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The Spanish Transition Forty Years Later:

DEMOCRACY, DEVOLUTION AND PLURALISM

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With the death of President Franco in 1975, Spain faced multiple challenges, including how best to manage the transition from fascist dictatorship to democracy while also addressing the rise of nationalism in Catalonia and the Basque Country seeking autonomy. Several countries have faced the twin challenges of democratization and devolution. In many cases, reform leaders have sought to address the two processes sequentially—first democratize the state and then pluralize it through federalism or regional autonomy—but Spain decided to address the two issues simultaneously.

In Spain, the decentralization and pluralization of the state—through a system of regional autonomies—was seen as a marker of the commitment to repudiate the centralizing and homogenizing tendencies of Franco’s rule. Just as the suppression of the Catalan and Basque languages became a defining characteristic of fascist dictatorship, official recognition of Catalan and Basque autonomy and language rights has become a defining characteristic of the democracy.

From a geopolitical perspective, it was surely important that the European Union and NATO supported the transition, and that Spain’s neighbours were all allies with no interest in manipulating nationalist minorities to subvert the Spanish state. Yet, it was far from inevitable that the leaders of the democratic transition would build territorial pluralism into their conception of democratization. Doing so presumably required many careful decisions, such as how to conceptualize the state and the nation; how to build trust; and how to mobilize public opinion and the support of civil society in all parts of the country.

In commissioning the Spain change case, the Global Centre for Pluralism seeks to understand why and how democratization and pluralism intersected in the Spanish democratic transition of 1975-1978 and with what effect. Forty years on, what does the case teach us about the relationship of democracy and devolution, and the changing place of pluralism within the self-identity of the country? What have been the limits of such changed conversations for

This paper is part of a new publication series from the **Global Centre for Pluralism** called **Accounting for Change in Diverse Societies**. Focused on six world regions, each “change case” examines a specific moment in time when a country altered its approach to diversity, either expanding or eroding the foundations of inclusive citizenship. The aim of the series – which also features thematic overviews by leading global scholars – is to build global understanding of the sources of inclusion and exclusion in diverse societies and the pathways to pluralism.

the lives of citizens? Which sources of exclusion stubbornly endure?

CASE NARRATIVE

Although part of the “third wave” of democratization that ran through Southern Europe in the mid-1970s, Spain’s transition from authoritarian rule to democratic government had a unique tempo and characteristics. As well as the restoration of standard political liberties and the rule of law, advocates of a new democratic system faced multiple challenges, chief among them facilitating the cohabitation of multiple ethno-territorial identities within a single political frame, secularizing the state and securing some form of transitional justice for victims of the Civil War and Franco’s long dictatorship.

From the outset, decentralization and democratization went hand in hand. Delaying or uncoupling decentralization from the democratization process was never an option in Spain. Regional actors immediately used the political liberties offered by the transition to democracy to demand territorial rights. Indeed, the territorial restructuring of the political system proved one of the most difficult issues during the transition and it has resurfaced as a major problem in recent years.

The devolved territorial model that was devised is a system providing regional and community autonomy. Set out in the 1978 Constitution, it allows significant asymmetry among the regions.

Although somewhat improvised, resulting from brisk negotiations between disparate political groups, the resulting model was framed in flexible terms, with the expectation that further refinements would be needed and could be negotiated in a spirit of constructive cooperation between the central government and the regions.

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Today, this optimism about constructive cooperation has faded. The years after 1978 witnessed terrorist violence originating in the Basque Country that has only recently been curbed. While the situation in this region seems to have settled, a powerful independence movement has emerged in Catalonia, fueled by a hotly disputed effort to reform the conditions of its statute of autonomy in 2006. Deterioration of economic conditions has also allowed Catalan nationalists to vilify Spanish “fiscal plundering”. Until the economic crisis of 2008, devolution had been accompanied by better regional distribution of the benefits of economic growth, as well as providing cultural recovery and the institutionalization of regional vernaculars. Now, although economic

hardship and the social frustrations attached to it have fed centrifugal pressures in the autonomous communities since 2008, for the Spanish population in general further devolution no longer enjoys the same high degree of support it had forty years ago.

With the outbreak of the deepest economic crisis in the history of contemporary Spain, prompting huge levels of unemployment and massive cutbacks in public spending, further efforts toward devolution face a cold wind in Madrid. The devolved system is criticized on several fronts. Devolution is accused by some of having created administrations that are oversized, financially irresponsible and patronage-ridden. Conservative circles contend that, rather than stabilizing inter-community relations, regional autonomy has been used by nationalists to carry out their own “nation-building” processes, thereby feeding a historical narrative of victimization and blunting any sense of belonging to a common, centuries-old polity among the younger generations. Recent financial reforms and legislation on the content of the educational programs, have fed a perceived backlash from the centre. With Castilians no longer as accepting of minority nationalities, and Catalan and Basque leaders painting poorer Spanish-speaking regions as “plunderers” of resources taken from them, the Spanish experience highlights both the tendencies and the risks of mutually exclusive identities.

Blockages have also arisen with respect to other pluralism-related dimensions of the democratic transition, such as secularization and transitional justice. Despite the secularizing agenda of reformers, the Catholic Church has maintained its position as a privileged interlocutor on state-

sponsored moral and educational issues, such as abortion, same-sex marriage and civic education in schools, with the result that being a Catholic in Spain is still significantly easier than holding another confession or none. Similarly, the decision to forgive or at least forget the crimes of the Civil War and the dictatorship smoothed the path to democracy but the resulting historical oblivion has taken a heavy toll on Spanish civic culture. The collective amnesia of the Spanish democracy has deprived it of a normative reference point as a democratic and pluralistic political community that seeks to balance competing perspectives and aspirations.

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Given the balance of political forces in the 1970s—a weak opposition faced with the apparatus of a still functioning dictatorship—the transition’s leaders negotiated the best outcomes they could achieve without risking an authoritarian backlash. Forty years later, especially since the eruption in Spain of the Great Recession in 2008, the younger generations are less willing to accept some of the political accommodations made at the outset of the transition. Combined with the revelation of cases of staggering corruption, the social reverberations of

the economic downturn have inspired major civil society protests. The result is a generalized feeling of malaise about Spanish democracy's basic pillars—the territorial structure and recognition of historic diversities, the social model supported by the welfare state and the perceived roles of the political parties, the judiciary and the monarchy.

This erosion of legitimacy has been accompanied by growing concerns about the capacity of Spain's democratic institutions to respond to the combined economic, social and political pressures such as the Catalan demands for separation, the corruption of political and social elites, and the economic downturn. Many citizens now question the political pragmatism upon which the transition was based. As a result of these forces and reflections, forty years on, Spain is experiencing a critical reassessment of the limitations and possibilities of its democracy, with growing demands for a “second transition”.

THROUGH A PLURALISM LENS

Sources of Inclusion and Exclusion

The Global Centre for Pluralism asked each author in the Change Case Series to reflect on the sources of inclusion and exclusion through a pluralism lens—that is, using the Centre's “drivers of pluralism” framework. Some highlights from the Spain change case are included here:

Law, Politics and Recognition

- Democratic institutions concentrated and clarified

demands for regional autonomy during the transition while helping to channel nationalistic politics in ways that support longer-term pluralism.

- The system of autonomous communities empowers historic minorities as territorially bounded majorities, thus enabling a measure of self-government as well as cultural recognition and preservation.
- Judicial independence and the rule of law are essential in a complex political system in which territorial balances depend upon the adjudicative functions of the judiciary.

Citizens, Civil Society and Identity

- Minority nationalities as well as majority nationalities can promote rigid definitions of collective identity that undermine the aims of pluralism.
- Nationalist identity politics cannot be reconciled with pluralist principles in the absence of a deep-rooted political culture that accepts and promotes multiple affiliations.

Education, Religion and the Media

- Particularly in light of increased immigration, the privileges granted to the Catholic Church during the transition period have consequences for Spain's evolution as a pluralist democracy.

History and Memory

- The transition era's strategic amnesia over the crimes of the Civil War and the dictatorship has proven unsustainable in a pluralist democracy such as Spain.

CONCLUSION

In the 1970s, the drafters of the Spanish transition to democracy made a number of difficult decisions—in respect to devolution, secularism and transitional justice—that were acknowledged at the time as imperfect solutions. Forty years later, younger generations increasingly view these transition-era bargains and accommodations as obstacles to the reform of both devolution and secularism. What, then, does this experience tell us about pluralism in democratic transitions and its relationship to nationalism? First, pluralism is a never-ending process. Every generation must take up challenge of living with diversity and difference anew. Second, reasonable compromises in one era can become obstacles to pluralism in another, especially if the original accommodations failed to foster inclusive attitudes. Spain’s evolving ethnic and religious makeup since the 1970s, combined with fresh economic pressures, have changed the terms of the conversation. In practice, although the transition created the institutional “hardware” to advance greater respect for diversity, the “software” of political culture did not develop as hoped.

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