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## The Democratization of Spain: The Role of Consensus and Moderation

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Meghan Sifuentes, having been admitted to the Carl and Winifred Lee Honors College in Fall 2001 successfully presented the Lee Honors College Thesis on April 19, 2006.

The title of the paper is:

"The Democratization of Spain: The Role of Consensus and Moderation"

A handwritten signature in blue ink, appearing to read 'Robert Peters', is written over a horizontal line.

Dr. Robert Peters, Public Affairs & Administration

A handwritten signature in black ink, appearing to read 'Robert Felkel', is written over a horizontal line.

Dr. Robert Felkel, Spanish

A handwritten signature in black ink, appearing to read 'Gunther Hegal', is written over a horizontal line.

Dr. Gunther Hegal, Political Science

# The Democratization of Spain: The Role of Consensus and Moderation

Meghan Sifuentes

April 2006

Lee Honors College Undergraduate Thesis

## Introduction

The Spanish transition to democracy is justly deemed a success story due to the relative fluidity of the process, the non-violent means in which Spain was able to consolidate, and the stability of the democratic system over the last quarter of a decade. Particularly noteworthy to Spain's success at democratic consolidation was the history and events that preceded its foundation. The failures of Spain's previous attempt at a democratic state, the brief and chaotic Second Republic (1931-36), gave rise to the Spanish Civil War, a costly and bloody conflict that polarized a nation. The Civil War in turn gave birth to one of the longest and most entrenched dictatorships of the last century, the Franco regime (1939-1975).<sup>1</sup> Few at that time would have predicted the return of democracy in Spain through non-violence, consensus, and moderation. Spain's historical background is proof that democratic consolidation in the post-Franco era was nothing short of miraculous. How then, did a country considered "anarchic in nature" undergo the process of democratic consolidation success fully? The answer lies within the ideas of consensus and moderation that were ever present throughout the transition. Spain's history of polarization, divergence, and suppression were vivid reminders of how the success of the transition into democracy would be crucial to the welfare of the post-Franco Spanish state. Thus, a capable and cognizant elite group of leaders upheld the ideas of consensus of moderation throughout the transition process, in an effort to modernize from the top. I argue that the ideas of consensus and moderation were the lynchpins to the success of the democratization process in Spain after 1975. In the following analysis, an investigation of the key events of the transition will show and how the consensus and moderation were key to Spain's successful democratization.

Within the Spanish transition were a variety of key elements and events that facilitated the move from Franco's rigid dictatorship to the parliamentary monarchy of today. The role of leadership, particularly from King Juan Carlos, and the first freely elected prime minister after Franco's death, Adolfo Suárez, is an important factor in Spain's transition to democracy. The two leaders demonstrated negotiation skills, resolve, and flexibility, while orchestrating the move to consolidation. Their commitment to democratic values fueled the peaceful transition. Few could argue that the transition would have been successful without the skillful supervision and negotiation capabilities of King Juan Carlos and Adolfo Suárez.

Likewise, the elections of 1977 marked a clear move in the consolidation process. The elections were the first example of political pluralism and established a clear separation from Francoism. The moderation and caution exhibited by the majority of political parties involved exemplified the new ideology of "politics of consensus."<sup>2</sup> All major political parties demonstrated a resolve to form a consolidated parliamentary democracy by making a shift towards the center and to associate themselves with a stance of moderation and a unified commitment to democracy.

The Moncloa Pacts were the first true example of consensus and agreement to dismantle the Franco regime from the inside out. With the partnership of Franquist elites and opposition leaders the two groups endured tedious efforts at negotiation and compromise to create a series of economic and political reforms. The Moncloa Pacts were a response to growing economic and political concerns that had remained unaddressed under the leadership of former prime minister Arias Navarro.<sup>3</sup> The Moncloa

Pacts gave assurances that the transition to democracy could be achieved through peaceful negotiation and compromise.

The Constitution of 1978 institutionalized the ideas of democracy and tackled the historically volatile issues of regional nationalism and the separation of church and state.<sup>4</sup> The 1978 Constitution was a multi-political party endeavor, which proved challenging in the face of a myriad of political ideologies and positions. Particularly crucial was the compromises forged between the Unión de Centro Democrático (UCD), centrist party and the Partido Socialista Obrero Español (PSOE), socialist party. The use of purposefully ambiguous language and the inclusion of controversial issues legitimized the Constitution and further exemplified the idea of consensus among varied groups. In consequence, the Spanish Constitution proved successful upon its completion and approval on December 27, 1978.<sup>5</sup>

The attempted military coup of 1981 stands out as perhaps the most threatening event to the nascent democracy. Throughout the transition the Spanish military had remained relatively intact and therefore retained much of its pre-transition power. It is important to understand that the crux of Franco's government lay within a militaristic right-wing regime. Thus, the progressive modifications of the new democracy directly threatened hard-line Francoist military leaders. Acting under the supposed blessing of King Juan Carlos, the commander in chief of the Spanish armed forces, Colonel Antonio Tejero, and members of the Guardia Civil, held the Cortes (parliament) hostage for what was to be an extremely tense few hours. Other military leaders, including Captain General Jaime Milans del Bosch of Valencia, declared martial law and issued a manifesto in the name of King Juan Carlos.<sup>6</sup> The attempted military coup proved unsuccessful due

to its leaders' inability to gain support from a substantial number of other military leaders and to the lack of backing by the commander in chief, King Juan Carlos. Nevertheless, the attempted military coup of 1981 proved decisive, for it soon led to a unified front from both left and right parties against future conspirators. Likewise, it boosted public support of democracy and made apparent the continued need for compromise and consensus in the move towards democratic development.

An examination of the role of the 1982 elections will follow. The elections marked the end of the transition as the socialist PSOE party won a majority and the party's political leader, Felipe González, took over as prime minister. The 1982 elections are important because they marked the first democratic transition of power from the UCD government headed by Prime Minister Calvo Sotelo to the Socialist PSOE party under the leadership of Felipe González. The PSOE symbolized the first genuine political party in the majority, as opposed to the coalition party of the UCD. The elections of 1982 marked the end of the need for a centrist coalition party like the UCD and the end of the transition itself.<sup>7</sup> Spain was prepared to embark on a democratic trajectory aimed at European integration and continued political and economic reform.

The above events and elements were crucial to the overall success of democratic consolidation within Spain and must be evaluated in further detail. In order to understand how the above factors facilitated the ideas of consensus and moderation a brief analysis of the events leading up to 1975 is required to shed further light on how the issues of the leadership of King Juan Carlos and Adolfo Suárez, the 1977 elections, the Moncloa Pacts, the 1978 Constitution, the 1981 attempted military coup, and the 1982 elections are examples of consensus and negotiation within Spain's consolidation. As the historian

Edward Malefakis argues, “in Spain, the events after November 20, 1975, would be completely incomprehensible if one did not understand what had transpired during the previous two decades . . . Democracy in Spain was made possible only because it was preceded by a long period of what might loosely be called protodemocratization. This period is therefore as deserving of examination as the one following Franco’s death.”<sup>8</sup>

The year 1975, the year of the death of the authoritarian General Francisco Franco, is arguably the year in which the Spanish transition officially began. With the death of General Franco in the early hours of November 20, 1975, few believed that the Francoist regime would remain unchanged.<sup>9</sup> Prior to the *Caudillo*’s death, numerous economic and cultural changes within the Franco regime had previously occurred, and led most to believe a transition towards democracy would follow. Particularly crucial was the economic boom of the 1960’s, which was a direct result of the liberalization of the Spanish economy. Between 1959 and 1973, the Spanish GDP had risen at an annual rate of 7.3% due to the increase of foreign investments in a profitable tourist industry, the remittances of refugees working abroad, and an increase of foreign loans.<sup>10</sup> In the years from 1960 to 1970, only Japan boasted faster and more sustained economic growth, a development that propelled Spain’s economy to the ranks of the world’s top ten by the mid-1970s.<sup>11</sup> Prior to Spain’s economic liberalization, General Franco maintained a staunch policy of isolation, effectively limiting Spain’s interaction with capitalist societies. With the liberalization of the Spanish economy throughout the 1960s and 1970s a new culture emerged that was clearly a direct influence of an increasing capitalistic Spanish society.<sup>12</sup> In effect, a growing number of Spaniards were interested in modernizing Spain and becoming a member of the strong European Economic



Community. By the time of General Franco's death in 1975, Spain was an advanced capitalist industrial society that had outgrown an archaic regime. Few believed that the Spanish system could remain the same after the passing of the regime leader. The issue then became how would this impending transition take place and who would bring it about? After November 20, 1975, a clear transformation was about to ensue, but which course was Spain to follow?

General Franco had struggled with the issue of succession for a number of years leading up to his death. In 1969 it was decided that the role of successor would fall to Prince Juan Carlos de Bourbon, restoring the monarchy to Spain after forty-four years.<sup>13</sup> Two days after Franco's death, Juan Carlos was crowned King of Spain and the fate of the Francoist regime remained unclear. Juan Carlos had been groomed under the Franco regime throughout his childhood and was perceived to be able to lead Spain into a new era, all the while staying loyal to the fundamental principles of Franco's *Movimiento*. Others regarded Juan Carlos with distrust, particularly the Left opposition, believing him to be Franco's puppet and too deeply entrenched within the military's hard-line right wing. The young monarch had a long association with the military, including having graduated from Spain's military academy. All the while others believed that he could be the key to the democratic transition, because he was part of the Borbón legacy, a family sentiment most clearly voiced by his father, Don Juan who advocated for change and Spanish unity. In a Parisian declaration published on November 21, 1975, Juan Carlos' father Don Juan stated that "the duty of the monarchy now was to overcome the Civil War, establish social justice, eliminate corruption, consolidate a real pluralist democracy and seek full integration into the European Community."<sup>14</sup> Juan Carlos was often caught

in crossfire between his former mentor, General Franco, and his father, Don Juan. At the time of Franco's death little was known about Juan Carlos' own personal convictions, mainly because Franco and his Francoist leaders were unwilling to allow Juan Carlos to publicly divulge his political stance.

In January 1970, the Prince received a rare opportunity to be interviewed by *New York Times* journalist, Richard Eder. In the interview, Juan Carlos discussed his plans for Spain after he would succeed General Franco. According to Eder the Prince had "begun to let his acquaintances know that he does not accept the role apparently chosen for him: that of docile successor [and that] he has no intention of presiding over a dictatorship . . . He insists that only under some form of democracy will he have any real chance of remaining King of Spain . . . 'I am Franco's heir', he told a visitor not long ago, 'but I am Spain's heir, as well.'"<sup>15</sup> In the fall of 1975, the future course of Spain was to be determined by the upcoming decisions of the new Head of State, King Juan Carlos, who had made clear he meant to bring about change to Spain gradually and on his own terms.

### **The Effects of Leadership: The roles of King Juan Carlos and Adolfo Suárez**

It is impossible to discuss the success of the Spanish transition to democracy without explaining the role of leadership within the process. The task of democratic consolidation was a progression which involved a restructuring from the inside out. The willingness of an elite group of leaders to dissolve the institution which guaranteed their authority in order to create a new form of government is a testament to their commitment and resolve to implement change and ensure successful democratic consolidation. Equally remarkable was the negotiation and compromise exhibited by leaders of groups

from across the political spectrum and the orchestration of a few key players throughout the process. Particularly influential were the roles of King Juan Carlos and the Prime Minister Adolfo Suárez. It is difficult to determine if the results of the Spanish democratization would have been the same had it not been for their efforts towards compromise and consensus.

After the passing of the *Caudillo* in November of 1975, King Juan Carlos was left with what could only be described as a state replete with uncertainty and unease. The young monarch was faced with a complicated and uncertain future for Spain, a future in which his decisions and policy making would influence the course of the distant future. As Franco's handpicked chief of state, Juan Carlos was expected to uphold the Fundamental Laws of Franco's Movement, the foundation of the Francoist regime. After Franco's death, the King chose a path that did not include the plan for *continuismo*, or "Francoism without Franco". Instead, Juan Carlos announced his intentions to set the country on a democratic course. On November 22, 1975 Juan Carlos was officially proclaimed King by the Cortes, where the young monarch made a clear statement expressing his wishes for a new Spain. He began his speech by respectfully acknowledging Franco's dedication to Spain, but then made it indisputably clear that a new epoch was beginning.<sup>16</sup> He called on the nation to participate in a national consensus, consequently establishing his role as "El Pilota del Cambio" (the pilot of change).<sup>17</sup>

The role of Juan Carlos in the transition is crucial to the better understanding of its success. The King served as the ultimate mediator between the staunch right-wing Francoists and a left that was anxious for change. On numerous occasions, Juan Carlos's

military background issued assurances to wary traditionalists, who demonstrated their discomfort with the concessions they were required to make during the consolidation process. Likewise, the young monarch was seen as a young, modern, capable leader by the Spanish public. Throughout the democratic transition, King Juan Carlos toured extensively in Spain to encourage public support and confidence. The King also gave legitimacy to the process of consolidation by garnering support. Prior to the ratification of the 1978 Constitution, Juan Carlos was the official Head of State, and therefore, was considered the official authority regarding the legality of the transition. Overall, throughout the democratization process, the role of Juan Carlos was one of mediator through his sacrifice and willingness to compromise.

The Franco regime based its authority on an ever present military committed to the Francoist ideals established in the *Movimiento*. Francoist military leaders were less than willing to give up the authority specifically granted to them under Francoism, so the responsibility of a mediator like Juan Carlos was crucial to the success of democratic consolidation. There were many tense moments in which the right-wing traditionalists threatened the fragile democracy. As Commander-In- Chief, Juan Carlos was the only power that prevented them from overthrowing the nascent state. The King represented the monarchy, an institution that trumped all threats posed by the military. It cannot be underestimated that Juan Carlos provided a direct link between the old military regime and the new consolidated Spain.<sup>18</sup> His military academy background and Francoist associations provided the loyalty and assurances necessary to carry Spain into a new era. As Richard Gunther argues, “a partisan president would have lacked the kind of legitimacy possessed by Juan Carlos: no partisan president could have commanded the

obedience of potentially rebellious military officials.”<sup>19</sup> Similarly, Juan Carlos commanded the respect of the left. The leader of the Communist Party, Santiago Carrillo, stated that the King served as “the hinge between the apparatus of the State and the authentic aspirations of civil society.”<sup>20</sup> Juan Carlos bridged the gap between the conservative right and the progressive left.

Equally important was Juan Carlos’ role as public figure and international diplomat. During the anxious transition the King toured extensively to rally support for the new phase in Spanish history. He traveled throughout Spain and in particularly volatile areas like the Basque and Catalan regions, which provided distinct challenges to consolidation. On February 16, 1976, while on tour in Barcelona, the King made a moving speech in Catalan assuring that regional nationalism would be respected and honored within the new Spain.<sup>21</sup> The gesture was remarkable given that under the Franco regime regional nationalisms, like any other languages other than Castilian, were severely oppressed. Against the advice of government officials, particularly those who swayed towards Francoist traditions, Juan Carlos made numerous efforts at gaining the support of all Spaniards including regionally distinct peoples like the Basques and Catalans.

Likewise, Juan Carlos assumed the role of international diplomat by introducing and selling the idea of Spanish democracy to the rest of the world. On June 2, 1976 Juan Carlos was received by President Ford and addressed a joint session of the U.S. Congress and Senate. In no uncertain terms, he declared Spain’s commitment to democracy and unyielding drive towards its consolidation. The monarch’s visit to the U.S. proved successful because his speech was later reported around the world where he was

championed as Spain's engine of change.<sup>22</sup> The international support afforded to the King created the confidence and resolve to continue on the trek toward democratic consolidation.

Perhaps the most crucial factor in the consolidation process was the legitimacy provided by King Juan Carlos. The transition was remarkable in its ability to complete its transform from the inside out. The success of the Falange regime to redefine itself as a constitutional monarchy is greatly due to King Juan Carlos. As General Franco's designated successor, Juan Carlos was legally able to lead Spain from the Francoist regime to a democratic state, all within the confines of Franco's *Movimiento* and Fundamental Laws. Throughout the consolidation process the King remained informed of all decisions, and only with his support did the transition maintain its legality. It has been stated that the long term goal of Juan Carlos was to act as constitutional monarch above politics, but the circumstances of the consolidation process required him to take a political role.<sup>23</sup> Within the first few years of his reign, Juan Carlos established himself as a capable leader whose support provided the legitimacy and legality necessary to create change.

Overall, the role of Juan Carlos was crucial to the success of the democratization of Spain. Throughout the transition process the King demonstrated a fine example of a leader committed to the ideals of democracy through consensus and compromise. Juan Carlos bridged the two extremes of the political spectrum: the Falange Movement and the popular Left. The young monarch began his reign by establishing himself as a leader that represented all interests of Spain, and demonstrated a resolve to represent all equally. Likewise, Juan Carlos served as a successful diplomat before a scrutinizing international

public. Equally important was the monarch's ability to provide legitimacy to the transition, while working within the system. The leadership of Juan Carlos was an essential part of the success of the transition due to his dedication to working with a variety of key elites on all sides and his readiness to compromise. Indeed, Spain owes a great deal to the leadership and personal sacrifice of its monarch King Juan Carlos.

Within the first year of the monarch's reign, Prime Minister Arias had proved to be ineffective. Carlos Arias Navarro was a remnant of the Francoist regime and lacked the resolve and charisma to carry through with the new reform. Relations between Juan Carlos and Arias were tolerant at best, but by mid-1976, the King saw the need for a more progressive and compromising leader. The failure of the Arias government was due in part to its unwillingness to negotiate with the left-wing opposition and the government's doctrine to repress mass unrest. Reform efforts were not occurring at a satisfactory pace and too much of the government's practices remained reminiscent of the Franco regime. On July 1, 1976 King Juan Carlos made the decision to call for Arias's resignation and a new phase in the transition was to begin under the leadership of Adolfo Suárez.<sup>24</sup>

Suárez was an unlikely candidate for the position of prime minister due to his relative obscurity, but his background as a Francoist bureaucrat combined with his youthful charm made him a promising leader. Juan Carlos made the unlikely choice of Suárez because his lack of prominence within the Franco regime meant that he did not have the baggage of the past, but at the same time, most felt he was not too radical a break for the more traditional Falangists.<sup>25</sup> Juan Carlos' decision proved successful, given that Suárez was eventually able to convince the Francoist parliament to disband,

peacefully relinquish its power, and was able to persuade the historic opposition of the Franco regime, (the Partido Comunista de España, Communist Party), to abandon its dream of restoring a republican government through revolution.<sup>26</sup> It was undoubtedly through moderation, compromise and consensus that Suárez realized his greatest achievements during the Spanish democratic transition.

The new youthful Suárez government set its sights on a series of reforms that included a two part process: First, the government sought out the support of all three main political forces, including the military, the democratic opposition, and reform-oriented regime members. Second, they sought to create a reform law that would gain legislative approval. In essence, the Suárez government wanted to construct a referendum from above. Under the direction of Adolfo Suárez, the new government succeeded in its attempts at reform. On December 6, 1976, the referendum on the Political Reform Law successfully ended Franquism via constitutional reform and persuaded the democratic opposition to comply with new restructuring.<sup>27</sup> How did Adolfo Suárez achieve the challenging reform efforts that his predecessor Arias Navarro failed to accomplish? The answer lies in Suárez's ability to negotiate and compromise through consensus and the involvement of a variety of political players across the political spectrum.

Suárez saw the need for reform within the Franquist institutions in order to establish the new democratic government. The Political Reform Law sought to dismantle some of the most important institutions of the Franco regime in order to help make the break between the authoritarian and democratic regimes less traumatic for Falangist leaders. It is easy to understand why Francoist elites would be hesitant to dismantle the



institutions that held them in power. With promises of moderation and in particular, the exclusion of the Communist Party (PCE) from participation in the transition, Suárez was able to gain the support of the right during the reform efforts. The Left viewed Suárez with promise, as he represented the “new generation” of change and negotiation. Throughout the process, Suárez negotiated and compromised with all sides, which garnered him the worthy nickname, “The Great Negotiator”.<sup>28</sup>

Throughout Suárez’s efforts at reform, the Left changed its ideology based on a break from Francoism to a negotiated democratic break. Suárez assured the opposition that they would be included in the transition and that their input would be valued. Suárez stayed true to his promises to the Left when he eventually legalized the Communist Party (PCE), much to the outrage of the right-wing military. The prime minister saw the need to include all facets of the political sphere, even at the risk of isolating some of the staunch Francoist elite. Suárez’s calculated bargaining and effort toward compromise provided the necessary balance to legitimize his reform efforts and include all groups.

The success of Suárez’s Political Reform Law was due in large part to the concessions it provided for both sides. The Left was satisfied with the inclusion of the notion of popular sovereignty, which appeased Catalan and Basque regions with the fact that the Political Reform Law, made no mention of Franco’s *Movimiento* or National Council. The Right was eventually convinced because the Reform Law made no provision for government responsibility to the legislature, and because the Council of Realm, while it was to be more democratized, remained intact. Equally important, was that King Juan Carlos backed Suárez’s reforms, providing assurances that satisfied the Right wing.<sup>29</sup> Although the Political Reform Law was to go through more alterations, the

general concept of consensus and moderation remained prevalent and eventually accounted for its success.

Adolfo Suárez proved himself as a capable leader who was willing to negotiate and create a new type of politics, based on consensus. His finely crafted Political Reform Laws proved that with moderation and compromise, the incorporation of all political sides in the national enterprise was possible. The prime minister served as an example throughout the consolidation process and set the tone for the 1977 elections, the first democratic elections since 1931.<sup>30</sup> With the public support of the transition with them, Prime Minister Suárez and King Juan Carlos had formed a productive centrist government capable of leading Spain into a new chapter. The culmination of their efforts and the ideas of moderation, consensus, and compromise were the predominant themes of the impending 1977 elections.

### **The Influence and Significance of the 1977 Elections**

Riding high after the success of the Political Reform Law, Suárez viewed the 1977 elections as an opportunity to legitimize his government by a democratic popular vote. The prime minister established a new political party, the UCD (Unión del Centro Democrático) as a centrist coalition party whose ideology was based on the ideas of consensus and cautious reform. With the exception of radical parties, all political parties exhibited moderation and caution in the elections. The most repeated slogan was one of commitment to a centrist non-violent stance and to democratic consolidation.<sup>31</sup> The political parties all employed ambiguous messages that attempted to avoid confrontation. The establishment of a parliamentary democracy took precedence over partisan concerns.<sup>32</sup>

By the end of the 1977 elections, Suárez's UCD party and the Socialist PSOE, headed by Felipe González, were the most successful at representing themselves as part of the core symbols of the transition. The UCD and PSOE accounted for 63 % of the votes cast and 80 % of the seats in the Congress of Deputies or Cortes. The Communist Party (PCE) and Alianza Popular (AP) also gained a considerable number of seats in the new Parliament, proving that the new government was a pluralistic democracy.<sup>33</sup>

Overall, the elections were free from corruption and resulted in the UCD's victory in Parliament, granting the Suárez government democratic legitimacy. The elections also exhibited impressive results by the Socialist parties, which meant that they would be included in the drafting of the Constitution. Poor results from extremist groups verified that the public supported moderation and the idea of consensus, versus the more extremist measures.<sup>34</sup> Reminders of the 1936 democratic elections, which preceded the Spanish Civil War, provided the incentive for varied political powers to endeavor towards compromise and bring about a new system based on a common objective. The outcome of the 1977 elections confirmed that regime elites and the Left would have to share one unified goal: the consolidation of a parliamentary democracy.

### **The Moncloa Pacts**

Between 1973 and 1977, the Spanish government had focused exclusively on the political transition and had not addressed the growing economic problems of unemployment and inflation. Although inflation never fell below 15 %, unemployment had risen more than two and a half times between 1973 and 1977.<sup>35</sup> Due to growing unrest and labor strikes, Prime Minister Suárez finally began to address these concerns in early October 1977. The Moncloa Pact meetings included nine major party leaders who

met to discuss the country's growing economic issues. The ending result included an economic and political pact, although the economic part of the Moncloa Pact was considered most crucial.<sup>36</sup>

The economic concerns addressed in the forty-page text of the Moncloa Pacts included increased pensions by 30 % and increased unemployment benefits to the same level as the minimum wage. Also, a progressive tax reform was established to include new corporate taxes and a permanent tax on wealth.<sup>37</sup> In exchange for the economic reforms workers were asked to accept a ceiling of 22 % on wage increases until 1978.<sup>38</sup> Labor unions were satisfied with the economic reforms and in exchange agreed to end the crippling labor strikes.

Likewise, the Moncloa Pacts included a number of political reforms aimed at revising the educational system, addressing housing shortages, social security concerns, agrarian reform, and perhaps most crucially, reforms to the Law of Public Order. The Moncloa Pacts created some 700,000 new classrooms for students in public schools and promised to introduce new curriculum that included regional language and culture. Under the Franco regime, regional languages such as, Basque or Catalan were strictly prohibited from being included in public education curriculums. Programs aimed at addressing the housing shortages included the construction of subsidized housing and control of urban land speculation. Social security reforms included increased control and scrutiny of Parliament over existing and future programs. Agrarian reform efforts were established to convert renters into landowners and put an end to sharecropping.<sup>39</sup> All of the above aims at reform included a more progressive and inclusive approach at economic and political policies.

The political agreements of the Moncloa Pacts were short-term legislative measures that were meant to address current matters until the Constitution was drafted. Perhaps most important was the revision of the Law of Public Order. The reforms redefined the concept of public order and included new legislation concerning the Civil Guard. The police force had been formerly under the control of the military, but now was placed under the Ministry of Interior, beginning the transfer of power from the military to civilian control.<sup>40</sup>

The Monocloa Pacts were central to the Spanish transition due to their success at addressing economic concerns posed by labor unions and the economy crisis of the 1970s. Similarly, the political reforms tackled grave issues that remained unchanged from the Franco regime. Perhaps most importantly, the Moncloa Pacts reaffirmed the transition's commitment to compromise and the ability of the elite leadership to negotiate with groups from across the political sphere. To practice in other words, what is known as the politics of consensus. A new, pluralistic, government was redefining Spanish policymaking and creating reforms that were drastically different from those found under the Franco regime. This new strategy would produce continued success during the drafting of the 1978 Constitution.

### **Drafting the 1978 Constitution**

Laura Desfor Edles describes a constitution as “an attempt by political elites to forge political order, by expressing the shared value of democracy, i.e. the right of the people to govern, rather than the partisan interests of the elites of the political community.”<sup>41</sup> The 1978 Spanish Constitution exemplified how a group of political elites negotiated tirelessly to create a constitution that tackled some of the most

controversial and volatile issues in Spanish politics and formally institutionalized the nascent democracy. The success of the drafting of the 1978 Constitution was viewed as a triumph because of the ability of a group of political elites to further utilize a ‘politics of consensus’ strategy, while including multi-partisan ideologies. The 1978 Constitution was intrinsic in the trajectory of the Spanish consolidation process, because it institutionalized the idea of democracy through non-violent means and established the foundations to new Spanish policymaking and the new Spanish state.

The drafting of the Constitution began on August 1, 1977 when a sub-committee of the Cortes was formed by seven leaders of the main political parties of the Parliament. There were three leaders were from the UCD party, one from the PSOE socialist party, one from the Communist party, one Catalan centrist, and one representative of the AP party, all representing various facets of the political spectrum within Parliament. All agreed to an oath of secrecy and to an alphabetical rotation of the position of subcommittee chair throughout the drafting process.<sup>42</sup> The writing of the Constitution would prove to be an arduous, complicated task, marked by a series of mini crises and tense moments. If it had not been for the leaders’ commitment to democracy and their ability to negotiate effectively, the drafting of the Constitution would not have yielded the same results.

The two most debated issues concerning the Constitution dealt with the questions of clericalism and nationalism. Under the Franco regime, Catholicism was declared the official religion, creating iron-clad ties between state institutions and the Church. The drafters of the Constitution struggled to agree on controversial subjects concerning public education and the influence of the Church, abortion and divorce, and freedom of religion.

Likewise, the debate over regional nationalism loomed heavy. The Franco regime had fought tirelessly to suppress all forms of national identity and to outlaw many forms of its expression. The two major cleavages of clericalism and regional nationalism created distinct challenges for the leaders and demanded that they employ compromise, negotiation, and moderation throughout the drafting of the Constitution.

Although the drafting process was not free from heated arguments and walk-outs, most notably by the PSOE party on March 7, 1978, the political elites worked diligently to create one of the most advanced Constitutions in Europe.<sup>43</sup> How then did they agree on these historically explosive concerns? The 1978 Constitution deals with the major cleavages in Spanish society by using vague and ambiguous language to satisfy both sides. The carefully-constructed document was a product of sacrifice on all political sides and is a testament to the commitment of the elite leadership to tackle the main concerns of clericalism and regional nationalism by means of the Constitution.

In regard to the issue of the Church and state, the drafters agreed that state funding would be insured for religious institutions, but that the state has the authority to inspect all educational institutions. The AP and UCD political parties advocated for the continuation of funding to religious educational institutions, while the Socialist PSOE wanted more state involvement and guidelines.<sup>44</sup> In reference to the issue of abortion and divorce, the constitutional text allowed for the eventual legalization of divorce, but used minimal and vague terminology that neither legalized nor prohibited divorce and abortion.<sup>45</sup> The issue of the de-establishment of the Catholic Church was the most highly polarizing issue concerning clericalism. The PSOE socialist party and the PCE communist party argued that all official state associations with the Catholic Church be

dissolved, but to right-wing parties the idea of a secular state was incomprehensible. The two sides compromised and included the acknowledgement of the Catholic Church within the state, but also allowed for religious tolerance and pluralism.<sup>46</sup> The negotiation and compromise exhibited on all sides cannot be overstated given the complexity and historical background of clericalism in the Spanish state. The Constitution's success at addressing this controversial and divisive issue is due the drafters' implementation of the politics of consensus and to their dedication to establishing real democracy.

Equally polarizing in the drafting process was the question of national regionalism. The AP party proposed a unitarian state that was relatively unchanged from the Franco regime, while nationalist parties from the Basque and Catalan regions sought the right to self-determination. The eventual result was the granting of autonomy to each region, while preserving the indivisibility of Spain.<sup>47</sup> Representatives from Catalonia endorsed the final result, but the Basques rejected it, which led to further conflict in the following years.<sup>48</sup>

On October 31, 1978 both houses of the Cortes formally approved the Constitution, and in December of 1978 the Spanish public ratified it, legitimizing the new democracy.<sup>49</sup> Nicknamed the "Constitution of Consensus", the final product was nothing short of exemplary. The elites' ability to negotiate and compromise successfully allowed for formal institutionalization of the Spanish democracy. Particularly crucial was the UCD party and PSOE party's willingness to negotiate. Both parties allowed for the ability to break paralyzing stalemates on more than one occasion, which resulted in the quick movement of the Constitution out of committee and through the Cortes.<sup>50</sup> Once



again, the politics of consensus were put into practice yielding practical results: the 1978 Spanish Constitution.

### **23-F: The Unforeseen Results**

The attempted military coup d' etat of 1981, was a crucial moment in the transition to democracy. On February 23, 1981 a group of Francoist military leaders attempted to overthrow the new democracy in the name of King Juan Carlos, who they claimed supported the coup d' etat. The attempted coup was thwarted due to the leadership of King Juan Carlos and the united leadership of government officials. The events of February 1981 were one of the most serious threats to the Spanish state, but ultimately they reaffirmed the necessity of compromise and consensus and united Spaniards in a continued endeavor towards the consolidation of democracy. It is therefore important to examine the motivations behind the attempted coup, and how the failure of a few disenchanted military leaders accounted for part of the success of Spanish democracy.

By the year 1981 some military “hard-liners” had felt that they had been repeatedly deceived and betrayed by the transition. The Suárez government had given three important assurances to gain the support of the military during the consolidation process. These assurances included that the Communist party would never be legalized, that regional autonomy would not be granted, and that transitional reforms would not include a complete dismantling of Francoism. In all three instances the Suárez government was unable to remain true to its word, creating growing hostilities between transition leaders and the Francoist military. From 1975 to 1981, a number of military leaders resigned in frustration and outrage to the new changes and were replaced with

more liberal leaders.<sup>51</sup> The replacements only increased the animosity between the Francoist military and reformists. The cleavage between transition leaders and right-winged military leaders created a divisive environment conducive to takeover attempts. It is known that between 1975 and 1982 there were at least five planned coup d' etats uncovered by the government.<sup>52</sup> Threats to the emerging democracy were real and ever present.

Contributing to the hostile situation was growing activity by Basque terrorist groups, which fueled right-wing military leaders' insistence on change. Ironically, both groups were disenchanted with the transition and advocated for immediate results. Military leaders felt that the new government failed to resolve the Basque terrorism using appropriate force, and Basque independence groups wanted increased autonomy and recognition. Each prompted the other side into becoming increasingly more volatile and reactionary.<sup>53</sup> The disillusion and frustration came to a breaking point on February 23, 1981.

On February 23, 1981 the Cortes was in session taking part in a ballot roll call to decide on whether to accept the new Calvo Sotelo administration. While in session, Colonel Antonio Tejero and the Guardia Civil burst into the Cortes and held the Cortes hostage. Meanwhile, Captain General Jaime Milans del Bosch of Valencia declared martial law in the city of Valencia and issued a manifesto in the name of King Juan Carlos. Milans del Bosch telephoned other generals around the country in support of the coup and claimed that he and his fellow conspirators had the support of the King. At the same time, King Juan Carlos attempted to contact the same generals to demand that they reject all actions of the coup d' etat. By February 24 Juan Carlos had gained the

confidence of the majority of the military leaders and Milans del Bosch withdrew his troops from the streets of Valencia. Colonel Tejero began to negotiate his surrender and six hours later Leopoldo Calvo Sotelo was elected prime minister by a vast majority in the Cortes.<sup>54</sup>

The failure of 23-F was due in part to the inability of Milans del Bosch and Tejero to convince a substantial number of their colleagues to participate, and to their misreading of King Juan Carlos' support.<sup>55</sup> Likewise, 23-F failed because Juan Carlos was unwilling to meet the demands of the conspirators and remained committed to the ideals of democracy. Perhaps the most important aspect of the attempted coup d' etat were the unforeseen results. The nervous hours of 23-F sparked an increasingly united feeling among leaders from across the political spectrum against the conspirators. Members of all major political parties were held hostage in the Cortes by Colonel Tejero, creating a united front against the threat to democracy. Also important was the public support of the government bolstered by 23-F. After the attempted coup, some three million Spaniards of various political beliefs, demonstrated their support of democracy in the streets of Spain. Present at the massive demonstration in Madrid were political party leaders Manuel Fraga, Felipe González, and Santiago Carrillo, as well as leaders of the UCD and national labor organizations.<sup>56</sup> The presence of leaders and demonstrators of diverse political positions illustrates how the effects of the attempted coup d' etat lent powerful support to the consolidation of democracy and the belief in moderation and negotiation. Overall, the happenings on February 23, 1981 reaffirmed that temperance and consensus were necessary if the fragile new democracy were to persevere past its infancy.

### **The 1982 Elections- End of the Transition**

The final step of the democratic consolidation process was the 1982 elections, which marked the first peaceful transfer of political power from the Right to the Left.<sup>57</sup> The PSOE victory was a historic win because it signified the dominance of a genuine political party, versus the transitional coalition of the UCD. In October of 1982, the Spanish transitional era had come to an end, as a new political party took over and brought continued success to Spain through Europeanization and improved living standards.

How was the PSOE Socialist Party able to gain the support necessary to unseat the longstanding champion of the transition, the UCD? The answer lies in what the UCD symbolized during and after the transition. The UCD was a coalition political party formed for the specific purpose of serving as the cooperative and moderate political party that could facilitate the transition. The UCD represented the road to consolidation, a function that was complete by the 1982 elections. In contrast, the PSOE represented the post-transition Spain a Spain ready to gain European recognition and assume a role in the European economy. PSOE leader Felipe González promised a modernized Spain that would include Europeanization and improved living standards.<sup>58</sup> González delivered.

Under the leadership of Felipe González and the PSOE government, Spain was admitted into the European Community in 1986. Immediately, the gap between other European countries' living standards and Spain's was narrowed.<sup>59</sup> Spain's increased spending on education caused for adult literacy to rise by 100 %, and the arrival of Spain as a modernized, legitimate nation was celebrated on a global scale in 1992 when Spain

hosted the World's Fair and Summer Olympics.<sup>60</sup> Spain had proven itself as an international force and serious contributor on a world-wide scale.

The 1982 elections marked the end of the transition because it signified the end of the consolidation process and the long-term stabilization of the new regime. Spain had achieved this by committing to democratic ideals and to moderation and a policy of consensus. The 1982 elections were the culminating chapter in an arduous, yet successful transition to democracy.

### **Conclusions**

Often Spain is considered the modern 'model of democratization' due to the relative fluidity and pace at which the nation was able to consolidate. Spain was able to achieve democratization through non-violent means, despite having a history of conflict and divisiveness. Few would have predicted the multiple accomplishments of Spain in the post-Franco era. The Spanish success story is the result of numerous factors, particularly the implementation of the ideas of consensus and moderation throughout key events in the transition. The notion of consensus and moderation were the core to the Spanish democratization process and account for the overall success of the transition. The democratization of Spain was a process of modification from the top using negotiation and compromise as the mainstays to stability and longevity of the new system. It is to the ideas of consensus and moderation that Spain owes its success.

The Franco regime perhaps unwittingly provided the foundation, for the transition to democracy through economic preparation and subsequential entrance into the world market. Upon Franco's passing, King Juan Carlos took the helm to provide the necessary leadership to proceed towards legitimate democracy. With his appointment of Adolfo

Suárez, the tide further turned towards a more progressive and pluralistic course. The 1977 elections created legitimacy for the Suárez government and provided the first examples of political pluralism. Under the Suárez government Spain underwent numerous reforms that included the Moncloa Pacts and the drafting of the 1978 Constitution that institutionalized the Spanish democratic state. The attempted military coup of 1981 created a cautionary reminder to Spain's leaders and general public of how fragile the democratic system was and how they had to unite against undemocratic opposition. The 1982 elections marked the end of the transition and secured the Spanish system as a long-term functioning government.

Throughout all of the above events the commitment to the democratic ideals and the notions of consensus and moderation were essential. Spain sought a course of democratization using compromise and negotiation as its compass and achieved greatness on an international scale. As Spain enjoys continued prosperity and success on an international scale it can be assumed that the lessons of consensus and moderation of the transition era are relevant to its future course and progress.

## Notes

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- <sup>1</sup> Omar G. Encarnacion, "Spain after Franco: Lessons in Democratization." *World Policy Journal* 18.4 (2001): 35.
- <sup>2</sup> Donald Share, *The Making of Spanish Democracy* (New York: Praeger Publishers, 1986), 62.
- <sup>3</sup> John Coverdale, *The Political Transformation of Spain After Franco* (New York: Praeger Publishers, 1979), 92.
- <sup>4</sup> Laura Desfor Edles, *Symbol and Ritual in the New Spain* (Cambridge: Cambridge University Press, 1998), 102.
- <sup>5</sup> D. Share, op. cit., 143.
- <sup>6</sup> Share, 170.
- <sup>7</sup> L. Edles, op. cit., 147.
- <sup>8</sup> Edward Malefakis, "Spain and Its Francoist Heritage" *From Dictatorship to Democracy, Coping with the Legacies of Authoritarianism and Totalitarianism* (Westport: Greenwood Press, 1982), 216.
- <sup>9</sup> Cristina Palomares, *The Quest for Survival After Franco* (Brighton: Sussex Academic Press, 2004), 143.
- <sup>10</sup> E. Ramón Arango, *Spain: From Repression to Renewal* (Boulder: Westview Press, 1985), 81.
- <sup>11</sup> Joseph Harrison, *The Spanish Economy: From the Civil War to the European Community* (London: Macmillian Press, 1993), 208.
- <sup>12</sup> L. Edles, op. cit., 56.
- <sup>13</sup> Paul Preston, *Juan Carlos: Steering Spain from Dictatorship to Democracy* (New York: W.W. Norton & Company, 2004), 302.
- <sup>14</sup> Preston, 321.
- <sup>15</sup> C. Palomares, op. cit., 107.
- <sup>16</sup> P. Preston, op. cit., 322.
- <sup>17</sup> O. Encarnacion, op. cit., 38.
- <sup>18</sup> E. Arango, op. cit., 99.
- <sup>19</sup> Richard Gunther et. al., *Democracy in Modern Spain* (New Haven: Yale University Press, 2004).
- <sup>20</sup> P. Preston, op. cit., 416.
- <sup>21</sup> Preston, 337.
- <sup>22</sup> Ramón Luis Acuna, "Juan Carlos I: The Democratic King," *UNESCO Courier* 2 (1995): 33.
- <sup>23</sup> P. Preston, op. cit., 330.
- <sup>24</sup> C. Palomares, op. cit., 162.
- <sup>25</sup> L. Edles, op. cit., 65.
- <sup>26</sup> O. Encarnacion, op. cit., 38-39.
- <sup>27</sup> D. Share, op. cit., 115.
- <sup>28</sup> L. Edles, op. cit., 92.
- <sup>29</sup> D. Share, op. cit., 208.
- <sup>30</sup> L. Edles, op. cit., 63.
- <sup>31</sup> D. Share, op. cit., 135.
- <sup>32</sup> Share, 137.
- <sup>33</sup> L. Edles, op. cit., 63.
- <sup>34</sup> D. Share, op. cit., 137.
- <sup>35</sup> L. Edles, op. cit., 81.
- <sup>36</sup> J. Coverdale, op. cit., 92.
- <sup>37</sup> L. Edles, op. cit., 82.
- <sup>38</sup> D. Share, op. cit., 142.
- <sup>39</sup> J. Coverdale, op. cit., 92.
- <sup>40</sup> L. Edles, op. cit., 83.
- <sup>41</sup> Edles, 102.
- <sup>42</sup> D. Share, op. cit. 144.
- <sup>43</sup> R. Acuna, op. cit., 33.
- <sup>44</sup> L. Edles, op. cit., cit. 114.
- <sup>45</sup> J. Coverdale, op. cit., 125.
- <sup>46</sup> L. Edles, op. cit., 115.

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- <sup>47</sup> J. Coverdale, *op. cit.*, 128.  
<sup>48</sup> L. Edles, *op. cit.*, 115.  
<sup>49</sup> O. Encarnacion, *op. cit.*, 36.  
<sup>50</sup> D. Share, *op. cit.*, 148-149.  
<sup>51</sup> Share, 172.  
<sup>52</sup> L. Edles, *op. cit.*, 144.  
<sup>53</sup> P. Preston, *op. cit.*, 462.  
<sup>54</sup> L. Edles, *op. cit.*, 144.  
<sup>55</sup> D. Share, *op. cit.*, 173.  
<sup>56</sup> L. Edles, *op. cit.*, 145.  
<sup>57</sup> O. Encarnacion, *op. cit.*, 36.  
<sup>58</sup> R. Gunther et. al., *op. cit.*, 208.  
<sup>59</sup> C. Palomares, *op. cit.*, 193.  
<sup>60</sup> L. Edles, *op. cit.*, 149.



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