



THE ASHGATE  
RESEARCH COMPANION *to*

# THE POLITICS OF DEMOCRATIZATION IN EUROPE

Concepts and Histories

Edited by

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# A Long and Hard Process of Democratization: Political Representation, Elections and Democracy in Contemporary Spain

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*... un appel fait à ses droits en faveur de ses intérêts [du peuple].  
Je dis quand les élections sont libres: car quand elles ne sont pas libres,  
il n'y a point de système représentatif.  
(Benjamin Constant, Principes de politique, 1872, 34)<sup>1</sup>*

## Introduction: Joining Theory and Praxis for a Conceptual History of Politics

The aim of this chapter is to analyze the long, complex and far from linear historical evolution of contemporary Spanish politics from the point of view of two key elements: on the one hand, the concept of representation and its political expression, representative government, which was something totally new on the Spanish nineteenth-century scene dominated by the existing absolute monarchy; on the other, elections as the basic political mechanism whereby the governed exercised their sovereignty and governments were legitimized. In fact, the true or false nature of electoral practice proves vital in Spanish contemporary politics when judging the various governments, whether for the quality of their parliamentary regimes or for the extent to which they could be regarded as being more or less democratic – or not at all.

In the first place, one has to remember that the very idea of political representation was something entirely new for Spain in the nineteenth century. Moreover, it

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<sup>1</sup> '... a call made to their rights in favour of their interests [of the people]. I say when the elections are free: because when they are not free, there is no representative system at all.'

presented an alternative political regime to the existing absolute monarchy, along with other options for a political system, such as direct democracy. It must not be forgotten that the absolute monarchy prevailed, with two brief liberal parentheses (1808–1812 and 1820–1823), until 1833, and it had numerous supporters during the following decades, even giving rise to various civil wars – the so-called ‘Carlist wars’. Such a difficult and slow establishment of the liberal state in Spain during the nineteenth century had as its colophon, once into the twentieth century, the two periods of dictatorship (1923–31 and 1939–75) which made political representation, the parliamentary system and elections a pure fiction. At the same time, the two pioneering attempts at establishing a political system on foundations of a democratic nature proved tumultuous and short-lived (1868–73 and 1931–36).

In each of these superficially described periods, various definitions and concepts were put forward, not only of political theory – ideas on democracy, sovereignty, rights – but also of political praxis – the nature of the legislative bodies, of the constitutions, of the electoral body. Hence, fully aware of this reality, this chapter seeks to carry out an analysis of conceptual history which does not scorn the political practices underlying the concepts; a conceptual history which moves from political rhetoric and language, through the players and their actions, to the reality which accompanies and shapes their discourse at any given moment and in each particular historical context. To put it in a nutshell, the aim is to trace the nature of the concepts beyond the merely semantic level to the very conduct of those who construct the political discourse, as well as those who received this discourse, and thereby see their interaction.

Starting with 1808, the date when the first liberal period in Spain began, it is not possible to understand the formation, debate and definition of the concept of representation by the various political players without the parallel process of holding elections, the convening of Parliament and the establishment of a Constitution (1812), since each of these practices was impregnated in the ideas and meanings which formed part of the concept of representation itself. All these elements together are what made it possible to give shape and sense to a first system of representative government in the Spanish state of the early nineteenth century.

By the final decades of the nineteenth century, once this concept of political representation and the resulting parliamentary regime had fully settled down, the debate focused increasingly on the mechanisms and practices whereby the elected government expressed itself and ruled. When the main authors and parties accepted the theories of representative government as the official framework for the political game, which lasted nearly half a century, embodied in the 1876 Constitution, some thinkers realized that such government meant nothing in itself. If, for example, the Parliament did not represent the opinion of the country or the elections were not free and fair, the elected government was not representative – it was false.

This is why, in this second phase, having overcome the ups and downs of the absolutist monarchy and its supporters, the text focuses its attention on the effective functioning of political representation through another key notion, elections, because elections are more than a simple political practice, more than a legal or technical mechanism for making representation effective. In twentieth-century

Spain, it becomes a whole concept in its own right, associated with other basic concepts such as freedom – everyone can vote without being coerced or pressured; conviction, the word must replace violence – such as equality – the rich and poor, women and men must vote on the same terms – such as democracy itself, as the Spanish saw the act of being able to go to the polls in order to vote in 1977. In other words, the term ‘elections’, like ‘representation’, formed an essential part of the rhetoric of democratization.

As a consequence, the existence of elections, the nature of these elections, their scope and the way in which the electoral process takes place prove to be the keys to defining the political system. And at the same time, they are a symptom which illustrates the nature of the political system, which is reflected in theoretical debates, in Parliament or in the press. Thus, the evolution and changes in the way of understanding, of defining political representation, as well as electoral practice itself, are a good guide, if not the only one, to analyzing the evolution of the political history of contemporary Spain until it achieved democracy.

### The Concept of ‘Representation’ in Nineteenth-century Spain

It was common among nineteenth-century writers examining the origins of political representation to focus on the meetings held in the Cortes, Houses or General States – depending on the country – during the final stages of the medieval period in Europe. Admittedly, this form of primitive representation was flawed: four knights per county in England, or the deputies of the voting cities in the Cortes in Spanish Castile. Furthermore, these representatives had limited functions: ‘free voting for subsidies and a few humble requests for reform’ (see *El Censor* 1, 5 August 1820, 39–40). It was, therefore, a representative model linked to the so-called ‘imperative mandate’, a notion later abandoned by the political philosophy of liberalism and replaced with the ‘representative mandate’ (González Encinar 1984, 809–11).

The opinion of early liberals, however, regarding this type of representation was not at all positive. For them, the principle of representation meant an expression of general free will. It was, to them, a new phenomenon associated with liberalism, despite the differing opinions of some of the more historicist authors, such as Martínez Marina. Sovereignty lies in representation of the nation. On the basis of this idea, political representation can be defined as an ‘artifice’, a means by which the nation can be present in government. At the same time, however, representation is a need that can be justified in territorial terms. Along the same lines of thinking as those established by Montesquieu in *De l'esprit des lois*, the size of the republic was to be, for Spanish liberals, a determining factor in the extent to which national sovereignty could be exercised directly and democratically.

In accordance with this principle, immediate and direct participation of the people in government affairs can only occur in small republics. This has been the case throughout history, from the ancient Greek city states to present-day Geneva. For this same reason, in the extensive English, French and Spanish monarchies direct popular government is, in practice, impossible. At the time of the Cortes of

Cádiz, in October 1809, the *Junta Central*, or Central Council, proclaimed that 'in the large states, power is undoubtedly wielded by the hands of few, rather than by the hands of many' (*Biblioteca de Autores Españoles*, 151, 379). This argument was backed up clearly some years later in *El Censor*: 'the people will inevitably delegate their authority' (*El Censor*, 7 October 1820, 261). Here we have the origins of representative government.

Nevertheless, beneath the determining territorial factor for political representation to be able to enter onto the scene, and the parallel argument that democracy is, in practice, impossible, one can find at least two ideas that are very characteristic of the moderate liberalist thinking during the *Trienio* – the liberal period of 1820–23. On one hand, there is the idea which opposes democracy as a form of government. This forms part of a historical period in the evolution of the republics, one which is now confined to the past. On the other hand, if democracy is to be seen as direct popular sovereignty, then this will involve large-scale meetings of the masses. The result of this would be nothing but passion, violence and anarchy. Consequently, the people had to be persuaded that 'their immediate and continued intervention is not only unjust and illegitimate, but also does not offer any security. It creates disorder and damages the representative system, destroys the actions of the government and replaces them with the unhealthy energy of opposing passions' (*El Censor*, 7 October 1820, 278–9). This is what had occurred during the French Revolution. Thus, in defending representation as an imposition of the territorial reality, there is an underlying rejection of the principles and consequences of democracy.

At the same time, there was a firm belief in the virtues of a representative regime. This existed to the extent that national representation formed, along with liberty and the Constitution, one of the three pillars of the political system supported by Spanish liberals c. 1820. As well as the virtues that made representation preferable to both democracy and the despotism of an absolute monarchy, there were the many arguments put forward by European liberals. Among these was that presented by Sieyès, in which the quality of representative government came from its being based on the division of work. As Burke and Guizot argued, the representatives of a nation would be 'the most able' or the most skilled members of the new bourgeois society (Guizot 1851, 106–8). This would result in the best government possible, as it would be a government of the best people for the job, not chosen by birth, but by their abilities. At the same time, this reasoning implied that the rest of the population were not capable of exercising authority over themselves. One must not forget the point raised by Constant, in which political representation corresponded to modern liberty. This liberty was to be found in the personal sphere of each individual: Representation thus became a positive liberation for the citizens, who, having delegated their sovereignty, were now able to spend more time for themselves and their private lives. This is where they could find true liberty.

Thus, in liberal spheres, representation is seen as something necessary in practice, legally just and legitimate, politically efficient, and finally, positive for the individual. On the other hand, the exact nature of political representation was yet to be seen. For the majority of liberals, representation was not synonymous with sovereignty: the representatives were not the same as the nation, but were

merely the nation's delegates. In their opening session, the Cortes Generales of 1810 had declared themselves to be sovereign, but some liberals quickly corrected this statement, making it clear that national sovereignty, which is one, indivisible and everlasting, is not sacrificed when delegated. Thus, as can be seen in Article 27 of the 1812 Constitution, the Cortes are representative, not sovereign (see González Casanova 1998, 299).

During the *Trienio*, *El Censor* distinguished between 'radical – or primitive – sovereignty', which remains inherent in the nation and 'current sovereignty', which is that possessed by governments, reflected in the laws and held only temporarily by the representatives. Therefore, if sovereignty were to be transferred on a lesser scale, the representatives were only there because of the wishes of the nation. The representatives were answerable to the ministry, and as they could potentially be removed from office by the wishes of the nation, the people held a vital mechanism in their grip: electoral power, or as Bentham called it, the right not to re-elect them (see Manin 1997, 164).

Following these years of effusive theorizing, there were plenty of visions, even some official ones, of representative government as something 'terrible' (*Gaceta de Madrid*, 1834). From this time on, representation was referred to as 'representative government'. The idea of political representation as the basis of a constitutional system was strengthened, which put Spain in line with other European countries, where around the 1850s liberals still sang the praises of this type of government. Of course, there was no lack of critical voices either. Criticism came not only from sworn enemies of representative government, but also from those who shared the principles but who believed that they were being misinterpreted by certain liberal sectors.

The position of the former is revealed in works such as that of Taparelli, *A Critical Examination of Representative Government in Modern Society*, translated into Spanish by the neo-Catholics, who shared his deep rejection of liberalism. For them, the representative system, which they identified with mixed government, was 'essentially damaging and anti-Catholic'. The criticisms of the latter, the liberals themselves, were not as vicious. One good example of these is to be found in the work of the French politician Henri Fonfrède, translated into Spanish in 1841 as *Preocupaciones por el gobierno representativo*. The book reveals the views of a sector of conservative liberals who were opposed to the supremacy that the popular chamber had gained over the other two powers, those of the king and the *pares*, or peers – in France, as a result of the Revolution of July 1830. Fonfrède believed that representation of the French nation would not be complete without the monarchy and the chamber of peers, who were also legitimate representatives, even though they had not been elected.

A similar way to look at representation is that which was used by the Spanish liberals who drew up the 1834 Charter. They appealed to the historical legitimacy through which the nobility and the clergy had been represented in the royal court up until the time of Charles I. They also held that these two groups would create the necessary balance needed for good government. The council of ministers would introduce a second chamber in the Cortes, as opposed to the single-chamber model of Cádiz. This chamber would house the class known as *próceres del Reino*,

or 'notable citizens of the Kingdom', and would include archbishops, bishops, grandees, Castilian nobility, landowners, as well as other well-known individuals from the world of education, science or the arts (Sevilla Andrés 1969, 261-71). From 1837 onward, this chamber would be known by its modern name, the Senado, or Senate, the senators either being appointed by the king or queen or chosen by suffrage, depending on the historical period. Either way, it was significant that representatives from various socio-economic, cultural and religious fields were accepted as a necessary element in the legislative branch of power.

The dominant model of representation in early Spanish liberalism was the individualist or inorganic model. Around 1850, however, the so-called 'Krausist school of thought' would incorporate into Spanish political thought the idea that society is made up of a series of social creatures that are orientated towards fulfilling different objectives in life, be they economic, scientific, religious or any other. As a result, true representation would mean that all of these fields would need a presence in the political system. This 'proto-corporatism', which had an influence on the partially organic make-up of the Senado in the 1876 Constitution as well as on many writers of the time, was intended to replace individualist liberalism.

In practice, however, it did little but give rise to a very different movement: the traditionalists. This movement did agree with the notion that there are a series of social bodies that ought to be represented in the state. The difference lay in the fact that, unlike the complementary nature of organic representation with regard to the individual, as supported by the Krausists, traditionalists stayed with the old idea that class representation should do away with any trace of individual sovereignty, something which they had never accepted. For them, individuals did not exist apart from the community of which they were part. For this reason, corporative representation would be adopted in the early part of the twentieth century.<sup>2</sup>

In any case, the Krausists believed that representation within the state would always be subject to certain well-defined rights and obligations. Hence their insistence on representation of general interests rather than individual, selfish ones. This is an idea that was made very clear in numerous electoral manifestos and was used as a theoretical weapon against the rampant administrative and political corruption of the time (Azcarate 1877, 145-83). Burke's theory of virtual representation, by which an elected *diputado* could represent, at the same time, both the general interests of the nation as well as his specific constituency (see Pitkin 1967, 168-89), was not considered by those Krausists who sat in Parliament as representatives of the general public.

According to theorists such as Azcarate, the means by which the interests of all could be guaranteed was through public opinion. This apparently novel idea had been circulating since the beginnings of Spanish liberalism. Domeq, in the Cortes of Cádiz, said: 'public opinion ought to aid us with its indications and warn us of our mistakes, and put us back on the right path should we stray from it'.

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2 This was of utmost importance to authors (especially during the dictatorship of Primo de Rivera) who followed in the wake of others who, like Gil Robles, had started this regression around the end of the nineteenth century (see García Canales 1977, 25-65).

Likewise, French doctrinaires would stress the importance of *publicité* as the most characteristic element of representative government (Rosanvallon 1989, vol. III, 421). Also, from the ranks of the Spanish republicans, José María Orense, following the English saying that one must have a majority both in and out of parliament, wrote in 1863: '*Congreso* is nothing if it is not a mirror which reflects public opinion' (Orense 1863, 15). This became a means of reconnecting the representatives with the represented, since the independence of the *diputados* had caused the distance between the two parties to grow and the old imperative connection to weaken (Gress 1980, 543–46).

## Voting and Representative Government in Nineteenth-century Spain

Undoubtedly the most direct and greatest mechanism by which the citizens could control the representatives, as well as being the instrument that gave voice to the nation's will, was the electoral process, as opposed to the ancient democracies' characteristic allotment, or sortition, a mechanism characteristic of the ancient democracies. This, in turn, brings us to the mechanism that makes representation possible, that is, elections. From the time of the *Cortes* of Cádiz on, the fact that representatives were elected meant that any type of class representation was automatically excluded. That is to say, a fundamental element of the old regime was denied, with liberals insisting that representation have a strictly modern nature: it was to be, in their eyes, a political victory over the past. Although representation was on occasions linked historically with the old *Concilios*, or religious councils, it was expressly recognized that this form of representation had disappeared in Spain under the absolutist system which national representation now rightly opposed, as argued by the famous deputy Argüelles in 1812.

The new criteria for representation now had to be laid out. This led to a heated debate. At the time of the Royal Statute of 1834 and the new electoral law of 1836, the position amongst liberals had evolved towards two criteria which came to be known in liberal Spain as material (economic) and intellectual (cultural) or alternatively, property and enlightenment. The *Encyclopédie* had defined the representatives as 'citizens who are more enlightened than others, more interested in politics, whose possessions link them to the patria' (Ruiz Otín 1983, 89–90). Spanish liberals could not find a more efficient criterion – or, of course, more convenient for the liberal bourgeoisie – to establish representation, than by linking votes with wealth (contributions) and culture (capacity) of the voters (*Diario de Sesiones de las Cortes*, 25 January 1862).

In practice in nineteenth-century Spain this meant having an electoral system based on direct census suffrage – as opposed to the indirect universal suffrage of the 1812 Constitution or the direct universal suffrage of the law of 1890 – in which the fate of the nation fell into the hands of a select minority. These so-called 'modern aristocracies', became, for many liberals, according to Royer-Collard, a kind of 'natural representatives' of the nation (see Garrorena Morales 1974). From



the republican ranks, Pi y Margall (1854) described the situation as a 'political monopoly' of capital, which could only be broken by means of popular sovereignty and its counterpart, universal suffrage. Conservative liberals, on the other hand, felt that class equality and the conditions that this entailed, namely democracy, were incompatible with representative government.

The will of the people was therefore reduced to the will of a small oligarchy in whose hands political power would rest from the very beginnings of the liberal state. The struggle between moderates (*moderados*) and progressives (*progresistas*) during the reign of Isabel II (1833–1868) over this question led to an extension of the electoral body, the nation, several thousand voters. The qualitative nature of representation was not altered, however, only the quantity of voters, which grew from over 15,000 voters in the 1830s to nearly 40,000 before the 1868 revolution.

The *de facto* oligarchy was one of the initial endemic defects to be found in nineteenth-century Spanish liberalism, but we should also look at another, no less damaging, that created a wide gap between political theory and practice: the 'boss system', one of whose manifestations was electoral fraud. As far back as the 1820's, liberals had warned that the principle of political representation would collapse unless it were put into effect by popular authentic suffrage, and would be equally threatened if the government rigged the elections by buying votes, offering employment or threatening voters (*El Censor*, 1 September 1821, 172). There are two issues at stake here: universality and the veracity of the vote. Some authors, such as Bentham and J. S. Mill, went as far as to calculate the value of representative government itself by its capacity to allow unrestricted political participation for all citizens. Between 1860 and 1861 Mill wrote his *Considerations on Representative Government*, based on the British case. At that time, Mill believed that 'the two great improvements that representative government is yet to make' were to introduce 'proportional representation' – proportional to the number of voters in each constituency – and 'suffrage for women' (Mill 1873, 257–58).

In this sense Spain was to go down the same path as Britain and would also undergo a continuing extension of suffrage, driven by the more progressive liberals. During the *Restauración* (Restoration, 1875–1923), the Conservative Party of Cánovas would systematically refuse to introduce universal suffrage. Unlike the republicanism of Pi y Margall, conservatives did not consider that every man had the inherent right to vote, simply because he is a man. Conservatives still believed that the strictly contributive criterion, which excluded the working classes from the process, was the best possible option. Cánovas himself expressed this very clearly during the debates over local electoral law in 1878:

*Viewed from these pitiful limits, who can be denied the right to contribute in Spain? Who? The simple journeyman? The prole? In any case, can Señor Castelar tell us in truth that modern political science, even amongst its more liberal representatives, if they are truly deep and as long as they truly study the social organism, maintains the need for representation of the proletarian class? Not long ago I read one of the more illustrious ones who had written:*

*'The proletariat does not need representatives. It needs patrons.'* (*Diario de Sesiones de las Cortes*, 17 November 1876)<sup>3</sup>

Perhaps the most worrying question toward the end of the century was that of the necessary purity of the elections. This was the basis of the very idea of representation. In England, the problem of electoral fraud was of concern to politicians, and in 1847 in France Duvergier wrote that 'representative government cannot truly exist without three conditions', one of which was that 'elections must be pure and free' in order to create 'an assembly that represents in just proportions ... the opinion of the people of the country' (cited in Lacché 2000, 535). The political class in Spain was also concerned about the denaturalization of representative government in practice and about the necessary means to improve it. In the heyday of the liberal period, the conservative Marqués de Orovio told the congress that 'electoral truth is what this country really needs' and that it should be the banner of 'all genuine supporters of the representative system' (*Diario de Sesiones de las Cortes*, 12 November 1878). The in-depth study of elections by historiographers throughout the country in recent years has revealed widespread systematic and institutionalized falsification in electoral mechanisms by various governments. The introduction of universal suffrage in 1890 exacerbated this situation.

One last question remains: was there truly representative government in nineteenth-century Spain, even if we take the parameters defined by the liberals themselves as a reference point? It is here where theory and practice differ, where the speeches and the actions create an obstacle that is often difficult to overcome. There is no doubt that the principle of representation (however it was put into practice) was efficient enough for the liberals to take political control of the new state. Neither the despotic government nor the modern democratic mechanisms, such as the referendum, were able to rival the principle of representation in 'popularity'. It was a principle that the liberals successfully transferred from the realm of individual rights to the very heart of politics, the public realm. It was a principle to which they gave a specific structure, that of representative government, and in which representative legitimacy was gradually absorbed by the legislative powers, the 'parliamentary regime'.<sup>4</sup>

## Elections as a Pathway to Democracy: Spain, 1898–1978

The circumstances which appeared c. 1898 to some extent represent a milestone in Spanish history in the cultural, political and social sphere, but they did not entail significant changes in the concept of elections. The notably pejorative vision

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3 Castelar was an old democrat leader, President of the Republic in 1873, who was regarded as the best orator in the Spanish Parliament at that time.

4 And which, following the crisis suffered by liberalism, ended up preserving some of its more fundamental features after the advent of the modern democracy – 'representative democracy' (see Conde 1945).

which, ever since nineteenth-century liberalism had introduced the election of representatives to town councils, provincial councils and parliaments into the political system, had accompanied the whole electoral process, was still in evidence at the beginning of the new century. Not even the arrival of one of the great demands for democracy of the previous century, universal suffrage (1890), had been capable of changing this situation, but rather, as has been shown by subsequent studies, the fraudulent practices had spread to every corner of the country as soon as the time for elections came round (see Yanini 1991, 99–114).

The only perceptible changes in this situation, as crude as it was well known, were perhaps linguistic ones, since the network of concepts and lexical terms of the electoral family was enriched by the contribution of Joaquín Costa to Spanish political vocabulary. While it is common to speak of *caciquismo* (dominance by a local despot) when analyzing political, and especially electoral, practices in Spain in the nineteenth century, only after 1898 and the famous survey instigated by Costa from the Ateneo of Madrid were the two concepts coined which perfectly defined the structure and functioning of elections under the Restoration: 'oligarchy' and '*caciquismo*'. That was then the form of government, and one of the evils 'regenerationists' wanted to eradicate from the country since 1898 until the 1930s, since for Costa, a sad truth lay behind these two concepts: 'Spain is not a free and sovereign nation' (Costa 1901 [1993], 17–24). That is, that within the deep semantic structure of the concept of 'elections' there were such far-reaching realities as sovereignty, freedom or democracy, which remained amputated in the face of the fraudulent electoral reality of Spanish and European liberalism.

One of the elements which would contribute to the persistence of this negative opinion of elections as being synonymous with fraud, violence and farce was an essential part of the local despot's network: the executive arm of the 'oligarchy', the civil governors. According to the provincial press, these were 'the worst from every house' and they were assigned huge powers in municipal and provincial life, authority which rather than being used to the benefit of the populace, 'they used for electoral and political ends, protecting their friends and pursuing their enemies' (*La Rioja*, 18 July 1899). This is why, after 1936, the deep-rooted electoral tradition would pass into collective consciousness as a synonym of turbulent times, of coercion and confrontation in the towns and villages of Spain.

The first systematic attempt to tackle this problem was right at the start of the new century, the result of Prime Minister Antonio Maura's policy, as he set himself the goal of 'uprooting *caciquismo*'. His programme of 'revolution from above', of the regeneration of political life, was built up on two key pillars: making the administration morally responsible, and ensuring clean elections. Maura tried to make the 1903 elections a genuine and sincere exercise capable of attracting the so-called 'neutral mass' into public life, those people who, disillusioned with the system, had decided to take no part in the electoral process. The report sent to his government by the British Ambassador sheds some light: 'As far as I can judge, Mr Maura is trying to prevent the abuses honestly; but his own party supports him with little enthusiasm and the abuses continue' (González 1997, 50).

Nevertheless, Maura adopted new measures, set out in the controversial electoral law of 1907 and the aborted plan to reform local administration. The former sprang from the desire to change the way people perceived elections, making them appear more dignified by associating them with the ideas of 'transparency and veracity'. To do so, among other things, it was necessary to draw up an accurate census, which until then had been manipulated so as to supplant the popular vote: votes cast by dead people or a total poll with more votes cast than the number of registered electors had become commonplace in all the elections. These efforts were not limited to the person of Maura, since other leading political figures, such as the reformer Melquíades Álvarez, made 'electoral sincerity' and the 'purity of the vote' their party's slogan and a condition *sine qua non* for the rule of democracy (Suárez Cortina 1986, 136).

Such efforts once again seemed in vain, to the point where a local despot of the day was able to scoff at the 1907 law in the following terms: 'Bless my soul! But I don't cheat any more than with the previous one [1890] .... All these mechanisms just make me laugh' (González 1997, 145–47). In fact, alongside the general crisis in the political system of the Restoration during the second decade of the century, electoral corruption continued *in crescendo*. This is corroborated by the unanimous testimony of the level of scandal that was reached in the 1918 elections, 'the most corrupt in living memory' in the opinion of Spanish writer Pérez de Ayala. Prior to these, he points out, as well as coercion there had always been economic corruption, but discreetly: 'In these elections, buying votes took place with the blinkers off, without ceremony or squeamishness. The voters offered their votes the highest bidder; candidates bid up the price of the vote', the price ranging between 0.40 and 500 pesetas (Pérez de Ayala 1918, 157).

This kind of practice simply exacerbated the loss of prestige that elections in particular and the system in general gained for themselves at the time across the length and breadth of the ideological spectrum of the country. Thus, from the left, the socialist Luis Araquistain, after the 1918 election, coined a new expression, 'plutocratic electoral machinery'. In fact, Araquistain assures, in a country of free, that is, incorruptible citizens, any kind of electoral apparatus would be unnecessary. In the absence of such conditions, 'While by law it has existed for some time, we can say that in fact there is no suffrage in Spain.' His pessimism was based on a deep-rooted belief, 'In Spain the electoral regime means total vexation of any will of representation', and from this the 'atrophy of the Parliament' had sprung (Barrio Alonso 2001, 157–60, 230).

From the opposite end of the political spectrum, the Catholic newspapers agreed in denouncing that 'Our elections are a school for political corruption and depraving of the people', and asked the following question: 'Is there anything more demoralizing than seeing how the authorities throw themselves on the stages of delinquency, in its various forms, in order to falsify the will of the electors?' (*El Debate*, 5 May 1923).

If we add to these fiercely critical sectors that, as late as 1923, according to a provincial newspaper, 'There is still, then, a large mass of opinion which is not moved or interested by the elections', we can understand part of the general apathy

and reigning discontent when in this same year, Primo de Rivera led the military coup which started the dictatorship (Garrido Martín 1998, 134). As we will be able to understand, too, the dictator himself made use of the regenerationist rhetoric which proclaimed fighting against *caciquismo*. In practice, however, there was no chance to find out, since the electoral question vanished over the horizon, leaving the café gathering and the Ateneo, or local literary circles, as the only parliament, 'open' to all and fully democratic, of course.

This parenthesis for the electoral custom was going to conclude precisely as a result of elections which, for once, seem to have served what was their purpose in pure terms: to express the will of the people. That was the interpretation that the newspaper *El Socialista* made of the municipal elections held by the Berenguer government in 1931 and which represented the beginning of the end for the dictatorship: 'The elections have been truly constituent because, while they were only for the municipal authorities, people with a lot of foresight and more political sense than the government, realized that they constituted a plebiscite and have expressed their opposition to the monarchy in a perfectly unequivocal way.' And the king himself, Alfonso XIII, corroborated such an interpretation in his farewell speech: 'Sunday's elections have shown me clearly that I no longer maintain the affection of my people' (Gil Pecharromán 1999, 197). It also meant a radical and positive shift in the concept of elections, since for the first time they had proven an effective instrument for peaceful change.

This was a shift which came together with deeper changes in the social and political structure itself, with the advent of the Second Republic, reform of the electoral law and the new Constitution. The recently inaugurated Republic called elections for the Constituent Assembly in June, to be held under the criteria which the 1907 law had partially modified, for example, by lowering the voting age from 25 to 23 or making it possible for women to be elected, although not to vote (*Royal Decree*, 8 May 1931). The result was a triumph for the Republican forces which drafted the new Constitution. The new system also saw a new political vocabulary, so prolific and active was the political life which flourished during these years. As for the 'electoral lexis', with respect to the 'central term' *elections* there were no significant changes, but one should highlight the appearance of linguistic 'alternatives' such as the syntagms 'consulting the electorate', 'going to the country', 'asking the voters' or the term *comicios*, another word for 'elections'. The use of war vocabulary also spread, metaphorically transplanting these to the electoral field, where 'battles', 'struggles' and 'fights' are waged between the candidates (see García Santos 1980, 366–67).

The sense of the elections would be modified in the very concept, quite apart from the strictly technical aspects of such a complex mechanism as an electoral system. The great landmark in this change was Electoral Law Reform Bill which was passed in July 1933. The most heated debate was over the majority or proportional character of the law. Azaña defended the majority option as the lesser of the two evils, since 'the ideal of perfection and representative justice' was impossible to achieve. Hence, everything related to the elections belongs more to political 'physics' than to 'metaphysics'. With the question firmly planted in the field of practice, then, he

defended that 'the majority regime ... is a truly democratic regime', against the criticisms of (radical) deputies who considered in as a 'crushing of the minorities' which allowed the famous *copo electoral* by the majorities. The preference, according to Azaña, is due to the fact that it favors the 'electoral group which is strong enough for it'. That is, even though the elections were a political mechanism for obtaining parliaments in accordance with the 'general will', which for Azaña was the same as 'the majority of the country', far from being a neutral instrument in its design and conception, it could overturn a whole philosophy, in this case the 'popular front' tendency, and a particular electoral geography (Azaña 2001, 707).

The above is all explained in a historical context that, more or less explicitly, shaped a first electoral sociology of Spain, although still without the sophistication of the analysis of later social sciences, but not for this less present: conservative and/or reactionary votes came from the rural milieu, while town votes and those of the intellectual sectors belonged to the Republic. For this reason, the design of the electoral system took into account this sociology and mobilized the different currents of opinion based on a calculation of opportunity and benefit in terms of franchise for their political interests. In the 1931 elections, the big working-class centers of Madrid, Barcelona and Bilbao had been converted into constituency cities, for example. Azaña was thinking in the interests of the Republic in terms of 'left-wing currents', while the journalists of *El Debate* dismissed this generalized electoral sociology, yet at the same time shared his complaints: 'They say that the socialist votes in Madrid are of aware, educated, free men while the right wing votes of the people from the country are from backward, uneducated, enslaved peasants. The statement of the proposition itself is irritating because of its injustice' (*El Debate*, 5 December 1933).

The effect of such sociology was no less in one of the points which caused most commotion both inside and outside Congress, which related to the vote for women. Electoral participation had been at the very roots of the modern women's movements – the suffragettes – in the United States and Europe. When the time came for their constitutional recognition, however, the forces of the Republic split. The Catholic and socialist 'extremes' supported the cause, while the parliamentary minorities, like the radicals, including the female deputy Margarita Nelken, were against due to the danger that it could entail for the Republic, convinced as they were that the female vote would favour reaction, almost always arguing the lack of freedom and the educational shortcomings in order to dismiss women's participation in elections. When finally Article 34 of the constitutional bill was approved, giving the franchise to women (by 161 votes to 121), it was due to the fact that overwhelming ideological reasons were used to defeat more pragmatic considerations.

Enfranchisement in that context meant a key right in woman's equality with man, a right which could not be denied in a system which aspired to call itself democratic. Moreover, together with these values, the vote was identified with the idea of citizenship, as well as with liberty, justice and equality. All this wide, positive semantic field remained an integral part of the electoral concept, not so much of suffrage, of the vote itself, as of the action of emitting it, of what elections really meant in the end: a right, yes, but an exercise of responsibility too, and consequently

a capacity. During these tumultuous times, the newspaper *El Crisol* was able to transmit very well the beneficial implications of an ideal which, through exercising it, was able to change the very reality of women and the country. 'It is convenient for the future of Spain', one can read in its pages, 'for women to be spurred to exercise a function which, consisting in the most vital operation of voting, awakens the awareness of her personality and responsibility' (Capel 1992, 125). Elections are therefore not only the exercise of a right, but a means of participating in public life, an act of citizenship, a purifying, educational experience for the person.

The political implications for the members of parliament of 'overturning these six million votes at the ballot boxes' would become evident in the elections held immediately afterwards, in October, which brought victory to the Confederación Española de Derechas Autónomas (CEDA), and in the elections of February 1936, won by the National Front, in which women became the main target of propaganda for parties of all colours, making it necessary to modify the messages and strategies which had been dominant in the electoral process until then, elections which by then had already become the central focus for all the tensions which had built up in the political system itself and which were again transferring to the very heart of the electoral process such negative realities as coercion and violence.

In March 1936, the socialist and former minister Fernando de los Ríos denounced in Congress the intimidation to which Andalusian casual farm labourers had been subjected, and pronounced words to define the elections which recalled former times that seemed to have been surpassed: 'he who has the land has the man' (de los Ríos 1999, 737). De los Ríos himself had revealed in Parliament years earlier that it was precisely due to a belief in elections that part of the Spanish socialist movement had opted for the path of law rather than resort to revolutionary options. That is, when elections work properly, they are a factor for peaceful change and of legitimate constitution of political power. And it was precisely the fact of not settling ideological differences peacefully through the elections, of not accepting the results of the ballot box, which would lead the socialists to resort to violent methods of gaining access to power which had appeared to belong to past.

### **Epilogue: From the Representative Mask of the Dictatorship to the Electoral Truth of Democracy**

With the bloody civil war which began that same year, a dark era opened up, which, among other things, brought the suppression of elections and everything they implied: participation, freedom, democracy. This is no surprise if we take into account the words of General Franco in 1938: 'We do not believe in a government which is produced by the ballot box' (*Time* 27 June 1977, 1). Nevertheless, Franco's dictatorship was soon to put in place a dense legal framework which would regulate the peculiar Spanish electoral process of the time. Thanks to these ground rules, a succession of elections to town councils, regional councils, assemblies and trade unions would be verified in the central decades of the century. The regime saw elections as the way of making 'the participation of the people in the tasks of the

state through the family of the Movement and the Syndicate' a reality (*Royal Decree*, 29 September 1945). In this way, the inorganic nature of the franchise gave way to the corporate vote which supposedly represented the different interests of society (and clearly undermined the electoral body by restricting the census to 'heads of family').

Under the so-called organic democracy, an elite belonging to a single 'party' (the Movement) elected, often indirectly, by co-opting its representatives (*tercios*) into the various institutions of the regime. Thanks to the predominance of direct appointment ('anti-election') to the main and most numerous posts, the concept of elections was removed from areas which until then had made them more or less free and competitive, adapting to the model which political scientists call 'elections without choice'. This non-competitive election model could serve, all the same, for purposes of external accreditation, to present a fictitious appearance of participation or to legitimize power (Vallés and Bosch 1997).

In spite of everything, when this new electoral practice started, in *ABC* they wrote enthusiastically that 'With the elections which begin today, the Spanish town hall confirms its strictly representative character.' 'The voter ... is the one who must meditate and judge the integrity and capability of the future councilors. There lies the responsibility of the inexcusable duty which today will take you to the polls' (25 November 1951). The same philosophy spread to the area of the trade unions where Francoism also put into law a similar electoral system to that which until then had only been practiced in the political sphere. Again, there was a contrast between the reality of the vertical syndicalism of the Francoist regime and the rhetoric present in the regulation of elections in which all the workers and company owners could participate through 'free, equal and secret ballot' (*Royal Decree*, 14 May 1966). At this point in the dictatorship, there was no lack of discordant voices which, like those emanating from the Confederación Nacional del Trabajo (CNT-AIT)<sup>5</sup> in Asturias, denounced that 'Elections with an appearance of democracy, since we are free to elect whoever we want for trade union links, were aimed at impressing people abroad' (CNT-AIT 1963, 4).

In the same text, they expressed a desire for a future in which this freedom of choice would be an inalienable right of all workers. This moment was to arrive a few years later, following the death of the *caudillo* in 1975, when a period in Spanish history began in which the word 'elections', with all that implies, became fundamental to political debate and social change. Right from the start of the transition, from the presentation of the Political Reform Bill as a mechanism for political transformation in the democratic sense and without ruptures, the electoral question was the subject of as much attention as commotion in the heart of the political class (in both the government and the opposition). It was then when it became completely clear that the electoral system was in no way a mere aseptic mechanism whereby the sovereignty of the people was translated into votes, into seats, into representation within the political power and nothing else. It is when

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5 CNT-AIT was set up in Barcelona in 1910. Rooted in the anarcho-syndicalist ideology, it was the most important trade union in Spain before the dictatorship.



the theories of Duverger or Sartori on the influence of electoral systems on political parties, in shaping the political map of a country, were shown as a tangible reality in which the various groups pushed for an electoral law which would benefit their interests or expectations of representation in the new regime. In the Spanish case, the proportional representation system did not prevent the polarization of votes and the consolidation of a two-party system (see Gunther 1989, 73–106).

The first big debate in the Assembly, as under the Second Republic, focused on whether the electoral system should be by majority or proportional representation. Given the constituent assembly character which was being attributed to the coming elections (which in the end were held in June 1977) from the most advanced sectors of opinion, except for the most reactionary deputies, the tendency was to prefer the proportional system of representation. This, in theory, would allow for the wide range of views existing in Spain at that time to be reflected, as one can see from the 'alphabet soup' created by the initials of all the parties which stood at the 1977 elections (*El País*, 6 November 1998).<sup>6</sup> But even in the precision of the system within the different possible formulas for determining the proportional distribution between votes and representatives, the one produced by the Belgian mathematician V. d'Hondt which was adopted in the Royal Decree law of 18 March 1977 aroused bitter criticism from the outset. It encouraged the final distribution of seats among the 'remains' of the votes to the parties receiving the most votes, an option which favored the bigger parties so that criticisms have continued over a length of time. Hence, at the 1999 local elections, the candidate for mayor of Madrid, Fernando Morán, demanded the 'urgent correction' of the electoral system because it 'has led to an estrangement between political representatives and the citizens'.

Among the requirements that the democratic opposition demanded to support these first and transcendental elections was freedom and fairness in the process, but above all else, neutrality: 'legal and political guarantees' from the state. In fact, although on the election day of 15 June some irregularities were still detected in some villages, polling stations and particular individuals, even the sectors critical of the opposition considered them 'formally acceptable' (*Triunfo*, 16 June 1977). In fact, the turnout at these elections was very high, with a participation of around 80 per cent – which reflected the popular enthusiasm for the elections – and in which, according to the French daily *Le Monde*, 'an extraordinary lesson in public spirit' was given. The *New York Times* highlighted the 'surprisingly peaceful character' of the elections, so that the old concept forged during the Restoration and fed right up until February 1936 seemed finally to shake off in this new phase that connotation of violence which had made elections something conflictive, which divided people and set them against each other (see Ministerio Asuntos Exteriores 1977).

In this whole debate opened up in 1976, the technical and political pressures on the definition of the electoral system were resolved not to hinder a greater goal: seeing off the existing authoritarian regime and establishing full democracy. In this process, the elections, and especially those of 1977, had a lot of symbolic importance which made the concept of elections something much more than a mere legal and

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6 For the pre-election atmosphere, see *El País*, 9 November 1976.

political mechanism. In the first place, the peculiar historical context had the effect of identifying elections, the electoral practice, with democracy itself.

The judgment on the inaugural nature of this democratizing process that the elections had was unanimous. The foreign press saw the elections as the 'farewell to Francoism', as the 'birth of the democratic era in Spain', as an expression of a political normalization which brought Spain closer to Europe. For Spain, it was 'its return to political civilization' (*Frankfurter Allgemeine Zeitung*, 18 June 1977) – that is, that both inside and outside the country, the elections were a synonym of the exercise of freedoms and democracy. They were, as the king would say at the opening of the new Parliament, 'the recognition of the sovereignty of the Spanish people', and thence the legitimizing function of power which is intrinsic to the concept of elections (see Cotarelo 1992, 494).

Over and above specific results, what was more important was the advance it represented and the return of their sovereignty to the people. No subsequent election, not even those of such relevance as in 1979 (the first strictly democratic ones in Spanish local authorities) or those for the autonomous governments of 1983, again roused such enthusiasm, massive turnout and significance as those of 1977, when people felt that something was being recovered from Spanish history, at the same time as, from an electoral point of view, a conscious break was being made with historical precedents (see Montero 1997, 396–427). It was during the 1970s that the word 'elections' acquired its increased importance and a positive tone as a central element of Spain's democratic system.

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