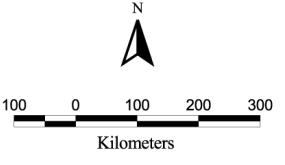
Kingdom of Spain

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

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



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

Kingdom of Spain

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INTRODUCTORY OVERVIEW*

The so-called "Autonomic State" (*Estado Autonómico* or *Estado de las Autonomías*) is a state made up of *Comunidades Autónomas* or Autonomous Communities (ACs). This autonomic state was envisaged in Spain's 1978 democratic Constitution, following a general cross-party political and social consensus reached after the demise of General Francisco Franco's dictatorship. As a consequence, it has implied the creation and accommodation of seventeen regions and nationalities by way of an extensive decentralization of powers and responsibilities and constitutional recognition of regional self-rule and cultural diversity. The existence of different languages, political traditions, distinct civil-law traditions, peculiar ways of financing governments in some ACs, and insular conditions of others was recognized in the 1978 Constitution.[2]

Spain is one of the world's leading industrialized countries. Spain's GDP was US$1.362 trillion in 2007. GDP per capita was approximately US$33,700 (see table 1 for basic regional data). Spanish ACs are very different not only in size and population (e.g., Andalusia, Catalonia, Madrid, and Valencia account for 57.8 percent of all Spaniards) but also in economic terms – those four ACs represent 59.9 percent of GDP.

Relevant diversities are territorially concentrated.[3] The 1978 Constitution refers to the concept of sub-state *nacionalidad*, but rather than primordial differences such as race or religion, Spain's internal diversity is manifested territorially in various forms of historical interpretations and identity politics. There is also considerable linguistic diversity, where three co-official regional languages (Basque, Catalan, and Galician) are spoken alongside *castellano* (or Spanish as it is known elsewhere) in six ACs. Political aspirations by sub-state nationalities and regions are thus articulated around common cultural, historical, linguistic, and political facts that any

Table 1
Spanish regional data

ACS	Population Total	Share of GDP Percentage	Average GDP per capita			
			2000	2005	2000	2005
SPAIN	44,108,530	100.0	100.0	100.0	100.0	100.0
Andalusia	7,849,799	17.8	13.3	13.8	73.7	77.3
Aragon	1,269,027	2.9	3.1	3.1	104.5	107.5
Asturias	1,076,635	2.4	2.2	2.2	83.6	88.9
Balearic Islands	983,131	2.2	2.6	2.5	123.2	110.1
Basque Country	2,124,846	4.8	6.3	6.2	122.5	127.2
Canary Islands	1,968,280	4.5	4.0	4.0	94.8	90.6
Cantabria	562,309	1.3	1.2	1.3	93.5	98.6
Castille and Leon	2,510,849	5.7	5.5	5.4	90.5	94.9
Castille-La Mancha	1,894,667	4.3	3.4	3.4	78.6	78.3
Catalonia	6,995,206	15.9	18.9	18.8	121.8	119.3
Extremadura	1,083,879	2.5	1.7	1.7	63.7	67.4
Galicia	2,762,198	6.3	5.2	5.1	77.7	81.0
Madrid	5,964,143	13.5	17.6	17.7	136.0	130.9
Murcia	1,335,792	3.0	2.4	2.5	83.9	83.1
Navarre	593,472	1.3	1.7	1.7	127.3	127.1
Rioja, La	301,084	0.7	0.8	0.7	113.9	108.2
Valencia	4,692,449	10.6	9.7	9.6	96.5	91.5

Source: INE (Spanish Statistical Institute); www.ine.es. Accessed 15 December 2007.

person in those territories can assume and get identified with, regardless of his origin, family homeland, or ancestors' background.

Other than exclusive territorial identities expressed by groups of citizens within ACS that claim independence for their territory – among them, those who support the terrorist *Euskadi Ta Askatasuna* (ETA, meaning Basque Homeland and Freedom) in the Basque Country and Navarre – two-thirds of Spaniards share a 'dual identity' or 'compound nationality.' This dual identity incorporates both regional and state-wide (i.e., Spanish) identities in various degrees and without apparent contradiction between them.[4]

Constitutional Principles of the Autonomic State

After Franco's death in 1975, the necessity of a deep devolution of powers from the centre to the regions went hand in hand with the necessity of democratization, better governance, and economic development. Proximity of decision-making and rationalization of public management and policies,

which are the usual rationales for the quest for decentralization in many countries, would come as a side effect and would be used as an *ex post* justification. But the initial drivers of decentralization, and eventual federalization, were mainly political, not functional.[5]

The Constitution initiated a deep process of political and administrative decentralization that took place in tandem with democratization and extended to all of Spain's territory. The Constitution opted for an open-ended model of territorial organization of a federalizing nature but explicitly avoided federal language. Although the *f* word does not appear in the Constitution, the document established provisions intended to accommodate a diversity of collective identities, overhaul historical grievances, and articulate a long-standing inclination for regional self-rule. Article 2 acknowledges the existence of "nationalities and regions" with a right to autonomy and self-rule within the "insoluble unity of the Spanish nation," but the Constitution does not derive institutional consequences from this distinction in the territorial organization of Spain. Some asymmetries, however, were constitutionally preserved, such as the recognition of co-official languages, maintenance of traditional civil-law systems, and protection of special economic and fiscal arrangements (with the Basque Country and Navarre having more fiscal authority than other ACs and with special provisions on the VAT for the Canary Islands). These asymmetries have periodically fuelled demands for the recognition of a "differential status," particularly in the so-called "historical nationalities" (i.e., the Basque Country, Catalonia, and Galicia). The 1978 Constitution also proclaims the principle of solidarity, which is to be implemented effectively by the institutions of the state.

The right to self-government by the ACs is guaranteed by constitutional safeguards reflected in mechanisms of constitutional rigidity and Constitutional Court review. This means, for instance, that the Spanish Parliament may not pass legislation that conflicts with the regions' statutes of autonomy or curtails the principle of territorial autonomy. Regional statutes are thus treated as constitutional laws to avoid possible encroachments from the central government.

According to a process of mimesis or emulation, the historical nationalities initially aimed to replicate the powers and symbols of the Spanish central government (e. g., their own police force, official visits abroad, education and health policies, and external and ornamental signs such as a flag and an anthem). During the 1980s, a second group of ACs also made explicit their aspirations for home rule (i.e., Andalusia, Canary Islands, Navarre, and Valencia) by attempting to 'imitate' the institutional outlook of the historical nationalities. A third group of 'latecomer' regions in the home-rule process of decentralization (i.e., Aragon, Asturias, the Balearic Islands, both Castilles, Extremadura, and Murcia) also struggled to achieve

the powers and resources of the 'early-rising' ACs. Such imitation also applied to regions with less strong political identities, but with either historical or political reasons for becoming self-governed regions (i.e., Cantabria, La Rioja, and Madrid).[6]

This extension of home rule to all Spanish ACs implied the genesis of a de facto federal state in all but name.[7] Although already recognized by many Spanish and foreign academics as such, there is still much controversy among Spanish scholars on whether Spain can be considered a full-fledged federal state.[8] This debate partly reflects the political discourse, where the term *federalism* is hardly used because it often has different meanings for some regional (or minority) nationalists and some Spanish (or majority) nationalists from the left or the right.

Expressed wishes for more autonomy, together with complaints about the limited discretion available to ACs' self-government and a re-asserting of territorial identities, have prompted a round of reforms since 2005. Statutes of autonomy have been amended so as to reinforce the ACs' powers in Catalonia and the Valencian Community (2006) and in Andalusia, Aragon, the Balearic Islands, and Castille and Leon (2007). These developments have revolved around several issues or demands relating to identity and symbolism, the articulation of new competences, and the regulation of regional revenue sources, including new criteria for financing the ACs and increasing regional tax autonomy and fiscal responsibilities. Other issues include various innovations regarding the autonomy of local units, the establishment of regional tax-administration agencies, the reinforcement of the authority of regional supreme courts of justice, new bilateral (central state and AC) commissions for policy and financial issues, and provisions for the participation of AC officials in central government and European Union bodies.[9]

[2] *Concepts of Diversity*

Debates about Spain's diversity in the media and among politicians and academics usually revolve around the symbolic issues related to the different concepts assigned to "nation state," "nationalities," and so-called "peripheral" or "minority" nationalisms, as well as around issues concerning accommodation, integration, recognition, "differential facts," historical rights, unity, cohesion, asymmetry, language, and finance, to name some of the most prominent.[10] The inevitable ambiguity of the 1978 constitutional pact, which made decentralization and federalization possible, has facilitated internal accommodation of the ACs, but has also been the cause of some tensions.

Nationalist parties in Catalonia, the Basque Country, and Galicia have advocated some re-interpretations of the constitutional provisions that recognize some 'historical rights' and prerogatives alone for the Basque Country and Navarre. These re-interpretations are sometimes in line with

new proposals of sovereignty-association or of a special status of a confederal nature. Other regional nationalists have referred to historical rights to justify aspirations to more home rule for their AC. Catalonia defined itself as a "nation" in the preamble to its 2006 Statute of Autonomy. This definition has produced big controversy and has been challenged before the Constitutional Court by the main Spanish centre-right party (*Partido Popular*).[11] Other ACs have defined themselves in their recently reformed constitutional laws or statutes of autonomy (*Estatutos de Autonomía*) as "national entities" or "nationalities" (i.e., Andalusia and the Canary Islands) or as "historical" ACs (i.e., Valencia and Aragon). The Basque Country and Galicia were already established as "historical nationalities" in their statutes of autonomy. These developments have stimulated competition among the ACs to ensure that no special political privileges can be derived from the manner in which regions define themselves. In ACs with strong nationalist parties, these symbolic definitions have been seen as providing justification for further claims of powers and resources and for conducting their own bilateral relations with the central government.

There are different conceptions of Spain within the country. As Juan Linz put it some years ago, "Spain today is a state for all Spaniards, a nation-state for a large part of the population, and only a state but not a nation for important minorities."[12] Accordingly, different formulations present different configurations of the relationship between nation and state. While the Constitution of 1978 implicitly defines Spain as a nation of nationalities and regions, many politicians and intellectuals have defined Spain as a "nation of nations,"[13] or more recently as a post-national state.[14] Many minority (regional, sub-state, or peripheral) nationalists hold the view that there is no such thing as a Spanish nation. For them, Spain is merely a state composed of several nations. Some politicians and members of the Catalan intelligentsia, in particular, have espoused the notion of Spain as a plurinational state that would accordingly require some federal and confederal arrangements among Spain's main ethno-linguistic communities. Since 2004, the PSOE (*Partido Socialista Obrero Español*, Spanish Socialist Workers' Party) government, under the leadership of José Luis Rodríguez Zapatero, has promoted the concept of 'plural Spain,' alongside the more traditional concept of Spain as a nation of nations. This understanding contrasts sharply with that of the former conservative PP (*Partido Popular*, People's Party) prime minister, José María Aznar, who has repeatedly conveyed a unitary and re-centralizing concept of Spain's nationalism. These perspectives are not shared unanimously within both parties, where centralist and decentralist views coexist.

The liberal conception of the Spanish nation seemed to have prevailed with the approval of the 1978 Constitution. This vision of majority Spanish nationalism coexisted with other conservative or Roman Catholic versions

associated with the long period of Franco's dictatorship (1939–75), which somewhat contaminated all versions of Spanish nationalism. Minority (regional, sub-state, or peripheral) nationalisms and their symbols, in contrast, were associated with the struggle for democracy, also supported by the Spanish left, so the 'autonomy' and 'democratic' struggles came hand in hand.[15]

Although a single Spanish national identity has not been able to attract all Spaniards, residents of the Basque Country do not identify exclusively with a Basque nation nor do all Catalans with a Catalan nation. None of the nationalisms, either the Spanish one or the peripheral nationalisms, have been able to achieve hegemony in their territories and populations if measured by the identities and allegiances declared by respondents in public surveys.[16]

In academic and political discourses, the concept of 'differential fact' (*hecho diferencial*)[17] refers to the constitutional protection of some regional differences. Since the mid-1990s, constitutional lawyers and political scientists have sought to find an agreement – without much success – on the implications of these constitutionally protected regional differential facts, which of them should be expanded, and the likely prospects for potential reforms. Since the beginning of the process of decentralization in the late 1970s, nationalists have aimed at deriving institutional consequences from the assumption of their differential facts. This concept has been used in connection not only with that of asymmetry or asymmetrical federalism but also with that of the 'national character' of some ACs. It remains to be seen whether such a quest for the political 'difference' can be extended to other fields because historical differential facts (e.g., economic, institutional, or social) may be wielded by almost all the regions of Spain.

SOCIO-ECONOMIC, DEMOGRAPHIC, AND SPATIAL DIVERSITY

In Spain there are large demographic differences among regions. The largest constituent unit of the *Estado Autonómico* is Andalusia, with nearly 8 million inhabitants; the smallest is La Rioja with 0.3 million (see table 1). There are also clear differences in social and economic structure.[18] As a product of history, however, most constituent units have a similar composition in terms of primordial features or family origins. Spain's population is mixed due to internal migrations and intermarriage. Traditionally there has been immigration from poorer areas in the South and central hinterland to the more industrialized zones in the North and Northwest. To give one example, in the Basque Country, more than a quarter of its registered residents were born outside the Basque provinces. Out of the 454,245 couples living together in the Basque Country, just 43 percent have partners born in the Basque Country.[19]

In Catalonia, almost 70 percent of the population have ancestors outside Catalonia and 45 percent of the current population was born outside Catalonia. There are also around a million inhabitants of Andalusian descent in Catalonia. Although they are considered by some to be a minority, which some have called 'the other Catalans' (*els altres catalans*), they have never been treated as such (the current regional Catalan premier is one of them). Residents in the Madrid region come from all over Spain (e.g., around 100,000 and 90,000 are of Catalan and Basque origin, respectively). None regard themselves as minorities.[20] In Navarre, about 15 percent of the population are *euskaldunes* or Basque-speakers. Also, in Valencia and Balearic, there are some groups that consider themselves part of the 'Catalan-speaking Countries' (*Països Catalans),* perceived by some Catalan nationalists as a whole political community with a composite identity.

Spain is an economically and culturally polycentric country. At present, Madrid is the country's main population, economic, and political centre, although it has not always been so. For most of the nineteenth and twentieth centuries, Barcelona was a leading industrial and economic centre in Spain, resulting in a non-congruence of economic and/or political centres. The traditional political and economic non-congruence in Spain has been translated into a permanent rivalry between centre and periphery.[21] ACs diverge largely in population (e.g., Andalusia versus La Rioja); land area (Castille and Leon covers 94,225 square kilometres while the Balearic Islands cover 4,992 square kilometres); number of municipalities (e.g., Castille and Leon is comprised of 2,248 and Murcia of only 45); income (e.g., the Basque Country with US$43,827 and Extremadura with US $23,031 per capita); and poverty levels (e.g., the Basque Country, 9.8 percent and Extremadura, 38.6 percent). Income disparities across ACs have declined, albeit slowly, and were narrower than in many other OECD countries in 2001. EU structural funds and central-government investments to develop infrastructure in low-income ACs have played a role in fostering convergence.

New Diversity Produced by Migration

Spain has become a country of immigration. The immigrant population has increased dramatically in the last ten years. The number of immigrants doubled from 2,664,168 in 2003 (6.2 percent of Spain's population) to 4,482,568 in 2007 (10 percent). According to the 2007 OECD Report on Migration, Spain was the EU country that had received the largest number of immigrants in 2007. As a further example, in 2009, 18.1 percent of Barcelona's population was foreign.

In various areas of social life such as employment, education, housing, and segregation of urban space, the presence of a significant number of immigrants has given rise to some problems of racial and ethnic discrimination.

Problems have been observed in the coexistence of neighbours, particularly among youth, in certain neighbourhoods and certain cities and towns. Often, these conflicts have to do with problems of unemployment or exclusion suffered by Spaniards and foreigners alike.[22] Different social practices and customs among different population groups also come into play. Muslim and Latin American immigrants are the largest groups, and their distribution among the ACs is uneven. Muslim immigrants have settled in the ACs along the Mediterranean coast (i.e., Catalonia, Valencia, and East Andalusia), while Latin Americans are located primarily in Madrid and other ACs in the hinterland. The fact that many of these immigrants come from Spanish-speaking countries can be said to have eased integration, although some politicians in ACs with high numbers of people having dual identities have felt the integration of immigrants to be an additional hurdle in their nation-building project.[23]

Immigration has been regarded as the cause of some manifestations of racism and xenophobia. In Catalonia, for instance, some newly formed extreme-right parties, such as the *Plataforma per Catalunya*, campaign against Muslim immigration into Catalonia and have had some success in local elections in several municipalities.[24] There are also elected Muslim deputies in the Catalan Parliament, and some Muslim activists have publicly embraced not only Catalan nationalism but also secessionism. The issue of immigration entered the arena of public debate during the campaign for the Spanish 2008 general election. Until then, it had only figured marginally in debates between the two main Spanish parties. The conservative PP claimed that immigration was one of the greatest concerns for Spaniards, and pledged to implement legislation to stop any further regularization of illegal immigrants and to re-patriate them. It also proposed the establishment of a "contract of integration" listing the rights and duties of immigrants wishing to live in the country.[25] However, the PSOE won the 2008 elections.

CULTURAL-IDENTITY DIVERSITY

There are no significant differences between segments of the population in terms of primordial cleavages such as religion, language, or race. However, interpretations and re-interpretations of historical events have shaped collective identities, ethnocultural communities, and national groups that are concentrated in the territories of the ACs.

The so-called 'Basque conflict,' with the persistence of a terrorist group (ETA) that attracts sizeable support from the Basque population,[26] also has important implications for Spanish politics and how the issue of identity and territorial accommodation is viewed or dealt with state-wide. ETA, founded in 1959 in opposition to Franco's regime, has advocated secession for *Euskalherria* with the annexation of Navarre and the French Basque

Country by means of armed violence.[27] ETA has been responsible for killing nearly 900 people. Different approaches to fighting the terrorist separatist movement have been a source of continuous tension between the central and regional Basque governments.

Religion

In 2006, about 77 percent of Spaniards identified themselves as Roman Catholics, about 4 percent professed a different religious faith, and about 19 percent defined themselves as non-religious. As a consequence of secularization and immigration, the percentage of Catholics has dropped below 70 percent in Catalonia, the Basque Country, and Madrid. The recent flows of immigrants have led to an increasing number of Muslims, now accounting for around 1 million. The North African towns of Ceuta and Melilla (autonomous cities of Spain located on the North African side of the Strait of Gibraltar) have Muslim minorities of around 30 percent of the population. Protestant denominations, which have grown as a result of numerous Latin American immigrants belonging to evangelical churches, have had an impact on the traditional pre-eminence of the Catholic Church.

Language

Castellano (Castilian), most commonly known elsewhere as Spanish or *Español*, is Spain's official language. Nonetheless, regional languages are co-official in the territories where they are spoken, namely, Aranese (*Aranés*, a variant of Occitan) in Catalonia; Basque (*Euskera*) in the Basque Country and Navarre; Catalan (*Català*) in Catalonia, the Balearic Islands, and the Valencian Community (officially as *Valenciano*); and Galician (*Galego*) in Galicia. Asturian (*Asturianu*), though not official, is a 'protected' language in Asturias[28]. There are also some surviving minority Romance languages or dialects such as Astur-Leonese, Leonese, Extremaduran, Cantabrian, and Aragonese. Unlike Aranese, Basque, Catalan/Valencian, and Galician, these minority languages have no official status because of their very small number of speakers.

In Catalonia, 95 percent of the residents state that they understand Catalan and 84 percent that they are able to speak the language. In the Balearic Islands, 93 percent understand Catalan, and 75 percent speak it daily. In Valencia, 86 percent understand *Valencian* and 48 percent can speak and read it. In the Basque Country, the Basque language is spoken by about a third of the population, but half of the population is unable to understand it. Basque is also spoken in a small part of Navarre, but 83 percent of all Navarrans do not understand it. In Galicia, 98 percent understand Galician and 89 percent speak it.[29]

In ACs with official languages other than Spanish, most of the people whose mother tongue is the regional language are bilingual. Bilingualism of residents whose mother tongue is Spanish and who live in those ACs with official regional languages is not as widespread. Certainly, it can be said that Spanish is spoken throughout Spain, serving as a lingua franca, virtually including all Catalans, Basques, and Galicians. Unlike the situation in cantons in Switzerland, Québec in Canada, and Flanders and Wallonia in Belgium, societal bilingualism and linguistic heterogeneity characterize the Spanish ACs that have their own regional languages.[30] In Catalonia, one can also find a clear contrast between the political elites and the population at large. For example, while some 53 percent of Catalans have Castilian Spanish as their mother tongue, only around 7 percent of Catalan members of parliament (MPs) have Spanish as their mother tongue.

Race and Ethno-territorial Identity

Spain lacks a single and all-embracing national state identity extended throughout the country. The persistence of a dual identity or compound nationality reflects the ambivalent nature of the internal ethno-territorial relations that have existed within Spain throughout its long history. The concept of dual identity or compound nationality concerns the way in which citizens identify themselves in sub-state minority nations or ACs.[31]

In all seventeen ACs, a high proportion of citizens claims some form of dual identity. During the last two decades, aggregate data have indicated that a degree of duality has been expressed by about 70 percent of Spain's total population.[32] In some ACs (e.g., La Rioja, Navarre, Extremadura, and Galicia) the indications of dual identity are higher than 75 percent. Not surprisingly, a growing majority of Spaniards is satisfied with the *Estado Autonómico*: support increased from 33 percent in 1987 to 51 percent in 2003. A second group is happy with the autonomic state, but would like more regional autonomy (19 percent in 1987; 23 percent in 2003). Asked about alternative forms of state organization, support for centralism decreased from 43 percent in 1976 to 9 percent in 2005. Only in some ACs (i.e., Aragon, both Castilles, Madrid, Murcia, and Valencia) do more than 10 percent support the return of the centralized state. In the Basque Country (29 percent), Catalonia (21 per cent), and Navarre (13 percent), significant minorities would like the state to recognize a possibility for the ACs to gain independence. However, political elites in the country as a whole, and also in certain ACs such as the Basque Country and Catalonia, may show very different preferences and identities from the general public. Research on the political attitudes of politicians and civil servants of Catalonia reveals that nationalist standpoints are strongly over-represented as compared to the attitudes of the population at large.[33]

POLITICAL DIVERSITY

Spain's decentralization and devolution of powers have been advocated not only to accommodate national minorities but also to advance democratization and better governance. These goals often conflict with each other. In general, Spanish political, economic, and intellectual elites reject claims to self-determination by internal minority nations.

Political Culture and Ideology

The multinational and multilingual character of Spain is channelled primarily by sub-state parties (regionalist and nationalist). In electoral terms, nationalist parties are strong in the Basque Country, Catalonia, and to a lesser degree in Galicia and the Canary Islands. In all these ACs, they often have a prominent role in running both the regional and local governments, as do regionalist parties in Aragon, the Baleric Islands, Cantabria, and Navarre. In the 2008 Spanish general elections, 89 percent of the electors cast their votes for state-wide parties, which captured 93 percent of the parliamentary seats. Sub-state nationalist and regionalist parties received 7 percent of the total vote in the country (7 percent of the seats).

If Spain as a whole is diverse in political terms, more diversity can be found in the so-called historical nationalities. In Catalonia, 62 percent of the Catalans voted in the general elections in 2008 for state-wide Spanish parties (or for their federated/regional branches), while this percentage usually drops to 40.5 percent in regional elections. In the Basque Country, around 57 percent of Basques voted for state-wide Spanish parties in the general elections, and around 45 percent did so in regional elections. In Galicia, the same state-wide parties received 85 percent of the vote in the general elections and 78 percent in the regional elections. State-wide parties can be regarded as playing an integrating role that mitigates centrifugal tendencies in the overall system.

Structures of the Party System

Distinct regional party systems exist in Catalonia, the Basque Country, Galicia, and, in a weaker form, in the Canary Islands, Aragon, the Baleric Islands, Cantabria, and Navarre. Since the inception of its constitutional law (*Estatuto de Autonomía*), the Basque Country had been governed by nationalist parties (or coalitions with non-nationalists led by nationalist parties) until 2009, when non-nationalists won a majority of seats. The same happened in Catalonia before 2003. Since then, a left nationalist party (Republican Left of Catalonia) has shared government with the Socialists and

a Catalan Left and Green party (Initiative for Catalonia–The Greens). The Canary Islands have traditionally had different internal party systems within the different islands, as is somewhat the case among the Balearic Islands, too. In Galicia, the Galician nationalist party (BNG) comes in third usually in the electorate's preferences, but from 2005 to 2009 it was in coalition with the Socialists in the regional government. In all other ACs, except three of them, regionalist parties have achieved representation in their regional parliament.

Voting patterns may be incongruent between general elections and regional elections. As usually happens in the Basque Country and Catalonia, a sizable portion of votes goes for state-wide Spanish parties in the general elections and for nationalist regional parties in the regional elections.

Political Participation and Interest Groups

According to European standards, electoral participation in Spain is relatively high. Turnouts usually range from 60 percent to 75 percent of the registered electorate. Parties' membership is lower than in other EU countries, but the two main Spanish parties (PSOE and PP) claim to have more than 250,000 fee-paying members each.

Social partners (*agentes sociales*), namely, the employers' confederation (CEOE) and the two main trade unions (General Union of Workers, UGT, and Workers' Commissions, CCOO), have had a decisive influence on economic policy-making. They have been highly influential in maintaining a climate of *diálogo social* (social dialogue), which has made the development and expansion of Spain's welfare state viable. They have been particularly active in the regional arenas on the expansion of social services and policies, such as the implementation of basic income support (IMIS) schemes. The Catholic Church and other religious organizations have continued to campaign – with varying degrees of success – in order to influence governments' policies concerning moral issues and institutional arrangements, primarily education.

DIVERSITY OF INSTITUTIONAL ARRANGEMENTS

All ACs have parliamentary systems with proportional representation, whose governments are politically responsible to regional assemblies. Regional legislatures are renewed every four years, and all ACs but four hold regional and local elections on the same day. Regional parliaments, comprising overall more than 1,000 MPs, play an important role in shaping regional politics and policies. Their role, however, is limited by the predominance of regional executives. A regional political class has developed, but there is also a high degree of circulation between regional and national political careers.

Institutional co-operation between the central and regional governments finds expression in around thirty sectoral conferences and other consultative bodies that meet regularly. In addition, a Conference of Presidents (*Conferencia de Presidentes*, with the presence of the Spanish prime minister) was established in 2004. Several hundred agreements of collaboration (*convenios*) are being signed each year between the central and regional governments in order to manage the planning and financial aspects of specific common policies and programs.

Second Chamber

Article 69.1 of the Constitution defines the Senate as "the Chamber of Territorial Representation." The Senate is formed by 208 senators who are elected directly by Spanish voters in a majority system according to provincial multi-nominal constituencies. (Note that ACs are not the constituencies, which would make the upper chamber more responsive to regional issues.) Consequently, constituencies that have several million inhabitants (such as the provinces of Madrid and Barcelona) are assigned the same number of senators as constituencies that have barely 100,000 voters. Additionally, each AC is entitled to appoint one senator, plus one more for every million inhabitants. These senators are appointed by the regional parliaments according to the procedure laid down in their own legislation. At present, the ACs are represented in the Senate by fifty-six appointed senators. Thus, the Senate has a mixed composition: three-fourths are elected in provincial districts by a majoritarian system, and one-fourth are appointed by the regional legislatures.

Despite its constitutional definition as a "territorial chamber," the Spanish upper house mainly performs functions that duplicate those of the full-fledged Congress of Deputies, or lower house. Its value has been basically instrumental, offering the parties of government and opposition a second chance to agree on legislative projects or to introduce amendments where legislative readings in the lower house were hurried or superficial. This has contributed to the Senate's poor political reputation and to its low estimation among citizens with respect to its place and function. In 1994, the Senate established a legislative standing committee, the General Committee of the Autonomous Communities, that has some control over certain policies related to regional issues. Apart from this scrutiny role on the action of both the central and the regional executives, the General Committee has struggled to establish itself as a participation channel for the ACs. The committee is composed of sixty-two senators, half of whom are regionally appointed senators, and it may integrate into its functioning and meetings both senators and members of both the central and regional executives. Depending on the topic, the latter are invited to participate in

the debates of the committee. Some observers regard the General Committee as a stepping-stone toward the institutionalization of a more classical kind of federal Senate, a reform that would require the agreement of the two main Spanish parties (PP and PSOE).

Constitutional Amendment Rules

Although ACs are not given a direct role in constitutional reform, AC parliaments have to intervene, along with the Spanish Parliament, in the elaboration and modification of their regional statutes. In some ACs the populations concerned must approve the statutes in a popular referendum. Statutes of autonomy (regional constitutional laws) have thus to be approved and amended through a procedure that implies a pact between the regional parliaments and the Spanish Parliament.

The central government must refrain from amending the Constitution unilaterally because any constitutional reform affecting regional powers needs the consent of the Senate. One-tenth of senators, which is around half of the senators appointed by the regional parliaments, may challenge any constitutional reform that ACs deem to be against their autonomy and request a national referendum to be held to decide the amendment (article 167.3 of the Constitution), this means that in practice ACs have a certain veto power in this process.

Asymmetries

Several types of asymmetries can be identified.[34] First, there are transitory asymmetries, some of which are now obsolete or no longer applicable – for instance, the differential access tracks to regional autonomy established in the 1978 Constitution. Second, there are permanent asymmetries such as co-official languages and traditional civil-law systems in six ACs, as well as a special economic and fiscal regime for the Canary Islands and the *concierto* system of special fiscal powers for the Basque Country and Navarre. Finally, there are some asymmetries in terms of policy-making and implementation, and executive powers.[35] The North African cities of Ceuta and Melilla have a special status as autonomous cities, and the central government retains some powers there that have devolved to other ACs.[36]

Judicial Power

Spain has one integrated state-wide judicial system. Some courts have been 'de-concentrated' and high regional courts have been established to exercise final jurisdiction over cases of regional law. The Constitutional Court of Spain (*Tribunal Constitucional*) is the highest judicial body, and it has the

power to review the constitutionality of the legislation enacted by the Spanish government and by the AC governments. The Court is the "supreme interpreter" of the Constitution, but because the Court is not an integral part of the judiciary, the Supreme Court (*Tribunal Supremo*) is the highest appealing court for almost all other judicial matters. The Constitutional Court consists of twelve members. Of these, four are nominated by the Congress of Deputies by a vote of three-fifths of its members, four are nominated by the Senate by the same majority, two are appointed by the government, and the last two are appointed by the General Council of the Judicial Power.

The Constitutional Court has jurisdiction over the whole Spanish territory and is entitled to intervene in cases of (a) alleged unconstitutionality of acts and statutes having the force of an act, (b) individual appeals for protection against violations of constitutional rights and freedoms, and (c) conflicts of jurisdiction between the central government and the ACs or between the ACs themselves. The government may appeal to the Constitutional Court against provisions and resolutions adopted by the ACs, which in some cases brings about the temporary suspension of the contested provisions or resolutions.

The Constitutional Court has been increasingly politicized as a result of polarization between the two main state-wide parties (PP and PSOE); it is considered to be split between progressive and conservative justices. This means that some of their decisions run the risk of being delegitimized. Sub-state nationalists complain that ACs do not have a role in selecting judges. Recently, a reform of the Law on the Constitutional Court and of the Senate's standing orders has established that regional parliaments will propose the judges who have to be appointed by the Senate.

Consociational Arrangements and Extra-judicial Dispute Resolution

Elite accommodation and pacts, and successful accommodation of diversity of interests through negotiation have been the practice since the transition to democracy, be it through intergovernmental relations such as the sectoral conferences, the new Conference of Presidents, or some informal practices such as the presence of important regional leaders from different ACs in the central cabinet.

In general, the Spanish system of territorial politics has provided the presidents of the regional executives (*presidentes autonómicos*) with considerable influence state-wide. The fact that they are usually the leaders of their party's regional branches, along with the effects of the parliamentary system, has made them the main representatives of their territories' interests. They have also achieved political influence at the centre, particularly when their own parties are not in office in the central government. Conflicts in

the system may be resolved via party negotiations. Before a conflict between governments is put before the Constitutional Court, an institutionalized system of extra-judicial conflict resolution is followed. This procedure is successful up to 30 percent of the cases. During the 1980s and 1990s, the Constitutional Court was often involved in conflict resolution between the central government and ACs. The number of cases has dropped substantially since then.

Citizenship Regulations

Citizenship regulations include elements of both *jus soli* and *jus sanguinis*. Being born in Spain does not confer automatic Spanish citizenship, but the legal residence requirement to acquire citizenship immediately after birth is only one year. One year of legal residence is also required of foreign citizens married to Spanish citizens. Legal residents of Spain who were born abroad must wait ten years before they are entitled to apply for Spanish citizenship, except if they are Sephardic Jews or born in Portugal, Andorra, or any of the countries that were part of the former Spanish colonies on the American continent (a waiting period of two years has to elapse before they can apply for Spanish citizenship). The law on Spanish nationality also includes a *ius sanguinis* element, expressed in the granting of Spanish citizenship to all descendants of Spanish parents or grandparents. In general terms, naturalization requirements are similar to those found in other Western democracies.[37] Recent research shows that numerous obstacles to obtaining legal residence seem to substantially undermine the liberal character of Spain's citizenship model.

The Law on Historic Memory (2007) has made it possible for individuals residing in Latin American countries to become Spanish citizens if their parents were Spanish or their grandparents had to give up their Spanish citizenship due to exile as a consequence of the Civil War (1936–39). As a result, almost 40,000 people have applied for Spanish citizenship. In 2008, 10,000 applicants became Spanish nationals by swearing fealty to the Spanish Constitution.

Human Rights and Minority Rights

Spain is a "social and democratic State, subject to the rule of law, which advocates freedom, justice, equality and political pluralism as the highest values in its legal system" (article 1 of the Constitution). This provision must be read in conjunction with article 10.2, which establishes that "provisions relating to the fundamental rights and liberties recognized by the Constitution shall be construed in conformity with the Universal Declaration of Human Rights and international treaties and agreements thereon ratified by

Spain." Article 14 of the Constitution prohibits discrimination against citizens, and any citizen may assert a claim to protect the freedoms and rights recognized constitutionally.

Most of the regional statutes of autonomy have recently included bills of rights containing basic citizens' rights and state goals of government activity. They include last-generation rights regulating, for instance, access to new technologies, environmental protection, minimum income, gender equality, sexual orientation, and protection against domestic violence. Also same-sex marriages have been legal in Spain since 2005. Despite support by 66 percent of the population, the Roman Catholic hierarchy fiercely opposed legislation allowing same-sex marriage, and the conservative PP challenged the law before the Constitutional Court (pending a ruling at the time of writing).[38]

The judicial guarantee of individual rights has been used by some individuals within bilingual ACs to defend their right to educate their children in Spanish. This has been an issue in Catalonia, where courts have normally endorsed the policies of positive discrimination favouring the exclusive use of the regional language in education and public administration.

Electoral Systems

The Congress of Deputies, or lower house, is composed of 350 members. They are directly elected by universal adult suffrage for a four-year term of office. Each of Spain's fifty provincial constituencies elects a minimum of two seats and the autonomous cities of Ceuta and Melilla elect one member each. The remaining 248 seats are allocated among the fifty provinces in proportion to their populations.[39] The seats in each constituency are apportioned according to proportional representation (d'Hont system). However, in order to participate in the allocation of seats, a list of candidates must overcome a 3 percent threshold of all valid votes cast in the provincial constituency, including blank ballots.

The procedure to elect senators is majoritarian, and favours the majority party to a much higher degree than the lower house's proportional-representation system. Moreover, it penalizes smaller parties that have geographically dispersed support, often to the point of exclusion from the upper house.

The electoral system has a clear majoritarian effect in most of the constituencies due to the size of these, the required thresholds, and other related elements. Consequently, rural districts are over-represented in the lower house at the expense of the more-populated and predominantly urban districts.

Sub-state nationalist and regionalist parties are fairly represented by the electoral system because they have their vote concentrated in a few constituencies.

Proposals have been voiced to reduce the political weight of these territorial parties, as they are regarded by some Spanish politicians to hold disproportionate power in relation to their electoral support.

Secession

Neither the Constitution nor the established jurisprudence recognize the right of self-determination of Spain's nationalities or regions. The Spanish Parliament has the exclusive competence for permitting referenda. However, both the Basque and Catalan parliaments have already voted symbolically in favour of the recognition of the right for self-determination for their ACs. Legally, a referendum on an eventual secession of any autonomous community may not be held without the consent of the central government and its result would not be legally binding.

The Basque president (*Lehendakari*) attempted to hold an illegal consultation by announcing the celebration of a popular referendum to consult the Basque population about a future process of negotiation with ETA terrorists. In June 2008, the Basque Parliament passed a "Law on a popular consultation in order to know the citizens' opinion about the opening of a negotiation process to reach peace and political normalization." This implied the holding of a referendum, which was to take place around mid-October 2008 and thus challenge openly the warnings of illegality. The central government contested this regional law before the Constitutional Court, which confirmed the unconstitutionality of this law on several legal grounds, particularly regarding the lack of jurisdiction of the Basque Parliament to organize a referendum, especially on issues that affect the whole country.[40] The Basque government abided by the Constitutional Court ruling, abandoning the idea of holding the referendum.

POLICIES FOR MANAGING DIVERSITY AND DIVERGENCE IN OUTCOMES

The 1978 Constitution does not contain provisions to provide services to particular cultural, linguistic, or religious communities. Public policies are generally implemented by the three-tier system of government. There are no formal consociational arrangements such as a general-quotas policy or affirmative action for the recruitment of personnel in national public administration, the armed and security forces, or the courts on the basis of ethnic belonging or territorial origin. The wide political consensus that made the democratic 1978 Constitution possible created highly legitimized common institutions. However, different sets of public policy preferences have been implemented by the ACs, which has resulted in diverse outcomes and institutional arrangements, particularly regarding welfare provision.[41]

Fiscal Policies

The principle of "inter-territorial solidarity" is laid down in the Constitution (article 2) as a fundamental tenet to forge unity and to guarantee the integration and interplay of Spain's nationalities and regions. It implies the transfer of funds from the richer to the poorer ACs, with the aim of attaining a minimal level of basic services state-wide, together with a fair and adequate distribution of the financial burdens.

There are two distinct funding arrangements and tax systems for the ACs: the special or charter regime and the common regime. For historic reasons, the Basque Country and Navarre have a special regime with its own tax and budget arrangements (the *concierto económico*). This allows them to levy their own taxes and negotiate a transfer to Madrid to pay for common services. This is a source of tension, but agreement has always been reached. This scheme causes some resentment in other ACs, because the Basque Country and Navarre are able not only to have a higher level of regional public expenditures per capita but also to remain outside the structured system of state-wide fiscal equalization, despite being among the wealthiest ACs in Spain.

Within the common regime, the equalization system seems to have quite significant redistributive effects. ACs such as Madrid, Catalonia, the Balearic Islands, and Valencia are net contributors to horizontal solidarity, while Andalusia, Galicia, Castille–Leon, Asturias, and Extremadura receive the most benefit from equalization.[42] Criticisms voiced in some wealthier ACs argue that the system is far too redistributive and lacks clear distributive criteria so as to motivate the subsidized ACs to improve their performance.[43] Some of the redistribution comes in the form of central public investments in large infrastructure projects, which may be discretionary and may neglect or discriminate against some ACs for 'unconfessed' (i.e., covert) party-political reasons.

Language Policies

According to the Constitution and the regional statutes of autonomy, language policies are a responsibility of the ACs in all that concerns the regulation of co-official regional languages within bilingual ACs. Regional languages have been considerably protected and promoted during the past twenty years. According to the report of the Committee of Experts on the application of the Charter for Regional or Minority Languages, Spain has been "among the countries more firmly committed to the protection and promotion of regional and minority languages."[44]

Since the early 1980s, bilingual communities such as the Basque Country and Catalonia, Galicia, the Balearic Islands, and Valencia have initiated

policies for the promotion of their regional languages that incorporate positive discrimination. Both Basque and Catalan language policies have been the result of wide cross-party agreement. For some critics, they have gone too far now, jeopardizing the individual rights of significant groups of the population. The public sphere has been the main vehicle for language policies, which have been based on the idea of a policy of positive discrimination, so-called "normalization," through which an almost exclusive use of Catalan is promoted in all public regional institutions and in education.

The Catalan Statute of Autonomy (2006) reinforced and enshrined the main elements of traditional nationalist language policy in its text, thus giving it a more important legal status. It establishes Catalan as the language of preferential use in public administration, in the publicly owned media, and, normally, in teaching and learning in the education system, including university education. An additional novelty, established in article 6, is the duty to know the regional language, thus equalizing its status with that of Castilian in the Constitution. It also introduces the obligation of "linguistic availability" for businesses and corporations operating in Catalonia. This establishes the obligation of communicating with users or consumers in the language of their choice (Catalan or Castillian).

In the Basque Country, public language policies have established the right to choose the language of education (Basque or Castilian), although the AC government has provided generous financial aid to Basque-speaking schools. In public administration agencies and bodies, there has been an internal territorial 'adaptation,' and encouragement, and economic incentives have been made available to civil servants to improve their knowledge of the Basque language.[45] Basque nationalists recognized that a sizeable section of the population would not be willing to accept a forceful and quick introduction of the Basque language in the education system and the public administration.[46] However, citizens would accept a policy based on either individual choice or adaptation to local situations (areas where the use of the Basque language predominates vis-à-vis Castillian, and vice versa). This consensus was broken by the last nationalist government, which attempted to impose the exclusive use of the Basque language in all levels of education.

All things considered, policies carried out to preserve and promote minority languages have increased the knowledge of regional languages but have not necessarily extended their use. Some of these policies have been based on notions that Catalan or Basque are the true 'proper' languages of the Catalan and the Basque nations and, according to some critics, these policies have regarded Spanish – despite being the majority language among Basques and Catalans – as a foreign language in those ACs. Their ultimate aim seemed to be, despite the lip service paid to the need for achieving bilingualism, not bilingualism but monolingualism of the regional language.

Their justification is the fear that without this strong positive discrimination, the regional languages will be increasingly replaced by Spanish. Their language policies, however, are increasingly confronted with the existing linguistic uses of the population and with the increasing mobilization of some groups that are defending Spanish through political associations or actions in courts. New non-nationalist governments in both Galicia and the Basque Country have promised to ease the restrictions for Spanish in education and public administration.

As far as language policies by the central government are concerned, there has been in recent years a promotion of the use of co-official languages in delivering the central governments' public services in bilingual ACs, and also in their state-wide official documents (e.g., ID cards) and web pages. Of symbolic importance has been the use of all the co-official languages in the debates on the "State of the Autonomic State" held in the Senate. Furthermore, the central government has established a Council for Official Languages (*Consejo de las Lenguas Oficiales*) within the Ministry for Public Administrations (now called Ministry of Territorial Policy) and a Bureau of Languages to deal with the problems of adaptation of the services of the central administration to bilingualism in several ACs. Some politicians and academics from bilingual ACs have defended the use of co-official languages in state common institutions, such as the Senate, as a way of recognizing diversity. For others, it seems unreasonable to renounce the use of the existing common language (*castellano*) within the common institutions.

Education Policies

Legislation to effect the constitutional right to education remains a shared responsibility of both the central government and the ACs. Management of the education system in Spain is a responsibility of the ACs; hence, ACs with co-official regional languages have been very active in expanding education policies of their own as a means to extend the use of regional languages. The regional legislation in this area establishes that all students have to be competent in both official languages upon graduating from basic schooling (e.g., Catalan and Spanish). In order to achieve this goal, over the course of the 1990s, all primary and secondary schooling gradually came to be conducted in Catalan. So far, the Basque Country has maintained three different tracks or education models: one is only Basque, one is bilingual, and one is only Castilian. Despite the different sociolinguistic conditions, and due to the perceived lack of success in gaining more speakers for the Basque language, the last Basque government imitated the Catalan path, by making Basque the only 'vehicular' language of education from kindergarten to university. This issue has raised problems and political controversy among parents and educators and is bound to resurface in

the years to come. In Galicia, policies allow students to choose in which language (Galician or Castillian) to communicate with teachers and to take exams.

Courts and Police

Within Spain's internal distribution of powers and responsibilities, the organization of justice as well as all procedural, criminal, and commercial legislation rests with the central state, without prejudice to the prerogatives of those ACs that have their own civil-law code. According to the Constitution, justice is administered and managed by judges and magistrates, whose ruling body is the General Council of the Judicial Power. Judges and magistrates are independent state actors accountable directly to the rule of law.

This is one area where Spanish institutions have adapted less to the multilingual and plural character of the country. This can be explained, at least partly, by the way in which judges and magistrates govern themselves. Vacancies are filled throughout Spain with appointments made by state-wide bodies. Both judges and prosecutors are members of a state-wide corps that is filled by public recruitment based on meritocratic competition, and that has traditionally preferred to use the common language, *Castillian-Spanish*. However, both national and regional laws are now encouraging the knowledge and the use of regional languages by judges who serve in the bilingual ACs. Citizens in the ACs with co-official regional languages have, however, the right to simultaneous language translation in court proceedings, as well as to be addressed and to express themselves in their local language. Given this context, the ACs have the responsibility of providing the administrative services and material resources for the functioning of the administration of justice.

There are regional police forces in Navarra, the Basque Country, and Catalonia. Several other statutes of autonomy include the possibility of taking on this competence (e.g., Galicia, Andalusia, Valencia, and the Canary Islands). Most ACs have preferred not to establish regional police.

Religion Policies

There is a constitutionally recognized separation between church and state. Relations with the Roman Catholic Church – the majority religious denomination – are regulated by the 1979 Concordat between the Vatican and the Spanish state. Accordingly, the church receives financial subsidies from central public sources, which have been decreasing at the same time that voluntary contributions transferred by taxpayers in their annual tax returns have increased. Thanks to those subsidies, the Roman Catholic Church controls powerful mass media and pays the salaries of its priests.

For some other religions and secularists, this system of funding the Catholic Church goes against the constitutional principles of non-discrimination and equality, also appearing in the Organic Law on Religious Freedom, and belies the aconfessionality of the Spanish state. Other denominations demand similar financial support from the state. In 2004, the Ministry of Justice established the public foundation, Pluralism and Convivence, which aims to finance projects for minority religious denominations (Evangelical, Jewish, and Muslim) that have signed agreements with the government. For example, in 2008, subsidies for these three religions with around 3 million followers had reached the sum of US$6.5 million in total. Islamic communities, mosques, and religious associations receive around US$1.7 million. The Ministry of Education has hired some teachers of the Muslim religion for primary schools; twenty of them are for schools in Ceuta and Melilla.

There are no national, regional, or local religious courts or there is national, regional, or local recognition of religious law, except for Catholic marriage, which is recognized by the law as having the same effect as civil marriage. In Ceuta and Melilla – the Spanish North-African cities – judges have repeatedly refused to recognize polygamy, and several pragmatic agreements have been reached with Muslims for the celebration of their animal sacrifices.

According to the 1992 Agreement on Cooperation between the Spanish State and the Islamic Commission in Spain, Muslim students have the right to receive Islamic education in publicly funded schools, provided they form a group of ten or more. As well, places for religious cult practices are protected, and work hours for Muslims may end one hour before dusk during Ramadan. Also public centres are suggested to adapt meals to Muslim precepts. However, eighteen years after signing of the 1992 agreement, many of these arrangements have not been implemented. In Spain, there are around 450 officially registered mosques and another fifty in the process of being awarded permits. Another 200 mosques are thought to operate 'a-legally' because residents nearby oppose the building of a mosque. It is estimated that more than 1 million Muslims live in the country. Estimates for the Jewish and Evangelical populations are 30,000 and 1.5 million, respectively.

Media Policies

Central-state regulations set the basic legal regime for media operations. The ACs may further develop the media together with full implementing responsibilities. The central state owns two state-wide public television networks (TVE 1 and TVE 2) and one state-wide radio network (RNE). Since the 1980s, regional TV and radio networks have been established using primarily co-official

regional languages. The Catalan Media Corporation, for instance, has established itself in open concurrence with other general private and public networks. Its impact on the normalization of the daily use of Catalan has been considerable. Unlike the main private media networks, Spanish public networks have programs in regional languages in the territories where those languages are co-official. In most instances, both state and regional law and authorities provide broadcasting regulations for media groups and allow for a great expansion of the press and broadcasting networks all over Spain. Regional public networks are controlled by regional governments and, thus, are very politicized.

Health Policies

Health-care policies are decided mainly by the AC governments; when framework legislation is passed by the central government, it is fully implemented and managed by the regional executives of the ACs. Whereas the health situation of Spanish people is assessed positively by international standards, the health-care system offers some weaknesses from the standpoint of quality and efficiency. The Spanish public expenditure on health is comparatively low within the EU context, which helps to explain social polarization, with approximately the wealthiest 30 percent of the population making use of private health care alongside their full entitlement to the universal public health system.

Decentralization has stimulated regional competition in the provision of services. So far, this competition has had an equalization impact because regional health systems do not want to be regarded as lagging behind, although some regional differences in health indicators and service quality remain.

Multiculturalism and Immigration Policies

Immigration policy has revolved around the control of flows and the reduction of illegal immigrants. In 2005, an extraordinary process of regularization of foreign workers was implemented to reduce the number of illegal immigrants. Around 600,000 immigrants were regularized and acquired residence permits. Although there was a drop in the number of illegal immigrants, their number rose again at the beginning of 2006. The priority of immigrant integration in Spanish society is reflected in the Strategic Plan for Citizenship and Integration 2007–10 approved by the central government. Immigrants have unrestricted access to universal health care and education as soon as they are registered in a municipality.

ACs have major competences in education and social policy, but citizenship and labour-permit regulations affecting immigrants are controlled centrally.[47] This makes coordination and collaboration between the central state

and the ACs very important; however, it has not been optimal. Consequently, the levels of immigrant integration diverge between ACs because resources are allocated very inefficiently. NGOs and Third Sector organizations have attempted to cover the shortcomings of public intervention. Increasingly negative public attitudes toward immigration, as well as social conflicts, seem to be on the rise.

Some regional governments such as Catalonia have recently approved a so-called *Pacto Nacional para la Inmigración*, which has as one of its strategic aims the integration of immigrants through the use of Catalan as the common public language in that autonomous community. There also are some political movements advocating the right to vote for immigrants.

The approaches by both the central government and the AC governments have been rather liberal or assimilationist. For some observers, this rationale is in contrast to the explicitly multiculturalist spirit that characterizes the Spanish Constitution in its protection of the cultures, traditions, languages, and institutions of minorities. Despite the protection and promotion policies described above for Muslims, both the central government and the AC governments have remained neutral with respect to the different immigrant cultures, which could be regarded in practice as a policy of linguistic assimilation and of institutional discrimination against religions other than Catholicism. This is clearly seen in the case of Spain's North African autonomous cities of Ceuta and Melilla where Muslims, most of whom are well integrated Spanish nationals and account for almost a third of the population, lack any protection for their vernacular language in education.[48]

CONCLUSION

The Autonomic State (*Estado de las Autonomías*) has, to a large extent, transcended patterns of internal confrontation in Spain. It has also reactivated a regional creativity that was smothered by failed uniformization and lingering institutional degradation during Franco's dictatorship. The deep and widespread process of decentralization can be regarded as one of federalization taking into account Spain's internal hetereogeneity. It serves the purpose of accommodating a long-standing diversity within the unity of a member state of the European Union.

There are several contentious issues regarding the furthering of the process of federalization. A major drawback in the functioning of the *Estado de las Autonomías* is the inadequacy of existing integration and coordination mechanisms such as the Senate. Others relate to the claim by some ACs of further recognition of their distinctiveness on the basis of historic rights said to exist prior to the 1978 Constitution. The legacy of past civil confrontations is still considerable. As well, the effects of political violence in

the Basque Country continue to be the negative referent in the generally peaceful cohabitation of the Spanish territories and peoples.

A return to a more centralized version of the autonomic state is out of the question. Deficiencies and contentious issues cannot hide the political feeling that the existence of democracy and freedom in Spain is inexorably linked to the continued legitimacy of power in a federalized form and to the autonomy of the ACs. The long-standing absence of an enlightened and authoritative Spanish elite, and the disappearance of a centralizing political leadership, have gone hand in hand with a constant affirmation of internal diversity.

However, and despite the persistence and even reinforcement of regional identities (mainly among some regional political and intellectual elites), the Spanish identity in the majority of the population seems to remain strong even as the 1978 generation, which protagonized the making of the democratic constitution, is dying off. This 'good health' of Spain's model of accommodation, despite its current tensions, can be explained by factors such as the social 'limitations' of exclusive nation-building projects put forward in some ACs by sub-state nationalists, the vitality of Spanish as a common lingua franca (unlike the cases of Canada, Belgium, and Switzerland), and the impact of modern media and all kinds of economic and cultural exchanges among the ACs. It is also important to underline the integrative role of state-wide parties, present in all the ACs, as well as the relatively large number of constituent units and the lack of one demographically, economically, and politically predominant AC. Last but not least, the roles of a long-standing shared history and other generally accepted symbols, such as the monarchy and manifestations of Spain's 'banal' nationalism (e.g., mass sports), will continue to shape a common Spanish identity for the years to come.

NOTES

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1 For background on Spain in the Global Dialogue series, see Enric Argullol and Xavier Bernadí, "Kingdom of Spain." In *Distribution of Powers and Responsibilities in Federal Countries*, eds. Akhtar Majeed, Ronald L. Watts, and Douglas M. Brown (Montreal & Kingston: McGill-Queen's University Press, 2006), 238–64; Julio López-Laborda, Jorge Martínez-Vázquez, and Carlos Monasterio, "Kingdom of Spain." In *The Practice*

of Fiscal Federalism: Comparative Perspectives, ed. Anwar Shah (Montreal & Kingston: McGill-Queen's University Press, 2007), 287–316; Francisco Aldecoa and Noe Cornago, "Kingdom of Spain." In *Foreign Relations in Federal Countries*, ed. Hans Michaelmann (Montreal & Kingston: McGill-Queen's University Press, 2009), 240–68; and Francisco Velasco Caballero, "Kingdom of Spain." In *Local Government and Metropolitan Regions in Federal Systems*, ed. Nico Steytler (Montreal & Kingston: McGill-Queen's University Press, 2009), 298–328.

3 The non-territorial Roma (gypsy) minority amounts to about 1.5 percent of the total population (5 percent of Andalusia's total population is *gitana*). Its influence has been notable in the development of an idiosyncratic Spanish culture (i.e., *Flamenco*).

4 On the so-called 'Moreno question,' see Luis Moreno, "Scotland, Catalonia, Europeanization and the Moreno question," *Scottish Affairs* 54 (2006): 1–21 and Luis Moreno, "Identités duales et nations sans ètat (la Question Moreno)," *Revue Internationale de Politique Comparée* 14 (4) (Winter 2007): 497–513.

5 The current system may be said to have historical antecedents in the territorial form established by the 'regional' Republican Constitution of 1931. Catalonia, the Basque Country, and Galicia (called for that reason 'historical nationalities') voted statutes of autonomy during the II Republic (1931–39). Valencia, Andalusia, and the Canary Islands also prepared regional statutes that were not put to popular referendum because of the outbreak of the Spanish Civil War (1936–39).

6 Luis Moreno, *The Federalization of Spain* (London: Routledge, 2001).

7 See Luis Moreno, "Federalization in Multinational Spain." In *Multinational Federations*, Michael Burgess and John Pinder (New York: Routledge, 2007), 86–107 and Ronald L. Watts, "Spain: A Multinational Federation in Disguise?" (paper prepared for the conference on "The Federalization of Spain-Deficits of Horizontal Cooperation," Saragossa, Spain, 27–28 March 2009).

8 Enric Fossas, "Asymmetry and Plurinationality in Spain," Universitat de Barcelona/ Institut de Ciences Polítiques i Sociales Working Paper No. 167 (1999) and Ferran Requejo, *Multinational Federalism and Value Pluralism (The Spanish Case)* (London: Routledge, 2005).

9 César Colino, "The Spanish Model of Devolution and Regional Governance: Evolution, Motivations and Effects on Policy Making," *Policy & Politics* 36 (2008): 573–86 and César Colino, "Constitutional Change Without Constitutional Reform: Spanish Federalism and the Revision of Catalonia's Statute of Autonomy," *Publius: The Journal of Federalism* 39 (Spring 2009): 262–88.

10 For the different conceptions of diversity and federalism in Spain, see Emilio Lamo de Espinosa, "El cambio social en España, la España de las autonomías y el papel de España en Cataluña y el País Vasco." In *La España de las autonomías*, ed. J. P. Fusi y G. Gómez-Ferrer, (Madrid, Espasa Calpe, 2007), 468–95; Klaus Jürgen Nagel and Ferrán Requejo, "El debate sobre la relación entre centro y Autonomías en España." In *España: del consenso a la polarización*, eds. Walter L. Bernecker and Günther Maihold (Madrid/ Frankfurt: Iberoamericana/ Vervuert, 2007), 265–96; Joan Romero, "Autonomía política y nacionalismos. Sobre la acomodación de la diversidad en España," *Pasajes* 26

(2008): 13–26; Xavier Arbós, "Doctrinas constitucionales y federalismo en España," Working Paper, n 245, Institut de Ciències Polítiques i Socials, Barcelona, 2006; and Joseba Arregi, *Dos modelos de Estado: la historia y la norma* (Madrid: INAP, 2005).

11 The judgment of the court was still pending as of December 2009.

12 Juan Linz, "Early State-Building and the Late Peripheral Nationalisms Against the State: The Case of Spain." In *Building States and Nations: Models, Analyses and Data Across Three Worlds*, 2 vol., eds. Samuel Eisenstadt and Stein Rokkan (Beverly Hills, CA: Sage, 1973), 99.

13 This conception was already put forward by the beginning of the twentieth century, and has been hotly debated since then. See Fernando Domínguez, *Más allá de la nación. La idea de España como 'nación de naciones'* (Barcelona: Fundación Rafael Campalans, 2006) and Ramón Máiz, "Nación de naciones y federalismo," *Claves de Razón Práctica* 157 (2005): 18–23.

14 See Sebastian Balfour and Alejandro Quiroga, *The Reinvention of Spain: Nation and Identity Since Democracy* (Oxford: Oxford University Press, 2007); Xosé M. Núñez Seixas, "Unidad y diversidad de las naciones en España. Una visión panorámica," *Cuadernos de Alzate* 39 (2008): 61–77; and Michael Keating, "Rival Nationalisms in a Plurinational State: Spain, Catalonia, and the Basque Country." In *Constitutional Design for Divided Societies: Integration or Accommodation?* ed. Sujit Choudhry (New York: Oxford University Press, 2008), 316–40.

15 See Xosé-Manuel Nuñez-Seixas, "A State of Many Nations: The Construction of a Plural Spanish Society Since 1976." In *The Social Construction of Diversity: Recasting the Master Narrative of Industrial Nations*, eds. Christiane Harzig and Danielle Juteau Lee (New York: Bregan Books, 2003), 284–306; and Alejandro Quiroga, "Amistades peligrosas: La izquierda y los nacionalismos catalanes y vascos (1975–2008)," *Historia y Política* 20 (2008): 97–127.

16 See Luis Moreno, Ana Arriba, and Araceli Serrano "Multiple Identities in Decentralized Spain: The Case of Catalonia," *Regional and Federal Studies* 8 (1998): 65–88 and Enric Martínez-Herrera and Thomas J. Miley, "The Constitution and the Politics of National Identity in Spain," *Nations & Nationalism* 16 (2010): 1–25.

17 Somewhat similar to that of "distinct origin" claimed by Quebec nationalists and autonomists.

18 See Juan J. Linz and Amando de Miguel, "Within Nation Differences and Comparisons: The Eight Spains." In *Comparing Nations*, eds. Richard L. Merritt and Stein Rokkan (New Haven: Yale University Press, 1966), 267–319.

19 José Aranda, "La mezcla del pueblo vasco," *Empiria: Revista de metodología de ciencias sociales* No. 1 (1998): 121–80.

20 In 2008, a proposal by the regional government of Madrid to establish bilingual schools for Catalans in Madrid was dropped because of insufficient demand among Catalan residents to make the investment viable.

21 Salvador Giner and Luis Moreno, "Centro y periferia: La dimensión étnica de la sociedad española." In *España: Sociedad y Política*, ed. Salvador Giner (Madrid: Espasa Calpe, 1990), 169–97.

22 See the Strategic Plan for Citizenship and Integration (*Plan Estratégico de Ciudadanía e Integración 2007–2010*) at http://www.mtas.es/migraciones/Integracion/PlanEstrategico/Indice.htm. See also the works by Ricard Zapata, "Policies and Public Opinion Towards Immigrants: The Spanish Case," *Journal of Ethnic and Racial Studies* 32 (2009): 1101–20; "Perceptions and Realities of Moroccan Immigration Flows and Spanish Policies," *Journal of Immigrant & Refugee Studies* 6 (2008): 382–96; and "The Muslim Community and Spanish Tradition: Maurophobia as a Fact and Impartiality as a Desideratum." In *Multiculturalism, Muslims and Citizenship: A European Approach*, eds. A.T. Modood, A. Triandafyllidou, and R. Zapata (London: Routledge, 2006), 143–61.

23 See Ricard Zapata, "Immigration, Self-Government and Management of Identity: The Catalan Case." In *The Long March to the West: Twenty-First Century Migration in Europe and the Greater Mediterranean Area*, eds. M. Korinman and J. Laugland (Edgware: Vallentine Mitchell Publishers, 2007), 179–202.

24 This party obtained seventeen councillors throughout Catalonia in the local elections of 2007, tripling the number it had in 2003. In Vic, a town with a population of nearly 40,000 inhabitants, the *Plataforma* was the second party in the 2007 local elections with almost 20 percent of the popular votes and four representatives elected to the local council.

25 See Fundación Alternativas, "Immigration and Political Life in Spain." In *Report on Democracy in Spain 2008. The Strategy of Confrontation: Down but Not Out*, ed. Fundación Alternativas (Madrid: Fundación Alternativas, 2008), 81–111.

26 During the last two decades, around 10–15 percent of Basques have been voting for parties favouring ETA's violent strategy. For the Basque conflict and its relationship to Basque nationalism and the Spanish state, see Javier Corcuera, et al., *Presentation of the Political Reality in the Basque Country: From Defamation to Tragedy* (Bilbao: Fundación para La Libertad, 2008); http://www.paralalibertad.org/descargas/InformeLaberinto/InformeCompleto_Ingles.pdf. Accessed 15 November 2008; Jan Mansvelt-Beck, *Territory and Terror: Conflicting Nationalisms in the Basque Country* (London: Routledge, 2005) and André Lecours, *Basque Nationalism and the Spanish State* (Reno: University of Nevada Press, 2007).

27 For Basque nationalism, *Euskalherria* is an ethno-territorial nation made up of the Spanish territories (provinces) of Araba, Gipuzkoa, and Biscay, as well as Navarre (all of these located in Spain) and the French districts of Labourd (Lapurdi), Soule (Zuberoa), and Lower Navarre (Behenafarroa) in the French département of the Atlantic Pyrenees. See Luis Moreno, "Divided Societies, Electoral Polarization and the Basque Country." In *Democracy and Ethnic Conflict*, ed. Adrian Guelke (New York: Palgrave Macmillan, 2003): 29–51.

28 For background see Juan. J. Linz, "Politics in a Multilingual Society with a Dominant World Language."In *Les États multilingues:problems et solutions/ Multilingual Systems: Problems and Solutions*, eds. Jean-Guy Savard and Richard Vigneault (Quebec: Presses de l'Université Laval, 1975), 367–444.

29 Concerning recent surveys of language use in different ACs, see, for example, Miguel Siguan, "La situación lingüística en España y los nacionalismos históricos." In *Los*

nacionalismos en la España contemporánea: Ideologías, movimientos y símbolos, eds. Jean-Louis Guereña and Manuel Morales (Málaga: CEDMA, 2006), 239–57.

30 See, for instance, Thomas J. Miley, "Who Are the Catalans? Language, Identity and Assimilation in Contemporary Catalonia," Center for European Studies Working Paper Series #158 (2008). Alberto López Basaguren, "Las lenguas oficiales entre Constitución y Comunidades Autónomas: ¿desarrollo o transformación del modelo constitucional?" *Revista Española de Derecho Constitucional* 27 (79) (2007): 83–112. Some sociolinguists in the European Union have put forward a category for the "constitutional, regional and smaller-state" languages (CRSS), which include the Basque, Catalan, and Galician languages (see http://www.npld.eu:80/Pages/default.aspx, website of the *Network to Promote Linguistic Diversity* established at the end of 2007).

31 Moreno, *The Federalization of Spain*, 108–26. Enric Martínez-Herrera, "From Nation-building to Building Identification with Political Communities: Consequences of Political Decentralisation in Spain, the Basque Country, Catalonia and Galicia, 1978–2001," *European Journal of Political Research* 41 (2002): 421–53.

32 The question addressed to them in successive surveys has been: "In general, would you say that you feel … 1. Only Basque, Catalan, Galicia, etc.; 2. More Basque, Catalan, Galician, etc., than Spanish; 3. As much Basque, Catalan, Galician, etc. as Spanish; 4. More Spanish than Basque, Catalan, Galician, etc.; 5. Only Spanish; 6. Don't know.; 7. No answer?" Duality corresponds to categories 2, 3, and 4.

33 Thomas J. Miley, "Who Are the Catalans? Language, Identity and Assimilation in Contemporary Catalonia," Center for European Studies Working Paper Series #158 (2008) and Martínez-Herrera and Miley, "The Constitution and the Politics of National Identity in Spain."

34 César Colino, "Die Dimensionen und der Wandel der föderalen Asymmetrien in Spanien. Zurück an den Anfang?" In *Auf dem Weg zu asymmetrischem Föderalismus?* vol. 10, ed. Francesco Palermo (Baden-Baden: Nomos, EURAC-Schriftenreihe Minderheiten und Autonomien, 2007) 81–96.

35 See Robert Agranoff, "Federal Asymmetry and Intergovernmental Relations in Spain," Asymmetry Series 2005 (17), IIGR, Queen's University.

36 José Antonio Montilla, "La asimetría de las ciudades autónomas," *Revista de Derecho Constitucional* 57 (1999): 65–86 and Esther Seijas, *Melilla: modelo real de autonomismo asimétrico* (Ciudad Autónoma de Melilla Consejería de Presidencia y Gobernación, 2007).

37 Juan Díez Medrano, "Nation, Citizenship and Immigration in Contemporary Spain," *International Journal on Multicultural Societies* 7 (2005): 133–56.

38 Approximately 4,500 same-sex couples married in Spain during the first year after the passing of this law.

39 See information on the electoral system at www.electionresources.org/es/index_en.html#ASPECTS. Accessed 15 July 2008.

40 See ruling by the Constitutional Court no. 103/2008 (11 September 2008).

41 Raquel Gallego, Ricard Gomà, and Joan Subirats, "Spain, from State Welfare to Regional Welfare?" In *The Territorial Politics of Welfare*, eds. Nicola McEwen and Luis Moreno (New York: Routledge, 2005), 103–26.

42 Ezequiel Uriel and Ramón Barberán, *Las balanzas fiscales de las comunidades autónomas con la administración pública central, 1991–2005* (Bilbao: Fundación BBVA, 2007).

43 Joaquin Solé Vilanova, "Spain: Redefining Fiscal Equalization and Fiscal Relations." In *Dialogues on the Practice of Fiscal Federalism: Comparative Perspectives*, eds. Raoul Blindenbacher and Abigail O. Karos (Ottawa: Forum of Federations, 2006), 31–4.

44 Council of Europe, *Report of the Committee of Experts on the Application of the Charter for Regional or Minority Languages in Spain*, Strasbourg, 21 September 2005, ECRML (2005): 4.

45 Alberto López Basaguren, "Las lenguas oficiales entre Constitución y Comunidades Autónomas: ¿desarrollo o transformación del modelo constitucional?" *Revista Española de Derecho Constitucional* 27:79 (2007): 83–112.

46 Josu Mezo, "Basque Language Policy: Successful Accommodation in the Middle of a Violent Conflict" (paper presented at the ECPR Joint Sessions, Turin, 22–27 March 2002).

47 Jurisdiction for granting labour permits was devolved to Catalonia through the 2006 reform of its statute of autonomy.

48 Carmen González, "Los frenos al pluralismo cultural en territorios de soberanía discutida: los casos de Ceuta y Melilla," *Revista de Estudios Políticos* 140 (abril–junio 2008): 135–61.