The Smooth Transition: Spain's 1978 Constitution and the Nationalities Question

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Abstract   *Nationalist movements have played a key role in Spain's democratic transition, contributing decisively to frame the Spanish state in its present shape. This article will focus on the role of Constitution-making in providing the legitimacy needed in democratic transitions affected by the rise of sharp ethno-national conflicts. Among the contributing factors to the Transition's success the following are stressed: the Monarchy as a cohesive unitary symbol; the neutralisation of the Army's influence in political life; and a pragmatic, civic, a-nationalist leadership in Madrid.*

It is sometimes forgotten that Spain's transition to democracy (1975–1986) occurred in the wake of unprecedented regional-nationalist mobilisation.[1] From the death of Francisco Franco (20 November 1975) to Spain's entry into the European Community (1 January 1986), Spain was transformed from one of the most centralised regimes in Western Europe into a quasi-federal monarchy. These changes in the locus of power were matched by a considerable decrease in ethno-political violence. After reaching a peak in the years from 1977 to 1980, terrorist activities slowly waned. These years also witnessed the emergence of Basque and Catalan nationalism as mass movements, once the fall of the dictatorship reinstated free expression.

Two institutions played a crucial, albeit contrasting, role: while the Army acted as a powerful obstacle to most reforms, the Monarchy had a highly positive role in them. The advent of democracy could only be achieved by eliminating the influence of the Army in political life. The Monarchy, in turn, represented the continuity between the erstwhile and the new order and was hence the only institution respected by both the old guard (represented by the Army) and the democratic forces.

The first three sections of this article will chart the slow evolution that led to state de-militarisation, relating it to the mounting pressures exerted by nationalist movements. A subsequent section is dedicated to the Army's last-ditch attempt to impose its will in 1981, exploring how it was defeated by the firm stand adopted by the Monarch. A crucial mitigating element was the realisation that the old centralist-repressive framework had inexorably failed and that it had anyway exhausted its historical mission: behind its centralist facade, Francoist Spain had at the very end brought about substantial political disunity. Indeed, the result of years of Francoist repression was further disintegration.[2] Hence, the nationalist movements had a dramatic influence in the shaping of the new political order. The ensuing sections will deal with the effect of the Transition on the nationalist movements themselves. Finally, we shall discuss the change of identities that this process has accomplished, as well as how far Spain can be said to be a successful model for other de-centralising or federalising countries.

The entire democratisation process as we know it today could not have taken place without the stresses and strains exerted by peripheral nationalism. It was the combined pressure of the Catalan and Basque movements that framed the Transition. Basque radicalism utilised violence as a strategy to destroy the old order, while Catalanism urged peaceful mobilisation to build a new state framework. Their contrasting action successfully transformed Spanish politics.

The Spanish Transition has produced an extensive literature, both in Spanish and in English and from several disciplinary angles. Some of it has been focusing on the role of peripheral nationalism. Most studies concentrated on one or the other of the main nationalist movements. Others considered them either in general or comparatively. Very few studies have paid attention to the role of culture, to the interaction between culture and politics, to the definition of regional culture, or to the emphasis on different cultural elements in different political programmes.[3] Moreover, although political violence has spawned endless studies, its relation with cultural endeavours (or with the lack of them) has been addressed rarely, either empirically or theoretically. Another problem lies in the fact that many Transition studies seem to consider nationalism as an incidental, nearly fortuitous, episode, rather than a chief protagonist of the Spanish Transition.

This article will analyse the influence of nationalist movements on the overall political process by taking into account the relationship between politics and culture. The main argument is that nationalism significantly influenced the entire process of democratic transition and consolidation. In turn, peripheral nationalism was transformed by the very changes it contributed to fostering. In this process, the interaction between cultural symbols, artefacts and values and changing state structures played a pivotal role. We shall also see that from a post-Francoist scenario of escalating ethnic conflict and state de-legitimation Spain moved steadily towards an integrative direction by virtue of its 'State of Autonomies' formula. Political violence and other manifestations of popular discontent have dramatically receded, although terrorism has persevered in the Basque Country.

Franco's Legacy: State Centralism and the Radicalisation of Conflict

Spain's attempts to centralise – purportedly to 'rationalise' – its administrative apparatus long antedate the modern era. Yet, it was only in the second part of the nineteenth century that they materialised into something more durable and pervasive. State centralism was a mainstay and quintessential distillate of authoritarian rule.[4] Opposing it, nationalist movements sprang up in several areas, which in turn evoked a strong state response, alternating between limited tolerance and outright repression. The staunchest crackdown was adopted in the immediate aftermath of the Spanish Civil War (1936–1939). The winning side, under the command of General Francisco Franco, introduced a drastic form of centralism, restraining all forms of regional culture and unleashing a campaign of annihilation of all kinds of ethno-political distinctiveness.

After a long period of quiescence and resignation, nationalist opposition began secretively to regain strength. In Catalonia, which enjoyed an autonomous government before the Civil War, nationalist mobilisations largely took the form of gatherings in defence of Catalan culture.[5] A different trend developed in Euskadi (the Basque Country). Traditionally, Basque nationalism had been peaceful since the founding in 1895 of the first nationalist party (PNV or *Partido Nacionalista Vasco* – Basque National Party).[6] But a new movement, ETA (*Euskadi 'ta Askatasuna* – Basque Land and Freedom), was founded on 31 July 1959. Although ETA was not initially a violent

organisation, the underground conditions in which it had to operate pushed it toward the adoption of radicalism. The choice of violence became irrevocable by the mid-1960s at a time when dictatorial measures, coupled with economic boom, produced new strains in Basque society. This phase of the dictatorship was characterised by a relative degree of 'liberalisation without democratisation'.[7] Hence, this was the stage when contradictions began to surface and the state's legitimacy began to crumble.

Since 1963, ETA has adopted the theory of the 'cycle of action/repression/action', a classic insurrectional model of mass mobilisation under repressive regimes. It holds that, 'where popular protest against injustices [meets] with oppression, the revolution-ary forces should act to punish the oppressor. The occupying forces would then retaliate with indiscriminate violence, since they would not know who the revolutionar-ies were, causing the population to respond with increased protest and support for the resistance in an upward spiral of resistance to the dictatorship.'[8] This was taken directly from the examples of the Vietnamese, Cuban, and particularly, the Algerian insurrec-tions.[9] In other words, the adoption of what Louis Kriesberg has defined as 'conflicting strategies' was a deliberate, conscious, well thought out choice determined by the prevailing political *Zeitgeist*.[10] From its beginnings as an informal student group, ETA slowly assumed a paramilitary form. The first direct armed attack was the robbery of a bank courier in 1965. The first premeditated political murder was the killing of police commissioner Melitón Manzanas (widely rumoured to be a torturer) three years later. The foreseeable reaction of the Spanish military was a campaign of generalised repression culminating in hundreds of arrests.

The confrontation escalated, expanding into ever larger areas. The more the state repression increased, the more the radical separatists gained support. The more the Basques were harassed in their symbols of identity, the more Basque nationalism spread. Particularly debilitating for the regime were accusations of torture and intimida-tion against suspected sympathisers. They inspired an atmosphere of public outrage, pushing the regime into a defensive position. In a typical reaction of cornered authori-tarian systems, the regime resorted to far-fetched allegations about hypothetical foreign conspiracies.

In 1970, 16 *etarras* (ETA military activists) charged with the murder of Manzanas were brought before a military tribunal in Burgos. The famous Burgos Trial was an historical watershed for the entire Spanish opposition. For weeks, international media focused on the Basques' struggle. Throughout Europe, mass demonstrations and solidarity committees sprang up in support of the condemned. Renowned leftist intellectuals joined the chorus, notably Jean-Paul Sartre and the existentialists.[11] The state's repressive measures were determined by its military character, and backfired. The Spanish regime's legitimacy crumbled under the pressure of a powerful public opinion. The regime was now being abandoned, even by the Church as, after 1969, the *Opus Dei* technocrats left the government coalition.

The importance of both nationalist movements became obvious in the early 1970s.[12] In 1971 the Assembly of Catalonia began to agglutinate forces from the entire democratic spectrum. The whole Spanish opposition agreed that the Catalan struggle for recognition was inseparable from the Spain-wide struggle for democracy, and vice versa.[13]

The most notorious act of ETA has been the killing of Admiral Carrero Blanco, the expected successor of Franco, in December 1973. This act sparked international concern – and admiration – for ETA, as well as a diplomatic focus on the Basque

question, and general sympathy for the Basque cause in international and artistic forums. The *magnicidio* (killing of a top leader) was one of the most consequential acts of terrorism in post-war Europe and had far-reaching ramifications for the now moribund regime. Meanwhile, political mobilisations reached new heights and the legitimacy of the regime plummeted to unprecedented low levels.

The 'Transition': Dismantling the Centralist State in the Face of Expanding Nationalism

The Francoist attempt to tackle separatism by centralisation and repression dramatically backfired. Therefore, a new pluralist vision of Spanish nationhood was demanded by all the forces pushing for democratic change. The plan had necessarily to include some major concessions to the nationalist opposition. However, although the regime was to all effects moribund, one had to wait for the departing of the dictator to unfreeze the process of change. Two days after Franco's death, Juan Carlos de Borbón was crowned King of Spain, initiating the 'Transition' process or *Transición*. (This term is normally taken to include the period from Franco's death to the advent of the PSOE (*Partido Socialista Obrero Español* – Spanish Workers Socialist Party) Government in 1982, although one can extend it to 1986, when Spain officially gained membership of the European Community.[14]) Three days after taking possession of the throne, the King proclaimed a general amnesty, and about 15,000 political prisoners and exiles regained their freedom.[15]

The Franco regime had an historical mission, in which it failed: to deliver order and stability. ETA's violent attacks had dismantled this illusion, as well as that of Francoist invincibility. In general, the regime's decline was caused by its inability to stay abreast of the radical changes brought about by large-scale industrialisation. It was largely a death of its own making, since the Francoist apparatus had put all its weight behind Spain's economic expansion, but was unable to accept the decentralising pressures which came in the same package with economic development. By Francoism's twilight, the legitimacy vacuum threatened to engulf the very idea of Spain as a unitary state, particularly in the Basque Country. Here state legitimacy remained highly questioned, at least until the late 1980s. Throughout Euskadi, popular demonstrations spread with demands for a general amnesty, as ETA's violence peaked in 1980, the year an Autonomy Statute was finally conceded to Euskadi.

The unitary democratic opposition compelled the Spanish elites to confront the Catalan, Galician and Basque questions.[16] The initiative passed from informal grassroots channels to freshly legalised political parties once the King appointed a Government led by Adolfo Suárez in 1976. A Law of Political Reform inaugurating the Transition was submitted to popular referendum and largely approved.[17] This popular support for gradual change pushed the opposition to discard the previous idea of a 'rupture strategy' (*estrategia de ruptura*). A smoother process was adopted instead, no longer questioning the monarchy's legitimacy, which was endorsed even by republican forces. Also, demands were dropped to 'purge' the state apparatus of former Francoist cadres. However, the 'rupture strategy' remained dominant in Euskadi where all nationalist parties kept to an intransigent line.

Madrid's initial hesitation to endorse change was cut short by huge mass mobilisations sweeping most Spanish cities. In terms of popular demonstrations and civic initiatives, Catalonia was by far the most mobilised region. On 11 September 1977, the *Diada* (Catalan national holiday) provided the occasion for the biggest demonstration

in post-war Europe, when more than 1 million people marched in the streets of Barcelona under the banner 'liberty, amnesty, statute of autonomy' (*Llibertat, amnistia i estatut d'autonomia*) in response to the joint call by the opposition. This gave an unmistakable signal to Madrid that the time for dismantling the centralist apparatus had come. The entire democratic opposition joined together to organise the event. Indeed the parties of the Left, rather than the nationalists, were its main propellers. In a prompt response, a decree established a provisional Autonomous Government (the *Generalitat*) on 29 September.

By contrast, violence and fragmentation continually disrupted popular events and demonstrations in Euskadi. Much of this was a consequence of ETA's choice of violence as a catalyst of national regeneration, shared by other movements throughout the world wishing to stress the 'us-them' boundary, in the absence of a clearly defined cultural strategy.[18] In general, similar strategies need to be explained in the light of a theory of nationalism as a boundary-building process.[19]

One of the most dramatic events occurred in March 1976 in Vitoria, where nearly 80 per cent of the workforce went on strike (initially to demand pay increases). However, the movement degenerated into daily street violence, police charges and barricades, which left five dead.[20] The events were echoed in other Spanish cities, where strikes, protests and street violence broke out in support of the Basque workers. Such manifestations of solidarity confirmed the cohesion of the entire pro-democracy movement, whose priority was to achieve unity and democracy, rather than yielding to the far Right's fears that the Fatherland's unity was at stake.

In the ensuing 1977 general elections, the regional Socialists (PSC-PSOE) and the regional Communists (PSUC) won first and second place in Catalonia.[21] In Euskadi, the PNV became the second political force, following the more Madrid-oriented PSOE (or PSE, *Partido Socialista de Euskadi* – the regional chapter of the PSOE).[22] The early phase of the Transition, from Franco's death to the 1977 elections, opened the way for the most substantial and decisive change of all, the formulation of a new Spanish Constitution. The puissance of nationalist demands and Madrid's attempts to resist them shaped the entire pre-Constitutional debate and, in the end, provided the key impetus for extensive political changes.

The Constitution: A Negotiated Settlement for a New Political Order

The *proceso constituyente* (constitutional process) began on 15 June 1977 – the date of the first democratic legislative elections in post-Franco Spain – and ended with the approval of the Constitution by the *Cortes Generales* (Joint Houses of Parliament) in a plenary meeting of the Congress of Deputies and the Senate on 31 October 1978. The Constitution was then ratified by a popular referendum held on 7 December, and finally sanctioned by the King before the Cortes on 27 December. Although the elections were not specifically designed to generate a constitutional agenda, most elected Members of Parliament (*diputados*) promptly assumed this task.[23] Parliament exerted a decisive legitimising role in achieving an orderly and peaceful process, even though an originally consociational arrangement was modified in favour of stricter majoritarianism.[24] On 26 July, only thirteen days after the establishment of the *Cámara Baja* (Congress of Deputies or Lower Houses) and the *Cámara Alta* (Senate or Upper House of Parliament), a 36-member Constitutional Affairs Commission was set up, which in turn appointed a 7-member working party with the specific task of drafting the Constitution. The main reason for the quick pace of events was political, intellectual

and media pressure. After Franco's death, the press, academia, and most political parties had insisted on the need to draw up a new Constitution.[25] Hence, the process really began within a few hours of the installation of the *Cortes*, at whose opening ceremony the King announced: 'The Crown – by interpreting the Cortes' aspirations – desires a Constitution which grants space to the individualities of our people and guarantees its historical and actual rights.'[26]

Without suggesting a rigid normative approach to the national question, the 1978 Constitution incarnates a difficult balance between two opposite historical trends: federalism and centralism. Although regional differences are seen as enriching the national texture, an essentialist emphasis on Spain's organicity is maintained. Thus, Article 2 of the *Título Preliminar* (Introductory Section) defends 'the indivisible unity of the Spanish Nation, common and indivisible fatherland (*patria*) of all the Spaniards', while acknowledging 'the right to autonomy of the nationalities and regions which form it and the solidarity among them'.[27]

The most consequential point is its acknowledgement of the existence of more 'nationalities' (*nacionalidades*) within a united and indivisible Spanish 'Nation' (*Nación*). Yet, the stress on unity rules out formal federalism.

How easy was it to reach an agreement over such a crucial issue given the past centralist legacy? Was there not a strong opposition from both poles of the political spectrum? In fact, the term 'nationalities' was not accepted smoothly. The Right vigorously tried to sabotage its mention, dragging with it most other political forces. However, both the Communists and the Catalan nationalists firmly objected to dropping the term '*nacionalidades*'.

The Constitution's gestation lasted for 16 months as its draft (*anteproyecto*) passed through several committees and was subject to over a thousand amendments. A large part of the amendments were aimed at Article 2. The concept of '*nationalities*' became the greatest stumbling block in the pre-constitutional debate. It was retained only after lengthy discussion, but not before thoroughly modifying the Article in order to stress Spain's indivisible character. Compromise was much more easily reached for the Constitution's remaining 169 articles. One of the seven 'framers' of the Constitution, Jordi Solé Tura, acknowledges that Article 2 was a 'a veritable synthesis of all the contradictions looming during the Constitution-making process. … It is an authentic point of encounter between different concepts of the Spanish nation. … In it, two great notions of Spain merge.'[28]

Three 'historical nationalities' are usually identified within Spain: Catalonia, Euskadi and Galicia (aside from heartland Castile). These are never explicitly mentioned in the Constitution, thereby leaving open the criterion to be applied by each region in its bid for autonomy. Once the constitutional process was accomplished, 17 'Autonomous Communities' (*Comunidades Autónomas*, or *Cc.Aa.*) emerged on the official map, some of which were entirely new creations. For instance, autonomy statutes were granted to Cantabria (province of Santander), an area whose ancient name was La Montaña, and La Rioja (province of Logroño), both regions culturally and historically part of Castile. Madrid has been detached from its historical hinterland, Castile, and established as a separate *Comunidad Autónoma*, a sort of 'federal district' on the pattern of Canberra, Washington, DC or Mexico City. Present-day peripheral nationalists still complain that the creation of many regions was an attempt to break down their own 'national unity' by gerrymandering. Yet, the process has succeeded in 'softening' the overall impact of maximalist nationalism.[29]

Among the most solemnly enshrined rights, the one that stands out is the need to

'protect all the Spaniards and peoples of Spain in the exercise of their human rights, their cultures, traditions, languages and institutions'.[30] The nation is openly multilingual and the defence of regional tongues is explicitly cited in the pivotal Article 3, wherein 'Castilian is the official language of the State', while '[t]he other Spanish languages will also be official in their respective Autonomous Communities according to their own Statutes. The richness of the distinct linguistic modalities of Spain represents a patrimony which will be the object of special respect and protection.'[31]

Linguistic pluralism is also emphasised in the item related to parliamentary control of the media:

> The law shall regulate the organisation and parliamentary control of the means of social communication owned by the State or any public entity and shall guarantee access to those means by significant social and political groups, respecting the pluralism of society and the various languages of Spain.[32]

In this way, a traditional benchmark of Spanish centralism was eliminated: the idea that there should be a congruence between state, nation and language – in other words, that a state should have only one language, lest its unity be threatened.

In the Constitution the term 'nation' (*nación*) and its attached attribute 'national' (*nacional*) refer exclusively to Spain.[33] There is obviously some confusion with the term 'Spanish *nationality*' (*nacionalidad española*) when it refers to 'citizenship' in the singular, while it refers to historical nationalities in the plural:

> (1) Spanish *nationality* is acquired, preserved, and lost in accordance with provisions established by law. (2) No one of Spanish birth may be deprived of his *nationality*.[34]

As generally established in the *Título Preliminar*, Spain is not a *federal* state, but a *unitary* state. However, its open character permits a wide gamut of options in the direction of regional autonomy that may ultimately result in the emergence of a federal system. This openness is assured by the fact that the Constitution can be interpreted in different ways, at least in matters related to the division of power between the central state and the regions.[35]

In short, the Constitution starts as a defence of Spain's unity, even to the point of reproducing some older centralist tenets, but it *de facto* grants self-government to the Autonomous Communities, particularly the full respect of regional cultures. In this way, it opens the door to the possibility of federal arrangements, even though it remains unitarist *au fond*.

The new Constitution can barely be comprehended without considering the decisive voices of Catalan and Basque nationalisms in the debates which preceded its ratification. A popular referendum accepted the Constitution throughout Spain, with the notable exception of Euskadi. Nearly all Basque nationalist forces contested it, with the mainstream PNV inviting its supporters to abstain. A major reason for the boycott was the failure to explicitly mention the restoration of the *fueros* (Basque local rights), which had been unilaterally abrogated over 100 years before, in 1876.[36] The rate of abstention peaked to 56 per cent in the two most nationalist provinces, Gipuzkoa and Bizkaia. Such a rejection record shows the scarce legitimacy enjoyed by the Spanish state in Euskadi, a situation which provided fertile ground for the persistence of violence.

Eliminating the Threat of the Army: The Role of the Monarchy

For some, democracy and devolution were going too far. Inflamed by ETA's campaign of assassinations, the military's most conservative cadres grew restless and eager to knock off the entire democratisation process.[37] On 23 February 1981, a plenary session of the Spanish Parliament was interrupted by a group of Civil Guards led by Colonel Antonio Tejero, who seized the assembly and held the Members of Parliament prisoners for over a day. An intervention by the King proved decisive in thwarting the abortive *golpe* (*coup d'état*). His firm stand in defence of democracy prevented the revolt from assuming the proportion of a widespread military mutiny, causing it to ebb and fall.

King Juan Carlos is generally acknowledged to have 'saved' the Transition. Santiago Carrillo, former leader of the Spanish Communist Party, remarked that, without the King, Spain would be at civil war.[38] The King was already Spain's most popular political figure: in 1977, a survey indicated that 59 per cent of Spaniards were pro-monarchical, 19 per cent were indifferent, and only 18 per cent would chose a republic.[39] The King's respected personality was certainly a reason for this preference. Yet, one should not overlook the historical antecedents: Spain's two previous republican experiences were fraught with conflicts and civil wars. Therefore, Republicanism does not have a positive profile in Spanish politics. More important still, the monarchy is seen as an element of cohesion and a symbol of supra-national unity and stability. Monarchies have played a similar coherent role in many multi-ethnic societies.[40] For instance, the British monarchy has been celebrated for its functional unitary role in a potentially fissiparous polity. Bernard Crick has emphasised that 'British' is 'a limited, utilitarian allegiance, simply to those political and legal institutions which still hold this multi-national state together. Here the monarchy is very important.'[41]

In practical and daily life, the Spanish Royal Family is in itself a multicultural institution. In February 1976, the King and his wife had their first official trip to Barcelona. Here, in the fourteenth-century *Saló del Tinell*,[42] the King spoke in Catalan to the great surprise of the crowd. For the first time in contemporary history, a Spanish head of state had addressed his audience in Catalan. At the end of the event, the King solemnly proclaimed (still in Catalan): '*Visca Catalunya, Visca Espanya*' (Long live Catalonia, Long live Spain). The effect was highly favourable throughout Catalonia, and the Monarchy's popularity soared, despite the rather cold reception the Monarch had received on his arrival.

King Juan Carlos learned Catalan during his childhood. His Majesty's fluency in Catalan has certainly been an important tool in assuaging Catalan nationalism by spawning a sense of acceptance amongst non-Castilian subjects. As with other monarchical polities, regal institutions somehow play a supra-ethnic, even a-national, role, so that the King himself becomes a figure less tainted by centralism and ethnic nationalism, even though the King is the leader of the state and Spain still defines itself as a nation-state.

As the King lived in Portugal in his youth, he is also fluent in Portuguese, hence in Galician. (Galician is considered by many nationalists to be a northern variety of Portuguese.[43]) In the general elections of 3 March 1996 (which brought José M. Aznar's Conservatives to power),[44] the Galician nationalist BNG (*Bloque Nacionalista Galego*) gained two additional deputies in the *Cortes*. When one of the elected Members of Parliament, Francisco Rodriguez, formally met the King, he was very impressed that the Sovereign could speak fluent Portuguese. Despite the BNG's far-Left origin, Rodriguez publicly declared that the King showed an estimable sensitivity for Galician

problems. Among moderate nationalists in general, the King is often seen as a figure above competing regional interests and conflicts. This image of the Monarchy is less readily accepted in the Basque Country, where nationalists were allied with the Republic during the Civil War, though they were not originally anti-monarchical.

The *Tejerazo* (the failed coup led by Tejero, also code-named '23-F') ended in total humiliation for the Army and the *Guardia Civil*. It also ended the Army's attempt to reverse the democratic process. Yet, the after-shock of this exploit had detrimental consequences for the not-yet consolidated democracy. To a certain extent, it stalled further democratic advances in areas such as regional autonomies. Endeavouring to remove the military menace, the central Government passed a basic law (LOAPA, *Ley Orgánica de Armonización del Proceso Autonómico*) in 1982 to 'harmonise' the devolution process.[45] The nationalists protested immediately, claiming that the LOAPA's under-cover goal was to minimise the powers of the three main historical nationalities by homogenising each community's political representation. The anti-LOAPA front included all Basque parties and the Catalan nationalists, as well as the Communists (PCE) and the Andalusian regionalists (PSA). On the other hand, the LOAPA was accepted by the PSOE and UCD (*Unión del Centro Democrático*, the centre-Right coalition which ruled until 1982). The LOAPA was introduced by highlighting the looming menace of a military coup. Eventually, the LOAPA was abandoned after the Constitutional Court judged it contrary to the spirit of the Constitution in August 1983 – and also because of its great unpopularity.

In the 1982 general elections, the PSOE won an absolute majority in the *Cortes*. For the first time, Spain was led by a Socialist Government, an occurrence that (according to some observers) accomplished irrevocably democratic consolidation. Given the symbolic importance of this change, the advent of the new Government is normally considered to close the period of Transition proper and initiate that of 'democratic consolidation'.[46] Moreover, the Socialist Government 'embarked on a massive programme of military modernisation, consolidating Spain's membership of NATO and replacing the Spanish army's obsession with domestic politics by a concern for international strategic issues'.[47] The PSOE continued to control the Government until 1996.

The prospect of joining the European Union also played an important role. This worked as a lever for increasing Madrid's commitment to the protection of human rights in all their aspects, and can be corroborated by the experience of other democratising countries being admitted to the European Community (namely, Greece and Portugal).[48] In a situation charged with mass mobilisations, human rights advocates needed first of all to address demands for collective rights. Membership in Brussels represented an overriding goal for most Spanish elites, including regional leaders. The European Community provided the ideal arena in which old scores could be settled, and where the art of compromise was regarded as essential. As Michael Keating has pointed out, the very process of European integration has transformed the national question by 'imposing the idea of limited sovereignty, territorial accommodation and subsidiarity'.[49]

However, the European Union's expansion can be seen as simply one of the many facets of political 'globalisation', probably the most benign one.[50] On the one hand, globalisation has led to the 'progressive consolidation of a new cosmopolitan localism within the meso-level of community life'.[51] As has been observed endless times, the phenomenon has led to two opposing trends, since on the other hand, the relative loss of state sovereignty in its ability to control or sieve crucial global phenomena, notably

in the fields of information and culture, has had the drastic consequences of reinforcing anti-state movements throughout the world.[52] Yet, post-1978 Spain has anticipated many global trends by adopting quickly to most of these transformations and responding efficiently to nationalist pressures.

Language, Culture and Regional Autonomy

The ensuing momentous step following the establishment of the Constitution was the introduction of the instruments of regional self-government it enshrined. With its distinguished pedigree of autonomous rule predating the Civil War, Catalonia was obviously the fittest aspirant to be awarded such a distinction first, inspired by the experience of the *Generalitat* under the Republic (1931–1939). After a referendum in 1979 in which 88 per cent of the voters approved the *Estatut* (Statute of Autonomy), Catalonia was granted an autonomous government (the *Generalitat)*, and its own parliament, re-established by Royal Decree on 29 September 1977. The head of the expatriate Catalan Government, Josep Tarradellas (1899–1980), was recalled home from his French exile, becoming the new *Generalitat*'s first President. Catalan was declared Catalonia's 'own language' (*llengua propia)* in the Statute's charter, sharing with Castilian the status of 'official language' (*llengua oficial*).[53] Also in 1979, a popular referendum ratified an Autonomy Statute for Euskadi, with 89 per cent in favour. The president of the Basque Parliament-in-exile, Jesús María de Leizaola (1896–1980), returned from France ending the 43-year-old 'government in exile'.[54]

In short, Spain was transformed from a highly centralised bureaucracy to a quasi-federal system, which includes the possibility of evolving toward a fully-fledged federal structure.[55] Political commentators, as well as nationalists, shy away from calling the present system a 'federation', since there is much ambiguity with regard to the powers attributed to the regions (which do, however, have the possibility to negotiate them with Madrid). The term 'non-institutional federalism' has been used instead.[56] In addition, the Constitution's stress on Spain's quasi-organic unity is not a classical federalist feature. If the word 'federal' is to be used, it is in 'asymmetrical' terms.

Spain's long progression took place towards the establishment of a unique form of 'asymmetrical federalism', an age-old aspiration of the three historical nationalities. *Asymmetrical federalism* can be defined as a 'combined system' in which some federal units are given greater self-governing powers than others.[57] Demands for asymmetrical arrangements are likely to arise in federations containing both regionally (non-ethnic) and nationally based units. In the Spanish case, the 'historical nationalities' were bound to demand more powers than the other regions. Perfect symmetrical arrangements are evidently unattainable. This is particularly true in cases of states riven by ethno-national conflicts, where nationalist demands, by nature changing and unpredictable, are not easily managed. However, demands for special autonomy are not obstacles towards the adoption of wider forms of federalism.[58]

All of the historical nationalities were granted Statutes of Autonomies which included clauses for the promotion of the regional languages: Galician became the co-official language in Galicia, Basque in Euskadi and Navarre, and Catalan was constitutionally recognised in Catalonia proper, as well in the Balearic Islands and in the *País Valencià* (Valencian Country), albeit under the name 'Valencian'. Two other languages have been struggling for recognition: Asturian (spoken in the '*Principado*' of Asturias), which has recently gained official status,[59] and Aragonese (or *fabla aragonesa*, spoken in a

small mountain area of North-East Aragón), which has so far failed to achieve significant support.[60] Finally, in the Pyrenean valley of Aran (Catalonia), the Catalan Government has granted official status to Aranese, a Gascon variety of Occitan.[61]

The linguistic reforms of the Spanish state have been spearheaded by Catalonia, which moreover enjoyed a rich tradition of sociolinguistic studies.[62] Language has been at the centre of scholarly investigations since at least the late 1960s, creating a solid ground upon which actual language planning policies could be carried through once the *Generalitat* was established. To this effect, some regional institutions have played a leading role, notably the *Direcció General de Política Lingüística* (DGPL) within the Generalitat's Department of Culture.

In 1983, a Law of Linguistic Normalization (*Llei de Normalització Lingüística*) was passed unanimously by the Catalan Parliament: this set the juridical basis for language use in all public domains, particularly in education.[63] Step by step, the official use of Catalan was expanded, attaining a status it had never enjoyed before, not even under the pre-war Republican Government.[64] Similar Laws of Linguistic Normalization were approved in Galicia, Euskadi and Navarre. The Basque and, to a certain extent, the Navarrese Governments have attempted to make good use of the Catalan experiment, although from a much more difficult position, given the fact that Basque is spoken by barely 24–26 per cent of the population in the two regions.[65] A promotional campaign was put into action, and a Law of Linguistic Normalisation for Euskera was approved by the Basque Parliament in 1984. However, a unified standard Basque (*batua*) had been only proposed in 1964,[66] accepted by the Basque Language Academy in 1968,[67] and adopted as Euskadi's co-official language after 1980.[68] Ever since, this unifying norm has spread through the media, the schools and elsewhere, contributing to the creatation of a new shared identity based on language, rather than other values. In brief, the use of regional languages in Spain was finally secured by the Constitution, national decrees, statutes of autonomy and laws of linguistic normalisation.

Autonomy measures have been wide-ranging enough to include multiple aspects of self-government. Though often hampered, the Basque and Catalan Autonomous Governments succeeded in being granted considerable powers in many sectors. Catalonia, Euskadi, and other regions now have their own parliament, school system, television channels and social welfare. Since the early 1980s, the Basque Autonomous Community has had its own police force (the *Ertzaintza*[69]) and the Catalans have their *Mossos d'Esquadra*.[70] Regional governments have moved swiftly into areas previously not covered by governmental action. For instance, the Basque Government has offered the most favourable official support for the development of new technologies, and the health sector has also been positively affected.[71] Less than ten years since their inauguration, regional institutions have been widely acclaimed as champions of efficiency. More importantly, the new autonomy framework has bestowed the Spanish state with a new-found sense of legitimacy. One of the consequences is that 'Catalan politicians have no real mandate to push their policies beyond the bounds of pragmatic regionalism'.[72] In other words, most citizens, including nationalists, feel largely satisfied with the current arrangements, even though aspirations for the expansion of Catalan self-government remain.

Political Legitimacy between State and Nation

Juan Linz and Alfred Stepan have identified in the condition of 'stateness' a very peculiar challenge faced by democratic consolidation in multi-national states. This is so

because 'a modern democratic state is based on the participation of the *demos* (the population), and nationalism provides one possible definition of the demos, which may or may not coincide with the demos of the state'.[73] As a consequence, conflicting definitions of the demos give rise to a legitimacy vacuum which can only be resolved by a 're-legitimation' drive on the part of the state. As Walker Connor has cogently argued, a crisis of 'political illegitimacy' is the common denominator of all forms of nationalism, and it is at the very core of every nationalist claim.[74] In the Spanish case, state legitimacy was moderately in crisis in Catalonia, and deeply so in Euskadi.

Notwithstanding the extensive changes experienced by the two main peripheral nationalist movements, the key characteristics of both have been maintained throughout dictatorship and democracy. Catalan nationalism stayed moderate and broadly united around a cultural platform. Basque nationalism kept its radical separatist posture and internal fragmentation. Mass mobilisations resulting from the alleged 'crimes of the occupation army' continuously unified and consolidated the splintered nationalist factions. The massive presence of police and other mechanisms of state control exacerbated the conflict and ignited popular discontent. The intrinsic confrontational character of Basque mobilisations, a partial fulfilment of the 'action/repression/action theory' envisaged by ETA's first theorists, has in some way precluded a peaceful solution to the conflict. Since repression was needed to hold such an eclectic movement together, ETA also made itself indispensable as a continuous trigger of both 'state violence' and 'nationalist counter-violence' — and as a glue for the nationalist movement as a whole.[75] This has remained the major obstacle to a peaceful solution of the conflict to date, possibly together with the Government's unwillingness to negotiate.

While Basque identity tended to be oppositional and exclusive, being based on the incompatibility between Basques and *españolistas*, Catalan identity was forged on co-penetrating trends which have led to a form of 'dual identity'.[76] This has also resulted in different voting behaviour where the same voters have alternatively shifted from nationalist to state-wide parties (and vice versa), according to whether they were voting in regional or state elections.[77] It is undeniable that under Francoism and in its aftermath, the Basques have developed a more inclusive and open identity.[78] However, this new identity has been initially formulated at the cost of a more moderate brand of nationalism. It was the overall confrontation with the Spanish state and its 'occupation armies' that moulded an overarching identity in which blood-type and surnames no longer mattered. It was the continuous emergency character of the situation, itself a consequence of the fact that nationalist leaders saw the Basque nation as verging on extinction, which created an all-pervasive aura of solidarity between all sections of the population. During the Transition phase, when the perceived illegitimacy of the state reached its zenith, all kinds of social issues from the class struggle to women's liberation and the environment were subsumed under the umbrella of radical nationalism. Yet, disguised by circumstantial unity, Basque culture remained fragmented, while Euskara only started to recover ground by the mid-1980s.

As a consequence of the democratic process and the centre-periphery confrontation, new nationalist parties have emerged challenging the PNV's traditional monopoly. The nationalist message became articulated along competing political lines and ideologies. However, it would be hazardous to assess the extent of such changes without properly considering ETA's role in them. Due to its popular appeal and symbolic heritage, ETA became an inevitable point of reference for an overabundance of groups, interests, unions and individuals, who were expecting representation in the new democratic arena, but also rejected the dominant value system. Yet the Spanish case can be

considered a remarkable success insofar as the central Government has stemmed the spiral of violence after a dramatic crescendo dating from 1968 to 1980. Moreover, Spain was transformed from the most centralised Western European state into one of the most decentralised.

Is There a Spanish 'Model' Ready for Export?

When we speak of a 'model' in emulative terms, we imply that the model in question must be a successful one. Can we hence define that of Spain to be a 'success story'? To what extent can the new Spanish politics be identified as such? The answer to these queries is limited here to the management of ethnic conflict. We have seen that the new Spanish elites succeeded in uniting several interests, stemming the incipient fragmentation and the spiral of violence before it could escalate into a new civil war. Such a bargain-seeking, 'pactist' approach characterised what can be defined as 'rational transition'.[79] It was not only based on a large consensus around the need to build a new political framework, but it was also grounded on a constant process of elite bargaining and accommodation. Thus Spain has been rightly defined as the 'the very model of modern elite settlement'.[80] Accommodating nationalist demands played a key role in it. Indeed, the transition was propelled by peripheral nationalisms, even though the joint effect of this push ended up transcending regional boundaries and resulted finally in the constitutional recognition of all national differences.[81] The accommodation was reached through gradual institutional reform enshrined in a new constitutional order, while maintaining the 'rule of law' and hence avoiding a breakdown of existing legality.

Without a persisting effort of compromise, the conflict between opposite nationalist visions would inevitably have escalated. An escalation or even a dead-lock situation might have led to one of two alternatives: the revocation of basic democratic liberties or the outright disintegration of the Spanish state. The timing of the constitutional change, the favourable international environment and finally the will and ability of national elites to negotiate a wide gamut of settlements rendered this nightmare scenario unlikely. In short, the Spanish case can be pointed to as a successful example of ethnic conflict management. Of course, problems remain. Michael Keating claims that there is a 'tendency to outbidding by the minority nationalist parties, combined by effort in Madrid to undo whatever concessions are made'.[82] In other words, the present system is characterised by low-level instability.

Another possible way to define Spain's success relates to its response to political violence – a line of inquiry to which it is too early to respond. At first, the new elites could not succeed in totally eradicating terrorism from Spanish life. They could not destroy ETA and its network of local support. Yet, the brutal, but occasional, attacks perpetrated by ETA in the 1990s were a much reduced shadow of what was once a severe threat to the Spanish regime. ETA's actions had an enormous impact on Spanish politics throughout the 1970s, peaking in 1973 with the killing of Carrero Blanco. During most of the 1980s and 1990s, ETA lost much of the capacity to influence political decision-making in Madrid. It can well be said that the power of ETA to influence both public opinion and government action sharply decreased in direct proportion to the increase of mass political participation through legal and political channels. The creation of an autonomous government has been essential in this respect. Once a large spectrum of the nationalist movement became institutionally represented by democratically elected nationalist parties, ETA could no longer claim the 'moral high ground' over the entire nationalist movement. Its hope for a mass insurgency

slowly faded, and many of those who could once have been potential ETA supporters increasingly flocked towards more moderate political activities. ETA's 'total and indefinite' cease-fire (18 September 1998) has been a major achievement in this sense, even though it was called off on 3 December 1999 and followed by a new terrorist attack on 21 January 2000 – the first killing attributed to ETA since June 1998.

To be sure, the military conflict between ETA and Madrid produced a dynamics of its own: like all violent organisations, particularly small terrorist groups, ETA's internal structure made it difficult – if not impossible – to drop violence altogether. The slow but steady decline of political assassinations, bomb attacks and other violent confrontations was achieved against a backdrop of expanding democracy, when all niches were taken advantage of by grassroots groups which had emerged during the fall of the dictatorship. Conflict was reduced in spite of an enduring economic crisis, in which unemployment peaked at over 20 per cent, but which finally resulted in economic stabilisation.

Insofar as it has proven to be a success, the Spanish experience can certainly provide a model not only for rapidly de-centralising polities, but also for federalising ones.[83] Countries attempting to introduce some measures of mild decentralisation in an environment of fierce ethno-national conflict may benefit enormously from a disinterested assessment of the Spanish experience. Turkey is a possible candidate, even though the bland decentralising concessions envisioned by Turkish Islamists and democrats often have merely an economic thrust behind them.

Countries already undergoing a federal transformation, such as Italy, can also benefit by assessing the pros and cons of the Spanish model through indepth critical analysis. In the Italian case, there has been a crescendo of political references and rhetorical appeals to the Spanish model in the 1990s – and to the Catalan example as well.[84] Yet, these political proclamations have been barely, if ever, preceded or accompanied by scholarly studies dedicated to the possible applications of the Spanish experience to the Italian reality.[85] Before inaugurating any federal reform, comparative studies should be enhanced in specific, sometimes undetermined and complex, areas, such as the transferral of powers and competences from the central government to the regions. The role of this and other symbolically charged issues (such as language, law, culture, education and the media) has been largely ignored in Italian studies of federalism.[86]

On the other hand, the relative success of the Spanish experience needs to be contrasted with less edifying examples, particularly cases of extreme failure in state-building in multinational societies. To remain in Southern Europe, the paramount example of total failure in this respect is the former Yugoslavia. In contrast to Italy as a subject of study, there are works comparing Spain and the former Yugoslavia (sometimes together with other countries), trying to account for their opposite democratising trajectories. One possible solution, followed up by Juan Linz and Alfred Stepan, is to explain state break-up or integration in terms of different 'electoral sequences'. Whereas in the Yugoslav case regional elections preceded state-wide ones leading to a pristine ethnicisation of politics with an ascendancy of ethnic parties, the opposite sequence took place in Spain.[87]

Another possible interpretation is to disclaim or disavow the 'federal' character of Socialist Yugoslavia and other Communist countries because federations require a democratic environment and thus cannot operate within a deficit of democracy and representativeness.[88] Yugoslavia was nominally a 'federal' state, despite the fact that some scholars pinpointed the system's consociational features[89] while others described Yugoslavia as a loose union of semi-sovereign states at least from

1974 to Milosevic's advent.[90] But Yugoslavia became subjected to powerful centralising pressures: hence a further explanation is necessary. In a federal multinational polity, re-centralisation or 'reversal of federalism' would normally lead to disintegration, as experienced in several historical cases of either actual federations or 'federations' by name only (Ethiopia-Eritrea, Pakistan-Bangladesh, Georgia-Abkhazia and -Ossetia, Nigeria-Biafra, Burma).[91] As federalism is a one-way street, it rarely accepts U-turns. Moreover, Yugoslavia can also be seen as a *sui generis* case of 'secession by the centre' whereby, beyond a unitary rhetoric blazed abroad to achieve international support, the regime was actually pursuing a campaign of ethnic separation of Serbs from non-Serbs.[92] Finally, on a more sociological level, another interpretation of the break-up of Yugoslavia lies in addressing the boundary-building character of nationalist violence in environments characterised by extreme assimilation, secularisation and loss of the local culture.[93] All the above factors need to be analysed in the light of comparative evidence drawn from the contrasting experience of more successful cases of federalisation and democratic transition in multi-national societies.

Within Spain, it was Catalonia that turned into a model *par excellence* for both peripheral elites worldwide and central governments wishing to accommodate peripheral demands. Therefore, a supposed 'Catalan model' has been widely acclaimed.[94] Kenneth McRoberts has identified Catalonia as 'a most compelling demonstration of the ability of nations to achieve greatness without the advantage of the state'.[95] Manuel Castells also sees Catalonia as the prototype of a Post-Westphalian world order where sovereignty is not necessarily associated with the control of centralised state power.[96] In truth, the Spanish 'model' as a whole owes much to the Catalan 'model' in particular.

Conclusions

Nationalist pressures have resulted in momentous institutional changes. Similarly to the demise of most dictatorial regimes, democratisation in Spain was tightly bound up with the accommodation of minority aspirations.[97] Minority nationalism increased as democratisation deepened. In the twilight of dictatorship, the struggle for democratic rights went hand in hand with the fight for cultural freedoms and political autonomy.[98] These were all viewed in the framework of a single inseparable concern to attain the political goals of civic liberties. At the same time, nationalist feelings were suddenly released after having remained submerged for decades.[99] Soon after Franco's death, the unitary movement reached its full momentum in 1977. Massive street demonstrations – particularly the 1 million-strong *Diada* in Barcelona and continuous clashes with the police, such as in Vitoria in 1976 – put an inescapable pressure on the central government's resistance to change. When Franco died, the Spanish state was already *de facto* in a process of virtual fragmentation, as disintegrating trends loomed irresistibly beyond the regime's unitarist rhetoric. Over 20 years later, mass political activities have faded, while Spain seems to have redefined itself as a new multicultural, even multinational, state.[100] The greatest mass demonstrations to date were indeed directed against terrorism in 1998 and showed the vibrant strength of civic society throughout Spain, including Euskadi.

The reasons for Spain's 'success' are to be found in the blending of several factors, the most important of which was the advent of a pragmatic leadership suitably represented by Juan Carlos's Monarchy. The Monarchy became the ideal vehicle for the aspirations of a changing society, while embracing the different identities of Spain's diverse peoples. The King can appropriately be described as the 'pilot of change'.[101] He

succeeded in neutralising the powerful Spanish Army – the force which most vehemently opposed democratic change and all possible concessions to peripheral nationalisms.[102] However, this pragmatism was by no means limited to the Monarch: it has been indeed characteristic of the entire political leadership. This attitude of bargaining and agreement seeking can in part be related to the memory of the Civil War. During the Transition process, an enormous effort was made to establish a policy of reconciliation based on a sense of collective guilt over the errors of the past: the mistakes which destroyed the Second Republic should be avoided at all costs.[103] The result of such a search for consensus was the grounding of the constitutional process which invigorated the 'rule of law' – one of the five arenas which, according to Juan Linz and Alfred Stepan, are necessary to 'democratic consolidation'.[104] The 'Spanish way' has hence been characterised by a form of 'transition by agreement'.[105] Certainly a crucial element was the lack of possible alternatives to democracy, despite its apparent weaknesses.[106]

In addition, the success of the new democratic elites came in the aftermath – and as a direct result – of the total failure of the dictatorship to deal with nationalist dissent, particularly with Basque separatism. Peace and order were the pillars and sinews of the *ancien régime*. However, 40 years of relentless repression against all forms of ethno-regional aspiration had only succeeded in exasperating separate ethno-national identities. State violence leads nearly universally to a process of consciousness-awareness: hence, it is often 'ethno-genetic'.[107] In other words, the more the state tried to deal with peripheral dissent by the use of force, the more the gap between the state and the people widened, and the more the awareness of being distinctively Basque, Catalan and Galician, as opposed to Spanish, spread among ever larger sectors of society.

The young Spanish democracy faced the difficult task of having to deal with local aspirations to self-determination within the framework of a unitary state. This demanded a politics of tightrope walking along with a radical departure from past practices. In the end, an unquestionable commitment to regional devolution produced what I would not hesitate to call Spain's 'second miracle' (after the *milagro económico* of the 1960s). As I have stressed, the peculiar internal dynamics of Basque radicalism made it difficult, although not impossible, to renounce violence altogether.[108] This is because violence, including its public manifestations, has been deeply associated with the very identity of Basque radicalism. One of the challenges ahead may well be a stress on the power of the culture of civic traditions as opposed to the culture of violence. The likelihood of new forms of de-stabilisation and the persistence of violent tensions will be tied to the capacity of Spain's political leadership to address the problem without resorting to confrontational politics or cheap nationalism.

Finally, the disruptive impact of globalisation and Americanisation, with its accompanying sense of insecurity and cultural vulnerability, can have far-reaching and unpredictable consequences. The current form of globalisation remains the greatest threat to the fabric of Spanish coexistence and democracy – a prognosis which can, of course, apply much farther, to the entire international order.[109]

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Notes

1. For a fuller investigation of the historical background of national conflict in Spain, see Daniele

Conversi, *The Basques, the Catalans, and Spain: Alternative Routes to National Mobilization* (London: Hurst/Reno, NV: Nevada University Press, 1997). For an excellent synthesis of the impact of the national question on democratic transition, see Paul Heywood, *The Government and Politics of Spain* (New York: St. Martin's Press, 1995), Chapter 1: 'Reconciling State and Nation'. In German, see the very detailed study by Peter A. Kraus, *Nationalismus und Demokratie. Politik im Spanischen Staat der Autonomen Gemeinschaften* (Wiesbaden: Deutscher Universitäts Verlag, 1996). In Spanish, see the overview by Xosé Manoel Nuñez Seixas, *Los nacionalismos en la España contemporánea (siglos XIX y XX)* (Barcelona: Hipòtesi, 1999).

2. Daniele Conversi, 'Ethnoradicalism as a Mirror Image of State Centralization: The Basque Paradigm in Franco's Spain', in Farimah Daftary and Stefan Troebst (eds), *Ethnoradicalism and Centralist Rule: Western and Eastern Europe at the End of the Twentieth Century* (Oxford: Berghahn, 2002).

3. Daniel Guerin & Rejean Pelletier, 'Cultural Nationalism and Political Tolerance in Advanced Industrial Societies: The Basque Country and Catalonia', *Nationalism & Ethnic Politics*, 6/4, 2000, pp. 1–22.

4. Juan José Linz, 'An Authoritarian Regime: Spain', in E. Allardt & Y. Littunen (eds), *Cleavages, Ideologies and Party Systems* (Helsinki: The Academic Bookstore, 1964), pp. 291–341; reprinted in Erik Allardt & Stein Rokkan (eds), *Mass Politics: Studies in Political Sociology* (New York: Free Press, 1970).

5. Kenneth McRoberts, *Catalonia* (Oxford: Oxford University Press, 2001).

6. Santiago de Pablo, Ludger Mees & José Antonio Rodríguez Ranz, *El péndulo patriótico: Historia del Partido Nacionalista Vasco* (vol. I: 1895–1936) (Barcelona: Crítica, 1999). For a good synthesis of the evolution of Basque nationalism, see José Luis de la Granja, *El nacionalismo vasco: Un siglo de historia* (Madrid: Tecnos, 1995); and Santiago de Pablo, *Historia del nacionalismo vasco: 1876–1979* (Vitoria-Gasteiz: Fundación Sancho el Sabio, 1995).

7. On the crucial distinction between 'liberalisation' and 'democratisation', see Juan J. Linz & Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore, MD: Johns Hopkins University Press, 1996), pp. 3–4. See also Alfred C. Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton, NJ: Princeton University Press, 1988).

8. Conversi, *The Basques, the Catalans and Spain*, pp. 97 ff.

9. Daniele Conversi, 'Domino Effect or Internal Developments? The Influences of International Events and Political Ideologies on Catalan and Basque Nationalism', *West European Politics*, 16/3, July 1993, pp. 245–270.

10. Some of the theoretical findings concerning the choice of violence are discussed in the chapter entitled 'Adopting Conflict Strategies', in Louis Kriesberg, *Constructive Conflicts: From Escalation to Resolution* (Lanham, MD: Rowman & Littlefield, 1998).

11. Jean-Paul Sartre wrote a powerful pro-Basque introduction in Gisele Halimi, *Le procès de Burgos* (Paris: Gallimard, 1971) (Spanish translation: *El Proceso de Burgos* (Caracas: Monte Ávila, 1976)).

12. Stanley G. Payne, 'Catalan and Basque Nationalism: Contrasting Patterns', in Shlomo Ben-Ami, Yoav Peled & Alberto Spektorowski (eds), *Ethnic Challenges to the Modern Nation State* (New York: St Martin's Press, 2000).

13. See McRoberts, *Catalonia*.

14. Ramón Cotarelo, *Transición política y consolidación democrática. España (1975–1986)* (Madrid: CIS, 1992).

15. The pardon had affected fewer than 10 per cent of the prisoners, but the demands for amnesty concerned a much larger number of exiles; see Paul Preston, *The Triumph of Democracy in Spain* (London: Methuen, 1986), p. 82.

16. Cesáreo Rodríguez-Aguilera de Prat, *Els grups polítics a Catalunya. Partits i programes*, 2 vols (Barcelona: Avance, 1976).

17. A. Sánchez, 'The Political Transition in the Francoist Cortes: Towards the Law of Political Reform' ('La transición política en las Cortes del Franquismo: hacia la *Ley de Reforma Política*'), *Estudios/Working Papers*, No. 11 (Madrid: Instituto Juan March de Estudios e Investigaciones, Centro de Estudios Avanzados en Ciencias Sociales, 1990).

18. Daniele Conversi, 'Nationalism, Boundaries and Volence', *Millennium: Journal of International Studies*, 28/3, 1999, pp. 553–584.

19. Daniele Conversi, 'Reassessing Theories of Nationalism: Nationalism as Boundary Maintenance and Creation', *Nationalism and Ethnic Politics*, 1/1, Spring 1995, pp. 73–85. Reprinted in John Agnew (ed), *Political Geography: A Reader* (London/New York: Edward Arnold, 1997), pp. 325–336.

20. Preston, *The Triumph of Democracy in Spain*, pp. 82–83; Robert P. Clark, *The Basques: The Franco Years and Beyond* (Reno, NV: University of Nevada Press, 1979), pp. 269–271.

21. J. R. Montero & Francesc Pallarés, 'Los estudios electorales en España: un balance bibliográfico (1977–1991)', Working Papers No. 49 (Barcelona: Institut de Ciències Polítiques i Socials, 1992); A. G. Gagnon, 'The Left Parties in Catalonia: The Case of the PSC and the PSUC', Working Papers No. 88 (Madrid: Instituto Juan March de Estudios e Investigaciones, Centro de Estudios Avanzados en Ciencias Sociales, 1996).

22. Francisco José Llera Ramo, *Postfranquismo y fuerzas politicas en Euskadi. Sociología electoral del País Vasco* (Bilbao: Servicio Editorial Universidad del País Vasco, 1985).

23. Gregorio Peces-Barba Martínez, *La Elaboración de la Constitución de 1978* (Madrid: Centro de Estudios Constitucionales, 1988).

24. Jordi Capo Giol *et al.*, 'From Consociationalism to a Majoritarian Parliamentary System: The Rise and Decline of the Spanish Cortes', in Ulrike Liebert & Maurizio Cotta (eds), *Parliament and Democratic Consolidation in Southern Europe: Greece, Italy, Portugal, Spain and Turkey* (London/New York: Pinter Publishers, 1990), pp. 92–130.

25. Richard Gunther, Giacomo Sani & Goldie Shabad, *Spain after Franco: The Making Of A Competitive Party System* (Berkeley, CA: University of California Press, 1988).

26. Emilio Attard, *La Constitución por dentro. Evocaciones del proceso constituyente: Valores, derechos y libertades* (Barcelona: Argos Vergara, 1983).

27. *Constitución española/Reglamento del Senado* (Madrid: Publicaciones del Senado, 1982), Article 2.

28. Jordi Solé Tura, *Nacionalidades y nacionalismos en España. Autonomías, Federalismo, Autodeterminación* (Madrid: Alianza, 1985), pp. 100–101, (see also pp. 95 ff.).

29. Salvador Giner & Luís Moreno, 'Centro y periferia: la dimensión étnica de la sociedad española', in Salvador Giner (ed) *España*, vol. 1 (Madrid: Espasa-Calpe, 1990).

30. *Constitución española*, *Preámbulo*.

31. *Constitución española*, Article 3.

32. *Constitución española*, Article 20, section 3.

33. On the Constitution's use of the word '*nacional*' and related terms, see Solé Tura, *Nacionalidades y nacionalismos en España*, esp. pp. 97–102 on the use of the term '*nacionalidades*' in Article 2.

34. *Constitución española*, Article 11 (emphasis added).

35. Giner & Moreno, 'Centro y periferia'.

36. Antonio Elorza, 'Guerra y fueros en los orígenes del nacionalismo vasco', in Manuel Tuñón de Lara (ed), *Gernika, 50 años después, 1937–1987: nacionalismo, República, Guerra Civil* [VI Cursos de Verano en San Sebastián/VI. Udako Ikastaroak Donostian] (San Sebastián: Servicio Editorial, Universidad del País Vasco, 1987).

37. The '*bunker*' was the term used 'to cover the extreme right committed to fighting democracy from the rubble of Francoism' (Preston, *The Triumph of Democracy in Spain*, p. 232).

38. Víctor Alba, *El Partido Comunista en España: Ensayo de interpretación histórica* (Barcelona: Editorial Planeta, 1983 [1st edn. 1979]).

39. Juan J. Linz, 'Europe's Southern Frontier: Evolving Trends Towards What?', *Daedalus*, 108/1, Winter 1979, pp. 175–209.

40. Daniele Conversi, 'The Monarchy as a Supra-Ethnic Symbol: Comparing Monarchical Regimes and Their Cohesive Symbologies' (in preparation).

41. Bernard Crick, 'We Have No Sense of National Identity Without the Monarchy', *The Independent – Weekend*, 22 May 1993.

42. Situated in the *Palacio Real Mayor*, this was originally the seat of the Counts of Barcelona as well as where Christopher Columbus is said to have been received by the Catholic Kings after returning from America.

43. On the debate between the *Reintegracionista* (pro-Portuguese) and *Independentista* tendencies in Galicia, see Tracy Henderson, 'Language and Identity in Galicia: The Current Orthographic Debate', in Clare Mar-Molinero & Angel Smith (eds), *Nationalism and the Nation in the Iberian Peninsula: Competing and Conflicting Identities* (Oxford: Berg, 1996).

44. Michael Keating, 'The Spanish General Elections of 3 March 1996', *Regional & Federal Studies*, 5/1, 1996, pp. 73 ff.

45. Gumersindo Trujillo, *LOAPA eta Konstituzioa/LOAPA y Constitución: El proyecto de LOAPA, desde la perspectiva de su constitucionalidad* (Donostia: Servicio Central de Publicaciones del Gobierno Vasco, Secretaria de la Presidencia, 1982).

46. 'Democratic consolidation' is defined in Juan J. Linz & Alfred Stepan, *Problems of Democratic*

Transition, pp. 5–7. The authors note that the imprisonment of the 1980s coup leaders can also be identified as sealing the transition proper. Moreover, already by 1978, public opinion was overwhelmingly pro-democracy. This is in sharp contrast with events following the uncertain democratisation process in Russia and elsewhere. See also Juan J. Linz & Alfred Stepan, 'Toward Consolidated Democracies', in Larry J. Diamond (ed), *Consolidating the Third Wave Democracies* (Baltimore, MD: Johns Hopkins University Press, 1997).

47. Paul Preston, *The Politics of Revenge: Fascism and the Military in Twentieth-Century Spain* (London: Routledge, 1995), p. 175.

48. Geoffrey Pridham (ed), *The New Mediterranean Democracies: Regime Transition in Spain, Greece and Portugal* (London: Frank Cass, 1984); Howard Wiarda, *The Transformation to Democracy in Spain and Portugal* (Washington, DC: American Enterprise Institute, 1989). For the Portuguese case, see José M. Magone, *European Portugal: The Difficult Road to Sustainable Democracy* (New York: St Martin's Press, 1997) and José M. Magone, *The Changing Architecture of Iberian Politics (1974–92): An Investigation on the Structuring of Democratic Political Systemic Culture in Semiperiph- eral Southern European Societies* (Lewiston, NY: Mellen University Press, 1996).

49. Michael Keating, 'The Minority Nations of Spain and European Integration: A New Framework for Autonomy?', *Journal of Spanish Cultural Studies*, 1/1, 2000, pp. 29–42 (at p. 39).

50. 'Globalisation' is a now fashionable term which can arguably be conflated with 'Westernisation', and, at least in the realm of culture, particularly 'Americanisation'.

51. Luis Moreno, *Local and Global: Mesogovernments and Territorial Identities* (Madrid: Instituto de Estudios Sociales Avanzados (CSIC), Documento de Trabajo 98–09, 1998). On the relationship between stateless nationalism and globalisation, see Montserrat Guibernau, *Nations without States* (Cambridge: Polity Press, 1999), pp. 19 ff and 149–174.

52. See Benjamin R. Barber, *Jihad vs. McWorld* (New York: Ballantine Books, 1996).

53. Sue Wright (ed), *Language, Democracy, and Devolution in Catalonia* (Clevedon/Philadelphia, PA: Multilingual Matters, 1999).

54. Instituto Vasco de Estudios de Administración Pública, *La Constitución española de 1978 y el Estatuto de Autonomía del País Vasco* (Oñate: Servicio Central de Publicaciones del Gobierno Vasco, Departamento de la Presidencia, 1983).

55. On the historical roots of Spanish federalism and its impact on Constitution-making, see Daniele Conversi, 'The Spanish Federalist Tradition and the 1978 Constitution', *Telos*, 112, Summer 1998, pp. 125–144.

56. Josep M. Colomer, 'The Spanish "State of Autonomies": Non-Institutional Federalism', *West European Politics*, 21/4, 1998. According to Colomer, given the paucity of institutions promoting cooperation and the impromptu bargaining character of regional-level politics, this form of federalism is potentially more unstable than fully institutionalised federalism – either symmetric or asymmetric. Nevertheless, the Spanish 'model' became more stable than was originally thought.

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58. Ferran Requejo, *Federalisme, per a què? L'accomodació de la diversitat en democràcies plurinacionals* (València: 3 i 4, 1998); Xavier Arbós *et al.*, *Federalisme* (Barcelona: Fundació Rafael Campalans, 1992).

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60. Francho Ch. Nagore Lain, *El Aragonés hoy: Informe sobre la situación actual de la lengua aragonesa/ Hodiauo de la aragona linguo/Aragonese today* (Uesca: Consello d'a Fabla Aragonesa/IberCaja, 1989).

61. Joachim Born, 'The State of Codification of Aranese', in Utta von Gleich & Ekkehard Wolff (eds), *Standardization of National Languages* (Hamburg: Unesco Institute for Education/Research Centre for Multilingualism and Language Contact, University of Hamburg, 1991). On the status of Aranese, see the quantitative data provided by Teresa Climent, *Realitat lingüística a la Val d'Aran* (Barcelona: Departament de Cultura/Institut de Sociolingüística Catalana, 1986).

62. On the school's theoretical implications, see Daniele Conversi, 'Diglossia e conflitto nella sociolinguistica catalana', *La Critica Sociologica*, 74, 1985, pp. 91–96.

63. J. Ferrer, 'Una primera experiència legislativa per al redreçament lingüístic: La Llei del parlament de Catalunya de 1983', *Quaderns d'Alliberament*, 8/9, March 1984; J. Webber & Miquel Strubell i Trueta, *The Catalan Language: Progress Towards Normalisation*, Occasional Publication No. 7 (Sheffield: The Anglo-Catalan Society, 1991); and Clare Mar-Molinero, 'The Teaching of

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65. Xabier Aizpurua, *La Continuidad del Euskera. II: Encuesta sociolingüística de Euskal Herria 1996* (Vitoria/Gasteiz: Eusko Jaurlaritza, Kultura Saila, Hizkuntza Politikarako Sailordetza/Gobierno Vasco, Departamento de Cultura, Viceconsejería de Política Lingüística [Servicio Central de Publicaciones], 1997).

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67. Ibon Sarasola, *Historia social de la literatura vasca* (Madrid: Akal, 1976), p. 23.

68. Ignasi Villa, 'Bilingual Education in the Basque Country', *Journal of Multilingual and Multicultural Development*, 7/2–3, 1986, pp. 123–145.

69. María Elena Olabarri Fernández, *La Ertzantza: Un estudio sociológico de la Policía Autónoma Vasca, 1982–1986* (Bilbao: Servicio Editorial/Universidad del País Vasco, 1993).

70. The origins of this Catalan police corps date back to 1741: see Various Authors, *Els Mossos d'Esquadra* (Barcelona: L'Avenç, 1981); and Anna Borruel i Llovera, *Els Mossos d'Esquadra: Aportació documental a la seva història (1741–1821)* (Valls: Institut d'Estudis Vallencs, 1998).

71. Ana Rico, Pablo González & Marta Fraile, 'Regional Decentralisation of Health Policy in Spain: Social Capital Does not Tell the Whole Story', *West European Politics*, 21/4, 1998.

72. Kathryn Crameri, 'The Future of Catalanism', *Journal of Spanish Cultural Studies*, 1/1, 2000, pp. 99–105, (at p. 103).

73. Linz & Stepan, *Problems of Democratic Transition and Consolidation*, p. 16.

74. Walker Connor, 'Nationalism and Political Illegitimacy', in Daniele Conversi (ed), *Ethnonationalism in the Contemporary World: Walker Connor and the Study of Nationalism* (London: Routledge, 2002). For Ernest Gellner nationalism is also grounded on political legitimacy: Ernest Gellner, *Nations and Nationalism* (Oxford: Basil Blackwell, 1983), esp. pp. 8–11. Both Connor and Gellner draw independently on a Weberian reading of the concept of 'legitimacy' and apply it to nationalism.

75. This argument is explored in Conversi, *The Basques, the Catalans, and Spain*.

76. On the concept of 'dual identity', see Luis Moreno, 'Identificación dual y autonomía política: Los casos de Escocia y Cataluña', *REIS*, 42, 1988, pp. 155–174; Luis Moreno, 'Multiple Ethnoterritorial Concurrence in Spain', *Nationalism and Ethnic Politics*, 1/1, 1995, pp. 11–32; Luis Moreno & Ana Arriba, 'Dual Identity in Autonomous Catalonia', *Scottish Affairs*, 17, 1996, pp. 78–97. Moreno has applied the same concept to the study of Scotland: Luis Moreno, *Escocia, nación y razón* (Madrid: CSIC, 1995).

77. On the 'dual vote', see J. R. Montero & J. Font, 'El voto dual: lealtad y transferencia de votos en las elecciones autonómicas', in R. M. Canales *et al.*, *L'electorat català a les eleccions autonòmiques de 1988: opinions, actituds i comportaments* (Barcelona: Publicacions de la Fundació J.Bofill, 1991); and Francesc Pallarés & Joan Font, *The Autonomous Elections in Catalonia (1980–1992)* (Barcelona: Institut de Ciencies Polítiques i Socials (ICPS), 1995).

78. Conversi, *The Basques, the Catalans, and Spain*, chapters 4, 7 and 8.

79. Josep M. Colomer, *La transición a la democracia: El modelo español* (Barcelona: Anagrama, 1997).

80. Richard Gunther, 'Spain: The Very Model of Modern Elite Settlement', in John Higley & Richard Gunther (eds), *Elites and Democratic Consolidation in Latin America and Southern Europe* (Cambridge: Cambridge University Press, 1992), pp. 38–80.

81. Ulrike Liebert, 'From Polarization to Pluralism: Regional-Nationalist Parties in the Process of Democratic Consolidation in Post-Franco Spain', in Geoffrey Pridham (ed), *Securing Democracy: Political Parties and Democratic Consolidation in Southern Europe* (London/New York: Routledge, 1991), pp. 147–178.

82. Keating, 'The Minority Nations of Spain and European Integration', pp. 29–42, (at p. 40).

83. Oriol Pi-Sunyer, 'The Spanish Route to Democracy: A Model for Eastern Europe in Transition?', in Hermine G. De Soto & David G. Anderson (eds), *The Curtain Rises: Rethinking Culture, Ideology, and the State in Eastern Europe* (Atlantic Highlands, NJ: Humanities Press, 1993). For a comparison with Germany, see Hans-Jürgen Puhle, 'El estado español de las autonomías y el sistema federal alemán', in Tuñón de Lara, *Gernika, 50 años después, 1937–1987*.

84. See 'Spagna Federalista', *La Repubblica*, 25 September 1996; Mario Carraro, 'Il federalismo verrà dal Nord-Est', *Il Sole 24 Ore*, 180, 2 July 1997, p. 6, which holds that for Italy's 'North-East' 'we must take inspiration from the Bavarian model, rather than from Catalonia'.

85. Most comparisons have appeared in daily newspapers, either in Spanish or Italian, but there has barely been a comprehensive comparative scholarly analysis. See Cesáreo Rodríguez-Aguilera de Prat, 'Pujol y Bossi', *El País*, 24 May 1996 and 'La Padania en Cataluña', *El País*, 17 September 1996.

86. It should not be forgotten that the system of Italian regions (however defective, inadequate or incomplete) provided the impetus for early-hour Spanish reformers – an initial inspiration today radically superseded by recent developments, since, in a kind of historical reversal, it is now Spain that is heralded as an administrative model for Italy.

87. Juan Linz & Alfred Stepan, 'Political Identities and Electoral Sequences: Spain, the Soviet Union, and Yugoslavia', *Daedalus*, 121, 1992, pp. 123–139.

88. Daniele Conversi, 'Modelli comparativi nella gestione dei conflitti etnici in fase di transizione politica: i casi di Spagna ed ex-Yugoslavia', in Laura Bergnach & Antonella Pocecco (eds), *L'affermazione della differenza come nuova mitologia ed il senso del dialogo* (Gorizia: ISIG (Quaderni dell'Isig), 1998), pp. 31–46.

89. Daniele Petrosino, 'La crisi del modello consociativo in Jugoslavia', in Stefano Bianchini (ed), *L'enigma jugoslavo. Le ragioni della crisi* (Milano: F. Angeli, 1989), pp. 138–178.

90. Sabrina P. Ramet, *Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to Ethnic War* (Boulder, CO.: Westview Press, 1996 [1st edn, 1992]); and Sabrina P. Ramet, *Nationalism and Federalism in Yugoslavia, 1962–1991* (Bloomington, IN: Indiana University Press, 1992).

91. Conversi, 'Modelli comparativi nella gestione dei conflitti etnici in fase di transizione politica'.

92. Daniele Conversi, 'Central Secession: Towards a New Analytical Concept? The Case of Former Yugoslavia', *Journal of Ethnic and Migration Studies*, 26/2, 2000, pp. 333–356.

93. Daniele Conversi, 'Violence as Ethnic Border: The Unintended Consequence of Cultural Assimilation in Croatian, Kurdish and Basque Nationalism', in Justo G. Beramendi, Ramón Máiz & Xosé M. Núñez (eds) *Nationalism in Europe: Past and Present*, vol. 1 (Santiago de Compostela: Santiago de Compostela University Press, 1994), pp. 167–198.

94. See Xavier Bru de Sala *et al.*, *El Modelo catalán: Un talante político* (Barcelona: Flor del Viento, 1997).

95. McRoberts, *Catalonia*, p. 180.

96. Manuel Castells, *The Power of Identity* (Oxford: Blackwell, 1997), p. 50 ff.

97. Heywood, *The Government and Politics of Spain*.

98. On the relationship between democracy and linguistic rights, see Miquel Strubell, 'Language, Democracy and Devolution in Catalonia', *Current Issues in Language and Society*, 5/3, 1998, pp. 146–180. See also John Rex's rejoinder, 'Language and the Devolved Modern State in Catalonia: A Response to Miquel Strubell', *Current Issues in Language and Society*, 5/3, 1998, pp. 190–194 (also published in Wright, *Language, Democracy, and Devolution in Catalonia*).

99. Gunther *et al.*, *Spain after Franco*; Juan J. Linz, 'Totalitarian and Authoritarian Regimes', in Fred I. Greenstein & Nelson W. Polsby (eds), *Macropolitical Theory*, vol. 3 of *Handbook of Political Science* (Menlo Park, CA: Addison Wesley, 1975), pp. 175–411. For a comprehensive view, see Javier Tusell *et al.*, *Historia de la transición y consolidación democrática en España*, 2 vols (Madrid: UNED/UAM, 1996).

100. Kathryn Crameri, 'Banal Catalanism?', *National Identities*, 2/2, 2000, pp. 145–157.

101. Charles T. Powell, *El piloto del cambio: El Rey, la monarquía y la transición a la democracia*, 1st edn (Barcelona: Planeta, 1991).

102. Paul Preston, 'Fear of Freedom: The Spanish Army after Franco', in Christopher Abel & Nissa Torrentes (eds), *Spain: Conditional Democracy* (London/Canberra: Croom Helm; New York: St Martin's Press, 1984), pp. 161–185.

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108. Conversi, *The Basques, the Catalans, and Spain*; Cynthia L. Irvin, *Militant Nationalism: Between Movement and Party in Ireland and the Basque Country* (Minneapolis, MN: University of Minnesota Press, 1999); and Kriesberg, 'Adopting Conflict Strategies'.
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