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**“Asymmetrical Federalism: Spain in
Comparative Perspective”**

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ASYMMETRICAL FEDERALISM: SPAIN IN COMPARATIVE PERSPECTIVE

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ABSTRACT

The political and spatial reorganization brought about by the progressive consolidation of the Spanish *Estado de las Autonomías* ('State of Autonomies') is in line with a model of 'multiple ethnoterritorial concurrence' analyzed in this paper. The model relates sociopolitical sub-state ethnic mobilization to the competitive interplay among Spanish regions and nationalities pursuing political and economic power, as well as the achievement of the legitimation of their institutional development. On analyzing the conceptual boundaries of this explanatory model, two 'axioms' (conflicting intergovernmental relations, politicizing of ethnoterritorial institutions), two 'premises' (differential origin, centralist inertia), three 'principles' (democratic decentralisation, comparative grievance, inter-territorial solidarity), and three 'rules' (spatial centrifugal pressure, ethnoterritorial mimesis, inductive allocation of powers) are distinguished. The absence of a clear-cut constitutional division of powers in the three-tier system of government has made possible in Spain an asymmetrical and open model of decentralisation whose federalising vocation is subject to re-negotiation by both centre and periphery forces.

1. INTRODUCTION

Federal principles have been often regarded as providing the best means for establishing modern federations. However, as far as they concern a combination of self-rule and shared rule, their institutionalization can shape different models of state arrangements¹. Indeed, an extended variety of federalism involves polities with a considerable degree of internal diversity. These generally adopt federalism in order to accommodate diverse ethnoterritorial interests and to protect 'asymmetrical' rights of the constituent units through negotiation and agreement.

Asymmetrical federalism is regarded to be most suitable to afford special status for certain provinces, regions or minority nations in plural states. It entails some sub-state units having more political powers to be exercised autonomously than others, or cultural differences being unevenly reflected in the institutional make-up of intergovernmental relations. In any case, asymmetrical federalism is characterized by the fact that the distribution of powers and responsibilities is not uniform in the three-tier form of government, particularly between both central and intermediate layers of administration. This asymmetrical feature is highly dependent on the aspirations and expectations for self-rule expressed by the citizens of the involved sub-state territories. Thus, the assessment of ethnoterritorial peculiarities is of paramount importance for both the understanding of the nature of politics in pluriethnic states and the ascertainment of the processes of social mobilization and social change in such polities.

In Spain, the democratic Constitution adopted in popular referendum in 1978 does not formulate the word 'federal' in its provisions. Notwithstanding, most academics and political observers underline the 'quasi-federal' or 'federalising' philosophy which inspires the Spanish constitutional text. In fact, Spain's *Estado de las Autonomías* is still in the process of a deep and widespread political decentralisation which allows some of their territories (ie. Catalonia, the Basque Country, and Galicia, the so-called 'historical nationalities') to enjoy a higher degree of self-rule than other constituent units within states nominally federal (eg. Austria, Mexico, or Nigeria)².

The *Estado de las Autonomías* has transcended to a large extent the traditional cultural patterns of ethnic confrontation in Spain. Despite its secular ethnic conflicts, Spain is one entity clearly identifiable

¹The cases of Australia, the Federal Republic of Germany and the United States of America are included in one type of federations with a high degree of ethnoterritorial homogeneity. On the various categories of federal systems, cf. Elazar (1987, 1991).

²After the first post-apartheid democratic elections in the Republic of South Africa, Mangosuthu Buthelesi, political chief of the Inkhata Freedom Party, advocated for the province of KwaZulu-Natal the same degree of home rule as in the Basque Country in Spain.

as a historical unity. This unity goes beyond the simple aggregation of territories and peoples with no other affinity than their coexistence under the rule of one common monarch or political power. The social and cultural cohesion which makes up her unity does not, however, obliterate internal oppositions. As has happened in the past, territorial rivalries among Spanish nationalities and regions have brought about an extra, cultural incentive for creativity and civilization, while still having been used as an excuse for confrontation.

In the first part of this paper, a succinct review and interpretation of some of the main developments in Spain's modern history will pave the way for a discussion of the Spanish model of 'multiple ethnoterritorial concurrence' which is put forward subsequently. This model incorporates social, economic and political elements in a dynamic and heterogeneous manner which are the basis of the 'imperfect' nature of Spanish federalism and which are mainly responsible for the type of plural competence and solidarity in decentralised Spain at the turn of the millennium.

2. STATE BUILDING AND NATION FORMATION IN ASYMMETRICAL SPAIN

Spain is a national state made up of nationalities and regions and, as such, has a pluriethnic composition³. Political unification began in 1469 with the marriage of the monarchs Ferdinand of Aragon and Isabella of Castile, once the 'Reconquest' of the Iberian territories under Moorish control was nearly completed⁴. This process of territorial aggregation ensured the maintenance of the diverse pre-union units: kingdoms, principalities and feudal dominions. It also preserved the institutional forms of self-government in various areas of the monarchy: the Aragonese Confederation (which included the Principality of

³Art. 2 of the 1978 Spanish Constitution "recognizes and guarantees the right to autonomy of the nationalities and regions of which it is composed, and solidarity amongst them". In general, it is not easy to distinguish conceptually the term "nation" from that of "nationality". Such a terminological distinction was to a great extent a consequence of the dichotomy between "nation-state" and "state of the nationalities" as regards the cases of the Austria-Hungary and Ottoman Empires at the beginning of the 20th century. In broad terms, nationality can be referred to as a minority nation which has acceded to a degree of institutional autonomy or independence within a multinational state and which concurs or co-exists with a majority nation and/or other ethnoterritorial groups. On this issue cf. Krejčí & Velimsky, 1981: 32-43. See Fig. 1 for the 'autonomical' map of Spain and Table 2 for basic figure regional share of Spanish GDP and population.

⁴The issue of peninsular unity is very much at the core of the history of Spain after the Muslim invasion in the year 711. The conquest of Granada in 1492 and the incorporation of Navarre into Castile in 1515 completed the territorial unification of most of the peninsula under one crowned head (Linz, 1973). However, the fruitful 'melting pot' of Christians, Jews and Muslims came abruptly to an end once the *Reconquista* was achieved. On the issue of the 'peoples of Spain' cf. Caro Baroja (1981).

Catalonia), the Kingdom of Castile and Leon, and the Kingdom of Navarre⁵. The incorporation of these territories into the Hispanic monarchy took place in the early days of modern European history and long before the homogenizing despotism of other European monarchies was put into effect.

The varying ability to make sense of the pluriethnic nature of the Spanish polity highly influenced the state-building policies pursued in the 16th and 17th centuries by the Habsburg kings. Later, during the 18th and 19th centuries, the French model of a single nation-state was favoured by the Bourbon kings and by the supporters of the Enlightenment in Spain. This new Spanish polity aimed to transcend the internal borders of the old kingdoms, principalities and dominions which the advocates of the Enlightenment and their heirs considered remnants of a past which only served to hinder the modernization of the country. Their policies of nation-formation were geared to the assimilation of all Spanish territories into the cultural and political patterns of Castile. To this end, they deployed a programme of a centralising nature --not altogether dissimilar from the cases of 'gallicization' and 'anglicization' in France and Great Britain, respectively-- but which achieved very partially their original goals⁶.

In the Spain of the 19th century, the process of industrialization first took place in two peripheral areas: Catalonia and the Basque Country. This process further reinforced their sense of being distinct ethnoterritorial entities and, as a consequence, an element of differentiation prevailed upon that of nation-state homogenization. As a result of this particular historical process, state-building in Spain did not involve a successful national integration of the pre-existing communities. In this respect, Spain offers a striking example of the shortcomings of the diffusionist/functionalist theoretical model⁷.

In modern times, Spain's territorial unity has been put under strain by the centrifugal action of its ethnic and linguistic diversity, as well as by that of either weak state institutions or violent central rule.

⁵Portugal forced a truce with Castile in 1411, after the defeat of the Castilian troops in the Battle of *Aljubarrota*. As a consequence, the Portuguese dynasty assured independence for the kingdom which saw a formidable overseas expansion. In 1580 the ruling house died out, and Philip II of Spain became king of Portugal. In 1640, and after a nationalist revolt which brought to power the native house of Bragança, Portugal seceded from the kingdom of Spain.

⁶The historical process of political unification and state formation in Spain varied considerably from that in other Western European countries. Unlike the case of England in Great Britain, Castile was not the core-nation to which other Spanish peripheral territories were accommodated (Giner, 1984; Moreno, 1989).

⁷According to such a paradigm, also assumed by 'mainstream' Marxist theorists, the diffusion of cultural and social structural values, coupled with modernization and economic development, should result in a progressive cultural, political and economic integration, replacing territorial cleavages with a set of functional and economic conflicts, namely class conflicts.

Moreover, there has been a traditional lack of congruence or perhaps even 'non-congruence' between political and economic powers⁸. Catalonia and the Basque Country, the two Northern peripheral Spanish communities with full ethnic potential, have remained as two of the most dynamic economies of Spain. However, their political protagonism in the running of the state's affairs has been very limited. This political and economic 'non-congruence' has traditionally nourished the centrifugal tendencies present in modern Spanish history, tendencies which found expression in a number of armed conflicts: the Revolt of the Reapers, 1640-1652; the War of the Spanish Succession, 1701-1714; the Carlist wars, 1833-1840, 1846-1848 and 1872-1875; the Tragic Week of Barcelona, 1909 and, finally, the Civil War, 1936-1939.

During the 19th century, Spain was often ruled by strong-authoritarian, although weak-inefficient, governments. Frequently, the despotic harshness of their rulers was tempered by the sheer inefficiency of their patrimonial or dictatorial ways. Further, the clumsiness and parasitism of the centralist bureaucracy stressed the essential feebleness of the state institutions. This phenomenon was also common to several European peripheral states from czarist Russia to Italy after unification. The hostility towards central government felt by the peasants and factory workers was shared by the more advanced middle and upper classes in the small industrial enclaves. These saw the central government as a remote, ignorant, and alien body. Feelings of Spanish identity --through occupational opportunities-- were strongest in the non-industrial parts of the country like Galicia, both Castiles and Andalusia⁹.

Late modernization, regional industrialization, peripheral nationalism, weak state institutions, deep class differences and poverty were among the main features of Spanish society at the turn of the 19th century. However, these aspects did not coalesce into the 'two Spains' the poet Antonio Machado alluded to when referring to the internal confrontation which culminated in the Civil War (1936-1939). Instead, class and territorial differences produced a set of multiple and interlocked conflicts. Furthermore, collective interests and confrontations did not reflect a simple model of centre-periphery duality.

The political attempts by the Spanish Second Republic (1931-1939) to pave the way for the resolution of ethnoterritorial conflicts were of great importance. The Constitution of 1932 adopted a regional model of territorial organization which provided the framework for the subsequent granting of

⁸The traditional political and economic non-congruence in Spain has been translated into a permanent rivalry between centre and periphery (Giner & Moreno, 1980). This dichotomy has historically translated into two main alternative models of state organization: centralist-authoritarian and federalist-democratic. On the type of economic and political non-congruence, see Gouveritch (1979).

⁹Later on, during the 20th century, this identification had far-reaching consequences for the character of political conflict and the elaboration of national ideologies (Giner, 1984; Giner & Moreno, 1990).

Autonomy Statutes to Catalonia, the Basque Country and Galicia¹⁰. Both anticlerical and ethnoterritorial issues played a crucial role in the process of political polarization prior to the Spanish Civil War; even within the Republican forces the dilemma between regionalism and centralism created considerable controversy and turmoil. In the end, the enemies of liberal democracy in the Spain of the 1930s managed, by means of a military uprising, to destroy any possible consensus concerning the territorial articulation of the various Spanish nationalities and regions.

2.1 Homogenization under General Franco's Dictatorship

After a cruel civil war a reactionary centralist coalition led by General Franco took full control of the rule of Spain with 'imperialist' claims: *Por el imperio hacia Dios*, ('God's Empire') and *España, una unidad de destino en lo universal* ('Spain, a unit of destiny in the universal') were mottoes used as propaganda within a general policy of cultural standardization. This was also carried out for the purposes of attempting to destroy the ethnic, regional and cultural diversity of Spain. These mottoes reflected the kind of clerical fascism advocated by the official ideology of early Francoism.

For Franco any degree of regional home rule was considered secessionist. The foundations of the 'new' post-1939 Spain were based upon the 'sacred unity of the homeland'. This pursuit of national unity to the detriment of the cultural varieties inherent in Spanish nationalities and regions, degenerated into an obsessive dogma deployed by the reactionary coalition which ruled Spain from 1939 until 1976¹¹.

For Francoist supporters 'eternal and imperial Spain' was the ideological expression of an old and unpolluted 'Castilian spirit' with a universal language and ideals beyond the limits of time and space --a Spain, in short, which had emerged victorious and misunderstood in the midst of a turbulent era for mankind. Francoism regarded the Spanish ethnoterritorial peculiarities as quaint signs of the unique Spanish 'soul'. Any deviation from this Spanish *Volkgeist* was not only illegitimate but also dangerous and punishable. The ethnic reality was, however, very different from such a view. In fact, Franco's Dictatorship provoked an effect opposite to such centralist state-moulding: one obvious consequence of the attempts to erode Spanish communal identities was their intensification. External threats and conflicts often lead to both internal cohesion and mobilization. They usually bring together classes and interest

¹⁰This regional model was referred to as '*Estado Integral*' by the Republican constitutionalists. For a discussion of the unitary, regional and federal models related to the Spanish case, cf., for instance, Trujillo (1967, 1979), Ferrando Badía (1978), Burgos (1983), and Armet (1988).

¹¹For an analysis of the nature of Francoism see Giner & Sevilla (1984, pp. 115-125) and Flaquer, Giner & Moreno (1990, pp. 24-36).

groups which otherwise have little in common with each other or whose aims are mutually antagonistic: "That is why nationalism appeals to the solidarity of the non-solidary" (Giner, 1984: 87).

With its cultural and linguistic oppression of non-Castilian territories, Francoism turned out to be the best incentive for peripheral nationalism and regionalism in Spain. With the partial exception of Alava and Navarre, both northern provinces which provided a great number of supporters (Carlists) to Franco's forces in 1936, Francoism devoted itself to imposing homogenous centralism for nearly 40 years. This implied the enforcement of policies aimed at suppressing the publication of newspapers or books in Spanish languages other than Castilian; banning all institutions of self-government and prohibiting the teaching and use of minority languages such as Catalan, Basque and Galician. Beginning in the 1960s, Francoism reinforced its commitment to uniformity by means of the instrumentalization of powerful mass media such as television¹².

Franco's regime maintained the arbitrary provincial administration introduced by Javier de Burgos in 1833, following the model of the French *départements*. In 1927 the number of Spanish provinces rose to fifty. The government of the provinces or *Diputaciones* acted basically as agents of central government and carried out functions as political controllers of the municipalities. These, in turn, were empowered to deal with most local activities such as town planning, sanitation and recreation. The members of the city and town councils (*ayuntamientos*) were appointed directly by the central authorities until the late 1960s when some were allowed to be 'elected' by municipal residents¹³. As far as the regions were concerned, no political or administrative arrangement was introduced during Franco's Dictatorship.

By the end of the 1970s, a growing sense of popular grievance was gradually gathering strength in peripheral areas. Regions which had never expressed any desire for self-government were becoming inclined towards it: the Canary and Balearic Islands, as well as Asturias and Extremadura, began to put forward their claims for territorial home rule. The reasons for the upsurge of home rule demands all over Spain --a phenomenon which included regions such as Leon and Castile-- have to be sought in a

¹²For the relationship between language and politics under Franco's rule, cf. Linz, (1975).

¹³The number of municipalities in 1900 was 9,287. This figure dropped in 1975 to a total of 8,194 of which three quarters (6,000 approximately) had fewer than 2,000 inhabitants. In 1981 the total number of municipalities in Spain was 8,022. The two big and 'rival' cities in Spain are Madrid and Barcelona. In 1986, the metropolitan county of Barcelona, which comprised not only the city of Barcelona but also twenty-seven municipalities had a population of 3,025,666 inhabitants. This figure compares with that of 3,058,182 for the city of Madrid. On the issue of Spanish municipalities, cf. Clegg (1987) and Solé-Vilanova (1989a/b).

widespread popular reaction against hypercentralist Francoism. This reaction went hand in hand with the struggle for the recovery of democratic liberties in Spain. In the so-called 'historical' nationalities (Catalonia, the Basque Country and Galicia) the democratic opposition forces to Franco's regime articulated a political discourse which denounced the lack of democracy and the Francoist attack on local identities and aspirations to self-government, effectively combining both democratic and national quests. In this way, the all-embracing ideology of self-government and political decentralization was unanimously accepted by all the democratic forces.

2.2. The Spanish Constitution of 1978 and the '*Estado de las Autonomías*'.

After the death of Franco in 1975 the transitional process to democracy in Spain began in earnest¹⁴. The democratic parties did not have a clear-cut model for the type of decentralized state they broadly advocated. However, the majority wanted home rule for all the Spanish nationalities and regions. The constitutional expression of such a strong platform presented a great political challenge, for Spanish modern history had witnessed tragic failures where ethnicity and the territorial sharing of power were concerned.

The wide inter-party political consensus which made the drawing up of the 1978 Constitution possible, also brought with it an element of ambiguity in the formulation of the territorial organization of the Spanish state. In fact, two different conceptions of Spain, which had traditionally confronted each other, were formulated. Subsequently, a *via media* was negotiated and explicitly recognized by the Constitution: on the one hand, the idea of an indivisible and solely Spanish nation-state, on the other, a concept of Spain as an ensemble of diverse peoples, historic nations and regions.

The text of the 1978 Constitution reflects many of the tensions and political dilemmas which existed in the discussion of such territorial provisions. However, it also reflects a widespread desire to reach political agreement among all the constituent political parties which were involved in the process of negotiation. An open type of 'imperfect federalism' was the consequent result for the territorial organization of democratic Spain.

Accordingly, Title VIII of the 1978 Spanish Constitution made it possible for one, three, all or

¹⁴Franco's regime had been subject to an active opposition during the 1960s and 1970s, years when the sociological pattern of a highly urbanised and industrialised Spain had been growing more and more similar to that of the rest of Western European countries. The progressive disparity between Franco's political regime and Spanish society turned into an apparent fracture of state institutions in the first half of the 1970s. On the political transition to democracy in Spain and the subsequent role of the political parties, cf. Carr & Fusi (1981), Maravall (1982), Preston (1986), and Moreno (1990a).

none of the *Comunidades Autónomas* to be self-governed. It depended on the political will expressed by the inhabitants of each nationality or region (*Comunidad Autónoma*), or by their political representatives. It also made it possible for the degree of self-government to be wide or restricted according to the wishes of the nationalities and regions. These could assume decentralised powers and organize themselves in either a homogeneous or heterogeneous way. Finally, the possible political 'mistakes' made during the process of decentralization could also be rectified in time (García Añoveros, 1984)¹⁵.

Conservatives, Centrists, Nationalists, Socialists and Communists hammered out an agreement on the territorial organization of the '*Estado de las Autonomías*' which would not jeopardize the delicate constitutional consensus on the issue of decentralization, the most delicate to be agreed upon in the constituent period after the demise of Francoism (1975-1978). Hence, the accepted solution took the form of an unwritten pledge to extend the procedures of political transaction into the future. As stated above, this open type of 'imperfect federalism' did not presuppose the ways and means by which the different spatial entities could finally be articulated. Thus, an implicit desire was expressed by the 'Fathers' of the 1978 Constitution to provide the procedures and degrees of self-government to be pursued by the nationalities and regions while allowing them a high degree of flexibility. The formulation of a clear division of powers based upon 'orthodox' federal techniques was, however, avoided.

The arbitrating role of the *Tribunal Constitucional*¹⁶, the highest court in Spain, has been of paramount importance for the subsequent implementation of the *Estado de las Autonomías* ('State of Autonomies'). It has amongst its attributes the capacity to decide in conflicts of jurisdiction between the State (central government) and the Autonomous Communities (nationalities and regions), or among the Autonomous Communities themselves. According to the 1978 Constitution there is a need for compromise on the nomination of candidates to the Constitutional Court¹⁷. This circumstance provides the highest

¹⁵Jaime García Añoveros was Minister of Economy in the last centre-right UCD Governments before the Socialist victory in the 1982 General Election. For an interpretation of the concepts of nationalities and regions adopted by each of the 17 *Comunidades Autónomas* (Autonomous Communities), cf. Solé Tura (1985), Tomos, J (1988), and Serra *et al* (1993).

¹⁶The Spanish Constitutional Court is inspired by the model proposed by Hans Kelsen for the Austrian Constitution of 1920, which was also adopted by the 1931 Spanish Constitution (II Republic). It also incorporates several aspects of the 1948 Italian Constitution and the German Basic Law, *Grundgesetz*.

¹⁷Due to the Spanish system of proportional representation (D'Hont rule on provincial constituencies for the election of the MPs to the Chamber of Deputies), it is highly unlikely that a single political party could ever achieve three-fifths of the total members of both Houses of Parliament. Electoral results for the Lower House are reproduced in Table 1 (1977-1993).

Court with a great deal of authority and independence. Some critics have pointed out that the role of the Constitutional Court in solving disputes relating to governmental powers places electoral bodies in a position which is subordinate to the judiciary. Consequently, they argue, there is a risk that judges may become political and that their known political views are taken into account when they are appointed.

In Spain, the need for a pact between Government and Opposition in the election of the members of the *Tribunal Constitucional* has so far proved to be a barrier against open political sectarianism in the nomination of the candidates. For instance, the important judgement of the Court on the LOAPA Act ('Organic Law on the Harmonization of the Autonomical Process') passed by the Spanish Parliament, reinforced the open and federal-like interpretation of the 1978 Constitution very much against the views of centre-right UCD and centre-left PSOE Governments in the early 1980s.

The LOAPA Act was to a great extent the result of a joint action by the then two main political parties (UCD and PSOE) which was highly conditioned by the political conjuncture. Let us remember that early Catalan and Basque moves towards self-government sparked off, in the late 1970s, similar initiatives by other Spanish nationalities and regions which did not wish to be left behind. In the summer of 1981, and after the attempted military *coup d'État* of 23rd February 1981, both the UCD Government and the main PSOE parliamentary opposition felt the need to 'harmonize' the process of decentralisation along the lines of the German model of co-operative federalism. This UCD-PSOE pact sought the unilateral co-ordination of the decentralization process from the central administration, a political view which turned out to be a massive miscalculation.

When the legislative inception of the LOAPA law was attempted (1981-1982), all the Nationalist parties, together with the Communists and, to a much lesser extent, the Conservatives, were fiercely opposed to it. Indeed, the timing and content of such harmonizing policies from the centre, when the structure of the centralist Francoist State still remained largely untouched, was inopportune and inappropriate. In fact, if this type of 'imperfect federalism' were to succeed in Spain, the political gravity in the centre-periphery political relationship could in no way be placed exclusively in the core of the polity, particularly in a country where all non-democratic regimes had been centralist and where the economically powerful periphery had traditionally been neglected in the process of political decision-making.

In the general process of decentralization during the 1980s the case of the southern region of Andalusia is of particular relevance and deserves closer, although brief, attention. In 1982, political leaders and the population at large in Andalusia opted for the same procedure and degree of home rule previously pursued by the three so-called historical nationalities: Catalonia, the Basque Country and Galicia. This

development brought about a crucial element of heterogeneity which modified the model, implicitly accepted by some Catalan and Basque nationalists, of implementing only home rule in the Spanish historical nationalities while the rest of the regions would merely be granted administrative decentralization ('de-concentration').

During the 'Socialist decade'¹⁸, the process of decentralisation embodied in the 1978 Spanish Constitution has undergone a long process of consolidation. However, a new set of conflicts has emerged. These have gradually shaped a model of ethnoterritorial competition which we labelled as 'multiple ethnoterritorial concurrence'¹⁹ and is the subject of our theoretical characterization in the following section.

3. MULTIPLE ETHNOTERRITORIAL CONCURRENCE: PREMISES, PRINCIPLES, RULES AND AXIOMS

As preliminary and general considerations it should be pointed out, first, that according to the cultural pluralist approach²⁰ to ethnicity --the one with a higher degree of accord and plausibility in the case of Spain--, the emphasis is not merely placed on the distinctiveness but rather on those relationships of interaction among the different ethnoterritorial groups within the state²¹. Secondly, on

¹⁸The Spanish PSOE (Socialist Party) achieved a landslide victory in the 1982 General Election: 202 Mps for the Chamber of Deputies (Lower House) out of 350 (see Table 1 for the parliamentary results in the period 1977-93). This absolute majority was renewed in the two subsequent general elections held in 1986 and 1989. In June 1993, the Socialists managed to win the elections for the fourth consecutive time although with a relative majority (159 of the total 350). On the issue of the Spanish political parties, see Moreno (1990a).

¹⁹In this paper, concurrence is meant as simultaneous multi-competition out of which widespread agreement might eventually --although not necessarily-- be achieved. Thus, ethnoterritorial asymmetry, heterogeneity and plurality are key elements in this semantic interpretation.

²⁰The use of 'pluralism' incorporates diverse meanings and sub-meanings within the field of social sciences. The 'sociological' school focuses on the relationship between social conditions and political behaviour. The 'political science' vision is primarily interested in analyzing the distribution of political power. The 'legal' perspective is of a normative character and more concerned with both formal representation of corporatist interest and administrative decentralisation. In this paper, we mainly refer to the 'cultural' dimension of pluralism regarding the differentiation and structuring of the diverse ethnic communities living together in plural polities.

²¹Some authors consider that political accommodation to secure political and institutional stability in pluriethnic societies or polyarchies is almost impossible and is bound to result in either the break-up of the state or the consolidation of a type of hegemonic authoritarianism for the control of the state's unity (Dahl, 1971; Horowitz, 1971). Robert Dahl's position is in line with the views of Ernest Barker who also

analyzing sub-state ethnoterritorial phenomena in Spain we mainly refer to both ethnonationalism and ethnoregionalism. This conceptual distinction in pluriethnic Spain relates to those spatial units which either had a pre-union identity as self-governed territories prior to the configuration of the state (minority or peripheral ethnonations such as the Basque Country or Catalonia) or which developed the political expression of their solidarity at a later stage in the process of state-building (ethnoregions such as Andalusia, Cantabria or Extremadura)²².

The progressive inception of the *Estado de las Autonomías* initiated in 1978 can be explained by the characterization of a model of 'multiple ethnoterritorial concurrence'. Its defining traits incorporate social, economic and political elements in a dynamic manner and are, thus, the main constituent elements of the Spanish case of 'imperfect federalism' (Moreno, 1994a/b). On analyzing the conceptual boundaries of this explanatory model, and for the purposes of our discussion, two 'axioms', two 'premises', three 'principles', and three 'rules' can be distinguished. A sequential categorization is adopted in the subsequent reviewing.

First, two 'axioms' are identified to have an important impact in the Spanish situation, although they refer to general features that are common to most federations or federal-like countries in the contemporary world: (a) Conflicting intergovernmental relations, and (b) Politicizing of ethnoterritorial institutions. Secondly, two 'premises' are analyzed in relation to the prior stage of the progressive inception of the *Estado de las Autonomías* in Spain: (c) Differential origin, and (d) Centralist inertia. Thirdly, three 'principles' are considered to be the constitutive pillars of the model and those which inspired the original philosophy reflected in the 1978 Spanish Constitution: (e) Democratic decentralisation, (f) Comparative grievance, and (g) Inter-territorial solidarity. Lastly, three 'rules' are assessed to be the most compelling elements in the social and political structuring of the unfinished process of decentralisation in Spain: (h) Spatial centrifugal pressure, (i) Ethnoterritorial mimesis, and (j) Inductive allocation of powers. These constituent elements which characterised the model of 'multiple ethnoterritorial concurrence' in Spain are succinctly reviews as follows:

regarded political secessionism and authoritarianism as the two viable options in ethnocultural and pluralist polyarchies (Connor, 1989: 124; Linz, 1973: 103-4).

²²However, both types of sub-state nationalism and regionalism can share --and have shared in the territories already cited-- the same long-term aims, and both owe much to the sequence reproduced in Fig. 2 (ie. Centre-periphery dichotomy; Regional/national consciousness or identity and, (c) Social mobilisation and political organisation (López Aranguren, 1983; Moreno, 1989).

(a) The axiom of conflicting inter-governmental relations is shared by most of the decentralised and three-tier systems of government²³. Usually, it is closely linked to the diversity in the political colouring at each of the three levels of government²⁴. Conflict, and eventual agreement, are present in inter-governmental relations in Spain as in any other federation or federal-like state. Due to the inexplicit nature of the provisions of the 1978 Constitution regarding state territorial organization, a climate of permanent political bargaining among local, regional and central governments is bound to remain as the most characteristic feature of the unfinished Spanish process of decentralisation.

In particular, the reform of the system for financing the fifteen Comunidades Autónomas of the so-called 'common regime' has mounted the biggest challenge in recent times²⁵. These negotiations between regional and central governments were set to provide a more stable and functional framework of work for 'fiscal co-responsibility' as well as to facilitate a more effective level of horizontal equalisation so that economic disparities among regions could be reduced²⁶.

(b) The axiom of the politicizing of ethnoterritorial institutions is associated with the practices of sub-state nationalities and regions in pursuit of maximizing their political image and performance. This

²³For an analysis of the inter-governmental relations within the Spanish '*Estado de las Autonomías*', see Agranoff (1993a/b).

²⁴This is illustrated by the case of Barcelona, where a majority of city councillors from the Socialist Party and the United Left coalition (Communists, Radical Socialists and Independent Leftists) support the municipal government. The regional Catalan government of the *Generalitat* is controlled by the nationalists (Liberals and Christian Democrats) of *Convergència i Unió* (Convergence and Union). In turn, socialists ran the central government up to June 1993, when their minority victory at the General Election forced them to seek legislative support from other nationalist and regionalist parties, particularly *Convergència i Unió*.

²⁵The Basque Country and Navarre, whose system of financing falls under the denomination of "special regime", have arrangements which could be labelled as fiscal quasi-independence. They raise monies through a number of taxes which include personal income tax, corporation tax and value-added tax. A previously agreed quota is annually handed over to the central government in compensation for the non-territorial common Spanish services as well as for the costs incurred by those central government agencies operating in their territories.

²⁶The main discussion was focused on the direct transfer to the *Comunidades Autónomas* of a percentage of the Income Tax accrued by the central Treasury in their respective territories (15 %, approximately). Note that regional governments can also levy their own surcharges on the Income Tax to be collected in their regions and implement new taxes. However, this option is regarded as a very unpopular course of action and, thus, the central treasury continues to be regarded as the focus of attention as far as the provision of financial means are concerned.

exercise of the meso-governmental patronage is not only carried out for electoral purposes but, given the process of European convergence²⁷ and the increasing inter-dependence of the world economy, also as the means of attracting interest and investment from abroad²⁸.

The consolidation and growing influence of regional elites have induced new corporatist capacities for co-option and negotiation. Their practices are grounded in the increasing budgetary manoeuvrability of the self-governed regional institutions. In this respect, changes in the territorial allocation of public expenditure need no further comment: between 1978 and 1992, central expenditure decreased from 90 to 65 per cent; Regional spending increased from nil to 21 per cent; and local government expenditure rose from 10 to 13 per cent.

(c) Mobilization patterns of the Spanish 'historical nationalities' have been --and continue to be-- based on the premise²⁹ of differential origin. This political assumption recognises the historical rights of the Basque Country, Catalonia and Galicia, sub-state nations whose own languages, which are different from Spanish ('Castilian'), are also 'official' in their respective territories according to the 1978 Constitution. Citizens and media and citizens in these nationalities use local languages and their regional parliaments and governments have greatly encouraged the preservation and protection of this cultural legacy.

Self-awareness of their own differential origin is a permanent incentive for the Basque Country, Catalonia and Galicia to maintain their institutional distinctiveness with relation to the rest of the Spanish regions. In fact, Catalan and Basque nationalisms, the most dynamic during the process of transition to democracy in Spain after the death of Franco in 1975, aimed at the beginning of the process of

²⁷In any case, the European leanings made patent by all of the Spanish nationalities and regions is to be emphasized. In fact, some of the most powerful minority nationalisms in Spain (Basque, Catalan) regard the consolidation of the European Union as the most desirable scenario where the powers of central governments and the very idea of the nation-state would be in retreat.

²⁸For instance, on occasion of the 1992 Olympic Games in Barcelona, the Catalan Government of the *Generalitat* financed full-page advertisements in the *Financial Times* in which the geographical location of Barcelona was related to the map of Catalonia with no other particular reference to Spain.

²⁹'Premise' is used as providing basis and conditioning the development of subsequent events. Thus, it is not meant as a constituent part of a philosophical syllogism or as a logical proof.

decentralisation in the late 1970s at making prevalent the assumption of the differential origin³⁰.

(d) The premise of the centralist inertia is rooted in a long-standing perception of the superior value of the central administration³¹. This perception is the result not only of a tradition of dictatorial rule, which includes Franco's lasting dictatorship (1939-1975), but also of the 'jacobin' view imported from France and embraced by the Spanish liberals during the 19th century.

Thus, at the beginning of the decentralisation process a significant number of politicians and state officials disregarded demands, needs, and expectations of both regional and local administrations. They tried to discredit aspirations for home rule, although the decision of the Constitutional Court against the main provisions of the 'centralising' *LOAPA* (see above) was a decisive setback for their attempts for 'harmonisation'. Since then, the whole process of regional autonomy has not been free from bureaucratic friction and interference, a result of this ingrained centralist mentality which still is well-extended among central bodies and institutions in Spain.

(e) Francoism was the main factor responsible for the development of the principle of democratic decentralisation. In the early 1970s, the democratic opposition forces to Franco's regime articulated a solid strategy of political action which amalgamated both the struggle for the recovery of democratic liberties and the quest for the decentralisation of power. The quest for democracy and territorial home rule thus went thus hand in hand.

Particularly, in the so-called 'historical nationalities' (the Basque Country, Catalonia, and Galicia) the struggle against dictatorship was a reaction against Francoist attempts to destroy their ethnonational markers (eg. language, cultural traditions or self-governed institutions). In fact, the ideology of home rule and political decentralisation spread all over Spain and became a key element in the inter-party political negotiation during the transition to democracy (1975-1979). Political milieu for the development of peripheral nationalism, regionalism and home rule 'autonomism' can be regarded in this respect as an

³⁰As stated earlier, in the early 1980s Andalusian political leaders and the population at large opted for the same constitutional procedure and degree of self-government as that previously pursued by the 'historical nationalities' (Clavero, 1980). The result of the popular referendum held in Andalusia ratified these wishes and, furthermore, such a 'demonstration effect' sparked off a sense of ethnic competition for other regions in search of equal access home rule.

³¹Note the well-extended conceptual confusion in the use of the term 'central state' (*estado*) and 'central government' (*gobierno central*). A great deal of administrators and politicians continue to make no distinction between the two.

'unwanted effect' of Francoist hyper-centralist practices³².

(f) Mobilization patterns for all Spanish nationalities and regions are mostly determined by the principle of comparative grievance. According to this, the right to home rule and the subsequent political mobilisation is the result of an 'ethnic competition' in search of equal access to the institutions of self-government. Further, none of these regions wants to be left behind. This principle interacts in a conflictive manner with the premise of the 'differential origin' claimed by the Basque Country, Catalonia and Galicia.

Localism in Spain, linked to a strong sense of regional pride, has continued to nourish both ethnoterritorial expectations and concerns of the *Comunidades Autónomas*. In particular, it has fuelled formal and informal mechanisms of political monitoring by which regions attempt to avoid any perception of being discriminated among themselves.

(g) The principle of inter-territorial solidarity is not only a constitutional precept but also the formal expression of a more prosaic reality: the transfer of financial resources from the wealthier to the poorer regions of Spain. This aims at achieving a common basic level in the provision of services so that the standard of living of all Spaniards would be brought to the same level³³.

With the gradual development of the 'home-rule-all-round' process in Spain, nationalities and regions regarded territorial autonomy not only as providing the means for bringing institutional decision-making closer to the citizens. They also laid emphasis --particularly the economically poorer territories-- on the constitutional principle of inter-regional solidarity³⁴.

³²Federalism and secessionism, however, had deeper roots in the modern history of Spain (Trujillo, 1967). As regards the federalising development of the Spanish *Estado de las Autonomías*, cf. Burgos (1983), Díaz López (1985), Linz (1985, 1989), Hernández & Mercadé (1986), Armet (1988), Moreno (1989, 1994a), and Agranoff (1993b).

³³Furthermore, art. 138 of the 1978 Constitution observes that the Spanish state must establish "...a just and adequate economic balance between the different areas on Spain".

³⁴A financial instrument was created for this purpose, the Fondo de Compensación Interterritorial ('Inter-territorial Compensation Fund'). However, and due mainly to the pressure exerted by some wealthier regions, the criteria of re-distributing funds has largely been neglected due to the absence of any clear criteria of positive discrimination in favour of the poorer *Comunidades Autónomas*.

(h) The political pressure exerted upon central power by both Basque and Catalan nationalism decisively contributed in 1978 to the establishment of a constitutional accommodation which recognised the pluriethnic nature of Spain. Since then the rule of spatial centrifugal pressure has been recurrently instrumentalised by the various ethnoterritorial elites: Basque, Catalan, and Galician nationalists, first; regionalists in Andalusia, Navarre, Valencia and the Canary Islands, at a later stage. In recent times, a similar pattern is observable with respect to emerging regional parties in Aragon, Cantabria or La Rioja.

Furthermore, the relative power of those regional and federated branches of the main Spanish political formations has noticeably increased in both internal processes of policy-making and leadership contest. The federal organisation of both the Socialist Party (PSOE) and the United Left (IU), and the political agreements established by the Popular Party (PP) with some regional parties (UPN in Navarre, UV in Valencia, PAR in Aragon)³⁵, have greatly contributed also to the internalisation by Spaniards of the 'federalisation of politics'.

(i) The rule of the ethnoterritorial mimesis has been the main factor responsible for 'tuning' the decentralisation process in Spain. According to this referential mechanism, the so-called 'historical nationalities' (the Basque Country, Catalonia and Galicia) have aimed at replicating the powers and symbols of the Spanish central state (exclusive powers in the fields of education, health and social security, police, external and ornamental signs such as the flag, the anthem, and so forth). On deploying their political claims during the 1980s, the regions with 'earlier' aspirations for home rule (Andalusia, Valencia, Canary Islands) have attempted to 'imitate' the institutional outlook of the 'historical nationalities'. Finally, the late-comer regions in the home rule process of decentralisation (Cantabria, both Castiles, Extremadura, Madrid, Murcia) have struggled not to feel discriminated against by the achievements of those 'early rising' regions referred to in the second stage of the mimetic sequence.

(j) The rule of the inductive allocation of powers in the Spanish process of decentralisation acknowledges the absence of a clear-cut constitutional division of powers in the three-tier system of government in Spain (local, regional and central). In essence, the process of decentralisation in Spain has developed as an asymmetrical and open system which can only be determined in a gradual and inductive manner. The federal technique for the distribution of political powers and financial resources, together with

³⁵As a result of the last 1993 General Election, seven sub-state political formations out of a total number of ten present in the Parliament (Chamber of Deputies), represent 9% of the total number of the legislative representatives and 10.5% of the popular vote. See Table 1 for the electoral results.

the general objective of reconciling both the highest level of decentralisation and the necessary inter-governmental coordination, remains an enduring challenge for the consolidation of the Spanish *Estado de las Autonomías*.

Given the present political and constitutional arrangements in Spain it is no longer feasible to envisage future institutional developments without the territorial inputs brought about by the process of decentralisation³⁶. As will happen regarding other areas of the political process, the institutional outcome of the interplay between central, regional, and local governments will respond to the very nature of a contractually open process of power accommodation. Once political arrangements have been worked out in the future, a constitutional revision should functionally incorporate them so as to avoid the great political difficulties which would have occurred had the process developed inversely.

CONCLUSION

The federal principle is based on a combination of self-rule and shared rule and is concerned with the establishment of political and social institutions through contractual arrangements. The case of Spain fits more adequately into a second variety of federalism based upon the distribution of power among constituent units each of which represents different peoples and which serves the purpose of accommodating internal diversity, often in multinational or pluriethnic states. This diversity of units is of an ethnoterritorial nature and constitutes the basis for asymmetrical provisions.

The 'imperfect' nature of Spanish federalism is based on the characterising elements already examined with regard to the model of 'multiple ethnoterritorial concurrence'. As far as the institutional outcome of the process of decentralisation in Spain is concerned, the 'inductive allocation of powers' is the most underlying characteristic. Unlike the traditional philosophy which has patterned the making of other federal states on a deductive basis (the USA, the FRG or Australia), the Spanish model of 'imperfect federalism' will require a long process of power delimitation before its federal-like arrangements take shape within a future European confederation. The question of whether such accommodation would entail federal arrangements of an asymmetrical nature remains unanswered.

Territorial politics in Spain are characterised by a mode of 'multiple ethnoterritorial concurrence'

³⁶For instance, the building up of a welfare system of social provision must take into account the institutional role to be played by both regional and local authorities. Social and welfare policies are a 'devolved matter' to the nationalities and regions which hold an 'exclusive competence' with respect to it (legislative and administrative). Thus, the future shaping of Spanish welfare development is inextricably associated with the deepening of regional and local decentralisation both at the level of planning and policy implementation.

which relates sub-state mobilization with the competitive interplay among Spanish regions and nationalities in pursuit of political and economic power, as well as for legitimation for their institutional development. Spain confronts the turn of the millennium with much of its ancestral legacy undamaged by the powerful solvents of early modernity. The working out of federal arrangements which could accommodate the asymmetrical relationships among its constituent units is a formidable challenge. Recent steps taken in such a direction have resolved secular divergence with negotiation and agreement. In Spain, ethnoterritorial cooperation may not only overcome territorial conflicts but can provide also a deepening of democracy by means of a more effective access of civil society to political decision-making, something which overlaps with its internal ethnic and cultural diversity.

TABLE 1: General Election Results for the Chamber of Deputies (1977-1993)

	1977		1979		1982		1986		1989		1993	
	Popular Vote (%)	MPs (#)	Popular Vote (%)	MPs (#)	Popular Vote (%)	MPs (#)	Popular Vote (%)	MPs (#)	Popular Vote (%)	MPs (#)	Popular Vote (%)	MPs (#)
Socialist Party (PSOE)	29.3	118	30.5	121	48.4	202	43.4	184	39.6	176	38.7	159
Popular Party (PP)	8.3	16	6.0	9	26.4	106	26.0	105	25.8	106	34.8	141
Union of Democratic Centre (UCD)	34.6	165	35.9	168	6.9	12	--	--	--	--	--	--
Democratic and Social Centre (CDS)	--	--	--	--	2.9	2	9.2	19	7.9	14	1.8	--
Communist Party/United Left (PCE/IU)	9.4	20	10.8	23	3.9	4	4.7	7	9.0	17	9.6	18
Convergence and Union (CIU)	2.8	11	2.7	8	3.7	12	5.0	18	5.0	18	4.9	17
Basque Nationalist Party (PNV)	1.7	8	1.5	7	1.9	8	1.5	6	1.2	5	1.2	5
Peoples' Unity (HB)	--	--	1.0	3	1.0	2	1.1	5	1.1	4	0.8	2
Basque Left (EE)	0.3	1	0.3	1	0.5	1	0.5	2	0.5	2	--	--
Basques' Reunion (EA)	--	--	--	--	--	--	--	--	0.7	2	0.6	1
Republican Left of Catalonia (ERC)	0.8	1	0.7	1	0.7	1	--	--	--	--	0.8	1
Andalusian Party (PA)	0.2	1	1.4	5	--	--	--	--	1.0	2	--	--
Aragonese Regional Party (PAR)	--	--	0.3	1	--	--	0.4	1	0.3	1	0.6	1
Valencian Union (UV)	--	--	--	--	--	--	0.3	1	0.7	2	0.5	1
Canary Coalition (CC)	--	--	--	--	--	--	0.3	1	0.3	1	0.9	4
Others	12.6	9	8.9	3	3.7	--	7.6	1	6.9	--	4.8	--
Total	100.0	350	100.0	350	100.0	350	100.0	350	100.0	350	100.0	350

Source: Spanish Ministerio del Interior and Junta Electoral Central.

- PSOE:** Spanish Socialist Party (Socialist International).
PP: Spanish Popular Party (Christian Democrat International).
UCD: Centrist coalition which disappeared after the 1982 General Election.
CDS: Centrist party created in 1982 (Liberal International).
PCE/IU: Spanish Communist Party/Coalition of PCE, radical socialists and independent leftists (European United Left).
CIU: Centre-right Catalan nationalist coalition (CDC-Liberals and UDC-Christian Democrats).
PNV: Centre-right Basque nationalist party (Christian Democrat International).
HB: Basque independentist coalition and political arm of ETA secessionists.
EE: Basque socialist party which merged with PSE/PSOE in 1993.
EA: Breakaway party from PNV. Centre-left nationalists.
PA: Andalusian nationalist party.
PAR: Aragonese nationalists.
UV: Valencian nationalists.
CC: Multi-party regionalist coalition in the Canary Islands.
ERC: Catalan independentist party.

TABLE 2: Regional Share of Spanish GDP and Spanish Population

	% Share of Spanish GDP				Population (1991)	
	1987	1988	1989	1990	Inhabitants	% of total
Catalonia	19.35	19.30	19.36	19.41	5,959,929	15.5
Madrid	16.05	15.82	15.95	16.15	4,845,851	12.6
Andalusia	12.47	12.61	12.65	12.64	6,984,743*	18.2
Valencia	10.44	10.55	10.51	10.47	3,831,197	10.0
Basque Country	6.11	6.09	6.09	6.05	2,093,415	5.4
Castile-Leon	6.03	6.05	5.94	5.95	2,537,495	6.6
Galicia	5.91	5.89	5.88	5.88	2,709,743	7.1
Canary Islands	3.85	3.93	3.84	3.72	1,456,474	3.8
Aragon	3.42	3.39	3.39	3.39	1,178,521	3.1
Castile La Mancha	3.36	3.35	3.38	3.38	1,650,083	4.3
Asturias	2.79	2.73	2.72	2.69	1,091,093	2.8
Balearic Islands	2.65	2.71	2.69	2.64	702,770	1.8
Murcia	2.23	2.25	2.27	2.28	1,032,275	2.7
Extremadura	1.82	1.82	1.81	1.83	1,050,490	2.7
Navarre	1.51	1.50	1.50	1.50	516,333	1.3
Cantabria	1.28	1.28	1.29	1.29	523,633	1.4
La Rioja	0.73	0.73	0.73	0.73	261,634	0.7
SPAIN	100.00	100.00	100.00	100.00	38,425,679	100.00

*Also includes the population of Ceuta and Melilla, Spanish North-Africa cities

Source: Spanish 1991 Census (*Instituto Nacional de Estadística*) and FIES data (*Fondo para la Investigación Económica y Social*).

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