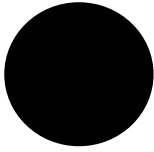


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## Spain's "Second Transition"

### Reforming Zeal and Dire Omens

*Paddy Woodworth*

Spain's supposedly exemplary transition from dictatorship to democracy, which followed the death of Gen. Francisco Franco in 1975, left a great deal more business unfinished than is generally recognized. This unfinished business has now opened an unprecedented rift between the Socialist Party government and the conservative opposition, which is issuing dire warnings of national disintegration.

There are abundant indications that a new seismic shift is under way, which may resolve some of the issues that remained outstanding after most Spaniards voted for a democratic constitution in 1978. This "second transition" could change the shape of the Spanish political landscape almost as dramatically as the first one did. The question is whether this upheaval will permit the creation of new and improved democratic institutions, or simply put the old ones under severe strain.

The current Spanish prime minister, José Luis Rodríguez Zapatero, has a strong tendency—refreshing or irresponsible, depending on your point of view—to act as though he were unaware of the legacy of the first transition. In particular, he repeatedly ignores the implicit and explicit limits that period set on political change.

It is tempting to suggest a contrast with the eponymous antihero of *Don Quixote*, the formative work of Spanish literature, whose four-hundredth anniversary is being celebrated this year. Cervantes' "knight of the mournful countenance" set out to right wrongs in a Spain that, if it had ever existed

at all, no longer corresponded to the grim realities of his time. Zapatero, whose countenance is usually remarkably cheerful, is setting out to fight equally epic battles, but it is as though he hopes to change Spain's present by refusing to accept the realities of its recent past.

The phenomenon that is Zapatero's first term may be partly explicable by the fact that he came to power with a political program that many, even in his own Socialist Party (PSOE), never expected to see implemented. Every opinion poll leading up to the March 2004 parliamentary elections suggested that the conservative Popular Party (Partido Popular, or PP) was coasting to a third consecutive victory. Zapatero was seen as an inexperienced leader who would be unable to reverse his party's fortunes on his first general election outing.

All such predictions were overturned, of course, by the Islamist train bombings three days before the elections. The key issue was not the attacks in themselves, but the governing party's apparent attempt to play politics with terrorism. The outgoing government insistently blamed the Basque terrorist group Euskadi ta Askatasuna (Basque Homeland and Liberty, or ETA) for an operation that bore all the hallmarks of al-Qaeda.<sup>1</sup>

The extraordinary circumstances of his victory forced Zapatero to take a momentous decision on election night. He immediately announced that he would honor his campaign promise to withdraw Spanish troops from Iraq. He did this in the full knowledge that such an action would be

represented by the Right, at home and abroad, as a shameful capitulation to the terrorists' agenda.<sup>2</sup>

*"The Politics of Broken Bridges"*

If Zapatero came into office with a program he had not expected to have to enact, he soon showed that he had nonetheless started as he meant to go on. He has continued to act decisively, implementing policies that break an unwritten rule of the transition—that major initiatives can only be taken in Spanish politics on the basis of consensus between left and right.

Whether it is the sale of arms to Venezuela or the legalization of gay marriage, the offer of dialogue to ETA, or the implicit recognition that Catalonia is a "nation," Zapatero has operated on the basis of his electoral mandate alone, without regard to the outrage his actions have created on the main opposition benches.

This approach has coincided with—some would say has provoked—an equally drastic departure from another longstanding convention of Spanish democracy by the Popular Party. Traditionally, a strong element of bipartisanship can be expected from the opposition on "issues of state," like terrorism and foreign policy. Instead, the party has denounced many of Zapatero's new departures with a level of invective that sometimes approaches hysteria. Explosive phrases like "betraying the dead" (in reference to Zapatero's offer to talk to ETA) and "making every effort to demolish Spain" (in reference to the PSOE's shift toward federalism) have been hurled at Zapatero like hand grenades.

This double dynamic of polarization has created a "politics of broken bridges," as the Madrid newspaper *El País* put it in a review of the parliamentary year last July. Spain's two dominant parties, the newspaper said, had never had worse relations on so many significant issues.<sup>3</sup>

On the face of it, this is not a healthy situation for a state embarking on a radical reorganization of the relationship between

the already powerful autonomous regional administrations and the central government. Nor does it bode well for a country that faces massive and unpredictable challenges, such as Islamist terrorism, and which also has a fragile opportunity to heal the running sore of the conflict in the Basque country.

On the other hand, the legacy of the transition period, with its stress on consensus at all costs, was not healthy either, and represented a kind of occult veto for the Right. These constraints are the product of a period when a military coup always seemed to be just a shot away. The 1978 constitution was negotiated under constant pressure from sabre-rattling generals in the wings, stage right.

Happily, while the current rhetoric of the Popular Party often recalls the authoritarian and hypernationalist tone of the Franco period, there is no evidence that Spain's modernized military has the slightest interest in meddling in politics today.<sup>4</sup> And Zapatero's political style is impeccably courteous. It bears no resemblance to the iconoclastic radicalism of the Left in the 1930s, which many observers believe helped create the conditions for the civil war and the dictatorship.

However, the political processes he has set in motion are certainly radical, informed by a vision of a new Spain liberated from the taboos of the past. What is not so clear is whether he is enough of a statesman to see such a vision through in a context of stability, or whether he has triggered centrifugal forces that may spin beyond his grasp.

The absence of constructive engagement from the major opposition party will make his task more difficult in some respects, though, paradoxically, it may also help him to win the next election, which could come as early as next year. The Popular Party's espousal of traditional right-wing rhetoric is very popular with its core supporters but scares off centrist voters, the fulcrum of Spanish politics.

This key importance of the center was initially well understood by the Popular Party's former leader, José María Aznar. In the early 1990s, Aznar enjoyed significant success in detaching the Spanish center from the Socialists. He was careful to appeal to this constituency when he headed his first (minority) government from 1996 to 2000. When he won an absolute majority in 2000, however, he reverted to a Spanish nationalist and even authoritarian discourse that offended many Basques and Catalans, and disturbed many liberal democrats.<sup>5</sup> Many observers expected his successor, Mariano Rajoy, a much more personable politician who was considered a man of dialogue, to reverse this tendency and steer the party back toward moderation.

Instead, Rajoy has led his party into a political foxhole, and shows no sign of climbing out of it. There are a number of reasons for this. The first is the fact that he owes his own position directly and entirely to Aznar, who stepped down from the leadership voluntarily and appointed Rajoy without any internal party debate. Aznar remains on the party's ruling council, and presides over its think tank,<sup>6</sup> but the damage to his reputation done by his handling of the March 11 bombings seems to have deprived him of the international posts he is said to have coveted. So he has little to distract him from exercising an iron grip on ideology, while no longer having to bear the responsibility of implementing it. His obsession with restoring his reputation seems to be taking precedence over the party's own future. An *El País* cartoonist, "Peridis," habitually portrays Rajoy seated on a chair with his back to Zapatero, while a half-observed Aznar is a rope master, binding his successor into ever more rigid immobility.

### *The Government in Exile*

Of course, above all else, it is the continuing controversy over the bombings that has made interparty relations so poisonous. A long-running commission of inquiry into

the attacks has kept the issues alive in the public's mind. Its report at the end of June, which the Popular Party alone refused to endorse, has done nothing to resolve a dialogue of the deaf. The current leadership claims that the party was cheated of a legitimate electoral victory by a terrorist conspiracy. It simply cannot, or will not, grasp the extent to which its own gross mismanagement created its own demise. And so it behaves, as the senior *El País* analyst Javier Pradera puts it, more like a "government in exile" than a loyal opposition.<sup>7</sup>

The contradiction between the conclusions of the parliamentary commission and the former governing party could hardly be more acute. The conservatives insist that they honestly informed the public, "almost in real time," of all the information available to them between the attacks and the elections. The commission's report, which was approved by all the other opposition parties as well as by the Socialists, states baldly that Aznar's government "manipulated and distorted" this information in the service of its own partisan political interests, in a manner "improper for any democratic government."<sup>8</sup>

The two men most responsible for (mis)informing the public, Ángel Acebes (former minister of the interior) and Eduardo Zaplana (former government spokesman) remain senior members of Rajoy's front bench. They not only deny any impropriety whatsoever, they even continue to suggest that ETA was in some way the "intellectual author" of the attacks, a case for which the Spanish police have found no significant supporting evidence.<sup>9</sup> Their statements are reminiscent of those of an old-fashioned schoolteacher who assumes that his moral rectitude will not be, cannot be, questioned. It is a style convincing only to their own true believers.

The report censures the Aznar government for gravely underestimating the threat of Islamist terrorism and ignoring signals that Spain was becoming a hot target after

its involvement in Iraq. The report also notes that serious lapses by the police (who were then, of course, under Popular Party control) undoubtedly contributed to the ease with which the bombers acquired explosives.

Here, however, in a further, and truly sinister, twist, sources close to the conservatives have repeatedly propagated an extraordinary conspiracy theory, which appears regularly under the rubric “The Black Holes of 11-M” in the generally pro-PP Madrid newspaper *El Mundo*. The core of this theory is that certain police officers sympathetic to the Socialists deliberately neglected their duties so that an Islamist attack might take place, thus facilitating the removal of the government.<sup>10</sup>

An atmosphere in which trust between the major parties has broken down to this degree is clearly dangerous, above all because it prevents the development of a more effective antiterrorist policy. Indeed, the political blame game has prevented anything approaching an adequate focus on the motives, modus operandi, and future plans of the terrorists. The Islamist groups could hardly have hoped for a better outcome. The victims of the attacks generally feel they have been very poorly served.<sup>11</sup>

This bad atmosphere has naturally worsened relations on almost every other issue. Even where there has been broad agreement, as in support for the European Constitution, the Popular Party dragged its heels while Zapatero promoted a successful—if now irrelevant—referendum.

The longstanding practice of bipartisanship on foreign policy had, of course, already been fractured by Aznar, who pursued his rather confused ambition of restoring Spain to the status of a great power through uncritical support for Washington, and turned his back on the Paris-Berlin axis. Zapatero could expect no opposition support for returning Spain to the ranks of what Donald Rumsfeld misleadingly called “Old Europe.” But he appears to have been surprised, even

hurt, by the Popular Party’s savage comments on his (rather unexceptional) conduct at EU summits.

On the wider international front, the prime minister has also received consistent brickbats. This is hardly surprising when cack-handed mistakes are made, such as the failure, for the first time, to invite U.S. troops to participate in a Spanish National Day parade. Nor would one expect conservatives to empathize with the government’s relatively warm relationship with Venezuela’s Hugo Chávez, a relationship sweetened by a mutually beneficial arms deal.

However, the Socialists might have expected at least a diplomatic silence from Rajoy’s party as they attempted to rebuild broken ties with the Arab world. This is being done, with some success, in the context of one of Zapatero’s “Big Ideas,” his proposal for an “Alliance of Civilizations” in pursuit of human rights and democracy, which he first presented to the U.N. General Assembly in September 2004.<sup>12</sup>

He argued that terrorism is strengthened, not weakened, by a neoconservative strategy that flouts international law and treats human rights as a dispensable luxury. He referred to the disastrous “dirty war” against ETA, waged (ironically enough) by a previous Socialist administration in the 1980s.<sup>13</sup> Spain’s own experience shows, he said, that violating democratic principles plays into the hands of terrorist strategists. He referred to Spain’s history as a country “created and enriched” by the fusion of Islamic, Jewish, and Christian cultures. A new alliance of civilizations was, he said, the best bulwark against terrorism. His proposal has since been accepted in principle by the Latin American countries and by the Arab League, and Secretary General Kofi Annan formally espoused it in Madrid on the first anniversary of the March 11 bombings.

Still, Zapatero’s thesis tends to ignore major obstacles. Fundamentalist Western and Islamic leaders will simply see such an

alliance as a threat to their core values, and prefer to pursue a zero-sum game of conflict, regardless of the consequences. But his proposal does at least deserve some serious consideration in an increasingly polarized world.

Serious consideration of ideas, however, is neither the inclination nor the strong suit of the opposition party. In an interview published in Britain last July, Aznar dismissed the proposal as “an enormous absurdity.” Not to be outdone, Rajoy said it demonstrates Zapatero’s “astronomical ignorance, manifest irresponsibility or supine idiocy.”<sup>14</sup>

### *Playing Politics with Immigration*

Immigration is an issue linked both to Spain’s relationships with Arab countries and to geography, history, and terrorism.<sup>15</sup> It is also a political hot potato: some sectors of the economy are largely dependent on immigrant labor, while racist responses to the influx are becoming more frequent and more overt.<sup>16</sup>

The conservative policy on immigration, as on many other questions, had swung from a relatively liberal approach during the first Aznar administration to a hard-line one between 2000 and 2004. Zapatero inherited a situation in which an estimated one million illegal immigrants had become part of the Spanish workforce.

Faced with this reality, the Socialists argued that granting these workers equal rights as citizens was a democratic obligation. It added that the revenues arising from the granting of these rights would benefit the economy. A massive program of registration followed, amounting to an offer of legalization for all those who regularized their position by early May. This was the carrot; the stick was that those who did not register would be deported.

These proposals won the support of employers, unions, the Catholic Church, the EU, and almost all opposition parties.<sup>17</sup> The Popular Party, however, responded with a

series of statements that played to the xenophobes among its supporters, and blithely ignored its own responsibility for the current situation.<sup>18</sup>

It is too early to say how successful the initiative will be—figures for the number of *sin papeles* (those without papers) who remain outside the process vary wildly. But the policy was, at the least, a bold attempt to deal with one of the biggest challenges facing the country.

The Socialist spokesperson on social movements, Pedro Zerolo, referring to this policy, described the “defense, promotion, and deepening of rights” as the “backbone” of Spanish policy. This is also the context for two other important measures: a domestic violence law that imposes heavier sentences on male perpetrators than on females for similar crimes, and the legalization of same-sex marriage.

The domestic violence law raises a familiar question about Zapatero’s policies. It is a well-intentioned measure with immediate appeal to leftists and liberals. And there is no doubt that the level of domestic violence in Spain, accounting for dozens of murders each year, constitutes a grave crisis. On closer examination, however, critics argue that this legislation could make a bad situation worse.

Are human rights enhanced or diminished by punishing men who are violent toward women more severely than women who are violent toward men?<sup>19</sup> There is also a question mark over the constitutionality of the initiative. An appeal against the law has been initiated by a female judge, (supported by Spanish feminist organizations) to the Constitutional Court.<sup>20</sup> If the appeal is successful, a lot of money and time will have been wasted because this government went too far in a good cause, and the positive features of this overdue legislation will be overshadowed. Curiously, however, the measure did win conservative support during its passage through parliament, and indeed of all the other parties, so

if the ruling party was overzealous in this case, it was not alone.

### *Gay Marriage Wins Support*

Generally, Zapatero's risk-taking instincts are popular with the public and reveal a wider constituency for radical reform than many suspected existed. This has been exemplified by his legislation on gay marriage.

On April 22, the Spanish parliament voted 183 to 143 to concede full matrimonial rights to homosexual couples. There was great rejoicing in Spain's gay community. More surprising was the response among citizens in general. A poll showed that almost two out of three Spaniards supported the law.<sup>21</sup> This is remarkable in a society often stereotyped as deeply *machista*, though the films of Pedro Almodóvar, or simply an awareness of Spain's burgeoning transvestite culture, should have given the lie to this myth long ago.

Or should it? If a majority of Spain is comfortable with such a drastic sociological transformation, there is a large minority who regard it with the deepest aversion. And this minority forms the heartland of the Popular Party.

The party not only reacted with deep hostility in parliament,<sup>22</sup> it also did something the mainstream right has not done since the transition: it took to the streets in dramatic numbers. And some rightist mayors, who are obliged to marry same-sex couples under the law, threatened civil disobedience, a threat senior Catholic clerics endorsed as giving primacy to conscience over secular obligations.

Again, the question is whether Zapatero's reforms are moving faster than Spain as a whole can tolerate without ripping the social fabric delicately woven during the transition. Lofty principles always have to be balanced against a pragmatic recognition that their implementation may have an excessive political cost in social divisiveness. This is always a difficult judgment. In

pressing ahead, Zapatero is showing leadership qualities few would have anticipated when he seemed a rather callow opposition leader. And in certain respects his "second transition" is marking a point of no return. For all the opposition huffing and puffing, it seems inconceivable that a future conservative government will actually attempt to delegitimize the legal unions of gay citizens, or prevent new ones from taking place.

If gay marriage was a proverbial red rag to the conservative bull, the "unity of Spain" remains the strongest rallying cry for the Right. Moreover, it is one of the few issues on which centrists, and even significant sectors of the Left, can also be easily mobilized to support right-wing discourse.

### *Zapatero's Biggest Risks*

It is around this issue that Zapatero is taking the biggest risks. The conventional wisdom was that the 1978 constitution had definitively resolved the future shape of Spain. The "State of Autonomies" devolved significant power to 17 regions, and gave the historic "nationalities"—the Basque Country, Catalonia, and to a lesser extent Galicia—a degree of self-rule probably unprecedented in the European Union.

At first, the Spanish right was deeply uncomfortable with this settlement, fearing that it ceded far too much power from the central government. As time passed, however, and Spain did not fall apart, the Popular Party gave full support to the autonomous structures—on the strict condition that this was as far as decentralization would go. Thus, the constitution, which Aznar had said "endangered the very essence and concept of Spain" in 1978, became his defining and immutable guarantee of Spanish democracy in the late 1990s.<sup>23</sup>

For their part, radical Basque and Catalan nationalists always argued that the "State of Autonomies" was merely a façade for continued domination from Madrid. However, the more moderate nationalist parties in these regions were more than will-

ing to participate in the administration of the autonomous institutions. This gave the impression that a final settlement had been reached, but even among the moderates there was a strong feeling that their full national rights had not been recognized. Many Basques and Catalans felt that, after a reasonable passage of time, the autonomy statutes should be renegotiated in the direction of self-determination.

In post-Franco Spain this debate has always been conditioned by ETA's violent campaign for full Basque independence. ETA's continued existence has tended to confuse the issues of terrorism and self-determination, and warp the discussion of constitutional reform. As a result, the conflict in the Basque Country has caused more headaches to successive Madrid administrations (and to the Basques) than any other issue since the death of Franco. Zapatero's government has had no immunity in this regard, but the prime minister has been ambitious—some would say reckless—in reaching for the glittering prize of a definitive resolution.

When he was in opposition, Zapatero had shown no inclination in this direction. Indeed, he himself had proposed an antiterrorist pact to Aznar's government. This pact locked his party into the government's flat refusal to countenance Basque nationalist moves toward conflict resolution and sovereignty. He loyally supported Aznar's subsequent draconian proposal to ban Batasuna, the party alleged to be the political wing of ETA.<sup>24</sup> Nor had the Socialists demurred when a judge suspended the publication of *Egun-karia*, the only newspaper produced entirely in the Basque language, on very slender (and still unproven) allegations of links to terrorism.

Meanwhile the Basque Nationalist Party (PNV), a democratic grouping which has dominated every Basque government since autonomy was granted in 1980, had become increasingly restless with the status quo. In 1998, it had unilaterally brokered an un-

precedented ceasefire with ETA. This secret deal was based on the party's radicalizing its own position toward active pursuit of Basque self-determination.

This was regarded as political heresy—indeed as a challenge to Spanish democracy—by the Right, as well as by Zapatero. A period of intense polarization followed in the region. And despite ETA's return to terrorism in late 1999, the Basque Nationalist Party continued to radicalize its stance. In 2003, First Minister Juan José Ibarretxe, put forward a plan that called for a new Basque “status of free association” with Spain. With the support from three tactical votes from the now-illegal Batasuna, he got his proposals through the Basque parliament in December 2004.<sup>25</sup>

Zapatero, now in power in Madrid, had been no more favorable to the so-called Plan Ibarretxe than his predecessors in the Popular Party. He regarded it as unconstitutional in principle, and as deeply divisive in practice.<sup>26</sup> The proposals were predictably thrown out by the Madrid parliament by a massive majority last January. Ibarretxe called early elections in the Basque Country for April as a result.

Nonetheless, something fundamental had already shifted in Madrid's approach to such questions under Zapatero. The Socialists' sympathetic response to Catalan demands for a new autonomy statute, which would give the region the status of a nation, had foreshadowed this in 2003. Zapatero's subsequent offer of talks to ETA have confirmed the shift.

A new tone was evident in the Socialist election program in the Basque campaign.<sup>27</sup> This was very different from the stridently antinationalist rhetoric the party had shared with the conservatives in a vain attempt to dislodge the nationalists from the regional government three years earlier. Instead, Basque symbols were a prominent feature of campaign meetings, and Zapatero, while insisting that the limits of the constitution must be respected, dangled the promise of a

reformed autonomy statute, accommodating some nationalist demands.

Meanwhile, the Basque Nationalists, having ostensibly called elections as a kind of de facto referendum on the Plan Ibarretxe, barely mentioned their more radical intentions during the campaign. The PNV is famous for its ambiguity, which enables it to appeal to a broad spectrum of Basque society. Ibarretxe seems to have assumed that, since disenfranchised Batasuna voters had nowhere else to go, he could scoop up most of their votes without making further pro-independence noises. According to this scenario, the Basque Nationalists could comfortably harvest their first absolute majority in 20 years, and then revive the drive toward self-determination from a position of increased strength.

This proved a grave miscalculation. Those close to the thinking of ETA had an ace up their sleeve. Just two weeks before the election, a tiny and virtually unknown group, the outlandishly named Communist Party of the Basque Lands (EHAK) announced it was contesting the poll. The group had registered perfectly legally under the Aznar administration, but remained dormant. Now it announced that it would set aside its own Marxist-Leninist program if elected, in order to offer representation in the Basque parliament for the views of supporters of Batasuna.

EHAK's emergence on the scene was a blatant ploy. "Everyone who votes for EHAK knows they are voting for us," Batasuna leader Arnaldo Otegi told me openly on the eve of the election. It worked even better than Otegi expected. He hoped for six or seven seats. EHAK won nine, two more than Batasuna had held in the previous parliament.<sup>28</sup>

This turned the whole parliamentary scenario upside down. The Basque Nationalist Party remained the most-voted party with 29 seats. But it fell seven seats short of an absolute majority, and four short of its previous result.<sup>29</sup> If the elections had been a

referendum on the Plan Ibarretxe, the plan did not prosper.

Interestingly, Zapatero's new-look Socialists overtook the Popular Party as the second party in Basque Country, gaining five seats while the conservatives lost four. Ibarretxe was faced with a choice. A coalition with the Socialists would have only permitted reform of the autonomy statute within the constitution. A minority government, dependent on votes from EHAK, could continue to pursue full Basque sovereignty. It says a lot about the radicalized state of Basque politics that Ibarretxe has, at least for the moment, chosen the latter path.

Undeterred by the Popular Party's increasingly strident attacks, Zapatero not only allowed the Basque Socialists to meet with EHAK but made a direct offer of "dialogue" to ETA in the Madrid parliament in May. His proposal was based on the strict condition that this could only occur after ETA irrevocably ended its terrorist campaign. Nevertheless, it was an initiative that flew in the face of the antiterrorist orthodoxy the two major parties had shared since 1999.

Rajoy's response was to burn all bridges with the Socialist administration: "In one year you have turned the whole country belly up.... You have filled the streets with sectarianism.... You have given new life to a moribund ETA.... You have betrayed the dead."<sup>30</sup>

Zapatero repeated his assurance that he would consult parliament at every stage of any contacts with ETA. "No political price should ever be paid for the end of terrorism," he said. "But politics can help us to bring terrorism to an end."<sup>31</sup>

Rajoy immediately raised the temperature by taking the issue to the streets, the first time a major right-wing opposition party had used this tactic against the government since the transition to democracy. It was clear that he had struck a popular chord, as hundreds of thousands joined marches against negotiations with ETA,



under the emotive banners of associations representing victims of terrorism. Weeks later, Rajoy's party would again demonstrate against Zapatero, this time under Catholic banners opposing gay marriage.

Despite the support on the street, however, Rajoy's catastrophist right-wing rhetoric has not appealed to a majority of voters. Elections in June in Galicia were little short of a disaster for his party. The third of the regions recognized as a "nationality" by the Spanish constitution, Galicia had been, in sharp contradistinction to the Basque Country and Catalonia, a fiefdom of the Spanish right, where the Popular Party enjoyed an absolute majority after 24 unbroken years in power.

On June 19, the conservative vote fell significantly. The combined deputies returned by the PSOE (which made significant gains), and the leftist Galician nationalists, exceeded the Popular Party's representatives by a single seat. The losers reacted with bad grace, making the extraordinary suggestion that the electoral law should be changed to prevent majority coalitions ousting the party with the largest number of seats. Rajoy made much of the fact that Zapatero's party is now in coalition with left-nationalist groups in both Catalonia and Galicia. Combined with his overtures to ETA, this puts the prime minister in the same camp as the "enemies of Spain," according to the leader of the opposition.

The Galician poll was the fifth consecutive electoral defeat for the conservatives, and demonstrates again that their abandonment of the center effectively blocks their own return to power. Yet Rajoy's leadership appears secure, and his core supporters remain very much a force to be reckoned with. And the opposition's failures at the polls are no guarantee that Zapatero's new initiatives offer Spain a viable future, or that he can manage the forces he has unleashed. The response to his conditional offer to talk to ETA has not produced the group's long-expected ceasefire, nor has the prime minis-

ter succeeded in opening a new dialogue with the Basque Nationalists.

#### *A Truce by Installments?*

Instead, ETA has been playing a dangerous game, offering a truce by installments while continuing to carry out symbolic bombings. In June, it announced it would no longer target politicians. Since this still left the security forces, judges, academics, and journalists as targets, Zapatero dismissed it as not worthy of response. The most optimistic reading is that ETA needs to convince its supporters that it is a real player in a peace process, and not just a defeated group with nothing to negotiate. The pessimistic interpretation is that leading elements in ETA are still wedded to terrorism.

Batasuna leader Arnaldo Otegi, who regularly gets labeled as "the Basque Gerry Adams," insists that ETA's failure to kill anyone for more than two years is a deliberate peace strategy, not simply a result of its disarray in the face of effective police action. He and other Batasuna leaders recognize that the 9/11 attacks created a new context, where the use of "armed struggle" by European leftist and nationalist groups is no longer viable. He rates Zapatero's initiative as significant, saying, "We may be closer to a resolution of the Basque conflict than ever before."<sup>32</sup>

But then he asks a question asked by many people throughout Spain: Is Zapatero a brilliant statesman, or is he extraordinarily naïve? Even Otegi seems taken aback at the momentous implications of what Zapatero has set in motion: "Does he really understand that the project called Spain can no longer be maintained by force, by imposition? And if he does, does he have the stature to persuade the Spanish state that its interests lie in the recognition that Catalonia and the Basque Country are nations, with the right to decide their own future? If so, this is a revolution in Spanish thinking not seen for centuries."

It does seem that there has also been a revolution in the thinking of ETA and Batasuna, if Otegi is to be believed. ETA has dropped its demand to be involved in negotiations, ceding that role to Batasuna. And while the demands of both groups for independence were once inflexible, Otegi now uses a language very similar to that of the Irish peace process: "We have learned that you don't go forward by demanding the maximum of others, but by working toward agreement on a minimum acceptable to everybody.... All advances will have to be made in a consensual way."

True enough, such words will cut little ice with opponents until they auger an end to terrorism and to the "street struggle"—political vandalism—practiced by young Batasuna supporters, which makes life unpleasant and dangerous for Basque critics of radical nationalism. But they at least suggest a constructive response to Zapatero's initiative is taking shape.

### *The Challenge from Catalonia*

The Basque Country is not the only place where Zapatero is sailing in uncharted waters. Catalonia has become a new focus of destabilization. And in Barcelona it is a coalition led by the strongly "Catalanist" wing of Zapatero's own party that is challenging Madrid.

Since 2003, the Catalan Socialists have been running Spain's most economically advanced region in partnership with the former Communists of *Iniciativa per Catalunya* and the pro-independence, antimonarchist republicans of *Esquerra Republicana de Catalunya* (ERC). The mere existence of this coalition was viewed as a scandal by conservatives, but now it has produced a proposal to enhance Catalan autonomy both symbolically and fiscally.

The biggest symbolic change would be to shift Catalonia's status from "nationality" to "nation." If this proposal should fail in the Constitutional Court, pressure from Catalonia to change the constitution would be

enormous, and it would give the Right an emotive vote-winning issue in most other parts of Spain. But if Zapatero fails to endorse the new status, he will lose Catalan support in the Madrid parliament, where its votes prop up his minority government, and he would probably have to call early general elections.<sup>33</sup>

Even if the Constitutional Court agrees that Catalonia can be a "nation," another provision of the new statute is likely to derail Madrid's relationship with Barcelona. The new charter proposes to reduce the contribution this relatively rich region makes in fiscal transfers to poorer autonomous communities. For Socialist leaders nationally, this violates a core principle of solidarity between the different parts of Spain.

Assuming Spain's coffers could cope with the costs of downsizing Catalonia's contribution, other rich regions would quickly demand the right to follow suit, and the financial cohesion of the Spanish state would be at severe risk. Yet many Catalans strongly believe that their hard-earned wealth is being squandered by less efficient regions. Squaring this circle looks almost impossible.

It may be, however, that Zapatero is more Machiavellian than his past record suggests. If he has to call elections over reform of the Catalanian statute, no one could accuse him of not engaging in dialogue with regional nationalist aspirations. Indeed, he could pick up many votes from those Spaniards who value the symbolic and economic unity of their nation-state, but are repulsed by Spanish nationalist rhetoric, which evokes memories of the Franco dictatorship.

Opinion polls this summer suggest he is poised to win an absolute majority. An election precipitated by the Catalan issue could push him very comfortably over that line. He would then be free of his current dependence on the Catalan ERC and the former Communists of the United Left.

Yet such a victory would remain problematic. He would face an unprecedented radicalization of Catalonia, including large sectors of his own party there. An absolute majority would, from another vantage, give him new authority to tack again, and make an even bolder attempt to resolve Spain's fractious regional conundrums. His plan for doing that, however, remains as elusive as Don Quixote's intentions were to Sancho Panzo.

The windmills in the Spanish political landscape seem likely to continue to bedevil and confuse those who seek, however chivalrously, to do battle with them. But if Zapatero's vision for Spain remains frustratingly fuzzy, the atmosphere he has fostered signifies that the taboos bequeathed by the transition from Francoism are now in the open, to a degree unthinkable only two years ago. ●

## Notes

1. The context here is that the PP could have expected voter support if ETA was the culprit, because the party's hard line against the Basque group was very popular. If the bombers were Islamists, however, the PP might expect to be punished by the electorate, because the decision by the outgoing prime minister, José María Aznar, to support the invasion of Iraq was deeply unpopular, even among PP supporters. Widespread outrage at the PP's handling of information about the bombings mobilized many voters to oppose the PP at the last minute, giving Zapatero the opportunity to form a minority government.

2. Given the vilification Zapatero has suffered for this decision, it is important to remember that between 80 and 90 percent of the Spanish people believed the invasion of Iraq was unjustified and illegal, and that Zapatero also earned the ire of al-Qaeda by committing an equivalent number of troops to Afghanistan, where he believes the U.N. mandate confers legitimacy on their presence, and where they have recently suffered heavy losses.

3. L. R. Aizepeolea and P. Marcos, "El PP y el PSOE alcanzan el peor momento de sus relaciones en los principales temas de Estado," *El País*, July 18, 2005.

4. It must be noted, however, that the 1978 constitution speaks of the "indissoluble unity" and "indivisibility" of the Spanish nation, and goes on to give the Spanish armed forces the explicit mission of defending Spain's "territorial integrity" (Articles 2 and 8.1), phrases that independence-minded Basques and Catalans find both offensive and menacing.

5. For a fuller account of the PP's evolution under Aznar from hard-right opposition to center-right government, and the shift back to authoritarianism, see Paddy Woodworth, "Spain Changes Course," *World Policy Journal*, vol. 21 (summer 2004).

6. Fundación para los Analisis y Estudios Sociales.

7. Javier Pradera, "Fin del Curso," *El País*, July 31, 2005.

8. *El Mundo*, June 22, 2005, <http://www.elmundo.es/elmundo/2005/06/22/espana/1119449530.html>.

9. See, for example, Ernesto Ekaizer, "La teoría de la conspiración se mantiene viva," *El País*, July 1, 2005.

10. There are certainly many questions to be answered about the bizarre manner in which police in Asturias handled informers' tip-offs prior to the bombings. And the PSOE did not help its case by refusing to allow these informers to appear before the commission. But the evidence is lacking to make the leap from police inefficiency and malpractice to the heinous kind of plot suggested by the PP's conspiracy theorists.

11. On the positive side, it should be pointed out that the PP did finally decide to recommend the commission's recommendations regarding improved security for the future. And the police and judicial work in investigating the bombings has been impressive so far, though it remains to be concluded.

12. This concept is, of course, inspired as a counter to some of the ideas in Samuel P. Huntington's widely quoted 1993 essay, "The Clash of Civilizations."

13. See Paddy Woodworth, *Dirty War, Clean Hands: ETA, the GAL and Spanish Democracy* (New Haven: Yale University Press, 2002).

14. Pilar Marcos, "Aznar tilde de 'estúpido' y 'enorme sinsentido' la Alianza de Civilizaciones," *El País*, July 18, 2005.

15. Most of the accused in the March 11 bombings investigation are Moroccan immigrants.

16. See José Luis Barbaría, "Una Nueva Amenaza: La Extrema Derecha Existe," *El País*, March 23, 2005, for an in-depth account of the relationship between the immigration issue and the worrying re-emergence of an extreme right in Spain.

17. Some member states, notably the Netherlands, did express concern both over the precedent this legislation set, and its potential to create yet another wave of immigration in the hope of a similar settlement in the future.

18. The center-right Catalan nationalist grouping *Convergència i Unió* (CiU) also opposed the legislation; it is the opposition party currently with most in common with the PP, and least in common with the PSOE, whose Catalan branch ousted the CiU from power in Catalonia for the first time in 23 years, in 2003.

19. An anecdote that may shed some light on a mindset: In 2001, I found myself on a radio talk show with a leading PSOE feminist. When I said that international experience showed that domestic violence was not exclusively male-generated, she regarded me with some suspicion and asserted that she was not aware of a single case of female-initiated domestic violence in Spain. Current figures, however, suggest that 9 percent of domestic violence in Spain falls into this category.

20. See "La Coordinadora Feminista critica las penas mayores a los hombres de la ley de violencia sexista," *El País*, August 20, 2005.

21. "Dos de cada tres españoles apoyan el matrimonio homosexual," *El País*, June 19, 2005.

22. A handful of PP members, including a former minister, did cross the floor to support the bill.

23. I have given a full account of this evolution in "Spain Changes Course."

24. The PSOE did successfully propose amendments to the more outlandish aspects of this bill, but only to ensure that none of its clauses would fall foul of the Constitutional Court. The PSOE's acquiescence in a measure that raises very serious questions about democracy and human rights may be explained, if not excused, in the context of ETA's policy of targeting vulnerable local politicians from both the PP and PSOE.

25. Despite the banning of the party in 2001, its deputies in the Basque parliament retained their seats until the regional elections of April 2005. In an unusual maneuver, apparently designed to embarrass both the PNV and the PSOE, Batasuna "loaned" three of its seven votes to the plan, which falls well short of its own aspirations.

26. The Basques are fairly evenly split on the question of national identity, with those whose first loyalty is to Madrid making up almost half the population. This sector feels as threatened by moves toward greater Basque sovereignty as the (slim) majority feels frustrated by the status quo.

27. Throughout this article I have referred, for simplicity, to the Socialist Party in all parts of Spain as the PSOE. However, in the Basque Country it is known as the PSE-EE, in Galicia as the PSdeG, and in Catalonia as the PSC. All regional branches are subject to ultimate federal control, but the PSC in particular tends to make its own decisions.

28. Batasuna (campaigning as the coalition *Euskal Herritarok*), won its highest number of seats, 14, during ETA's ceasefire in 1998. It plunged to half that number in 2001, partly as a punishment for ETA's return to terrorism, which was unpopular in its own constituency, and partly due to tactical voting because many Batasuna supporters did not want to see the PNV displaced from the autonomous government by the "constitutional front" formed by the PP and the PSOE.

29. In recent elections the PNV has run on a joint program with the much smaller *Eusko Alkartasuna* (Basque Solidarity) party, whose seats are included in these figures.

30. Camilo Valdecantos, "Zapatero se compromete a consultar al Congreso los pasos para lograr el fin de ETA," *El País*, May 12, 2005.

31. *Ibid.*

32. See Paddy Woodworth, "End to Conflict Could Be Near Says Batasuna Chief," *Irish Times*, July 25, 2005.

33. ERC's representation in Madrid shot up from one to eight deputies in the 2004 general elections, itself an indication of Catalan response to Aznar's hostility to regional nationalism.