism and Ethnic Politics* 11, no. 1 (2005): 265–87.
  - 30 See more detailed information at the website of Catalonia's Secretariat for Foreign Affairs: [http://www.gencat.net/cooperacioexterior/cce\\_cast/index.htm](http://www.gencat.net/cooperacioexterior/cce_cast/index.htm) (accessed 21 December 2007).
  - 31 See the complete information at the website of Galicia's General Secretariat for Emigration: <http://www.galiciaaberta.com> (accessed 20 December 2007).
  - 32 More detailed institutional information about Catalonia's international presence is available at <http://www.gencat.net/cooperacioexterior/cce> (accessed 13 December 2007).
  - 33 See César Colino, "La acción internacional de las comunidades autónomas y su participación en la política exterior española," *OPEX Working Paper*, no. 10 (2007): 50–1. This document is available at the Fundacion Alternativas website: <http://www.falternativas.org> (accessed 20 December 2007).
  - 34 See [http://ec.europa.eu/regional\\_policy/interreg3/foire/faq1\\_en.htm](http://ec.europa.eu/regional_policy/interreg3/foire/faq1_en.htm) (accessed 13 December 2007).

- 35 See OECD, "Aid Extended by Local and State Governments," *DAC Journal* 6, no. 4 (2005): 98. This document is also available at <http://www.oecd.org/dataoecd/47/62/35935258.pdf> (accessed 20 December 2007).
- 36 The United Nations Development Program, the United Nations High Commissioner for Refugees, the United Nations Institute for Training and Research, the United Nations Educational, Scientific and Cultural Organization, and the United Nations Development Fund for Women.