

Topic: Reign In Spain

Following the death of **General Franco in 1975**, the **Spanish constitution of 31st October 1978**, arguably the most liberal in Western Europe, heralded a **radical transformation from a dictatorship to a democratic government**. Parliamentary democracy was restored, following the death of General Franco in 1975, who had ruled since the end of the civil war in 1939. The 1978 constitution established Spain as a parliamentary monarchy, with the prime minister responsible to the bicameral Cortes (Congress of Deputies and Senate) **elected every 4 years**. On **February 23, 1981**, rebel elements among the security forces seized the Cortes and tried to impose a **military-backed government**. However, the majority of the military forces remained loyal to **King Juan Carlos**, who used his personal authority to put down the bloodless coup attempt.

Brief History of Spanish Government:

The first Spanish Constitution in modern history dates back to 1812. It proclaimed **national sovereignty and recognized voting rights for men**. Women would **not be allowed to vote until 1931**. It established the division of power with a single Chamber Parliament (**Cortes**) and a **King with broad power**, who however loses his former condition as source of all power. The Spanish Parliament has only had one Chamber during its effective period as well as of the Constitution of 1931. Between **1834 and 1923**, the Spanish Parliament had **two chambers (bicameral Parliament)** The **Royal Statute of 1834** considered two Chambers in Spain for the first time: The “Estamento de Próceres” (High Chamber) and the “Estamento de Procuradores”(Low Chamber). After the **Constitution of 1837**, the High Chamber was renamed Senate and maintained this name in the **Constitutions of 1845, 1869 and 1876**. The composition of the Senate in the 19th Century depended on the birth or appointment by the King among the aristocracy and persons of the administration, church, army and whoever had the highest earnings. The criteria to decide where sovereignty resided and the power corresponding to each institution (King, Parliament, Government...) varied throughout the 19th Century.

The current Constitution of 1978 proclaimed that national sovereignty resides with the Spanish citizens, which are the source of State power. Spain is a **Social and democratic state subject to the rule of law**: It is **social** because the authorities act trying to achieve a just society. It is **democratic** because citizens participate in electing their representatives, and it is **based on the rule of law** because the laws apply to all and their being abided by, is guaranteed by the Courts. The **higher values** are freedom, justice, equality and political pluralism.

The Courts and Tribunals: They administer justice, ruling and ensure the execution of those rules. The Judges and Magistrates are independent and solely subject to the empire of the law. A Constitutional Court exists to guarantee that all public powers respect the Constitution.

The King: He is the Head of the State. As in most parliamentary monarchies, his representative function is very important, but he does not govern. The Parliament (also known as Cortes Generales) consists of the Congress of Deputies and the Senate. It represents the Spanish citizens, exercises the legislative power of the State, approves its budgets and monitors the activities of the Government. The Congress of Deputies elects the President of the Government.

Topic
Introduction

The Government: It consists of the President, Deputy Presidents and Ministers. Before becoming the President of the Government, the candidate proposed by the King must obtain the trust of the Congress of Deputies. Once he has obtained the support of the majority of its members, the King will appoint her/him President. Only then can he appoint his Deputy Presidents and Ministers. The Government leads internal and foreign policy, administration and defence. It must always act in compliance with the Constitution and the laws.

Current Scenario:

“Rajoy is the only creature that advances without moving,” noted a former socialist premier caustically, just ahead of the return of the **conservative leader as Prime Minister** after an **unprecedented 10-month political impasse in Spain**. **Mariano Rajoy** not only endured the uncertainties and frustrations of his inability to put together a coalition after his conservative People’s Party polled the largest number of seats in the two inconclusive elections since December 2015, but patiently watched his opponents’ prospects fade away. But despite his instinct for political survival, **he heads a government that nobody really wants**. As Prime Minister, Mr. Rajoy enjoyed an **absolute majority during his first term (2011-15)**. The clear mandate enabled him to push through a round of painful economic reforms after the country’s housing and credit bubble went bust by the end of the last decade. He now leads a **minority government** in alliance with the **centrist Ciudadanos**, facing a difficult but definite prospect of a continued gridlock over every legislative initiative. His biggest test will be to win parliamentary backing to meet the fiscal deficit targets that Madrid has agreed with Brussels. **A threat to call fresh elections is the only real trump card in his pocket**. Mr. Rajoy’s rivals are too weak to be able to fully capitalise on his woes. Recently, the principal opposition party, the **Socialist Workers’ Party (PSOE)**, was forced to eat humble pie when it decided, not without internal differences, to abstain in a parliamentary vote on Mr. Rajoy’s candidacy, only to breathe life into the minority government of its ideological opponent. Had the PSOE adopted such a course after the elections in June, it might have salvaged its image somewhat by being seen as acting in the national interest. The option the party pursued instead, that of a coalition with the extreme left Podemos party, only prolonged the gridlock. Podemos once rode the wave of popular anger against economic austerity. For now, it must rest content with the accomplishment of breaking Spain’s two-party dominance. The party’s hopes lie in a consolidation of its base as the platform of the genuine left, as distinct from the centrist PSOE. The scenario is reminiscent of another imbroglio, that of **Belgium going without a government for more than 18 months a few years ago** on the question of regional autonomy between Flanders and Wallonia. Political fragmentation is an inescapable fact in the evolution of democratic governance. Peaceful reconciliation of competing interests is the art and imperative of political practice, as Mr. Rajoy is now finding out.

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