



UNIVERSIDADE  
CATOLICA  
PORTUGUESA

INSTITUTO DE ESTUDOS POLÍTICOS

# Democratic Backsliding: The case of Spain

Degree: MA in Governance, Leadership and Democracy Studies

By Pedro Alejandro Parada Urriolagoitia  
Student Number: 104523004

Masters thesis written under the supervision of Professor Dr. Monica Días

Institute for Political Studies

January 2025

Lisbon, Portugal

## **Acknowledgments**

I want to thank Dr. Monica Días for supervising my thesis dissertation. Your knowledge in the field of democracy has been truly helpful. Similarly, I am grateful that I had the opportunity to take the two courses “Democracy in Times of Globalization” and “Democracy Civil Society and Religion” taught by Professor Monica Días, in which I was able to learn about the highly complex and relevant concept of Democracy, having the opportunity to learn a new type of critical approach that helped me understand the reason for which this type of political system succeeds in some countries and why it fails in others. In the same manner, these two courses have helped me to identify and understand the main challenges that democracies are facing worldwide and inspired me to apply this newly learned knowledge to my home country.

I would also like to thank my parents for encouraging me from the very beginning to take the MA in Governance, Leadership, and Democracy Studies, where I was able to learn the main concepts and principles of Western political thought and study in depth the fast-changing dynamics of Contemporary Global Politics. The Ma program has allowed me to improve essential skills that would be highly useful for my professional career such as conducting rigorous, high-level research through the elaboration of a dissertation to present ideas publicly in a clear and precise manner by conducting presentations to the rest of the class and understand and analyze real key strategic decision-making policies conducted by states in areas of Geo-economic and Geopolitics.

Finally, I would like to thank my classmates of the MA for sharing their passion in the field of political studies, where we have been able to share and discuss the current political challenges faced by many European countries, including Portugal and Spain; it has been a genuinely enriching experience.

## **Abstract**

The Spanish transition of 1975 has been considered a paradigmatic case of the third wave of democratization. The most used quantitative democracy indexes, independently from variables that each index includes in their measurements, categorized Spain among the top most consolidated democracies in the world. However, in the last decade, an increasing level of concern on the Spanish quality of democracy has risen. In 2006, experts started using the term democratic backsliding to describe the state-led erosion, debilitation, or elimination of democratic political institutions, a gradual process that may be hard to detect. This dissertation reveals that the Spanish democratic system is suffering a democratic backsliding process. A review of Freedom House, EIU and V-DEM indexes showed that Spain is suffering a decline in its democratic quality. The in-depth qualitative analysis of the Spanish political system has revealed how the current coalition government has been using democratic tools and procedures to expand its political power, which has been causing the erosion of Spanish democratic institutions. Specifically, Spain is going through a polarization process exacerbated by pro-independentist and leftist anti-establishment political parties who captured the government into short-term political pacts; executive aggrandizement has been exposed in the way the government has appointed new judges and shows the politicization of the judicial system; the weakening of the rule of law has been exposed in the Catalan Amnesty for politicians sentenced to crimes of embezzlement, terrorism and misuse of public funds; high levels of corruption in which the current president is using its executive power to intimidate judges who are investigating possible corruption crimes from individuals of his inner circle; and the attempt to control the media and press or the prioritization of governmental subsidies towards those media outlets that hold similar ideological position to the governments. The genesis of the current Spanish Backsliding process has been explained by applying Rustow's dynamic model. The historical evolution of the political and institutional dynamics of Spain, especially the critical events of the relationship between the Spanish central government and Catalonia, reveals that the roots of this democratic backsliding process can be traced back two centuries ago to a lack of national unity due to major identity issues found in Catalonia. It has been shown that Rustow's sequential phases have not been accomplished during the transition toward democracy. Even though there was a consensus that the prolonged and inconclusive struggle was the Catalan identity and its territorial disputes, the Spanish constitution of 1978 did not solve this dispute.

# Index

<b>Introduction</b>	<b>7</b>
<b>1. What is democratic backsliding?</b>	<b>23</b>
<b>1.1 Conceptualizing democratic backsliding</b>	<b>25</b>
1.1.1 What is a democracy?	26
1.1.2 What is democratic backsliding?	28
1.1.3 How has democratic backsliding been studied so far?	33
<b>1.2 Can democratic backsliding be considered a reverse wave?</b>	<b>46</b>
1.2.1 Waves of democratization	46
1.2.2 Comparing reverse waves and democratic backsliding	48
<b>2. Rustow and the Transition Paradigm Theory</b>	<b>52</b>
<b>2.1 Rustow's Dynamic Model</b>	<b>53</b>
2.1.1 Background condition	55
2.1.2 Preparatory phase	56
2.1.3 Decision phase	58
2.1.4 Habituation phase	59
<b>2.2. The Transition Paradigm</b>	<b>62</b>
2.2.1 Transitions from Authoritarian Rule: Guillermo O'Donnell and Philip Schmitter	62
2.2.2 Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe: Juan J. Linz and Alfred Stepan	66
2.2.3 Further Refinements, Critics and Limitations	68
2.2.4 "The end of the Transition Paradigm": Thomas Carothers	73
<b>3. Is there a Democratic Backsliding process in Spain?</b>	<b>78</b>
<b>3.1 Decline of democracies within the international system</b>	<b>78</b>
<b>3.2 Analyzing the Democratic Backsliding Process of Spain</b>	<b>80</b>
3.2.1 The Evolution of the Spanish democracy through democracy Indexes	81
3.2.2 Polarization	84
3.2.3 Executive aggrandizement/ Lack of judicial independence	88
3.2.4 Weakening of the rule of law	92
3.2.5 High Levels of corruption	96
3.2.6 Control of media and press	100
<b>3.3 The Spanish Model: A transition paradigmatic case</b>	<b>103</b>
3.3.1 The Spanish economic evolution between 1973 to 2023	104
3.3.2 An overview of the Spanish political system between 1978 and 2024	107
<b>3.4 Roots of the democratic backsliding</b>	<b>109</b>
3.4.1 Historical overview of the Spanish political dynamics (From the 12 <sup>th</sup> century to 2011)	109
3.4.1.1 The Spanish kingdom and the Principality of Catalonia	110
3.4.1.2 The Catalan revolt	112
3.4.1.3 La Nueva Planta: A new Political Regime	114
3.4.1.4 The Constitution of Cádiz: The Spanish nation	115
3.4.1.5 Era of Political instability	116

3.4.1.6 The Reinaxença _____	117
3.4.1.7 The Statute of Autonomy of Catalonia _____	119
3.4.1.8 The Spanish Civil War _____	121
3.4.1.9 Franco ´s dictatorship _____	122
3.4.1.10 The Democratic transition _____	122
3.4.1.11 Catalan Statues _____	124
<b>3.5 Discussion: Application of Rustow ´s Genetic Theory of Democracy _____</b>	<b>127</b>
3.5.1. Background Condition: National Unity _____	127
3.5.2 The Preparatory Phase _____	131
3.5.3 The Decision Phase _____	135
3.5.4 Habituation Phase _____	137
<b>Conclusions _____</b>	<b>140</b>
<b>Bibliography _____</b>	<b>151</b>

## Figure Index

Figure 1: Stages of the Spanish Democratic System	20
Figure 2: Freedom House Political Rights Scores, V-DEM Variable Graph	35
Figure 3: Polity Combined Scores	36
Figure 4: EIU: Democracy Index Score	37
Figure 5: Liberal Democracy Index	38
Figure 6: Democratic Backsliding in the Continuum from Democracy to Autocracy	50
Figure 7: Rustow's Dynamic Model	60
Figure 8: Regional Levels of Liberal Democracy 1973-2023	79
Figure 9: Percentage of Support for Changes and Maintenance of Political Institutions in 2021	80
Figure 10: Liberal Democracy Index Map	81
Figure 11: Spanish EIU Democratic Index	82
Figure 12: the V-DEM Liberal Democracy Index of Spain (1930-2023)	83
Figure 13: V-DEM Polarization of Spanish Society (2000-2022)	85
Figure 14: Electoral Volatility and Polarization in Spain since 1979	86
Figure 15: Political Parties Hate Speech in the Spanish Political Sphere	87
Figure 16: Number of Elected MP's of the Most Voted Party and Vote Share by PSOE and PP in General Elections since 1982	88
Figure 17: Spanish Executive Respect Towards the Spanish Constitution	90
Figure 18: Spanish High Court Independence	91
Figure 19: Compliance with the Rule of Law by National and Autonomous Political Institutions	94
Figure 20: Attacks of the Executive Government Against the Judiciary Branch	97
Figure 21: Criteria for Appointment Decisions in the State Administration	99
Figure 22: Control of Corruption	100
Figure 23: Media Bias	103
Figure 24: Spanish GDP Growth (1850-2015)	105
Figure 25: Comparative per Capita GDP Growth (1950-2015), Average Annual Logarithmic Rates	105
Figure 26: Real GDP Growth	106
Figure 27: Real GDP Growth	107
Figure 28: Critical Events in the Relationship between Spain and Catalonia	126
Figure 29: Patterns of the Relationship between Madrid and Catalonia	133
Figure 30: Number of Approved Constitutions	136
Figure 31: Analysis of the Spanish Case within Rustow's Dynamic Model	139
Figure 32: Democratic Backsliding: The Case of Spain	150

## Introduction

*“There is another way to break a democracy. It is less dramatic but equally destructive. Democracies may die at the hands not of generals but of elected leaders, presidents, or prime ministers who subvert the very process that brought them to power. Some of these leaders dismantle democracy quickly, as Hitler did in the wake of the 1933 Reichstag fire in Germany. More often, though, democracies erode slowly in barely visible steps”.*

Levitsky and Ziblatt, How democracies die.

*”... Even the most beautifully designed constitution can be abused. The ultimate defense of liberal democracy lies not in the constitution but in the culture- in free, informed, and principled citizens who will not tolerate the abuse of their democracy or their rights”*

Larry Diamond, Ill winds.

In the latest Spanish elections of 2023, Pedro Sánchez won the elections with the support of two Catalan pro-independent parties under the condition of establishing an amnesty to all of those charged with or convicted of several crimes related to the illegal referendum on Catalan secession, “El Process”, in 2017, including crimes related to corruption. This generated a major controversy since the amnesty overturns the legal decisions taken by the courts, including the Supreme Court, which had already ruled on those decisions.

The amnesty law represents a serious interference with the judicial system, which under any democratic system must be independent and have no interference with the executive power. It has caused a serious breach in regards to the rule of law and does not have the consensus of the general Spanish population. It has caused a fracture within the Spanish society and within Catalan Society, between Catalan Unionists and Catalan Secessionists which in turn has generated increased polarization.

However, the political sphere had already begun to experience a process of polarization a few years before El Procés, when in 2015, new political parties were created and new pro-independentist parties from Catalonia and Basque Country gained popularity and increased support in their regions.

Some experts argued that the global financial crisis of 2008 was a triggering point for political polarization and the strengthening of the independentist movement. However, even though the Spanish political system became more polarized after the global financial crisis, other EU member states, considered consolidated democracies, such as Portugal,

did not experience polarization or illegal declarations of independence or any political issue that will interfere with the judicial system.

## **Motivation**

Spain managed to become a consolidated democracy through the 1978 constitution and through the establishment of well-functioning institutions. In fact, the transition from the Franco dictatorship towards a democratic political system has been considered a paradigm. Scholars studied in depth this “Spanish Model” while politicians categorized as an example for transitioning countries in the world.

However, the current government led by President Pedro Sanchez, is weaponizing legal and political institutions against its political rivals. Since 2019, the PSOE-led government has implemented several undemocratic practices such as the overuse of decree laws which should be implemented in exceptional circumstances. Other types of undemocratic practices include the non-renewal of the General Council of the Judiciary (CGPJ), which is the main judiciary institution that has the legal competencies to appoint judges from the Supreme Court and the Constitutional Court, which was supposed to be done in 2018 as required by the Spanish Constitution. The failure to renew the CGPJ was eroding the rule of law, violating the separation of powers, and negatively affecting the independence of the judiciary system.

In 2024, there was a greater level of concern in several sectors throughout society about the Spanish quality of democracy due to the current negotiations for the Catalan amnesty. This amnesty law is based on impunity for all political leaders who have committed serious crimes and have no respect for the Spanish democracy in exchange for political power. Furthermore, the European Union has expressed its concerns regarding the ongoing democratic backsliding cases across EU member states, and in the case of Spain, it has raised concerns on its proposed amnesty law, on other issues on the Spanish justice system and also some procedural practices in parliament. Therefore, the objective of my dissertation is to show that Spain is currently under a democratic backsliding process. In addition, another main objective of this dissertation is to identify the root causes that would help to better understand the current democratic backsliding process.

## Context

When comparing Spain's 20<sup>th</sup>-century political history with other Western European countries such as France or the United Kingdom, we can see how Spain, for a significant period of time, was not able to implement a democratic system. Between 1874 and 1923, caciquism was present in the Spanish political system. This type of political system was defined as a network of political power used by powerful political individuals that influenced electoral outcomes through a political network of clientelism where fraud was present in all political elections.

In 1931 the Second Spanish Republic was established, it increased political participation of citizens by introducing democratic electoral laws and eradicating caciquism. However, this democratic period was brief since it only lasted until 1936. For 36 years, between 1939 until 1975 and especially after the end of World War II when the majority of Western European countries were becoming democracies, Spain remained under an authoritarian regime. Hence, all the democratic accomplishments that were introduced in Spain during the second republic were eliminated.

In 1939, Spain became an authoritarian regime under the rule of General Francisco Franco until 1975. Falange was established as the sole legal party and concentrated all forms of governmental power. According to Encarnación in his news article "Spain is going to be Fine" published in the New York Times in 2023, Franco managed to concentrate more power compared to other authoritarian rulers such as Joseph Stalin or Adolf Hitler during their highest levels of political power<sup>1</sup>. During Franco's regime there was no distinction between the executive and legislative power, the executive government was responsible for passing all laws while the Spanish parliament was an advisory body elected by neither direct nor universal suffrage.

No forms of political or civil opposition were allowed during Franco's regime since all forms of opposition within the political spectrum that opposed Franco's regime were either controlled by the regime, repressed or prohibited. Freedom of expression was restricted. All newspapers were put under prior censorship and were forced to praise and

---

<sup>1</sup> Encarnación, Omar G. (2023) Spain Is Going to Be Fine. The New York Times. <https://www.nytimes.com/2023/07/20/opinion/spain-election-sanchez-vox.html>

favor the regime. Major journalist positions within large Spanish media companies were directly appointed by the government. Liberal, Republican and left-wing media were prohibited. Therefore, between 1939 and 1975 Spain was far from being considered a democracy.

From 1960 onwards the regime of Francisco Franco had to adapt to the new geopolitical changes that were occurring worldwide. Nazi Germany had been defeated in 1945 and a new global order was emerging, the beginning of the cold war. This would create a new bipolar international system in which countries had to align themselves with either the capitalist sphere led by the United States or with the communist sphere led by the Soviet Union. General Francisco Franco managed to ensure the survival of his regime by becoming an important ally of the United States and other Western countries.

Hence, the overall level of authoritarianism within the regime began to progressively decrease. The regime began to grant more freedoms and power to the liberal technocrats from the private sector. The regime established new economic and social policies. Subsequently, large amounts of emigration began to occur, especially to the South American continent and to other European countries, which allowed the progressive opening of Spain into the international system politically and economically. Furthermore, during the decade of the 60's, Spain experienced further economic growth. Tourism became an important economic sector for the regime. By 1965, Spain became the second-fastest-growing economy in the world<sup>2</sup> as Kenneth highlighted in his journal article published in 1991.

The year 1975 would be a major date for Spanish politics since Francisco Franco died. This would lead to a new political era in Spain. Therefore, it is not until the third quarter of the 20th century that Spain was able to establish a democratic political system. Through the political will of all Spanish political parties and institutions to ensure the transition of Spain towards democracy and the eventual joining of Spain into the EU, the country managed to introduce democracy into its political system. Spain has managed to become a democracy in a relatively short period of time, by establishing a democratic constitution

---

<sup>2</sup> Kenneth, M. (1991) Spain's Transition to Democracy: A Model for Eastern Europe? The Academy of Political Science. Volume 38. Issue 1. Pages 35-49

where the main democratic principles were introduced, specifically competitive multiparty elections, rule of law, civil liberties, freedom of expression and human rights.

The Spanish transition to democracy was a complex process that gradually transformed the legal framework of the Francoist regime into a democratic state. Spain became a Parliamentary Monarchy through the creation of the 1978 constitution, consolidating the main democratic principles, practices, and institutions. The consolidation towards a democratic system was done through unanimous political consensus between all political parties.

The creation of the Spanish parliament (Congreso de Diputados) was finalized in 1977 in which the new Spanish constitution of 1978 was created through political unanimity since all political parties were involved in its elaboration. Therefore, democratic values and principles, such as the rule of law, were progressively consolidated into the Spanish political system. According to several political and academic experts on Spanish politics, there is a wide consensus on the idea that the Spanish transition towards democracy was finalized in the democratic election of 1982, where PSOE managed to win the elections and it is considered as the first democratic transfer of power.

Spain managed to join the European Union in 1986. Subsequently, it had to fulfill a number of specific requirements that all countries that are interested in joining the EU must fulfill such as stability of institutions guaranteeing a democratic political system, the rule of law, human rights and respect for and protection of minorities. In 1986, there was a wide consensus within the Spanish population and within the Spanish political sphere towards joining the European Community (EC) and the Council of Europe since it was considered as a guarantee to ensure democratic stability and the liberalization of the economy. Once Spain joined the European community and the Council of Europe, Spain's economy managed to grow significantly, through an increase in foreign investments, an increase of emigrant remittances, mainly from South America and due to an increase in tourism. Similarly, European and North American capital began to flow within Spain's economy.

For this reason, as Powell sustained in his article *The Long Road to Europe: Spain and the European Community* published in 2015, Spain managed to become a fully

consolidated democracy<sup>3</sup>. Since 1980's and before the global financial crisis of 2008, Spain managed to become a prosperous and stable democracy, managing to produce significant levels of economic growth and a quick modernization process. When it joined the EU GDP per capita increased by 73%. Before the global financial crisis of 2008, Spain was in its 14th consecutive year of economic growth with an average economic growth of 1,4% and modernizing<sup>4</sup>.

From 1978 to 2011, Spain was considered as a well consolidated democracy, managing to achieve high scores in a number of international indexes used to measure the quality of democratic political systems. Spain's electoral political system was considered as democratic since Spain's legal, judicial and administrative regulations used for the validation of party lists and candidacies were rated as fair, clear and flexible. Furthermore, several international monitoring organizations, such as the OSCE (Office for Democratic Institutions and Human Rights), gave a high score to Spain's management and legal framework of its parliamentary elections system. Citizens are able to run for office following non-discriminatory registration policies which are protected by the rule of law and enforced by an independent judicial system. According to Freedom House, the country managed to become a fully consolidated democracy<sup>5</sup>. The institutions have been able to effectively protect civil and individual liberties, through different democratic mechanisms present in the Spanish democratic systems such as the constitution, ordinary legislation and the courts.

Universal suffrage was established, allowing all Spanish citizens who are older than 18 to exercise their vote through non-coercive or discriminatory practices by no governmental branch or institution. Citizens from other European countries were able to exercise their right to vote in local and European elections. Access to information and freedom of media were also introduced in Spain, creating a diverse media ecosystem with minimum constraints. The Spanish constitution guarantees freedom of expression without censorship.

---

<sup>3</sup> Powell, Ch. (2015) The Long Road to Europe: Spain and the European Community, 1957-1986. Real Instituto Elcano. Pages 5-22. <https://media.realinstitutoelcano.org/wp-content/uploads/2021/11/dt9-2015-powell-long-road-europe-spain-european-community-1957-1986.pdf>

<sup>4</sup> Royo, S. (2020) The Causes and the legacy of the Great Recession in Spain. Oxford Handbooks: Spanish politics Pages 127-129.

<sup>5</sup> Ecarrión, O. (2020) Memory and Politics in Democratic Spain. Oxford University Press.

The Spanish constitution of 1978 established an independent judicial system based on the principles of the rule of law and the separation of powers. The Spanish system was able to exercise its judicial duty to ensure the compliance of governmental and administration tasks by the executive branch through the rule of law and impede the abuse or full concentration of power by the executive government.

Spain's political system is composed by a number of political-legal entities. Firstly, the crown whom they act as the head of the Spanish state, symbolizing the unity and the presence of the state in the entire Spanish territory, exerting a moderating and arbitration function of the Spanish institutions. The crown also acts as the highest representative of the Spanish state in issues related to foreign policy.

The Government is responsible for the executive function and the commencement of legislative action, the possibility of governing by way of emergency legislation and the drawing up of the draft budget. Furthermore, the government is also responsible for domestic and foreign policy, civil and military, and the defense of the State. The current government consists of the president of the government, a vice-presidency with ministerial office and sixteen ministers.

Between 1982 and 2015 two political parties dominated the Spanish political system. Partido Popular (PP), a center-right political party, and Partido Socialista Obrero Español (PSOE), a center-left political party. These two political parties achieved the highest number of votes in the national elections, between 66% and 85% of votes. When comparing the Spanish political system with other European political systems, all Spanish elections until 2019 produced a one-party government. In fact, according to poll research conducted by the Centro de Investigaciones Sociológicas (CIS) in 2007, close to 60% of Spanish citizens who voted were loyal and close to one of these two mainstream political parties<sup>6</sup>.

However, the global financial crisis that started in 2008 had a deep impact on Spain's economy and democratic political system. The main factors that caused the global financial crisis were the easy lending market of subprime mortgages, most clients were

---

<sup>6</sup> Muro, D. and Lago, L. (2020) Introduction in the Oxford Handbook of Spanish Politics. Oxford University Press.

low-income citizens, high levels of excessive risk-taking by global financial institutions and the progressive buildup of economic bubbles in a wide range of sectors within the economy.

The Spanish real-estate sector was deeply affected by the global financial crisis. A Spanish housing bubble took place between 1996 and 2008. The high levels of tax revenues from the growing real estate and construction sectors generated surplus values for the Spanish government while at the same time, public expenditure kept increasing. Therefore, the Spanish government began to loosen real estate regulations allowing banks to use legal mechanisms to avoid implementing international banking accounting standards such as not reporting financial losses and not disclosing relevant financial information to investors, further increasing the Spanish real estate bubble. As a result, Spain entered into a deep economic crisis, generating an increase in unemployment, the bankruptcies of major companies and a deep economic recession.

This allowed the progressive creation and establishment of new political parties that opposed the mainstream *status quo* of the Spanish political system. The discontent of a large proportion of the Spanish population against the mainstream political parties grew and became more institutionalized. For this reason, a major group within the Spanish population emerged demanding a complete renovation of the Spanish political system and the overall improvement of other factors such as housing, employment, health, education and more political participation. This new social group would be later known as the “Indignados” movement. Romanos described in his book chapter “Social Movements on Spanish Politics” published in 2020 that Podemos, the new left-wing political party was created as well as the new political party Ciudadanos, a center-right political party. Hence, after the national election of 2015 government composition and new forms of political coalitions became essential in contemporary Spanish politics<sup>7</sup>.

Similarly, new independentist political parties began to gain more relevance and more votes in the Spanish political system. They were regional political parties from two Spanish autonomous communities, the Basque autonomous community and the Catalan autonomous community. In the case of the Basque Country there was the leftist political

---

<sup>7</sup> Romanos, E. (2020) Social Movements on Spanish Politics on *The Oxford Handbook of Spanish Politics* by Diego Muro and Ignacio Lago. Pages 465-478

party Eh Bildu which was created based on the political ideologies of Herri Batasuna, the main political instrument of the terrorist group ETA. The PNV (Partido Nacionalista Vasco) is the other main Basque political party. Both political parties have 13 seats (out of 350) in the Spanish parliament and have formed a coalition government with Pedro Sanchez (PSOE).

In the case of the autonomous community of Catalonia the main political parties were United for Catalonia (Junts per Catalonia), Leftist Republicans (Esquerra Republicana) and Popular Unity Candidacy (Candidatura de Unidad Popular). All three political parties are in favor of Catalan independence. According to the official statistical department of the Catalan Government Center for Opinion Studies, before the global financial crisis of 2008 around 14% of the Catalan population were in favor of separating from Spain and becoming an independent country. However, after the global financial crisis close to 45% of the Catalan population were in favor of becoming an independent state<sup>8</sup> as Sinkkonen describes in his article “The rise of the Podemos party in Spain: An upcoming enfant terrible in Europe?” published in 2015.

The Socialist party PSOE was not able to win the national elections of 2011, losing 69 seats in the Spanish parliament while the Popular Party under the leadership of Mariano Rajoy managed to obtain absolute majority by obtaining 186 of the Spanish parliament and being voted by close to 11 million Spanish citizens. The national elections of 2011 led to the fragmentation of the Spanish political system<sup>9</sup>, as described by Royo in his work “The Cause and Legacy of the Great Recession in Spain” published in 2020.

During Mariano Rajoy’s presidential term in 2015, the political party PP lost 63 seats in the Spanish parliament. Like the political party PSOE, PP was not able to implement efficient long-term economic measures during the post-financial crisis of 2008, including high levels of corruption-related activities done by high-ranking PP ministers. Hence, the Spanish political sphere became more unpredictable, volatile, and fragmented. None of the mainstream parties were able to form an absolute majority, and therefore, new national

---

<sup>8</sup> Sinkkonen, T. (2015) The rise of the Podemos party in Spain > An upcoming enfant terrible in Europe? *Finish institute of international affairs*. [https://www.fiia.fi/wp-content/uploads/2017/01/comment3\\_2015eng.pdf](https://www.fiia.fi/wp-content/uploads/2017/01/comment3_2015eng.pdf)

<sup>9</sup> Royo, S. (2020) *The Cause and Legacy of the Great Recession in Spain*. Oxford University Press. Pages 116-132

elections were held in 2016. PP won; however, it did not obtain an absolute majority and, therefore, had to form a coalition with Ciudadanos and other small political parties.

In 2017, the leader of Junts per Catalonia, Carles Puigdemont, organized an illegal referendum on Catalan independence and proclaimed a unilateral declaration of independence, “El Procés”. According to the Spanish constitution, the Catalan referendum of 2017 and El “Procés” are illegal since even though the constitution provides a high level of autonomy to the Autonomous Communities, it defines “the indissoluble unity of the Spanish nation”<sup>10</sup> as explained by Encarnación in his article entitled “Spain after Franco: Lessons in Democratization” and published in 2002. All the Catalan political leaders in charge of organizing this illegal referendum were prosecuted by the Spanish judicial System, which forced Carles Puigdemont to flee into exile. This also created a deep fissure in the Catalan population between unionists and the secessionists generating further polarization, allowing pro-independent political parties to increase their support by having more votes in the following elections, but never reaching beyond 47% of the votes.

PP-related corruption cases kept emerging and as a consequence in 2018 a motion of no confidence was passed in the parliament and new elections were held in 2019. In 2019, PSOE won the elections, and therefore, Pedro Sanchez became the new president of Spain through a coalition government composed of pro-independentist and ultra-left political parties. Both Junts per Catalonia and Esquerra Republicana were part of the coalition government led by Pedro Sanchez and had 14 seats in the Spanish parliament. The political party Junts per Catalonia has played a very important role for Pedro Sanchez for obtaining majority in the Spanish parliament<sup>11</sup>, as described by Encarnación in his journal article “Spain after Franco: Lessons in Democratization” published in 2002.

In 2023, Spain held democratic elections. The current president Pedro Sanchez was running against PP leader Alberto Nuñez Feijóo. Feijóo was elected by PP as the new leader of the political party since he was able to win the Autonomic elections of the Spanish autonomous community of Galicia five times with absolute majority. Even though the political party PP under the leadership of Feijóo managed to win the elections

---

<sup>10</sup> Encarnación (2002) Spain after Franco: Lessons in Democratization. World Policy Journal. Volume 18. Issue 4. Pages 35-44.

<sup>11</sup> Encarnación, Omar G. (2023) Ibid cit.

he was not able to form a majority government with other political parties, falling five seats short from obtaining an overall majority. Therefore, Pedro Sanchez was elected president of Spain for a second term since he obtained an overall majority in the Parliament with Catalan, Basque independentist parties and with ultra left political parties<sup>12</sup>.

In order to ensure the overall majority the Catalan independentist parties requested an amnesty law for all those who participated in events during October of 2017, when the Catalan government held an illegal referendum of independence as well as creating major violent civil disobedience against Spanish institutions. Pedro Sanchez approved the creation of such an amnesty law. Even though ministers of his government had rejected the amnesty law in the past, so as Josep Borrell, member of the PSOE and High Representative of the European Union for Foreign Affairs and Security Policy<sup>13</sup>, Felipe González, former Spanish president of PSOE<sup>14</sup> or Candido Méndez, Former Secretary General of UGT, the largest in the country who has historically had close links with PSOE<sup>15</sup> as Cordero described in his article press article Candido Méndez, “el Último facha” published in 2024 .

Since it was considered illegal and unconstitutional, the amnesty law would also pardon other major actions that deeply go against the Spanish constitution, such as terrorism, misuse of public funds, embezzlement, and the meddling of Russia, a foreign country in Spanish internal issues as sustained by Edmonson in his article “The fracture of Spanish Politics” published in 2023<sup>16</sup>.

On the 7th of March 2024, PSOE, Junts per Catalonia, and Esquerra Republicana agreed on the final version regarding the amnesty law for the Catalan government. Crimes of terrorism which are present in the Spanish criminal code are permitted under certain conditions.

---

<sup>12</sup> Encarnación. O.G (2024) Why Separatism Is No Match for Democracy. Journal of Democracy. Volume 35. Issue 1. Pages 136-144.

<sup>13</sup> Europa Press. (2023) Borrell critica que el PSOE acepte el relato del Procés de ERC y Junts sin que asuman su responsabilidad. El Confidencial. [https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad\\_3782286/](https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad_3782286/)

<sup>14</sup> Marcos, J. (2024) Felipe González: La amnistía es una autoamnistía, hecha por los propios amnistiados, es rara y difícil de aceptar. Diario-El País. [https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad\\_3782286/](https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad_3782286/)

<sup>15</sup> Cordero, N. (2024) Candido Méndez, el Último facha. El Confidencial. [https://blogs.elconfidencial.com/espana/caza-mayor/2024-09-23/candido-mendez-el-ultimo-facha\\_3967781/](https://blogs.elconfidencial.com/espana/caza-mayor/2024-09-23/candido-mendez-el-ultimo-facha_3967781/)

<sup>16</sup> Edmonson III, H. (2023) The Fracturing of Spanish Politics. Law and Liberty. <https://lawliberty.org/the-fracturing-of-spanish-politics/>

This amnesty bill also includes for the establishment of a parliamentary commission that would investigate a potential lawfare which would investigate all the judges and judicial authorities who are currently investigating the crimes committed by the Catalan pro-Independentist political systems or those who already sentenced. This commission has been rejected unanimously by all judiciary associations and institutions since they argue that this would imply a serious interference of the independence of the Spanish judicial system, a violation of the Spanish and constitution and against the rule of law. The executive leader agreed to investigate judges from the judicial power through “parliamentary commissions”, justifying such actions by a “lawfare” conspiracy against specific independentist politicians.

Amnesties are present in the criminal codes from several EU member states. Amnesties are defined as legal acts of forgiveness for past acts, granted by a government to individuals who have been charged with crimes. In most cases, Amnesty is given for political crimes against the state, the most common forms of crimes are sedition, treason or rebellion<sup>17</sup>.

However, in all democratic legal and political systems, amnesties are only granted under exceptional circumstances and following the specific requirements found in the Venice Commission. The EU Commission is considered one of the most important advisory bodies of the European Union, providing legal advice to member states and ensuring that the institutional structures of EU member states apply EU standards in the field of political democracies and in the rule of law. There are specific crimes that cannot be amnestied such as embezzlement, in fact amnesty laws have to comply with the rule of law, prohibition of arbitrariness and non-discrimination of the law. The government of Pedro Sanchez is granting amnesty to the Catalan political leaders of the 2017 illegal referendum for personal political aspirations without any form of legal or constitutional justification. Furthermore, the Venice Commission recommended a reinforced majority to approve an amnesty, but the current government is purposely ignoring that recommendation and using the legislative body and forcing a simple majority approval.

---

<sup>17</sup> Amnesty International (2024) Our Work at The European Union. Amnesty International Official Website. <https://www.amnesty.eu/>

The amnesty law does not guarantee the avoidance of a new future pro-independence referendum. This recently approved amnesty law has a negative impact on the separation of powers. Due to the political interests of the current executive government, independent judges are not able to fulfill their judicial duties when trying to investigate the crimes committed by the Catalan leaders.

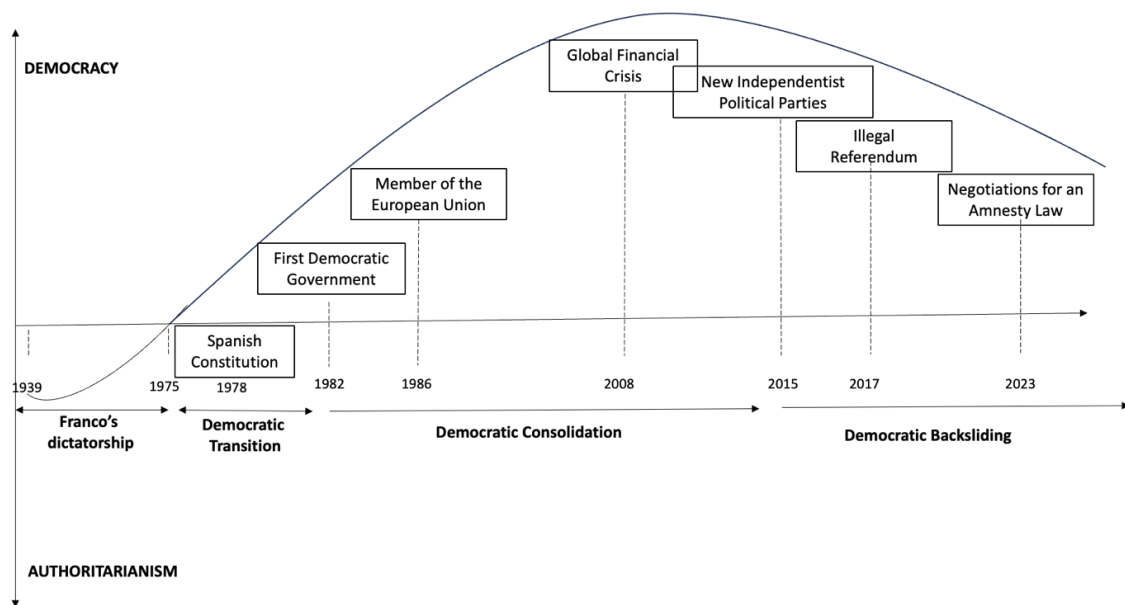
Once the amnesty law managed to pass by the majority of the parliament in the Spanish parliament, it will be reviewed by the (Tribunal Constitucional) Spanish Constitutional Court. This court will review the amnesty law in accordance with the norms and principles of the Spanish constitution, composed by 12 judges who have been elected based on judicial meritocracy by other judges within the Spanish judicial system. However, since 2019, under the leadership of Pedro Sanchez the members of the Constitutional Court have been directly appointed by PSOE, rather than being chosen by the independent judges. Therefore, the Constitutional Court has been deeply influenced by political interests since the judges from this court have been elected based on close connections with PSOE rather than being elected by judicial meritocracy.

The amnesty law pardons all of those involved in the illegal referendum of 2017 which is not compatible with the norms, values and principles of the Spanish constitution and with the basic principles of a democracy. It will provide impunity to officials and authorities who diverted public money and passed illegal resolutions knowing their anti-constitutional nature. In fact, the judges in charge of several judiciary Spanish institutions expressed their concerns against the government agreement with the independentist parties that have a deep negative impact on the rule of law. The government accepted charging the judges with the suspicion of “lawfare” as proposed by the independentist parties, for which the independentists want to oblige judges to testify in front of parliamentary commissions created ad-hoc to justify their judicial decisions, violating the principle of separation of powers in a fully functioning democracy.

In summary, the following graph illustrates the main stages experienced by the Spanish Democratic system, starting with Franco’s dictatorship from 1939 to 1975, followed by the democratic transition until 1982, when a process of democratic consolidation started and reached its peak between 2011 and 2015. However, in the last decade, there have been a number of events that have caught the attention of democracy experts and

politicians since they have caused a negative impact on the Spanish democratic institutions, starting with the unilateral declaration of independence by the Catalan regional government and more recently with the current negotiation process on an amnesty law between the executive government and the pro-Catalan independentist political parties. Within some political and academic spheres, there is an increasing concern that the Spanish democratic political system is experiencing a process of democratic backsliding. Figure 1 shows the stages of the Spanish democratic system.

Figure 1: Stages of the Spanish Democratic System



Source: Own elaboration

## Research Question

Hence, the research question for this master dissertation will be the following: **Are there signs of democratic backsliding in the Spanish political system, and if so, what are the roots?** The hypothesis for this master dissertation is that the birth defects in the democratization process explain the current government's use of democratic mechanisms and institutions for its own political interests, eroding democratic institutions such as the rule of law, the independence of the judicial system, and accountability.

However, other hypotheses should also be considered such as that the Spanish democratic backsliding follows an international populist trend that is represented more strongly by a pro-independence populist movement. This could be a further research topic beyond the scope of this dissertation.

## **Methodology**

The dissertation will use a qualitative methodology approach through a case study. The literature on democratic backsliding is still in its early stages and much needed in-depth single case are still lacking<sup>18</sup> as highlighted by Castaldo in his article “Back to Competitive Authoritarianism?” Published in 2020. This is the most suitable way to answer the research question, which involves a single case, referring to a specific phenomenon, the democratic backsliding process in the Spanish political system.

To elaborate on the case study, first the dissertation will begin with a brief review of the evolution of the general indicators of the democratic quality of the Spanish political system published by organizations such as Freedom House, the Economist Intelligence Unit and V-Dem to have a first overview on the evolution on the quality of Spanish democracy.

Second, a qualitative in-depth analysis will be conducted to provide a detailed investigation of the Spanish democratic backsliding process, generating further knowledge that would be relevant beyond the already studied evidence. This single case has a high level of complexity, which requires, first, a rich description of significant amounts of legal, constitutional, and democratic knowledge. It also requires an in-depth analysis in terms of the specific mechanisms that the current government is implementing, causing the erosion of the democratic institutions, values, norms, and principles of the Spanish political system. To perform this analysis, the democratic framework developed in Chapter 1 will be applied, specifically through analyzing the forms of democratic backsliding identified mainly by Bermeo, Ghandi, Haggard and Kaufman, including executive aggrandizement, lack of judicial independence, polarization, corruption and control of media and press.

The second part of the case study, will be developed by applying the Rustow Genetic Theory of Democracy presented in Chapter II. Following Rustow’s model the case study will focus on the genesis of the democratic system in Spain, examining the sequence of the transformation process within the Spanish political system. In this part, the case

---

<sup>18</sup> Castaldo, A. (2020) Back to Competitive Authoritarianism? Democratic Backsliding in Vučić’s Serbia. Institute for political research. Pages 1617-1638

requires the study of recurring patterns of interaction and processes of change through a longitudinal evolution perspective, which will be attained through the historical overview of the Spanish political dynamics from the Middle Ages to the current political affairs in 2024. This will be conducted with the purpose of finding an explanation on the roots that are causing this democratic backsliding process.

The methodological techniques that will be used to elaborate the case study will be secondary sources such as written documents like analysis or interviews, written reports published by judicial and legal experts, written reports published by the European Union or published interviews conducted to the main members of the Spanish political parties.

Triangulation will be another key methodological tool as it provides a deeper insight into the topic. For each element that will be analyzed, different secondary sources will be examined in detail such as news articles, reports from major political, judicial, academic, and supranational entities, discourse analysis by studying the language, and main factors explained in official discourse by relevant political, judicial, and academic individuals and institutions.

The Dissertation will be structured in the following manner. First, Chapter I will provide a review of the literature on democratic backsliding by focusing on the main authors who have tried to conceptualize and to apply different research approaches with the purpose of depicting an analytical framework. This chapter will also conduct a comparison between democratic backsliding and reverse waves for a deeper understanding on the concept of democratic backsliding. Chapter II will be devoted to present Rustow dynamic model developed in his seminal article on democratic transitions, a new line of research known as the Transition Paradigm Theory. Chapter III will be devoted to the in-depth analysis of the Spanish case study which will be composed by two parts in order to answer the research question. The first part will answer the question Are there signs of democratic backsliding in the Spanish political system? by applying the framework developed in Chapter I. The second part of the research question What are the roots? It will be approached by applying the Rustow democratic model of democratic transitions. The last section will present the conclusions.

## 1. What is democratic backsliding?

*“Democratic backsliding is an overwhelming fact of contemporary global politics. Democracy’s retreat across dozens of countries in multiple regions has forced a reckoning with once-favored notions about democracy’s inevitable spread, its intuitive appeal, and its inherent value. As the trend line of the global democratic recession has become longer and starker, policymakers and political analysts have debated the phenomenon and sought to come to terms with the harsh new reality of a world where each year brings less rather than more democracy globally. Despite all this attention, the drivers of democratic backsliding remain poorly understood. If one were to ask any reasonably diverse group of policymakers or experts why so many countries have moved backward on democracy recently, one would hear a wide range of answers and little consensus”.*

Thomas Carothers and Benjamin Press, 2022<sup>19</sup>.

In 2006, experts began to use the term democratic backsliding when a decline in democracies began after three decades of continuous growth of democracies in the world<sup>20</sup>. Among the first authors who drew his attention on this new phenomenon was Larry Diamond in his article Facing up to Democratic Recession. This process was part of a global trend of democratic recession as an increasing number of democratic breakdowns began to spread, the quality of democracy declined in an increasing number of emerging countries and democratic systems transformed into authoritarian regimes. Authoritarian regimes such as Russia and China deepened, and Western and consolidated democracies such as the case of the United States increasingly lacked the capacity to handle the emergence of new democratic challenges<sup>21</sup>, as Levitsky and Ziblatt exposed in their book “How Democracies Die” in 2018.

This rising trend of new democracies that started with the Carnegie Revolution in Portugal in 1974 was named by Samuel Huntington as the third wave of democratization<sup>22</sup>. During the decade of the 70s, after four decades of dictatorship under the leadership of Antonio Salazar in Portugal, four decades of dictatorship under the leadership of Francisco Franco in Spain, and six years under the leadership of Georgios Papadopoulos in Greece, Southern Europe entered into a process of democratization. Furthermore, after the fall of the Berlin Wall in 1989 and the collapse of the Soviet Union in 1991, several Eastern, Central, and Baltic countries from Europe that used to form the Soviet Bloc entered into

---

<sup>19</sup> Carothers, Th and Press, B. (2022) Understanding and Responding to Democratic Backsliding. Carnegie Endowment for International Peace.

<sup>20</sup> Diamond, L. (2015). "Facing up to the Democratic Recession." *Journal of Democracy*. Volume 26, Issue 1 Pages 141-155.

<sup>21</sup> Levitsky, S. and D. Ziblatt (2018). *How Democracies Die*, Penguin Random House.

<sup>22</sup> Huntington, S. (1991) *Democracies Third Wave*. *Journal of Democracy* Vol 2 Issue 1. pages 12-34

a process of democratization. In fact, most of these countries would eventually join the European Union. Furthermore, during the early decades of the 80's Uruguay, Ecuador, Peru, Bolivia and Argentina managed to become democracies. Consequently, by 1990, several South American countries managed to become democracies. In 1986, within the Asian continent, the Philippines, South Korea, Thailand, Taiwan, Pakistan, Nepal and Bangladesh managed to become democracies. In 1991, within Eastern Europe, Poland, Czech Republic and Yugoslavia managed to become democracies.

Subsequently, between the decades of the 70's and the 90's, close to 30 countries managed to become democratic states, doubling the number of democracies worldwide. Five major factors contributed to the third wave of democracy. Firstly, the high levels of economic growth that occurred during the 60's, improving the living standards and the levels of education, leading to the increase of the middle class in several countries. Secondly, the persisting and rising issues that could not be solved by authoritarian regimes. Thirdly, the new doctrine adopted by the Catholic Church became one of the major entities that promoted and defended democratic practices. Fourthly, significant policy changes by political, economic, and military powers such as the European Union, the United States, and the Soviet Union. Fifth, the "snowballing effect," also known as the "demonstration effect", during the early stages of the third wave of democratization, fostering and providing models for future democracies.<sup>23</sup> Hence, as Fukuyama explained in his article "Why is Democracy Performing so Poorly" between 1970 and 2014, there was global progress in the spread and establishment of democratic political systems, increasing the total number of democracies from 35 to more than 110<sup>24</sup>.

However, this rising trend in the emergence of new democracies changed in 2006 due to the emergence of a democratic recession. In the case of Russia, basic democratic factors such as political opposition, freedom of speech, and the total number of civil society groups had been shrinking. China has been experiencing a similar process. Hence, one of the main causes of this democratic recession has been the increasing power and closer cooperation between authoritarian states, which have achieved better coordination and higher levels of assertiveness. These two authoritarian states have been able to challenge and in some specific cases, remove democratic regimes through soft power mechanisms.

---

<sup>23</sup> Huntington, S. (1991)

<sup>24</sup> Fukuyama, F. (2014). Why is Democracy Performing so Poorly? *Journal of Democracy* Volume 26, Issue 1. pages 11-20.

In 2011, the Arab spring took place based on a number of anti-government protests and armed rebellions on several Authoritarian Arab countries which raised the possibility of a democratic third wave and the possible establishment of new democracies. However, the opposite scenario occurred since authoritarian regimes managed to remain in power, like in the case of Egypt, the number of failed states increased like in the cases of Syria, Libya and Yemen including the emergence of terrorist organizations that thrived.<sup>25</sup>

In the case of Venezuela, Commander Hugo Chavez managed to gain political power by complying with democratic rules and procedures. It was not until 2003 that Venezuela experienced a progressive shift towards a democratic backsliding process, eventually leading the South American nation to an authoritarian political system. Within the European continent, Poland and Hungary were considered as successful cases of democratization. However, these two states have also experienced a democratic backsliding process since key democratic principles such as the independence of the judiciary branch, freedom of speech, and freedom of assembly have been repealed. In North Africa, Tunisia has also experienced a process of democratic backsliding, specifically through a self-*coup d'état* by centralizing all forms of political power and by eliminating democratic checks and balances towards the executive branch.

Consolidated democracies have also been experiencing a political process of democratic backsliding. The United States, one of the main promoters and protectors of democratic regimes, has experienced a decline in its democratic quality. Specifically, becoming less efficient in handling governance challenges by a diminished legislation efficacy, an increase in government shutdowns due to major discrepancies among the House of Representatives fostering increased polarization and deadlocks among the American political system. This increased public mistrust among the population leads to lower rates of participation and increased political polarization<sup>26</sup>.

### **1.1 Conceptualizing democratic backsliding**

Several authors have tried to explain the concept of democratic backsliding. However, there is still ongoing discussion when trying to define the concept of democratic

---

<sup>25</sup> Fukuyama, F. (2014).

<sup>26</sup> Diamond, L. (2015) Facing Up to the Democratic Recession. *Journal of Democracy* Volume 26. Issue 1. Pages 141-155

backsliding and to provide a coherent theoretical framework for this political phenomenon<sup>27</sup> as Lust and Waldner describe in their article “Facing Up to the Democratic Recession” published in 2015. One of the main factors contributing to the current discrepancies and disagreements among experts is the term’s “extraordinary breadth”<sup>28</sup> as highlighted by Bermeo in her article “On Democratic Backsliding” published in 2016. This section of the thesis will focus on the main authors from the field of democratic backsliding.

First, it is important to present the main features of a democracy briefly and, second, discuss what democratic backsliding is. The third part will be devoted to describing how scholars have been conducting their research when approaching the study of this phenomenon. Fourthly, a comparison between democratic backsliding and reverse wave will be developed, and a framework that illustrates a democratic backsliding process will be depicted.

### 1.1.1 What is a democracy?

*“The boom in comparative democratic studies has been accompanied by significant disagreement over how to define and measure democracy. I have never felt that there was—or could be—one right and consensual answer to this eternal conceptual challenge”.*

Larry Diamond, 2015<sup>29</sup>.

The term democracy has been quite complex to define, especially when trying to find an accurate and accepted theoretical definition due to its ambiguity and misuse within a number of fields. Schmitter and Karl's article “What Democracy Is and Is Not” highlighted that there are various types of democracies with their institutions and specific characteristics, which vary based on a state’s political, economic and social characteristics<sup>30</sup>.

However, one of the key pillars of a democratic political system is the electoral process, defined by Larry Diamond in his book “Ill Winds” as “*a system of government in which the people can choose and replace their leaders in regular, free, and fair elections*”<sup>31</sup>.

---

<sup>27</sup> Lust, E. and D. Waldner (2015). Theories of Democratic Change: Phase I: Theories of Democratic Backsliding. Research and Innovation Grants Working Papers Series. Y. U. a. U. o. Virginia, Usaid.

<sup>28</sup> Bermeo, N. (2016). “On Democratic Backsliding”. Journal of Democracy 27(1): 5-19.

<sup>29</sup> Diamond, L. (2015) Ibid cit.

<sup>30</sup> Schmitter, P. and T. L. Karl (1996). What Democracy is and is not. The Global Resurgence of Democracy. L. D. A F. Plattner, The Johns Hopkins University Press.

<sup>31</sup> Diamond, L. (2019). Ill Winds: Saving Democracy from Russian Rage, Chinese Ambition, and American Complacency.

Elections are a defining element of democracies. It is an intermediary mechanism in which citizens are able to elect their political leaders. There are also other forms of intermediary mechanisms where citizens can express their general concerns and interests such as associations, civil society and social movements. For liberal democracies, horizontal checks on the executive branch are a key pillar to ensure the protection of civil and political liberties, including the commitment of citizens towards democracy<sup>32</sup> as Haggard and Kaufman explain through their article on “Democratization During the Third Wave”.

Modern liberal democracies have three key institutions: democratic accountability, the state, and the rule of law. Democratic accountability ensures that the elected government acts in the best interest of the entire community and not solely on self-interest through multiparty and free elections. The state has the legitimate monopoly of coercive power that is exercised throughout the entire territory in order to ensure peace, enforce the rule of law, provide basic public goods, and defend the political community from external threats. The rule of law must be applied and respected by all citizens and by all branches of power. It is an essential mechanism that constrains power from the executive branch and allows the proper functioning of the democratic political system<sup>33</sup>.

The proper functioning of democracies is based on the focus on contingent consent, which means that citizens cooperate with the government only if they trust it. This will vary in every society based on mutual trust, standard of fairness and the willingness to compromise<sup>34</sup>.

For a democracy to succeed in the long run, governors and citizens must unconditionally commit to democracy and believe in the positive factors a democratic political system can provide, such as raising living standards, efficiently managing conflict, and the establishment of peaceful societies. Hence, “*Ultimately, what sustains democracy is a deep and unconditional belief in its legitimacy*”<sup>35</sup>.

---

<sup>32</sup> Haggard, S. and Kaufman, R. (2016) Democratization during the third wave. *The Annual Review of Political Science* Vol 19 Issue 1, pp 125-144

<sup>33</sup> Fukuyama, F. (2014). Why are democracies performing so badly? *Journal of Democracy*. Volume 26 Issue 1 pages 11-20

<sup>34</sup> Schmitter, P. and T. L. Karl (1996). What Democracy is and is not. The Global Resurgence of Democracy. L. D. a. F. Plattner, The Johns Hopkins University Press.

<sup>35</sup> Diamond, L. (2019) Ibid cit.

To ensure the long-term efficacy of democracy, it needs a well-functioning state that can maintain order and ensure development at all levels through the rule of law and good governance. Therefore, if citizens are convinced that democracy is the most suitable political system, a democratic culture will be established which will ensure that democracy lasts<sup>36</sup>.

A democratic backsliding process takes place when political leaders use democratic mechanisms to erode the main democratic pillars and institutions in a progressive manner, which is hard to detect.

### 1.1.2 What is democratic backsliding?

*“Social science has focused mostly on clear cases of democratic collapse—paying “scant attention” to the “incremental” regime changes that color many countries’ histories. Research on “hybrid” regimes has been a step forward, but we need to know more about how the slide backward into hybridity takes place. Focusing on democratic erosion will require more scholars to see that democracy is “a collage” of institutions crafted and recrafted by different actors at different times. It is put together piece by piece and can be taken apart the same way”.*

Nancy Bermeo, 2016<sup>37</sup>.

One of the most interesting authors who has influenced my dissertation was Nancy Bermeo, especially with her article Democratic Backsliding in which she explored in-depth the concept of democratic backsliding. Democratic backsliding is defined as the state-led erosion, debilitation or elimination of democratic political institutions<sup>38</sup>. Democratic backsliding may involve “radical and rapid change across a broad range of institutions”<sup>39</sup> but also creates gradual changes along democratic institutions, which increase the probability of leading to a regime change and becoming a hybrid or ambiguous democratic political entity. Within the international system democratic backsliding is defined as the process by which states gradually become less democratic over time, through the increased concentration of power towards the executive ruling head of state or government and through the erosion of political, constitutional norms and institutions<sup>40</sup>. This gradual process may be hard to detect and therefore it is more complex when trying to impede this ongoing process. As Riedl, McCoy and Roberts exposed in

---

<sup>36</sup> Diamond, L. (2019) Ibid cit.

<sup>37</sup> Bermeo, N. (2016). Ibid cit.

<sup>38</sup> Bermeo, N. (2016). Ibid cit.

<sup>39</sup> Bermeo, N. (2022). "Questioning Backsliding." *Journal of Democracy* 33(4): 156-159.

<sup>40</sup> Russell, M. Renwick, A. and James, L. (2022) What is Democratic Backsliding, and is the UK at Risk? Constitutional principles and the health of democracy. University College London-Constitution Unit-Department of Political Science

their article “Democratic Backsliding Resilience and Resistance” “*Even where backsliding does not cause democracy to break down or be replaced by some form of dictatorship, it involves a significant erosion in the quality and stability of democratic governance.*” Similarly, democratic backsliding “*degrades democratic citizenship and undermines the ability of citizens to use democratic institutions to hold rulers accountable*<sup>41</sup>.”

During the Cold War era, there were different types of democratic backsliding. One of the most common forms was the *coups d’etat* based on an illegal military attempt to throw a democratic elected government. Executive *coups* were also a common form of democratic backsliding based on an elected head of state suspending all democratic and constitutional mechanisms in order to concentrate all power. This type of democratic backsliding has been associated with dictatorships. A third form of democratic backsliding which was common in the cold war was election day vote fraud, based on the illegal interference within an election by the head of government by either increasing the number of votes in its favor or by reducing the number of votes of the opposing political candidates. Even though these three types of democratic backsliding were common in the Cold War they have decreased significantly during the 21st century<sup>42</sup>.

During the 21st century, new forms of democratic backsliding have emerged. Promissory *coups* are a type of democratic backsliding in which a democratic elected government or head of state is deposed by a *coup d’etat* under the argument that claims to defend democracy and promise to hold elections in order to restore democracy. Therefore, those who use this form of *coup* claim to be the legitimate defenders of democracy and firmly defend an intervention to ensure its survival. However, elections are not a reliable instrument for the establishment of a democratic regime<sup>43</sup>.

Electoral fraud is a type of democratic backsliding system that is still being used now a days, through a wide range of mechanisms such as the control of most or all means of communication, the use of public money and non-constitutional practices<sup>44</sup>. Political

---

<sup>41</sup> Riedl, R. Friesen, P. McCoy, J and Roberts, K. (2023) Democratic Backsliding Resilience and Resistance. World Politics Volume 75 Issue 5. Pages 1-28

<sup>42</sup> Bermeo, N. (2016) *On Democratic Backsliding*. Journal of Democracy. Volume 2. Issue 1 Pages 5-19

<sup>43</sup> Bermeo, N. (2016) Ibid cit.

<sup>44</sup> Bermeo, N. (2016) Ibid cit.

parties will use democratic tools to exploit legal mechanisms to modify electoral rules for personal interests<sup>45</sup> as described by Helmke, Kroeger and Paine explained in their article “Democracy by Deterrence” published in 2021.

Executive aggrandizement is one of the most common forms of democratic backsliding. The democratically elected government or head of state intentionally weakens the checks and balances on the executive power through legal institutional mechanisms. Independent media organizations and judicial autonomy are the main targets in this type of democratic backsliding. Furthermore, the institutional mechanisms used to erode a democracy may be even put into a vote or referendum in order to hide its undemocratic nature. For this reason, modern forms of democratic backsliding are more complex to categorize due to their use of democratic mechanisms and institutions<sup>46</sup>. Consequently, this process leads to a persistent accumulation of executive power and the degradation of judicial and legal checks and balances towards the executive branch of power as Howell, W. Kenneth, A. and Wolton stated in their article "Executive Absolutism: The Dynamics of Authority Acquisition in a System of Separated Powers published in 2021.<sup>47</sup>

Following Haggard and Kaufman, who are among the most prolific authors in the sphere of democracy studies and have also influenced my dissertation, democratic backsliding is defined as the growing erosion of norms, rules, and institutions that results from the actions of democratically elected government leaders<sup>48</sup> who use autocratic practices during their political ruling to gain political power through democratic mechanisms such as democratic institutions, constitutional modifications and democratic elections. Institutions are one of the key pillars for the governance of democratic political systems. Institutions allow the solution for a range of wide issues that can arise in democratic systems, help in the cycling of different decision makers by impeding the concentration of power and allow the aggregation of the new needs that emerge in society. Hence, autocratic rulers are using democratic tools in order to gain control of the institutions for their own political benefits and interests.

---

<sup>45</sup> Helmke, G. Kroeger, M. and Paine, J (2021) Democracy by Deterrence: Norms, Constitutions, and Electoral Titling, *American Journal of Political Science* Vol 66. Issue 2. Pages 434-450

<sup>46</sup> Bermeo, N. (2016) *Ibid* cit.

<sup>47</sup> Howell, W. Kenneth, A. and Wolton, S. (2021). "Executive Absolutism: The Dynamics of Authority Acquisition in a System of Separated Powers." SSRN.

<sup>48</sup> Haggard, S. and R. Kaufman (2021). "The Anatomy of democratic backsliding." *Journal of Democracy* Issue 32 Vol 4.

Autocratic leaders have taken advantage of the increasing political and social polarization that has caused a lack of trust towards institutions, governmental dysfunction, the growing number of political parties that are ideologically positioning themselves towards more extreme political ideologies and the rise of new antisystem political parties. The gradual erosion of democratic institutions allows autocratic leaders to progressively gain power, making it quite complex to detect and to counter<sup>49</sup>.

Polarization is a key factor present in cases of democratic backsliding. Political polarization is defined as the process in which the political elites and the general population are increasingly divided over public policy and political ideologies. In extreme cases, the political and social context is based on “us” vs “them”, in which political opponents are considered as traitors and enemies while partisan attachments are deeply related with one’s self-identity<sup>50</sup>.

The effects of political and social polarization on democratic backsliding will depend on how autocratic leaders are able to gain executive power within their country and whether they manage to gain legislative support. These two branches of power are essential for the political power of an autocratic leader. In fact, the legislative power is a crucial instrument in the “collapse of the separation of powers”.

In some democratic backsliding cases, factors that contributed to an increase in polarization in the social and political spectrum were major economic crises, structural changes, economic reforms, free trade, skill-biased technology, and racial, ethnic, and regional differences within the population. In a political context where political parties are polarized, the government efficiency will be lower and will experience more stalemates and major contrasts between political extremes, leading to major disaffection and distrust in democratic institutions.

In addition, as Arbatli and Rosenberg explained in a detailed manner, in a polarized political context, mainstream parties will tend to use political mechanisms used by extremist parties. Hence, polarization increases hostilities between different groups, making voters more likely to vote and accept anti-democratic measures against groups

---

<sup>49</sup> Haggard, S. and R. Kaufman (2021). Ibid cit.

<sup>50</sup> Haggard, S. and R. Kaufman (2021). Ibid cit.

considered as “rivals” and “enemies”<sup>51</sup>. Furthermore, political polarization is associated with higher levels of government intimidation of the opposition<sup>52</sup>.

Ghandi described in his article “The Institutional Roots of Democratic Backsliding” published in 2019 that when autocratic leaders manage to gain executive power through democratic mechanisms, they will obtain significant governmental resources that can be used to erode democratic institutions and other relevant democratic elements such as the separation of powers. For instance, command of the main state bureaucratic institutions, the security forces such as the police, and the military, including a significant state budget to control and influence the media and different sectors of the economy<sup>53</sup>.

Through democratic backsliding the autocrat is eventually able to increase its power by gaining support of the legislative power through three practices. Firstly, it eliminates checks and balances mechanisms, which increases power concentration in the executive power of the autocratic ruler, facilitating the personal political use of bureaucratic institutions, public resources, the use of the legal system to prosecute political enemies, and increasing the levels of corruption. Secondly, autocratic leaders extend their political power through constitutional amendments or by drafting new constitutions. Thirdly, autocratic leaders will use legal mechanisms to directly appoint judges in order to infringe political opponents’ democratic rights such as free speech, freedom of assembly and freedom of association<sup>54</sup>.

Electoral systems are considered as a very important element in democratic systems. Elections are one of the main mechanisms in which citizens are able to elect their ruler. Hence autocratic rulers will try to manipulate the electoral system to remain in power by limiting voting rights, using disproportionate electoral rules through legal electoral loopholes, interfering in the independent monitoring election system and in some cases through fraudulent mechanisms. The legal integrity and validity of elections in democratic political systems relies on proper forms of checks to ensure the protection of the voters. Other factors found in democratic systems, such as an independent judicial

---

<sup>51</sup>Arbatli, E. and Rosenberg D. (2020) United we stand, divided we rule: How political polarization Erodes Democracy. *Democratization*.

<sup>52</sup> Arbatli, E. and Rosenberg D. (2020) Ibid cit.

<sup>53</sup> Ghandi, J. (2019) The institutional roots of democratic backsliding. *American Journal of Political Science*. Volume 81 Issue 1.

<sup>54</sup> Ghandi, J. 2019. Ibid cit.

system, the rule of law, and accountability, ensure fair elections. Weakening these democratic institutions will facilitate the use of the electoral system in favor of the autocratic regimes<sup>55</sup>.

### 1.1.3 How has democratic backsliding been studied so far?

One of the first authors who began to question how democracies enter a process of backsliding was Nancy Bermeo in 2016. From this point onwards, experts and scholars have tried to understand the specific factors that cause democratic backsliding within a democratic political system. Even though there is a common consensus among scholars and experts regarding the relevance of this phenomenon within contemporary global politics, developing a common theoretical framework for the understanding of democratic backsliding is still in its early stages.

In their review of the article “What we do and do not know about Democratic Backsliding” published in 2024, Little and Meng argued that there are ongoing discussions on the factors that should be considered as the most relevant when studying democratic backsliding. Firstly, what is the adequate sample of case studies when studying a democratic backsliding process? Secondly, should a general or a specific definition be used when defining a democracy? Thirdly, what is the most suitable way to measure democratic backsliding<sup>56</sup>?

Within the field of democracy studies, scholars have focused on trying to measure democracy and democratic backsliding in an effort to conceptualize and operationalize the concepts of democracy and democratic backsliding. Since democracy is considered as a multidimensional concept, there are still discrepancies on how to define and how to measure a democracy. Moreover, indices measuring different notions of democracy capture different aspects of political systems. As a result, Knutsen and its co-authors, assessed the different measures regarding the variations in the level and quality of democracies as well as in the patterns in democratic backslidings<sup>57</sup>.

---

<sup>55</sup> Haggard, S. and R. Kaufman (2021). Ibid cit

<sup>56</sup> Little, A. and Meng, A. (2024) What we do and do not know about Democratic Backsliding. *Political Science and Politics* Volume 57, Issue 2. Pages 224-229

<sup>57</sup> Knutsen, C. Seim, B. Marquardt, K. Coppedge, M. Edgell, Mezihorsky, J. Pemstein, D. and Teorell, J. (2024) Conceptual and Measurement Issues in Assessing Democratic Backsliding. *Political Science and Politics*. Volume 57, Issue 2, April 2024, pp. 162 - 177

In an effort to conduct a survey of objective indicators of democracy, Little and Meng adopted a “*quasi minimalist conception*”<sup>58</sup> of democracy focusing on fair and free elections. These authors are aware that democracy has other characteristics, but they do not include them in their survey as they are difficult to measure objectively. They conclude that following these objective measures there is no democratic backsliding at a global level. However, Knutsen, Seim et al proved that objective indicators of democracy will always contain a certain degree of subjectivity and judgment while at the same time they cover a narrow conceptual scope as well as a limited case coverage. As a result, it limits their validity when measuring democratic backsliding<sup>59</sup>.

Most of the research conducted within the field of democracy studies has focused on democratic measurements. The most well-known large-scale measurement projects are notably Freedom House, Polity, The Economist Intelligence Unit, and V–Dem.

Freedom House is a quantitative indicator that considers democracies as highly complex political systems that are not solely based on the majority rule; they are a governing system based on firm institutions that are accountable to citizens, adhere entirely to the rule of law, respect for human rights and the general consent of citizens towards those who govern. Therefore, democracy implies that societies seek high levels of freedom through the establishment of well-functioning democratic institutions.

The Freedom House indicator evaluates the levels of freedom from 195 countries which are assigned points between 0 and 4 through the use of 25 indicators that can obtain a maximum score of 100. These indicators are grouped into the categories of political rights with a score that ranges between 0 and 40 and civil liberties with a score that ranges between 0 and 60 whose totals are weighted equally to determine whether the country or territory has an overall status of Free, Partly Free, or Not Free<sup>60</sup>. The following chart shows the evolution of Political rights indicators from Freedom House just before the beginning of the third wave of democratization for Portugal, Spain, Greece, Hungary, Poland and Serbia. Before the occurrence of the Third Wave of Democratization in 1974, most indicators had a very low score, and some of these countries had a score of zero. All

---

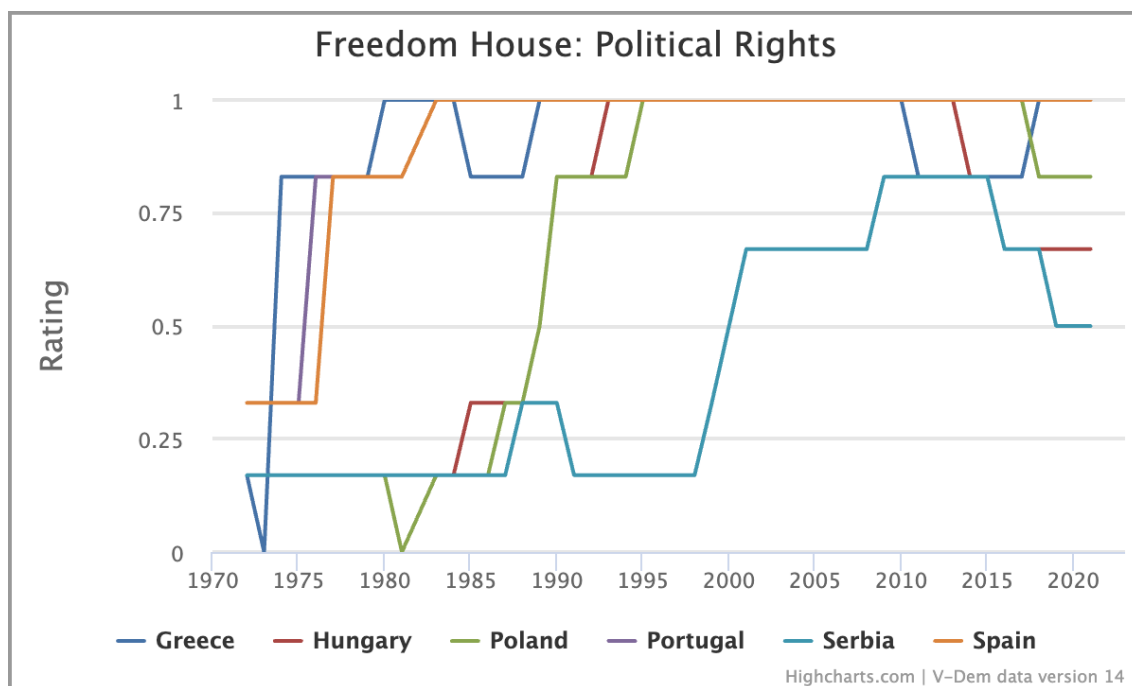
<sup>58</sup> Little, A and Meng, A. and (2024) Ibid cit.

<sup>59</sup> Knutsen, C. Seim, B. Marquardt, K. Coppedge, M. Edgell, A. Mezihorsky, J. Pemstein, D. Teorell, J. Gerring, J. and Lindberg, S. (2024) Conceptual and Measurement Issues in Assessing Democratic Backsliding. *Political Science and Politics*. 1-16

<sup>60</sup> Freedom House, (2023) Freedom in the world 2023, Marking 50 years in the struggle for democracy

countries had an increasing tendency in their scores until 2006, when there was a general democratic backsliding process at an international level. It is worth mentioning that once Spain managed to obtain its highest score in 1982, it remained constant.

Figure 2: Freedom House Political Rights Scores, V-DEM Variable Graph



Source: [https://v-dem.net/data\\_analysis/VariableGraph/](https://v-dem.net/data_analysis/VariableGraph/)

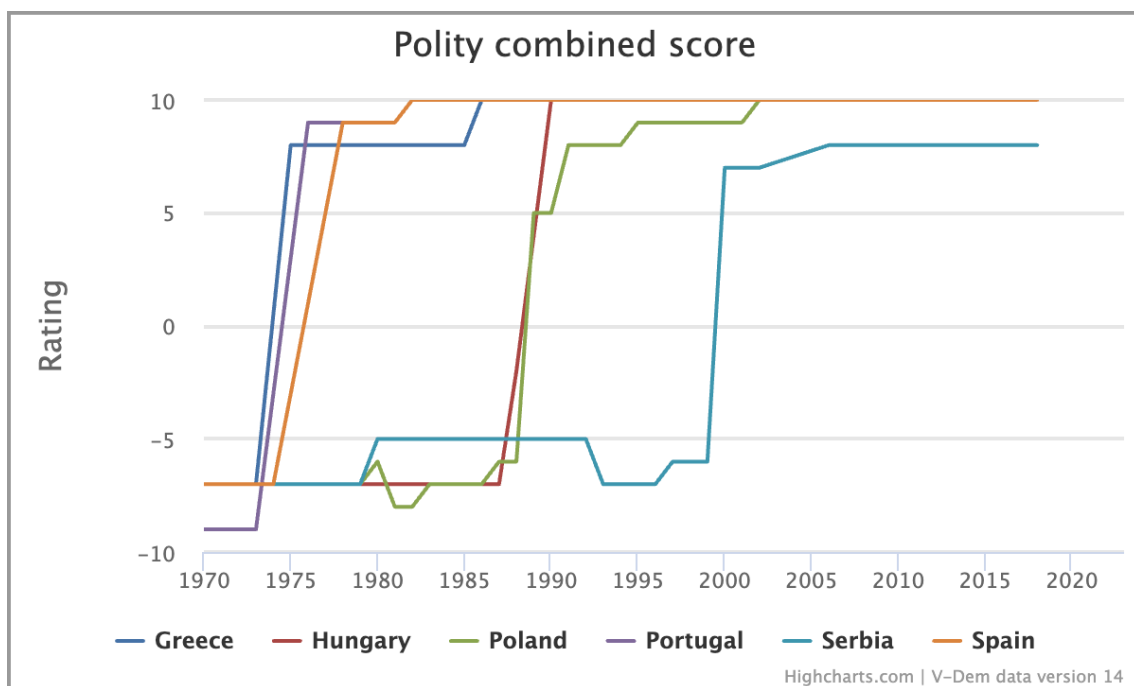
The quantitative indicator of the Polity dataset analyzes 195 countries from the global system from 1800 until 2018, whose population is larger than 500,000 inhabitants, monitoring regime changes by providing annual reports by identifying authoritarian characteristics through data changes, analysis, and data updates. This quantitative indicator can measure key characteristics of executive governments, specific constraints on executive authority, and political competition. Similarly, it can also record changes in the institutionalized qualities of governing authority<sup>61</sup>.

The Polity Score captures this regime authority spectrum through a 21-point scale that ranges from -10 (considered a hereditary monarchy) to 10 (considered a consolidated democracy). The polity score can also be categorized into regime categories through a three-type categorization: autocracies with a score of -10 and -6, anocracies and democracies with a score of 6 and 10. The following graph shows the Polity score which

<sup>61</sup> Center for Systemic Peace (2021). About Polity, The Polity Project: Center for Systemic Peace

has been illustrated by subtracting the autocracy score from the democracy score. The resulting unified polity scale ranges from +10 (strongly democratic) to -10 (strongly autocratic)<sup>62</sup>. In Chart 3 presented below, it can be appreciated that the countries of Spain, Portugal, and Greece managed to become democratic political systems in 1974 and had an exponentially increasing tendency to reach the highest score achievable within Polity scores. However, the Eastern European countries of Poland and Hungary managed to increase their Polity scores significantly in the early decade of the '90s, while Serbia did not increase its polity score until the early decade of the 21<sup>st</sup> century.

Figure 3: Polity Combined Scores



Source: V-DEM graph variables: [https://v-dem.net/data\\_analysis/VariableGraph/](https://v-dem.net/data_analysis/VariableGraph/)

The Economist Democracy Index measures the quality of democracies analyzing 164 countries that are members of the United Nations and have been internationally recognized as sovereign states, primarily focusing on democratic rights and democratic institutions. The index encompasses 60 indicators and is categorized into five categories measuring pluralism, civil liberties, and political culture<sup>63</sup>.

This index produces a weighted average based on 60 questions; most answers are based on expert assessment; other answers are given by public opinion surveys from the country

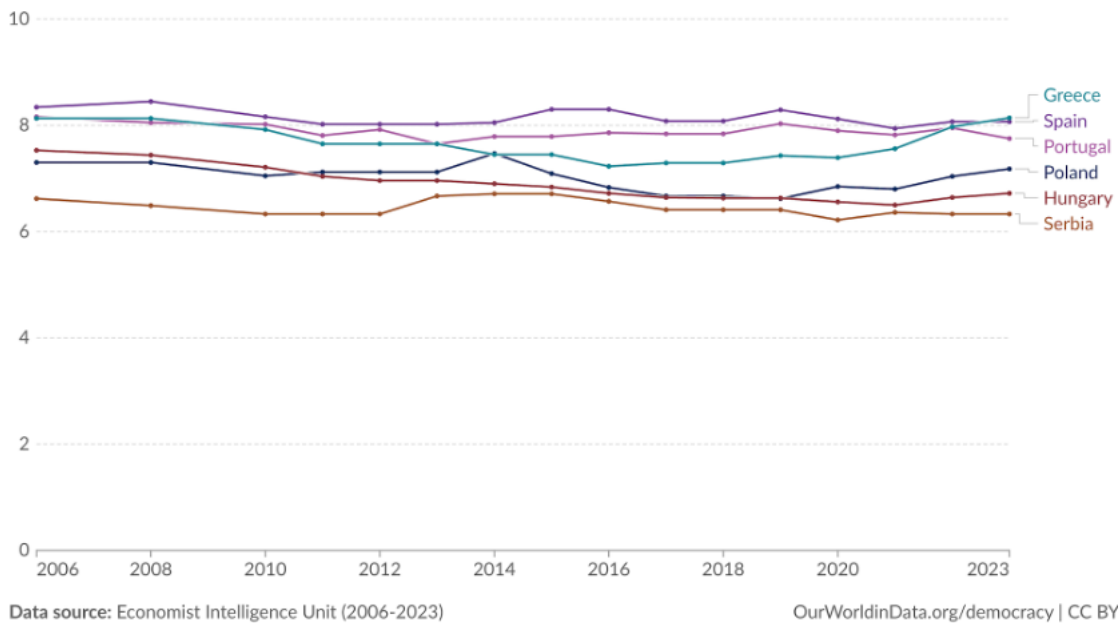
<sup>62</sup> V-DEM graph variables: [https://v-dem.net/data\\_analysis/VariableGraph/](https://v-dem.net/data_analysis/VariableGraph/)

<sup>63</sup> EIU (2022) EIU Report: Democracy index 2022. The Economist Intelligence

of origin. Each answer is converted to a score, either 0 or 1; within each category, the scores are added, multiplied by 10, and divided by the total number of questions<sup>64</sup>. A country that obtains a score close to one can be considered as a highly democratic country.

The following chart depicts the EIU Democracy Index for Greece, Spain, Portugal, Poland, Hungary, and Serbia. From 2016 until 2022, Spain had the highest score of all countries but in 2023, Greece obtained a higher score, close to 8 out of 10. Greece experienced a process of democratic backsliding process in 2015, leading to a decreasing tendency in its EIU Democracy Index score but then the country reverts its tendency in 2020. The Eastern European countries of Poland, Hungary have had lower scores compared to Spain, Greece, and Portugal, while Serbia has been the country with the lowest score, close to 6 out of 10.

Figure 4: EIU: Democracy Index Score



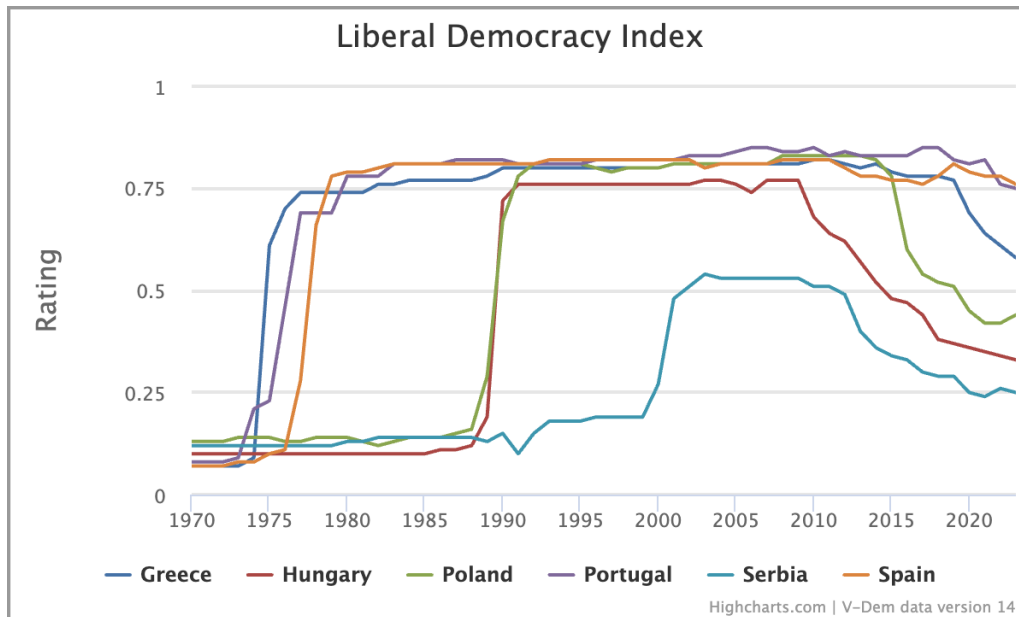
Source: The Economist Intelligence Unit (EIU)

V-Dem is a highly used democratic index for measuring the democratic quality of a specific country. V-Dem index had more than 470 indicators, 82 mid-level indices, and 5 high-level indices covering 202 polities from 1789 to 2019. It relies on expert judgment. The core indices are the electoral democracy index, the liberal democracy index, the participatory democracy index, the deliberative democracy index, and the egalitarian

<sup>64</sup> EIU (2022) Ibid cit.

democracy index<sup>65</sup>. In chart 5, it can be seen how, in 2006, all countries experienced a decreasing tendency in their liberal democracy index scores, although Spain experienced the smallest decrease in its liberal democracy index score even though in 2006, Spain, like the rest of the countries experienced a process of democratic backsliding.

Figure 5: Liberal Democracy Index



Source: Liberal Democracy Index

Scholars within the field of democracy studies, specifically those who have studied the concept of democratic backsliding, have used these quantitative indexes to determine the countries that have experienced some degree of democratic backsliding to contribute to the understanding of the concept of democratic backsliding.

Larry Diamond was one of the first authors to show that since 2006, the world entered into a process of democratic recession that was seen in two different political phenomena: The total democratic breakdown and the progressive decline in the quality of democracy. This line of research was grounded in two main indicators: the rates of democratic breakdowns through military *coups* and executive *coups* that led to the emergence of authoritarian regimes<sup>66</sup>. Some authors such as Levitsky and Way disagree with this point. They argued that democracy did not expand as much as some quantitative studies stated.

<sup>65</sup> V-Dem (2024) V-Dem Methodology. V-Dem Varieties of democracy.

<sup>66</sup> Diamond L. (2015) Facing Up to the Democratic Recession. *Journal of Democracy*. Volume 26. Issue 1. Pages 141-155

Subsequently, the authors argue that several of the supposed failures of democracies in the last 15 years were deteriorations of regimes that had always been authoritarian<sup>67</sup>.

Continuing with the work of Diamond, the other indicator used by the author to describe the slight degradation of democracy was the Freedom House indicator. As the subcategories from the Freedom House's measures of political rights and civil liberties are related to the rule of law and transparency, Diamond sustained that bad governance explains to a great extent how countries enter into a backsliding process. Diamond also highlighted that democratic declines take a long time to crystallize and that the speed of democratic decay in the institutions is not evident.

In their book "Backsliding" published in 2021 Haggard and Kaufman analyzed in depth 16 case studies. In order to select the countries that will be included in their research, the authors started by reviewing the main quantitative indexes to select the most suitable for their research purpose. They noted that each index was set on slightly different definitions of democracy, which generated different assessments on the degree of democratic backsliding. As authors decided to center their studies on declines occurring within democratic regimes and also on declines that ended in a reversion to authoritarianism, they used the V-Dem electoral democracy index which includes competitive, fair and free elections with freedom for civil and political organizations to select countries with a democratic political system<sup>68</sup>.

The V-Dem democracy index was also used by Haggard and Kaufman to capture democratic backsliding as well as other democratic factors such as effective checks and balances, the rule of law, civil liberties and an independent judicial branch<sup>69</sup>. These authors used these quantitative indexes to select 16 case studies from which they performed detailed case study observations, which allowed them to approach backsliding as "*a complex causal process involving political polarization, the ceding of powers by both voters and legislatures and a step-by-step attack on institutions and norms*"<sup>70</sup>.

---

<sup>67</sup> Levitsky, S. and Way, L. (2015) The Myth of Democratic Recession. *Journal of Democracy*. Volume 26 Issue 1. Pages 45-58

<sup>68</sup> Haggard, S. and Kaufman, R. (2021) Backsliding: Democratic Regress in the Contemporary World Backsliding: Cambridge University Press.

<sup>69</sup> Haggard, S. and Kaufman, R. (2021) Ibid cit.

<sup>70</sup> Haggard, S. and Kaufman, R. (2021) Ibid cit.

Furthermore, the authors identified two main characteristics of this process. Firstly, the authors defined backsliding as “*an incremental process of derogation from democratic institutions, rules and norms*”. Hence, the authors highlighted “*the causal effects of incrementalism*” since the democratic backsliding process starts with the erosion of one component of democracy, creating the conditions for the derogation of other democratic factors. The incremental way of this process makes it hard to detect the derogations from democratic practices. Secondly, most case studies experienced high levels of polarization due to the high levels of dissatisfaction among the population towards *status quo* political parties.

In some cases, the traditional party system collapsed, allowing new extremist political parties to obtain the highest number of votes and to become the dominant parties. Similarly, in most cases, countries underwent a previous economic crisis before the democratic backsliding process. Through their studies, the authors managed to detect three key factors that allowed the completion of the democratic backsliding. The restructuration of the constitutional order by the executive power, the weakening of safeguard on civil and political liberties, and the reduction and, in some cases, the derogation of the checks and balances degrades democratic mechanisms<sup>71</sup>.

Another study that highlights the incrementalism factor in the democratic backsliding processes has been conducted by Steven Levitsky and Daniel Ziblatt in their book “How Democracies Dies” published in 2018. These authors sustain that this process begins gradually, making it hard to detect, and has three main stages. In the first stage, the democratically elected political leaders manage to gain control over the judiciary branch, removing the judicial autonomy, competencies, and objectivity. Secondly, they use a number of mechanisms to remove all political opposition considered a potential threat to their political power. This can be achieved by offering bribes, through coercive mechanisms such as threats, extorsions or by revealing private information that can severely affect the political objectives or reputation of the opposition political movements, through judicial and legal mechanisms, and in some cases, by directly killing the political opposition. The third stage is the establishment of political dominance in

---

<sup>71</sup> Haggard, S. and Kaufman, R. (2021) Ibid cit.

most cases through the implementation of legislature favoring the ruling government, the modification of the electoral rules or even the creation of a new constitution<sup>72</sup>.

For Carothers and Press, the explanations regarding the concept of global democratic backsliding focus on external dynamics such as assertive authoritarian powers and the disruptive nature of new technologies. However, democratic backsliding can be explained to a great extent by the actions conducted by the democratically elected leaders. To reach this conclusion, the authors have studied 27 cases of countries that had managed to achieve high levels of democracy but later experienced high levels of democratic erosions through the use of V-DEM, Polity and GSOD (Global State of Democracy Index)<sup>73</sup>.

These authors have classified the political phenomenon of democratic backsliding based on the motivation and actions done by this type of political regime. The first group was classified as a “grievance-fueled illiberal democracy” who stated that the democratic rules and institutions must be eliminated to address the “Grievance”. The second group are leaders classified as “opportunistic authoritarians” who opposed and removed democratic norms and institutions with the sole objective of achieving their political interests and keeping political power. Thirdly, powerful interest groups, in most cases, the military, use undemocratic means to obtain political power and remove democratic practices<sup>74</sup>.

In a more recent study conducted by Carothers and Harnett through the study of 12 countries that experienced democratic backsliding for a period longer than 20 years showed that Backsliding is the result of the failure of democracy to “*Constrain predatory political ambitions and methods of certain democratically elected leaders*”<sup>75</sup>.

Riedl, Friesen, Mccoy, and Roberts, through the study of 38 cases, identified four routes that led to democratic backsliding. Firstly, the most common form of democratic backsliding was “executive aggrandizement,” in which the executive branch exerts control over all democratic institutions, weakens checks and balances and limits political opposition.

---

<sup>72</sup> Ziblatt, D. and Levitsky, S. 2021 *How Democracies Die*. Crown New York

<sup>73</sup> Carothers, Th and Press, B. (2022) *Ibid cit.*

<sup>74</sup> Carothers, Th and Press, B. (2022) *Ibid cit.*

<sup>75</sup> Carothers, Th and Harnett, B. (2024) *Misunderstanding Democratic Backsliding*. *Journal of Democracy*. Volume 35. Issue 3. Pages 24-37.

The second route was through “elite collusion,” in which the incumbent leaders gain the support of the private sector and from other branches of political power. The third route is through a “self-coup,” in which the executive branch manages to centralize power by gaining control over the legislative and judicial branches and, therefore, removing the separation of powers<sup>76</sup>. The authors have categorized the 38 cases into three types of democratic backsliding groups: minimum, moderate, and severe. The authors have also identified actions for resisting and counteracting autocratic leaders when timing is key. Therefore, the authors need to identify the factors of democratic backsliding during its early stages since it will be easier to counteract the emerging non-democratic regime.

A new line of research focuses on exploring the new types of political systems that stem after a democratic backsliding process. A new type of political system began to emerge such as illiberal democracies<sup>77</sup>, being Zakaria the first author to identify this type of democracy in his article “The Rise of Illiberal Democracies” published in 1997. The governments in this type of political systems have been elected through democratic elections. However, in their modus operandi they do not comply with constitutional or legal limits and do not respect the basic rights and freedoms of their citizens.

Illiberal democracies have begun to appear in some member states of the European Union. For example, Herman studied in depth in 2018 the case of Hungary in his work “Re-evaluating the Post Communist Success Story: party elite, royalty, citizen, mobilization and the Erosion of the Hungarian Democracy” in which the current president Victor Orban began to use a number of non-democratic practices such as infringing in the separation of powers established by the Hungarian constitution, by passing a number of constitutional amendments that reduce the legal scope of the Hungarian judges. Therefore, Illiberal democracies are characterized by being elected democratically but conduct non-democratic practices through the use of democratic rules, institutions, norms, and legal procedures<sup>78</sup>.

---

<sup>76</sup> Riedl, R. Friesen, P. McCoy, J and Roberts, K. (2023) Democratic Backsliding Resilience and Resistance. World Politics Volume 75 Issue 5. Pages 1-28

<sup>77</sup> Zakaria, F. (1997) The Rise of Illiberal democracies. Foreign Affairs. Volume 76.

<sup>78</sup> Herman, L. E (2018) Re-evaluating the Post. Communist success story: party elite, royalty, citizen, mobilization and the Erosion of the Hungarian Democracy. European Political Science Review. Volume 8 Issue 2 pages 2-53

In 1991, after the end of the Cold War, Lührman and Lindberg designed the term “Autocratization” based on the rapid spread and increase “Institutionalized autocracies”<sup>79</sup>. This is a specific type of political regime that appears to be democratic since they possess several democratic factors such as elections, political parties, and national legal framework; however, their core political practices and modus operandi are authoritarian such as censorship towards opposition parties, civil society organizations, media and by undermining the autonomy of election management entities<sup>80</sup>.

Modern authoritarian regimes have been able to learn new methods to subvert electoral standards for their political interests without breaking their democratic essence entirely. Hence, traditional autocracies are becoming rare, accounting for 12% of all political regimes from the world, a lower percentage compared to the total amount of authoritarian regimes during the 80’s of 50%. Several authors have named this new type of political regime as “illiberal democracies”<sup>81</sup>.

Carothers in his article, “The end of Transition Paradigm” pointed out that most of the countries from the third wave of democratization have not managed nor are they making enough progress to become well-functioning democracies. Almost all transitional countries are not fully dictatorial nor fully democratic. Carothers categorized them as “political gray zone countries”. These types of countries are known for having specific democratic characteristics such as regular elections, a democratic constitution and limited political space for government. At the same time, they possess specific characteristics that are more common in dictatorial regimes such as little citizen representation in the political sphere, uncertain legitimate elections and no respect for the rule of law<sup>82</sup>.

According to this author there are two major political types of political gray zones. Firstly, feckless pluralism, which has positive characteristics such as regular elections, and moderate levels of political freedom. Nonetheless, the political elites are perceived as ineffective, self-interested and corrupt. Therefore, politics is seen as static, corrupt and controlled by the elites. This type of gray zone political system is quite common in South

---

<sup>79</sup> Lührmann, A. and Lindberg, S. L. (2019) A third wave of Autocratization is here: what is new about it? Democratization. Volume 26, issue 7, pages 1095–1113

<sup>80</sup> Little, A. T. and Meng, A. (2024) Ibid cit.

<sup>81</sup> Lührmann, A. and Lindberg, S. L. (2019) A third wave of Autocratization is here: what is new about it? Democratization Volume 26, issue 7, pages 1095–1113

<sup>82</sup> Carothers, T. (2002) The end of transition paradigm, Journal of Democracy Volume Number 1.

America. The other major type of gray zone politics is dominant power politics where countries have limits and a static political space. The judiciary system tends to be quite aligned with the executive power. The ruling political class will try to maintain its reputation in the international community as high as possible by trying to provide a “democratic perception” even though at an internal level they are using non democratic methods to remain in power. This type of political gray zones are common in sub saharan Africa<sup>83</sup>.

Levistky and Way have focused their research on regime change towards a “competitive authoritarianism”, a Hybrid regime type with characteristics of authoritarianism and democracy<sup>84</sup>. This type of political regimes are defined as “*civilian regimes in which formal democratic institutions are widely viewed as the primary means of gaining power, but in which fraud, civil liberties violations, and abuse of state and media resources skew the playing field*”<sup>85</sup>. Competitive authoritarian regimes vary significantly from closed authoritarian regimes since elections are held regularly, opposition parties may be present in the arena and may contest for political power, and there are moderate levels of civil liberties.

The Pulitzer prize winner Anne Applebaum has published the book *Autocracy Inc*, in which she exposed how Autocratic governments operate through highly sophisticated mechanisms that depend on “kleptocratic” financial structures, technological experts on surveillance propaganda and disinformation, and complex security services. The author explains through different detailed examples how autocracies have extended their influences across different political, economic, and military informational spheres and how they worked together to damage democracies at a national and global level<sup>86</sup>.

In an effort to make a theoretical contribution to the academic debate on democratic backsliding, country-level research has begun to be published. One of the case studies that has brought the attention of scholars has been the case of the United States, which is considered one of the main promoters of democratic values and has also experienced a certain deterioration in its democratic system. In 2016, Trump was elected as the 45<sup>th</sup>

---

<sup>83</sup> Carothers, T. (2002) *ibid* cit.

<sup>84</sup> Levistky, S and Way. L. (2010) *Competitive Authoritarianism: Hybrid Regime after the Cold War*. Cambridge University Press

<sup>85</sup> Levistky, S and Way. L. (2010) *Ibid* cit.

<sup>86</sup> Applebaum A. (2024) *Autocracy Inc: The Dictator who wants to run the World*. Penguin Random House.

president of the United States, an individual with no political experience and little commitment towards the American Constitution. The American political sphere is becoming more polarized, the main political parties have become rivals, hence political competition becomes warfare and institutions are used as weapons against one another. This provokes a weakening of the institutions and increased distrust of politics and may generate a political crisis, leading towards democratic backsliding<sup>87</sup>.

Authors approached the country-level case studies by implementing combined quantitative and qualitative research. Michael Bernhard studied the cases of Hungary and Poland, which went from being considered as the biggest successful cases of democratization in post-communist Europe to becoming one of the most known cases of democratic backsliding<sup>88</sup>. In order to prove the democratic backsliding process in Poland and Hungary, the author used the quantitative indicator of V-Dem Electoral Democracy Index.

The global financial crisis of 2008 and the migration crisis of 2015 were two major factors that contributed to the emergence of new illiberal populist political parties with a political discourse based on the idea that the European Union failed to avoid a deep economic crisis and allowed large migration waves. These new political parties were able to adopt past national narratives of ethnonational xenophobia and the increasing economic uncertainties from majority governments and eroding democratic practices and institutions<sup>89</sup>. Hungary and Poland became the two most studied cases of democratic backsliding in the process of democratic backsliding in Eastern and Central Europe, where the majority of the countries that progressively joined the European Union in the millennium experienced deep political crisis<sup>90</sup>.

Castaldo studied the case of Serbia, a country that at that time had a low probability of becoming an autocratic political regime due to its high levels of political, economic, and social linkage with Western Europe and its EU candidate status. In this case, the author assessed the evolution of the Serbian political regime through V-Dem and applied

---

<sup>87</sup> Levitsky, S. and Ziblatt, D. (2018) *How Democracies die*. Penguin random house

<sup>88</sup> Bernhard, M. (2021) Democratic Backsliding in Poland and Hungary. *Slavic Review*. Volume 80. Issue 3. pages 585-607

<sup>89</sup> Bernhard, M. (2021) *Ibid cit.*

<sup>90</sup> Mueller, W-J. (2014) Eastern Europe Goes South: Disappearing Democracy in the EU's Newest Members. *Foreign Affairs*. Volume 93. Issue 2 pages 14-16

Levitsky and Way's competitive authoritarianism framework. The case study has shown that the country has experienced a political transition from a democratic political system to a competitive authoritarian system. According to the author, the Serbian case study supports the pessimistic view of the future of democracies<sup>91</sup>.

Most case studies have focused on countries in which the democratic backsliding process has led them to shift towards a non-democratic political regime such as authoritarianism or illiberalism. However, there are some cases in which the democratic backsliding process has been more complex to identify and has not implied a new political regime since they are still under a democratic political system. The case study of Greece is a clear example of a country that has experienced a process of democratic backsliding without shifting towards an authoritarian political regime. Through the use of the Economist Intelligence Unit, Sotiropoulos, in his study, "The Backsliding of Democracy" published in 2018 in today's Greece, shows that there were several factors that contributed to the democratic backsliding process. Even though the global financial crisis of 2008 was a major factor, long-term historical legacies such as populism, high levels of corruption, and political clientelism were the main drivers of the democratic erosion of Greece's democratic institutions<sup>92</sup>.

## **1.2 Can democratic backsliding be considered a reverse wave?**

The study of the democratic backsliding concept began to be studied in depth during the third wave of democratization in the early decade of the 70's. A number of scholars believed that after the conclusion of the third wave of democratization, there was the possibility of the emergence of a new reverse wave. However, a key question is why the concept of democratic backsliding has been used to describe this new political phenomenon instead of using the concept of reverse waves. Hence in the following section waves and reverse of democratization will be explained.

### **1.2.1 Waves of democratization**

From the 19<sup>th</sup> century onwards, there have been historical political events that Huntington defined as "waves of democratization" that have allowed the progressive shifts in the

---

<sup>91</sup> Castaldo, A. (2020) Back to Competitive Authoritarianism? Democratic Backsliding in Vučić's Serbia. *Institute for political research* pages 1617-1638

<sup>92</sup> Sotiropoulos, D. A (2018) The backsliding of Democracy in Today's Greece. Friedrich-Ebert-Stiftung. Volume 4. Issue 1. pages 1-32

distribution of power among a large number of political entities, creating political openings and incentives to introduce democratic reforms<sup>93</sup>.

The first wave of democratization has its origins in the early 19<sup>th</sup> century from 1828 until 1926. During this period of time democratization began in the United States where suffrage was granted to male, ethnic European descendants during the “Jacksonian democracy.” This era was influenced by the democratic spirit that was expanding within the American political system. This process also took place in other countries through the 19<sup>th</sup> century, spreading to most of Western Europe, a few countries in Eastern Europe, the developed Anglo-Saxon countries and to a few South American countries. Furthermore, a number of European empires began to dissolve, which allowed the creation of new states. By 1918, 29 democracies were established.

As the first wave was spreading, the first reverse wave began in 1922, when the Italian dictator Benito Mussolini gained political power and imposed a dictatorial regime, spreading to the Baltic countries, Poland and Portugal. In 1933, the political ideology of fascism grew in Germany while at the same time military and civilian *coup*'s ended with several democratic political regimes in most of South America and in Japan.

The second wave of democratization took place after the Second World War when the Allies managed to defeat Nazi Germany. This wave restored democracy in most of Western Europe and introduced new democratic political systems in Japan and Turkey and two South American countries. This wave of democratization lasted until 1962, in which 36 new democracies were established. The second reverse wave took place between 1962 and 1970, most South American countries felt under a wave of military *coups*.

The third wave of democratization took place in the decade of the 70s in a number of Southern European countries, in 1974 in the Carnation Revolution in Portugal, while in Spain, the third wave of democratization took place in 1975 with the death of General Francisco Franco. Subsequently, democratization processes also took place in other continents. The democratization process in South America and in Asian Pacific countries

---

<sup>93</sup> Huntington, S. (1991) Democracy's Third Wave. Journal of Democracy Volume 2 Issue 2. Pages 12-35

took place in the 1980's. In 1989, with the collapse of the Soviet Union, Eastern European countries managed to become democratic.

In Huntington's 1991 "Democracy's Third Wave" article, the author was interested in two main factors regarding the third wave of democratization. Firstly, the duration of the third wave of democratization. Secondly, when would the third reverse wave take place, leading to an increase of authoritarian regimes.

Throughout the decade of the 20<sup>th</sup> century, political events known as "reverse waves" began to emerge in which a large number of countries that were considered as democratic transformed into authoritarian regimes. According to Huntington, major reverse waves have occurred after the first and second democratic waves. In most cases, the political and economic elites were responsible for this shift towards authoritarian regimes. In both the first and second reverse waves democratic countries became authoritarian due to the overthrow by military *coup d'états*. Military leaders would gain complete control over political power through martial law or through a state of emergency. Accordingly, after the third wave of democratization, most scholars expected that a third reverse wave could eventually occur.

When in 2006, even though there were discrepancies among scholars on whether there was a decrease in the number of new democracies, it was increasingly evident that there was an ongoing process of democratic decline due to the events previously described. Some authors believed that a third reverse wave was taking place. However, the political crisis that was occurring during that period of time was not caused as in the previous reverse waves by the reversing of democracies towards authoritarian political regimes through violent and immediate mechanisms such as military *coup d'états*.

### **1.2.2 Comparing reverse waves and democratic backsliding**

The democratic crisis that scholars began to observe was characterized by a new phenomenon in which states that had attained a significant level of democracy faced an erosion process in their democratic institutions<sup>94</sup>. This political process was defined as democratic backsliding<sup>95</sup> and was characterized by occurring in both emerging and

---

<sup>94</sup>Carothers, T. and Press B. (2022). Understanding and Responding to Global Democratic Backsliding. Washington DC, Carnegie Endowment for International Peace.

<sup>95</sup>Bermeo, N. (2016). On Democratic Backsliding. *Journal of Democracy*. Volume 27, Issue 1. Pages: 5-19.

consolidated democracies without the use of coercive mechanisms but implemented by democratically elected leaders. Another common characteristic of this political phenomenon was its slow development and unpredictability, which generated a progressive decrease in democratic quality and the erosion of democratic institutions rather than a radical transformation into an autocratic system.

The democratic backsliding process can cause a country to shift to another political system or to remain within a democratic system. In the first case, a democracy may operate under democratic institutions with non-democratic objectives and change into a new political system, such as a competitive authoritarianism or an illiberal democracy.

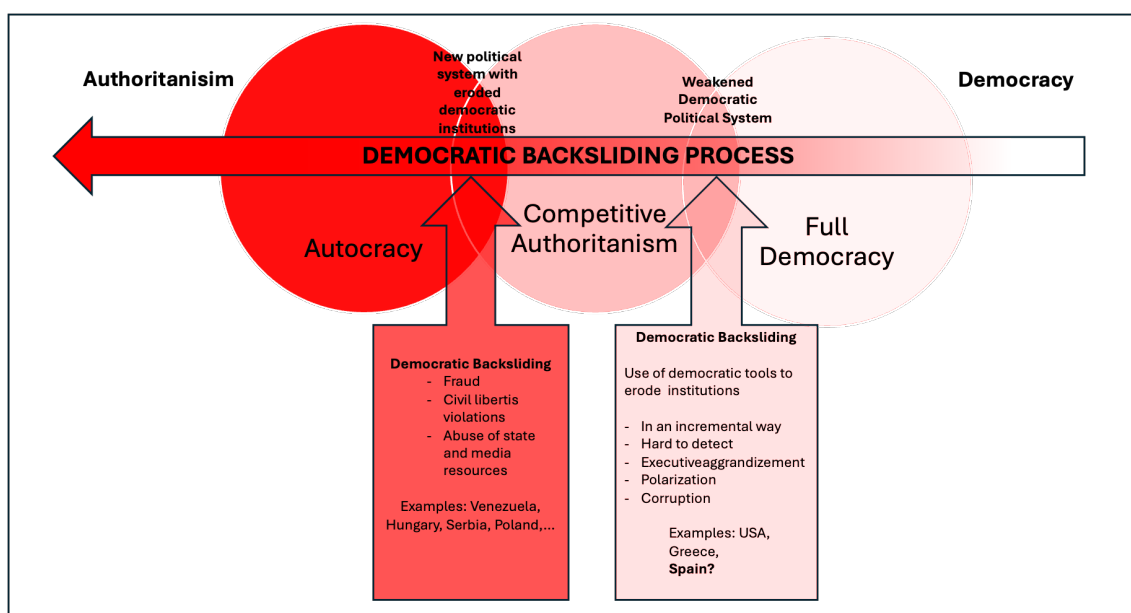
Secondly, the country's political system may remain within the political frameworks of a democratic political system but with a decrease in its democratic quality.

In a reverse wave, the political system of a state shifts from a democratic regime into a non-democratic regime in a straightforward manner. Democratic backsliding takes a long time due to its incrementalist nature, and the political leaders keep working under democratic institutions. The most differentiating factor between a democratic backsliding and a reverse wave lies in where is the cut-off point for separating democracies from non-democracies. How is democracy assessed when changes are subtle, incremental, and therefore complex to detect within a democratic backsliding process due to the use of democratic tools such as democratic institutions? The fact that the key components of democracy vary on a continuum increases the complexity of this question when trying to classify the regimes that fall into the grey zone of ambiguity<sup>96</sup>. Figure 6 depicts the complexity of this process.

---

<sup>96</sup>Diamond, L. (2015) Facing Up to the Democratic Recession. *Journal of Democracy*. Volume 26. Issue 1 Pages 141-155

Figure 6: Democratic Backsliding in the Continuum from Democracy to Autocracy



Source: Own Elaboration

To answer the first part of the research question: “Are there signs of democratic backsliding in the Spanish political system?” the framework depicted above will be applied. The framework denotes the imperceptibility of the actions conducted by the democratically elected government. Those actions would gradually undermine the quality and stability of democratic institutions and eventually lead to a less democratic political system.

Chapter II will be devoted to providing the theoretical framework to be applied in trying to answer the second part of the research question: “Are there signs of democratic backsliding in the Spanish political system, and if so, **what are the roots?** The second part of the question will be approached by applying Rustow’s political model of democratic transitions.

Rustow’s seminal article on democratic transitions laid the theoretical foundations to study the democratization process, a new line of research known as the transition paradigm. As Rustow explained in his seminal article *Transitions to Democracy: Toward a Dynamic Model*, “*factors that keep a democracy stable may not be the ones that brought it into existence: explanations of democracy must distinguish between function and*

*genesis*”<sup>97</sup>. Before presenting his dynamic model, the author highlighted that most of the research was focused on answering the question of how a democracy can be preserved or how to ensure its stability and quality. In other words, focusing on the functioning of democracy. Furthermore, the author also highlighted that the genetic question, which is how a democracy is established, was also relevant.

Rustow wrote his article just before the beginning of the third wave of democratization, enquiring how democracies were established. Shortly after, the concept of transition drew the attention of scholars discussing democratization and became the primary term used to describe the political changes under the third wave of democratization. A new literature on democracy and democratization emerged in trying to answer the question, “What are the conditions for a transition from some form of authoritarianism to democracy”?<sup>98</sup>

Among the authors of the transition paradigm, O'Donnell, Schmitter and Whitehead published one of the most influential studies in transitions. Their work condensed in the four-volume “Transition from Authoritarian Rule”<sup>99</sup> studied the democratic transition in Southern Europe and in South America.

Another book that has become a reference within the transition paradigm is the work of Linz and Stepan’s “Problems of Democratic Transition and Consolidation”<sup>100</sup>. In the same line as Rustow, the authors have studied the steps that can be taken to complete a transition towards a democracy. The authors have also introduced the concept of state nation by theorizing the relationship between the state, the nation and democracy.

Therefore, chapter II will explore the transition paradigm and describe in detail Rustow’s work with the purpose of understanding in depth the Rustow dynamic model and its applicability in trying to identify the root causes of the democratic backsliding process in the Spanish case study.

---

<sup>97</sup> Rustow, D.A. (1970) Transitions to Democracy: Toward a Dynamic Model. *Comparative Politics*. Volume 2. Issue 3 Pages 337-363

<sup>98</sup> Munck, G. L. (2011) Democratic Theory after Transitions from Authoritarian Rule. *Perspective on Politics*. Volume 9. No.2 pp 333-343

<sup>99</sup> O'Donnell, G. Schmitter, P. Whitehead, L. (1986) Transitions from Authoritarian Rule. The Johns Hopkins University Press.

<sup>100</sup> Linz, J. Stepan, A. (1996). Transition and Consolidation. The Johns Hopkins University Press.

## 2. Rustow and the Transition Paradigm Theory

*“Several things are noteworthy about the prevailing behaviorist explanation of democracy. It is, first and foremost, a functional rather than a genetic explanation. It focuses on democracies assumed to be already in existence and has little or nothing to say about the process by which an oligarchy or dictatorship might be transformed into a more democratic regime. The favorite evidence adduced is synchronic and contemporary, evidence which by its very nature cannot solve any problems of causal explanation”.*

Dankwart Rustow 1971<sup>101</sup>.

The concept of transition, which refers to a political regime change, was introduced by Dankwart Rustow in 1970 through his seminal article “Transitions towards Democracy: Toward a Dynamic Model.” However, during the 70s, democratic transitions were not a common political phenomenon. Instead, scholars were interested in political order, dependency, and development, as Anderson highlighted in her book “Transitions to Democracy: A ReCompilation of Articles Grounded on Rustow’s Theory”<sup>102</sup>. During the early years of 1970, Southern European states were under authoritarian regimes, and most Eastern European States were under the authoritarian rule of the Soviet Union. In South America, 85% of the states were under authoritarian regimes<sup>103</sup>. Similarly, in Africa, Southeast Asia, and the Middle East, most countries obtained their independence after the end of World War II. Hence, there were new political regimes that had an increasing tendency towards the establishment of authoritarian regimes<sup>104</sup>.

In the field of democracy, during the end of the 60s and the early years of the 70s, democratization was not considered a relevant topic. In fact, most researchers focused their work on the stability and preservation of the existing democratic political systems, most of them located in Western Europe and the developed Anglo-Saxon countries. Academic research centered on the factors that allowed the establishment of a democratic political system and emphasized three key elements. First, a minimum level of economic and social development, such as a high income per capita, high levels of urbanization, and widespread literacy. Second, a common consensus among the population through a procedural consensus on the “rules of the game” usually written in the constitution. Third, pluralism and reconciliation were also considered key elements of democracy<sup>105</sup>.

---

<sup>101</sup> Rustow, D. (1971) Sweden's Transition to Democracy: Some Notes toward a Genetic Theory. Scandinavian Political Studies

<sup>102</sup> Anderson, L. (1999) Transitions to Democracy. Columbia University Press

<sup>103</sup> Arana, M. (2000) Latin Americans are Souring on Democracy. That’s not so surprising considering the Region’s History. Times Magazine.

<sup>104</sup> Boix, C. Miller, M.K. Rosato, S. (2012) A Complete Dataset of Political Regimes, 1800-2007 Sage Journals

<sup>105</sup> Rustow, D. (1970) Transitions to Democracy. *Comparative Politics*. Vol. 2, No. 3. pp. 337-363

After the end of WWII, it has been accepted among scholars that democracy is “*a process of accommodation involving a combination of division and cohesion and conflict and consent*”<sup>106</sup>. However, four years later, a major political shift at a global level, the third wave of democratization, drew the attention of scholars, research on democratization expanded and Rustow’s article “Transitions towards Democracy: Toward a Dynamic Model” became one of the most quoted works on transitions to democracy, setting the foundations of a new field of study on transition paradigm.

## 2.1 Rustow’s Dynamic Model

*“Nearly all the authors ask the same sort of question and support their answers with the same sort of evidence. The question is not how a democratic system comes into existence. Rather it is how a democracy, assumed to be already in existence, can best preserve or enhance its health and stability. The evidence adduced generally consists of contemporary information, whether in the form of comparative statistics, interviews, surveys, or other types of data.”*

*Rustow, 1970<sup>107</sup>.*

Rustow (1970) explained in his seminal article *Transitions to Democracy: Toward a Dynamic Model*, “*factors that keep a democracy stable may not be the ones that brought it into existence: explanations of democracy must distinguish between function and genesis.*” Before presenting his dynamic model, the author highlighted that most of the research was focused on answering the question of how a democracy can be preserved or how to ensure its stability and quality. In other words, focusing on the functioning of democracy. This line of research was based on contemporary information such as surveys, statistics, and interviews on functioning democracies.

The author also highlighted that scholars from developing regimes such as South America, Africa, the Middle East, and Southern Asia were interested in answering the genetic question of how a democracy is established in the first place. The author also noted that changing from a functional to a genetic inquiry would imply a change in the methodological approach. One of the most cited works that has applied the functional perspective has been the article “Some Social Requisites of Democracy: Economic Development and Political Legitimacy” written by Lipset in 1959.<sup>108</sup> The statistical

---

<sup>106</sup> Rustow, D. (1970) *Transitions to Democracy*. Ibid cit.

<sup>107</sup> Rustow, D. (1970) *Transitions to Democracy*. Ibid cit.

<sup>108</sup> Lipset, S. (1959) *Some Social Requisites of Democracy: Economic Development and Political Legitimacy*. *The American Political Science Review*. Volume 53. Issue 1. Pages 69-105

findings take the form of correlations. In the 50's, states that were categorized as "Stable Democracies" had common factors such as higher literacy rates and higher income per capita in comparison to the states that were categorized as "Unstable Democracies"<sup>109</sup>. Rustow summarized his methodological arguments in the following manner:

1. *The factors that keep a democracy stable may not be the ones that brought it into existence: explanations of democracy must distinguish between function and genesis*
2. *Correlation is not the same as causation: a genetic theory must concentrate on the latter.*

Rustow developed a dynamic model of the genesis of democracy where causation is key. While research findings on the functional question take the form of correlations, that is, several factors interconnected that explain the functioning of a democracy, the author's model distinguishes sequential phases where key factors are necessary to the birth of democracy. Continuing with his methodological arguments, the author argued that:

3. *Not all causal links run from beliefs and attitudes to actions.*
4. *Not all causal links run from social and economic to political factors.*

The author rejected the assumption of the research literature at that time (the 50s and 60s) that beliefs influence actions. Instead, the author followed the "cognitive dissonance" line of research, specifically, that there are reciprocal influences between beliefs and actions.

In the same manner, instead of assuming a causal link from social and economic to political factors, Rustow sustained that a genetic theory of democracy should assume a two-way flow of causality, always specifying the mechanism of the relationship between the social or economic factors and the political factors.

5. *The genesis of democracy need not be geographically uniform: there may be many roads to democracy.*

---

<sup>109</sup> Lipset, S. (1959) Ibid cit.

6. *The genesis of democracy need not be temporally uniform: different factors may become crucial during successive phases.*
7. *The genesis of democracy need not be socially uniform: even in the same place and time the attitudes that promote it may not be the same for politicians and for common citizens.*

Rustow stated that it has not to be assumed any geographical, temporal or social uniformity. On the contrary, a model of transition does not imply a homogenous democratic evolution in the long run but is instead a gradual step-by-step process. Furthermore, Rustow assumed that various social conflicts can be combined with democracy.

8. *Empirical data in support of a genetic theory must cover, for any given country, a time period from just before until just after the advent of democracy.*
9. *To examine the logic of transformation within political systems, we may have to leave aside countries where a major impetus came from abroad.*
10. *A model or ideal type of the transition may be derived from a close examination of two or three empirical cases and tested by application to the rest.*

To develop the genetic theory, the study of a complete process was required, specifically through case studies, the historical context is also considered as a relevant factor in the analysis. The tenth proposition of Rustow refers to the justification for why the author selected the two case studies of Sweden and Turkey. The author sustained that the wider the coverage through a comparative study of the twenty-three cases, the less deep the understanding of the variables affecting the origin of a democracy. This limited number of cases would allow the development of a model as an “ideal type” of the transition from oligarchy to democracy, deliberately highlighting certain features of empirical reality and purposefully simplifying, omitting, or distorting others. Sweden was the selected case study, which made its democratic transition from 1890 to 1920. In the case of Turkey, the country made its democratic transition in 1940 and was still underway during that time.

### **2.1.1 Background condition**

National Unity is a key background condition for a democracy. All citizens have no doubts or mental reservations on their belonging to a specific political community.

Following the work of Deutsch, “*a sense of nationality may be the product of a sudden intensification of social communication in a new idiom developed for the purpose.*” The author also argues that national unity may be the “*legacy of some dynastic or administrative process of unification.*”<sup>110</sup> No minimum level of social or economic development is required as requisite for democratic political stability. Therefore, under these characteristics, a country may accomplish a democratic political system with low levels of social and economic development.

When analyzing national unity in the Swedish case study, there has been territorial unity since the Middle Ages since there was a unity of language and religion. In addition, there was a centralized common bureaucratic structure that was created by the Swedish Kings, spreading throughout the entire Swedish territory through land taxes and by conscription known as “*indelningsverket*”. The Lutheran church played a major role in Swedish national unity since, between the 16<sup>th</sup> and 19<sup>th</sup> centuries, it supported the hierarchical system between the nobility and the peasantry through religious doctrines and a habit of obedience<sup>111</sup>.

This background condition is an essential requirement for the development of the next phases towards the transition into democracy. A democratic political system is based on a system of rule by changing majorities. The democratic boundaries must endure in the long run so that the democratically elected rulers may be changed. National unity is categorized as a background condition since it precedes the other phases of democratization. It may be achieved at an early stage, before the formation of that particular state or a few decades after the formation of the state.

### **2.1.2 Preparatory phase**

The preparatory phase implies a prolonged and inconclusive political struggle. This political struggle emerges by creating a new elite representing different social groups that enter a conflict process on specific issues between them. This form of political community will attain a democratic political system when the confrontation between these elites solves their conflict with democratic solutions.

---

<sup>110</sup> Deutsch, K. (2021) Nationalism and Social Communication; an Inquiry into the Foundations of Nationality. Hassell Street Press

<sup>111</sup> Rustow, D. (1971) Sweden’s Transition to Democracy: Some Notes for a Genetic Theory. *Scandinavian Political Studies*. Volume 6.

Most forms of struggle that emerge in this phase are based on the appearance of a new elite that emerges as a previously oppressed social group. In the case study of Sweden, during the early 20<sup>th</sup> century, the struggle arose from the urban working class and farmers who were against a conservative alliance of landowners, bureaucrats and heads of large companies on issues related to taxation, suffrage, military service and tariffs. In the case of Turkey, in the early years of the 21<sup>st</sup> century, struggles emerged between farmers and the bureaucratic-military establishment on issues related to industrialization and agricultural development<sup>112</sup>.

Economic factors have been a major element in both case studies in the prolonged and inconclusive struggles among different social classes. However, the direction of causality has been different in both countries. In the case of Sweden, rapid economic development was the main factor that created new political tensions, while in the case of Turkey, the growing demand for increased rural development was the main factor of political tension<sup>113</sup>. Polarization may appear and progressively increase if these struggles persist for a significant period. Rustow highlighted these factors to defend his rejection of Lipset theory of social and economic requirements for democratization.

A country should not solely focus on imitating existing democratic practices, such as parliamentary practices or a bill of rights. Instead, for a country to successfully establish a functioning democratic political system, it must detect particular conflicts and specific issues in order to devise and create effective procedures to ensure their accommodation in the newly created democratic regime.

However, once national unity has been achieved, democratic regimes must ensure its endurance in the long run; otherwise, regional division may emerge and increase, leading to secessionism rather than unification. Crosscutting cleavages can be used as a tool within the preparatory phase to strengthen and preserve national unity. However, quantifying struggle and national unity can be quite complex; hence, both must be combined as Mary Parker Follett, Lewis A. Coser, and other authors have stated, “*certain types of conflict in themselves constitute creative processes of integration*”<sup>114</sup>. However,

---

<sup>112</sup> Rustow, D. (1970). Ibid cit.

<sup>113</sup> Rustow, D. (1970). Ibid cit.

<sup>114</sup> Rustow, D. (1970). Ibid cit.

there is the possibility of failure during the preparatory phase. An increased rivalry between the main actors involved may result in a new conflict and eliminate the possibility of establishing a democratic political regime.

### **2.1.3 Decision phase**

The preparatory phase ends when the political leaders enter into the decision phase, institutionalizing democratic procedures and accepting the existence of diversity by attaining an explicit consensus and creating national unity. The decision of entering towards a democratic political system derives from a negotiation process on the specific procedures towards democracy.

In the case of Sweden, democratic political changes in 1907 allowed the establishment of universal suffrage in 1918. One of the key elements in any democracy is free decision-making, which allows one to choose political leaders once the background and preparatory phases are achieved. The decision to transition and consolidate a democratic political system is based on the interplay of several forces. During this process, terms and conditions are negotiated, and decisions that will have a major impact and influence within that country's political system will be taken. Among the entities involved in the negotiations are the main leaders of the preparatory phase. Other participants involved in this process may be the new political entities and political leaders from the previous political regime. In the case of Sweden, new intermediate groups played an important role. Specifically, the conservative group led by industrialists and the radicals led by newly formed intellectual groups managed to meet during the early years of the 19<sup>th</sup> century and entered a process of political negotiations in which compromises and modifications were discussed. Eventually, in 1907, the negotiations between the conservative bishops and the liberal farmers led to the successful preparatory phase. For this reason, democracy stems from different groups with mixed objectives and motivations.

For Rustow, explicit consensus will be achieved once the decision phase has concluded. Several authors have argued that consensus may be temporal, based on the second-based option, or differences and discrepancies may be unresolved. In the Swedish case study of 1907 regarding the topic of proportional representation, the main political entities involved were dissatisfied to a certain degree since the conservatives desired to maintain

the traditional plutocratic voting system while the liberals were in favor of a majority rule undiluted by proportional representation. For Rustow, “*What matters at the decision stage is not what values the leaders hold dear in the abstract, but what concrete steps they are willing to take*”<sup>115</sup>. When consensus has been achieved, it must be transmitted from generation to generation to the political leaders and to the general population at large.

#### 2.1.4 Habituation phase

For Rustow, democracies, by definition, are competitive fields in which different political parties can compete with one another with the established constitutional and legal rules of the game while at the same time providing a rational incentive where all political parties commit to democratic guidelines. This can be seen in the political lifetime of the Swedish Conservative Party between 1918 and 1936 by following and complying with democratic guidelines. Similarly, in the Turkish case study, relevant political leaders such as Ismet Inonii and Adnan Menderes managed to promote democratic practices. For this reason, democracy is a process “*of double process of Darwinian selectivity in favor of convinced democrats: one among parties in general elections and the other among politicians vying for leadership within these parties*”<sup>116</sup> through a process of cooperation and competition under common rules, norms, guidelines and principles established under a democratic and constitutional framework.

*“The basis of democracy is not maximum consensus. It is the tenuous middle ground between imposed uniformity (such as would lead to some sort of tyranny) and implacable hostility (of a kind that would disrupt the community in civil war or secession). In the process of genesis of democracy, an element of what might be termed consensus enters at three points at least. There must be a prior sense of community, preferably a sense of community quietly taken for granted that is above mere opinion and mere agreement. There must be a conscious adoption of democratic rules, but they must not be so much believed in as applied, first perhaps from necessity and gradually from habit. The very operation of these rules will enlarge the area of consensus step-by-step as democracy moves down its crowded agenda”.*

*Rustow, 1970*<sup>117</sup>.

Democracy is a process of resolving conflicts between different types of human groups through which different points of view on how to handle a specific situation and uncertainty towards new future practices will always be present to a certain degree.

---

<sup>115</sup> Rustow, D. (1970). Ibid Cit.

<sup>116</sup> Rustow, D. (1970). Ibid cit.

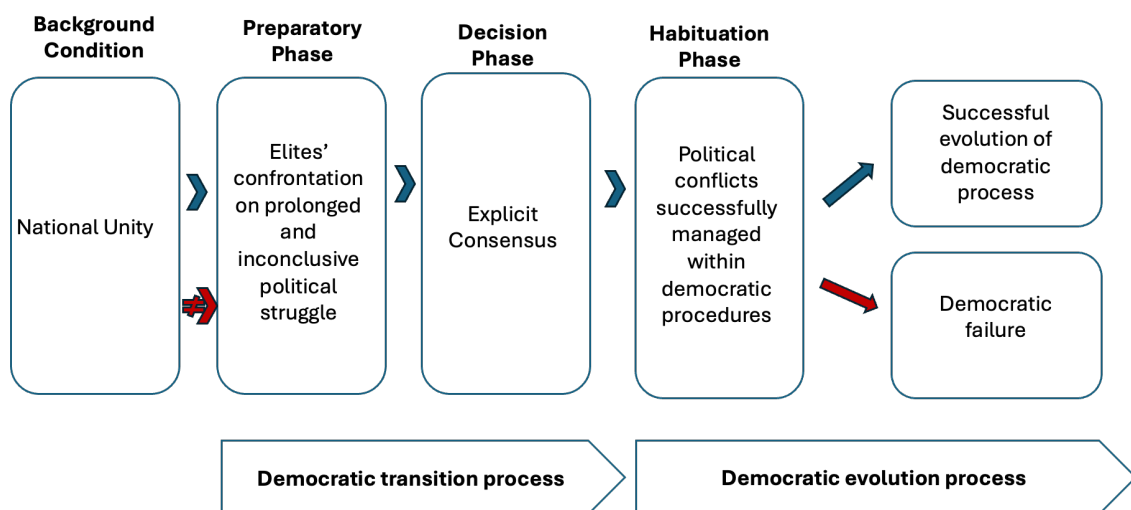
<sup>117</sup> Rustow, D. (1970). Ibid cit.

Therefore, when creating a new political regime, it will be based on making joint decisions on uncertain future outcomes through multilateral mechanisms through a process of “*trial and error, a joint learning experience*”<sup>118</sup> through the democratic principles of conciliation and accommodation.

When analyzing the evolution of political conflict and debate within Western democracies during the 20<sup>th</sup> century, issues related to economic and social factors have been dealt with relative ease. This can be seen in several Anglo-Saxon and Scandinavian countries. However, issues related to community conflicts have been significantly more difficult to handle, specifically conflict issues related to religion, racial groups, and nationality issues, as seen in the cases of Holland, Belgium, and the United States.

On economic-related issues, most forms of discrepancies can be solved through positive sum game methods, for instance, social welfare payments, higher salaries, and increased consumer savings, while issues related to community issues, such as the use of Catalan in public school educational programs or the Catholic doctrine practices in Northern Ireland are significantly more complex to deal with. For this reason, when democratic leaders face community-related issues, such as National Unity, the key background condition of the democratization process is not properly approached<sup>119</sup>. Figure 7 show Rustow Dynamic model.

Figure 7: Rustow's Dynamic Model



Source: Own Elaboration

<sup>118</sup> Rustow, D. (1970). Ibid cit.

<sup>119</sup> Rustow, D. (1970). Ibid ci

The model presented by Rustow has three major assertions. Firstly, national unity is required and indispensable to the genesis of a democratic political system. Secondly, there must be a voluntary consensus to establish and comply with democratic rules and thirdly, democratic rules must be followed and complied by political leaders through the rule of law. According to the model, these factors must be assembled in a chronological manner. Each factor has its particular logic and characteristics and specific political entities involved to ensure national unification and tackle the specific issues that need to be handled, which are the formulation of democratic rules and democratic institutions.

The model suggests that national unity combines compromise, struggle, and habituation to democracy. If there is a lack of consensual National Unity, the main democratic challenges will derive from these birth defects. According to Rustow, “*the basis of democracy is not maximum consensus. It is the tenuous middle ground between imposed uniformity (such as would lead to some sort of tyranny) and implacable hostility*”<sup>120</sup>. Consequently, a preexisting sense of community must be present and endure throughout time. In the Turkish case study, after the end of WWII in 1945, the commitment towards democracy was conducted without the consent of the social minority groups such as the Kurds and without the consent of several political elites, which led to the eventual backsliding political process of drifting towards authoritarian practices by a democratically elected political party. Furthermore, the Turkish democratic system was eliminated by a military *coup* in the early period of the 60’s.

A key differentiating factor in Rustow’s model in comparison to other scholars is the rejection of the preconditions of a democracy, specifically economic and social factors, since there are a number of countries with moderate and low levels of economic and social development that have managed to establish a democratic political system. Factors such as high levels of education and a well-functioning welfare system may arise from a long-term functioning democratic political system.

---

<sup>120</sup> Rustow, D. (1970). Ibid cit.

## 2.2. The Transition Paradigm

Rustow's article founded a new conceptual sphere for exploring democratic transitions independently from democracy. The concept of transitions became central to the discussions of democratization. Research focused on the democratization processes that took place during the early decade of the 70's and 80s in South America and Southern Europe, where military dictatorships were being replaced by democratically elected civilian governments. During the early years of the 90s, several Eastern and Central European countries managed to break away from the totalitarian political regime of the Soviet Union after its collapse in 1991, while at the same time, most countries from the African continent gained their independence and were in the early stages of transitioning towards democratic political systems. Hence, a new line of research was created from Rustow's dynamic model of transitions.

In 1986, Guillermo O'Donnell, Philippe Schmitter, and Laurence Whitehead published "*the single most influential study of transitions, structured through a four-volume book.*"

<sup>121</sup> O'Donnell, Schmitter and Whitehead's work on transitions emerged from the Woodrow Wilson Center project on "Transitions from Authoritarian Rule." It is the first book that focuses on the transition process from authoritarian regimes in Latin America and Southern Europe<sup>122</sup>.

### 2.2.1 Transitions from Authoritarian Rule: Guillermo O'Donnell and Philip Schmitter

In the fourth volume, O'Donnell and Schmitter wrote "Tentative Conclusions about Uncertain Democracies." The authors warned that they had not developed a theory to test or apply to the case studies. Instead, they have developed their general and shared themes. Firstly, the main objective of a transition is to attain a democratic political system. Secondly, "*it involves an effort to capture the extraordinary uncertainty of the transition*"<sup>123</sup>. Thirdly, political concepts and approaches in traditional political science are inadequate for analyzing the transition process due to the high levels of uncertainty in this process. Therefore, new conceptual tools are needed for approaching choices and processes that the actors involved in the transition process face, including fast-changing

---

<sup>121</sup> Fukuyama, F. Diamond, L. Horowitz, D. Plattner, M. (2014) Reconsidering the transition Paradigm. *Journal of Democracy* Volume 25, Number 1. Pages 1-16

<sup>122</sup> O'Donnell, G. Schmitter, PH. C. and Whitehead, L. (1986) *Transitions from Authoritarian Rule*. The Johns Hopkins University Press.

<sup>123</sup> O'Donnell, G. and Schmitter, Ph. (2013) *Ibid* cit.

situations, high indeterminacy of interactions and outcomes, and unpredictability of institutional economic and social parameters.

They conclude that even though international factors have influenced, to a certain degree, the transition process, national factors have been the major influential factors. Also, the relevance of institutions and the mediating procedures and forums allowed the creation of the rules of political discourse in a legitimate and democratic manner. Furthermore, they highlighted the importance of political leadership, political judgment, and the function of individuals in complex historical processes. Timing was also considered an important factor due to the high levels of complexity of interactive processes conducted over extensive periods of time, which created different results for different countries in their transition towards democracy<sup>124</sup>.

The authors analyzed how authoritarian rulers were conditioned, influenced, and shaped by historical circumstances, which varied in each country but could be patterned in predictable manners, specifically by analyzing and identifying the main factors that caused a country to lose its democratic regime and by analyzing the nature and duration of an authoritarian regime.

The authors defined transition as an interval between one political regime to another<sup>125</sup>. Specifically, they defined the concept of transition *as delimited on the one side, by the launching of the process of dissolution of an authoritarian regime and on the other by the installation of some form of democracy, the return to some form of authoritarian rule, or the emergence of a revolutionary alternative*<sup>126</sup>. The authors observed that when the transition process started, the “rules of the game” had not been defined and were fiercely contested. The main political actors involved in this process struggled to justify their immediate interests and the interests of those whom they supported based on a zero-sum scenario in which, once the rules of the game have been established, some actors would obtain their objectives while others would not. The creation of these new rules will define which legal resources can be used in the political arena and which actors will be allowed to participate in it.

---

<sup>124</sup> O'Donnell, G. and Schmitter, Ph. (2013) *Transitions from Authoritarian rule*. The Johns Hopkins University Press

<sup>125</sup> O'Donnell, G. and Schmitter, Ph. (2013) *Ibid cit.*

<sup>126</sup> O'Donnell, G. and Schmitter, Ph. (2013) *Ibid cit.*

The main element that made it possible to identify the commencement of the transition process was when the authoritarian rulers modified the legal system to guarantee and increase individual rights. The process of extending the rights of individuals was defined as liberalization, which may lead to a multiplier effect if individuals begin to exercise these newly given rights publicly and are not sanctioned, incentivizing a growing number of individuals to perform these same actions<sup>127</sup>.

Following the authors, the process of democratization involves the process by which the procedures and rules of citizenship are applied to political institutions previously governed by other principles (administrative practice, social tradition, expert judgment, and coercive control) to include people who did not possess these rights and obligations, illiterate citizens, foreign residents, ethnic minorities, youth, woman and non-taxpayers) to cover institutions that were not previously subject to participation (educational institutions, productive enterprises, interest associations, partisan organizations, state agencies and military establishments) <sup>128</sup>. For this reason, democracy is composed of principles that must be put into practice through clear and specific rules and procedures.

The authors highlighted that democratization is not the same as liberalization. In fact, liberalization can exist without a democratic regime. Fundamental guarantees can be achieved without the participation of individuals in free and competitive elections and in political decision-making policies. However, liberalization precedes democratization in most cases, the achievement of a political democratic system was preceded by high levels of liberalization<sup>129</sup>.

Therefore, for O'Donnell and Schmitter, transitions are a "*double stream*" concept in which these two subprocesses interact over time, each with their own constituencies and overlapping motives. In cases with a successful outcome (a viable political democracy), the two became firmly and securely linked to each other<sup>130</sup>. Hence, political transition processes do not require mobilized violence or striking discontinuity.

---

<sup>127</sup> O'Donnell, G. and Schmitter, Ph. (2013) Ibid cit.

<sup>128</sup> O'Donnell, G. and Schmitter, Ph. (2013) Ibid cit.

<sup>129</sup> O'Donnell, G. and Schmitter, Ph. (2013) Ibid cit.

<sup>130</sup> O'Donnell, G. and Schmitter, Ph. (2013) Ibid cit.

Once democratic principles, guidelines, and norms are applied to government procedures, they can also be extended and applied to the “private” social institutions and ensure substantive equality of benefits. The transition concludes when the actors involved have managed to settle on a set of explicit rules that define the clear and specific rules on channels to access governing roles, the means that can be employed in a legitimate manner to solve future conflicts, the establishment of specific procedures in the political decision-making process, and the criteria that may be used to legitimately exclude other from the political arena. Subsequently, for the authors, the transition ends when the central characteristics of political life are no longer “*abnormal*” and “*normality becomes a major characteristic of political life when those active in politics come to expect each other to play according to the rules*”<sup>131</sup>.

A major source of indeterminacy regarding the outcome and length of transitions can be found in the fact that the main elements that caused the self-transformation or collapse of the authoritarian regime may not be sufficient or necessary for the instauration of a democratic political regime<sup>132</sup>. An example given by the authors is an active, highly mobilized popular upsurge or a military upsurge that may be able to remove the authoritarian regime but may not achieve a democratic consolidation, which, in some cases, may even create a regression process toward an authoritarian regime. Furthermore, the tools that have been efficient in the short term for a democratic transition such as interim pacts or a constitution may impede democratic consolidation due to the possibility of creating substantive disenchantment and procedural deadlock.

Hence, for the authors, there is a high degree of uncertainty among the entities involved in the transition process and they are aware that their contingent compromises are in effect, defining rules that will have an unpredictable effect on how and by whom and how the political game will be implemented in the future<sup>133</sup>.

Other authors who significantly contributed to the development of the Transition Paradigm were Linz and Stepan, who published in 1996 the book “Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-

---

<sup>131</sup> O’Donnell, G. and Schmitter, Ph. (2013) Ibid cit.

<sup>132</sup> O’Donnell, G. and Schmitter, Ph. (2013) Ibid cit.

<sup>133</sup> O’Donnell, G. and Schmitter, Ph. (2013) Ibid cit.

Communist Europe,” a period in which a significant number of countries had achieved democratic transitions and were trying to consolidate democracies. Therefore, the main objectives of these authors were to analyze the specific conditions that caused the breakdown of authoritarian regimes, the transition process from an authoritarian political regime towards a democratic political regime and, more specifically, the political dynamics of the consolidation of post-authoritarian democracies<sup>134</sup>.

### **2.2.2 Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe: Juan J. Linz and Alfred Stepan**

For the authors, democratic transitions finalize when agreements have been established on the political procedures needed to elect governments, when the new government is elected in a free manner with no coercive mechanism and through popular vote, when this newly elected government has the legitimate authority to create new policies and when the judicial, legislative and executive power generated by the new democracy does not share power with other bodies *de jure*. Hence, for the authors, the political process of consolidation is achieved when “*democracy becomes routinized and deeply internalized in social, institutional and even psychological life*”<sup>135</sup>.

Consolidated democracies have three key characteristics. Firstly, behaviorally, democratic consolidation has been completely established when no major institutional, political-economic, national, or social actors spend a significant number of resources trying to create a non-democratic regime. Secondly, attitudinally, democratic consolidation is accomplished when most of the public opinion believes that democratic institutions and procedures are the most suitable to govern collective life. Thirdly, constitutionally, democratic consolidation is attained when all governmental and non-governmental entities are subject to the rule of law<sup>136</sup>.

Throughout the book, the authors develop an argument on how and why democracies require five interacting arenas to ensure their consolidation. These arenas reinforce and interact with each other: A rule of law, an economic society, an autonomous political society, a vibrant civil society, and a usable state. At the same time, the authors explore what they call “independent generic variables” that are essential for analyzing the

---

<sup>134</sup> Linz, J. J. and Stepan, A. (1996) Problems of Democratic Transition and Consolidation. The Johns Hopkins University Press.

<sup>135</sup> Linz, J. J. and Stepan, A. (1996) Ibid cit.

<sup>136</sup> Linz, J. J. and Stepan, A. Ibid cit.

transition and consolidation process, specifically, they sustain that the variable “stateness”, which refers to the complex relationship between state nation and democratization, is a pre-requisite for a democratic political system<sup>137</sup>. The authors emphasize the concept of “stateness” as a critical variable of democracy, a concept which until then, scholars did not analyze in depth. The authors argue that a sovereign state is a prerequisite for a modern democracy and that state-building and nation-building are historically and conceptually different processes and therefore, nation-states and democracy could be conflictive logics<sup>138</sup>.

A modern democratic political system is based on the participation of the population, and nationalism provides one possible definition of population. Therefore, democracy is a form of governance of a modern state; without a state, democracy would not be possible<sup>139</sup>. Charles Tilly focuses on the state’s capability to exercise control over its entire territory. For the author, “*an organization which controls the population occupying a definite territory is a state in so far it is differentiated from other organizations operating in the same territory; it is autonomous, and its divisions are formally coordinated with one another*”<sup>140</sup>. Without these state attributes and without having the complete legitimate monopoly of force through its entire territory, it could not conduct the basic functions of a state, such as collecting taxes or enforcing the rule of law<sup>141</sup>.

The authors highlight that in the past, numerous states generated “a state nation-building process” and, with democratization, a nation-building process<sup>142</sup>. Regarding the concept of nation, the authors quote Weber to state that a nation belongs to the sphere of values; more specifically, “*it means above all that it is proper to accept from certain groups a specific sentiment of solidarity in the face of other groups*”<sup>143</sup>.

In a nation, there are no permanent officials and no defined leadership roles, although there are individuals who act in representation of national sentiments and national organizations. However, without the existence of a state, these desired attributes cannot be legitimately or legally enforced. Consequently, the degree to which citizens accept the

---

<sup>137</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>138</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>139</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>140</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>141</sup> Tilly, Ch (1975) *The Formation of National States in Western Europe*. Princeton University Press.

<sup>142</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>143</sup> Linz, J. J. and Stepan, A. Ibid cit.

scope and domain of a territorial unit as an appropriate entity to make legitimate decisions regarding its future is a key variable for democratic theory<sup>144</sup>. However, if a large number of citizens do not want to be part of this territorial unit, even if it had been democratically constituted, it will be more difficult to consolidate democracy within that unit.

For this reason, modern democratic governance *“is inevitably linked to stateness, without a state there can be no citizenship, without citizenship there can be no democracy.... there can be no modern democracy without voting, no voting without citizenship, and no official membership in the community of citizens without a state to certify membership”*<sup>145</sup>.

Democracy is characterized by citizens. Therefore, a democratic transition puts the demos/polis questions at the center of politics. The more diverse the population is, the more complex politics becomes since reaching an agreement on the fundamentals of democracy will be harder to achieve. Similarly, political crafting on practices, norms and institutions may be harder to achieve. However, in states that are considered “multinational” due to their relatively moderate or low levels of homogeneity, democratic consolidation can be achieved through state policies that provide inclusive and equal citizenship that *“give all citizens a common roof of state-mandated and enforced individual rights.”*<sup>146</sup>. Hence, these types of states have a larger need to explore non-plebiscitarian or non-majoritarian political systems. If there are high levels of spatial differences, federalism may be the most suitable political system. Consequently, for both authors, the main crafters and political leaders involved in a democratic consolidation process must take into consideration all the different types of cultures, nations, and awakened political identities present in the territory and must have the complete support of the elites.

### **2.2.3 Further Refinements, Critics and Limitations**

Several authors focused on extending Rustow’s theory through analytical and theoretical refinements. The genetic model of Rustow is grounded on contingency and the dynamic aspects of the transition process: the strategy, the actors, their alliances and their objectives<sup>147</sup>. Przeworski focused on the alliances between the bargaining elites in

---

<sup>144</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>145</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>146</sup> Linz, J. J. and Stepan, A. Ibid cit.

<sup>147</sup> Brandvoll, J. (2002) From Apparatchik to President from Businessman to Khan: Regime Transition and Consolidation in the Russian Republics of Buryatia and Kalmykia. Norwegian Institute for International Affairs.

transitions by applying game theory using the two groups of actors, identified by O'Donnell and Schmitter, that negotiate in the transition struggle, the “hardliners,” the ones who believe that the perpetuation of authoritarian rule is desirable and possible and the “soft-liners” who progressively become supporters of electoral legitimization of the regime.<sup>148</sup>

Przeworski sustained that the transition would be dependent on the coalition between the soft-liners and the moderates in the opposition and that the coalition would succeed if they controlled the hardliners and radicals in the opposition. In short, democracy will last when all political actors are better off under the new democratic system, even when they lose elections. To create these conditions of a self-enforcing democracy “*winner of the elections need to act with restraint*” allowing the possibility that future elections will enable the losers to win<sup>149</sup>.

Following Rustow's (1970) main inquiry “*What conditions make democracy possible, and what conditions make it thrive?*”, Terry Lynn Karl studied several democratic transitions in Latin America and found that to ensure the consolidation of democracy, its dynamics must be different from the transition. Specifically, the author sustained that the study of democratic transition has to be within a framework of structural-historical constraints.

Structural and institutional constraints narrow the available options of the agents involved in the elaboration of the democratic system. Furthermore, the author states that the historical structures are “*confining conditions*” that may enhance or restrict their preferences and capacities during and after regime changes. The analysis, which includes structures, institutions, and contingent choice, would reveal the agreements on new institutional and behavioral patterns, which will lay the fundamentals for entering the consolidation process which are conditioned by the past<sup>150</sup>.

---

<sup>148</sup> Przeworski, A. (1991) *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America*. Cambridge University Press.

<sup>149</sup> Taub, A. (2024) *The Game Theory of Democracy*. The New York Times. <https://www.nytimes.com/2024/10/29/magazine/democracy-elections-game.html>

<sup>150</sup> Karl, L. (1991) *Dilemmas of Democratization in Latin America*. *Comparative Political Dynamics: Global Research Perspectives*. Edited by Rustow D.A. and Erickson K.P. Harper Collins Publishers

Similarly, following Rustow's approach, Heper studied Mediterranean and Latin American countries and suggested that the understanding of the transition processes involved the study of nations' historical processes, previous regimes, and patterns of political institutionalization<sup>151</sup>. The authors drew the attention that, at that time, most South American countries were not able to maintain democratic regimes since they experienced "regime oscillation," moving back and forth between a democratic regime and a non-democratic regime.

For Heper, while Rustow sustained that the habituation phase, the consolidation of Democracy, depended on the strategy and actions conducted by the main actors involved, more recent studies on the transition of democracy have focused on short-term developments and the reaction of the political actors to that development. Heper sustained that this approach could not identify the underlying causes of those short-term developments. Therefore, the author proposed to analyze the political institutionalization and the historical background of the political structure. Through this analysis, the causes of the precariousness of the democracies in South America can be exposed.

Another line of research within the Transition Paradigm focused on the political struggle of the elites representing different social groups during the preparatory and decision phases. Specifically, several authors explored the factors that influenced the preferences of the bargaining elites for the generation of democratic institutions. Haggard and Kaufman's approach to democratization focused on the effects of economic conditions on the preferences and resources of the bargaining elites of the transition process<sup>152</sup>.

The authors focused on how economic conditions influence the timing and terms of democratic transitions and post-transition political alignments. They distinguished transitions that occurred in a state that was facing an economic crisis and transitions that occurred in countries performing economically well. They found that economic crises undermined the negotiating capacity of the bargainers. As a result, low political barriers

---

<sup>151</sup> Heper, M. (1991) *Transitions to Democracy Reconsidered*. Comparative Political Dynamics: Global Research Perspectives. Edited by Rustow D.A. and Erickson K.P. Harper Collins Publishers. HarperCollins Publisher

<sup>152</sup> Haggard, S and Kaufman, R.R. (1999) *The Political Economy of Democratic Transitions in Transitions to Democracy* by Lisa Anderson. Columbia University Press.

to entry and tendencies to political fragmentation would characterize the new democratic political system<sup>153</sup>.

Another group of authors highlighted how the popular protests have played a key role in the preparatory and decision phase, questioning Rustow's sole focus on the elites. Collier and Mahoney showed that labor organizations had a major role in the democratization processes of several countries during the end of the 20<sup>th</sup> century<sup>154</sup>. More specifically, during the early stages of the democratic transition process, labor protests favored a democratic political system by derailing the legitimacy and power control of the incumbents. Hence, in the final stages of the democratic transition process, labor mobilization created two major effects. First, they accelerated and maintained the democratic transition process. Second, they allowed the creation of labor-based political parties by permitting them to exercise an important role in the negotiation phase and in the future democratic regime<sup>155</sup>.

In the same way, Bermeo sustains that the literature on democratization processes from that time following Rustow focused on the elites, and most authors of that time sustained that radical popular mobilization inevitably would harm the transition from an authoritarian political regime towards a democratic political system. Specifically, the author concluded that the effects of extremist mobilizations on the transition process would depend on how elites perceive the effects of this mobilization<sup>156</sup>.

If the elites perceived that extremism would have "powerful and wholly pernicious effects, they would predict that democratization would lead to the triumph of extremist groups and to the disastrous end of elites themselves"<sup>157</sup>. For this reason, they would reject democracy as in the case of China in 1989. If the elite forecast that extremists would be defeated and that moderate actors would win democratic elections, they will accept democracy as a means of escape, as in the cases of Peru in 1977 and Greece in 1975. If the elites predict that the extremists are defeated and the elites manage to overwhelmingly

---

<sup>153</sup> Haggard, S and Kaufman, R.R. (1999) Ibid cit.

<sup>154</sup> Collier, R. and Mahoney, J. (1999). Adding Collective Actors to Collective Outcomes: Labor and Recent Democratization in South America and Southern Europe. in *Transitions to Democracy* by Lisa Anderson. Columbia University Press.

<sup>155</sup> Collier, R. and Mahoney, J. (1999) Ibid cit.

<sup>156</sup> Bermeo, N. (2002) *Myths of Modernization: Confrontation and conflict during Democratic Transitions*. Columbia University Press

<sup>157</sup> Collier, R. and Mahoney, J. (1999). Ibid cit.

win, they may accept democracy as a form of legitimation, as in the cases of Portugal in 1974 and Spain in 1975<sup>158</sup>.

Other authors highlighted the impact of international influence on the transition process. When Rustow developed his theory, he decided to set aside countries that received significant impetus from abroad. Hence, a new literature emerged focusing on the impact on democracy by external political influences, international diffusion and the global economy. For instance, the globalization process is considered a key contributing factor to democratization by allowing the freedom of movement of assets, which reduces the threat of democracy to the elites<sup>159</sup>.

Another group of authors questioned national unity as a single background condition. Wachman studied the democratization process of Taiwan, covering the period between 1987 and 1992. The author focused on Taiwanese national identity by studying the historical roots of the divided society composed of the Mainlanders and the Taiwanese and how ethnic, personal, and national identities interacted with one another. What makes Taiwan a successful case study of democratization without a key element of the precondition phase: a commonly accepted national identity<sup>160</sup>. The author concluded that the lack of national identity was not an impediment to the democratization process but enabled the opposition to “*Harness the force of Taiwanese consciousness to forge a sense of nationalism that ignited the process of reform*”<sup>161</sup>.

Another author who questioned national unity as a single background condition was Markovitz, who explored the United States's democratization by examining the Federalist Papers' written process. The author sustained that national unity is an everchanging process that requires testing, especially by those who are skeptical of the newly emerging national commitment<sup>162</sup>. In the creation process of a constitution, the economic, social, and historical context must be considered. However, “*a constitution by itself, no matter how ingeniously designed, no matter how universally admired, will neither create*

---

<sup>158</sup> Collier, R. and Mahoney, J. (1999). Ibid cit.

<sup>159</sup> Boix, C. (2003) Democracy and Redistribution. Cambridge University Press.

<sup>160</sup> Wachman, M. A. (1994) Taiwan: National Identity and Democratization. Routledge Taylor and Francis Group Volume 36 pages 218-221

<sup>161</sup> Wachman, M. A. (1994) Ibid cit.

<sup>162</sup> Markovitz, I. L. (1999) Constitutions, the Federalist Papers and the Transition to Democracy. Edited by Lisa Anderson. Columbia University Press.

*democracy nor limit authoritarian rule*<sup>163</sup>.” A constitution must adapt to society's main challenges and concerns to be effective and endure in the long run. The most successful constitutions will intermingle civil society and the state to handle “*permanent and aggregate interests of the community*”<sup>164</sup>.

#### **2.2.4 “The end of the Transition Paradigm”: Thomas Carothers**

In 2002, after three decades in which scholars applied the transitional analytical framework, Carothers published “The End of the Transition Paradigm.” The author sustained that this conceptual framework, which has been the main paradigm used for explaining the democratization process from the 70’s to the 90’s, was no longer applicable<sup>165</sup>. The author argued that many countries that were supposed to be in a transition process were not in the transition towards a democracy, and several of these countries were not following the model. The authors categorized those countries as “political gray zone countries”. These types of countries have democratic characteristics such as regular elections, a democratic constitution, and a certain level of limited political space for opposition political parties in government. At the same time, they possess specific characteristics that are more common in dictatorial regimes, such as little citizen representation in the political sphere, uncertain legitimate elections, and no respect for the rule of law.

In his article, Carothers will question five core assumptions of the transition paradigm. The first is that countries that are moving away from a dictatorial regime can be considered a country in the process of a democratic transition. The author classifies this assumption as “being inaccurate and misleading” since some of the transitional countries are not transitioning towards a democratic system. Instead, they follow different patterns within a gray zone even if they include some elements of democracy which the author called feckless pluralism and dominant power politics.

According to Carothers, feckless pluralism has positive characteristics, such as regular elections and moderate levels of political freedom. Nonetheless, the political elites are perceived as ineffective, self-interested, and corrupt. This type of gray zone political system is quite common in South America. The other major type of gray zone politics is

---

<sup>163</sup> Markovitz, I. L. (1999) Ibid cit.

<sup>164</sup> Markovitz, I. L. (1999) Ibid cit.

<sup>165</sup> Carothers, T. (2002) The End of the Transition Paradigm Journal of Democracy. Volume 13 Issue 1. Pages 5-21

dominant power politics, where countries have limits and static political space. The judiciary system is quite aligned with the executive power. The ruling political class will try to maintain its reputation in the international community as high as possible by providing a “*democratic perception*” even though at an internal level they are using non-democratic methods to remain in power. This type of political gray zone is common in sub-Saharan Africa.

The second core assumption is that democratizations follow a sequence of stages. Regarding the sequential phases identified by O’Donnell and Smither, the opening stage is based on a political period of political liberalization and democratic fermentation in which major “cracks emerge from the authoritarian regime”. This was followed by the breakthrough stage in which the authoritarian regime collapsed, leading the way to the establishment of a political system through the creation of democratic institutions, through the election of a new democratic government through elections, and through the creation of a constitution.

The final stage is the consolidation phase, in which the political system becomes democratic through the establishment of democratic state institutions, a strong civil society, the regularization and transparency of national elections, and the habituation of society towards the democratic “rules of the game”<sup>166</sup>. Once the breakthrough started, it was assumed that the country would enter into a natural democratization process. However, some countries may go backward but always along the path. For this author, the last cases of democratization, such as Taiwan, South Korea, and Mexico, have not followed a sequential path. The author considers this democratization process as “*chaotic as they go sideways and backward*” in an irregular manner<sup>167</sup>.

The third core assumption argues that elections legitimize the democratic political systems. They deepen and broaden political participation in which citizens can elect their desired political leaders while at the same time ensuring democratic accountability towards the elected government. However, as Carothers sustains, in a significant number of transitional countries, even though elections are held in a regular manner, there are still issues related to transparency, government interference, and manipulation. Furthermore,

---

<sup>166</sup> Carothers, T. (2002) The End of the Transition Paradigm *Journal of Democracy*. Volume 13 Issue 1. Pages 5-21

<sup>167</sup> Carothers, T. (2002) Ibid cit.

in gray zone states, elections do not stimulate the participation of new political parties nor electoral competition while instead fostering stagnated patronage-based politics and personalistic political parties<sup>168</sup>.

The fourth core assumption underlines that the conditions of transitional countries, specifically their political history, economic level, institutional legacies, sociocultural traditions, ethnic characteristics, and other types of structural characteristics, will not be major factors in the transition process. Instead, the key element for the success of a democratic transition is the commitment and consent of the political elites towards a democratic political system. However, for several authors, the structural conditions are considered highly relevant in democratic transitions, specifically in the cases of Southeast Asia, where relatively high levels of economic wealth and political pluralism have been important elements in the democratic transition.

The fifth core assumption is that democratic transitions during the third wave of democratization were done in coherent and well-functioning states. Their democratic design process was made through the redesign and creation of new electoral institutions and through judicial and parliamentary reforms. According to Carothers, transitional scholars assumed that state-building and democracy-building were two sides of the same coin since they would enforce each other. Through time, state-building has been a significantly more complex process, having a negative effect on the democracy-building process, specifically in countries that had to build a state. In other cases, instead of promoting state capacity, the efforts were concentrated on redistributing state power.

In short, Carothers states that the Transition Paradigm is no longer applicable to the political events that occurred in the early years of the 21<sup>st</sup> century. The author argues that several countries that are no longer ruled by authoritarian regimes are not following the transitional path, but instead, they are in a gray zone. Therefore, the author concludes that scholars should, instead of asking, “How is its democratic transition going?” they should ask, “What is happening politically?”.

---

<sup>168</sup> Carothers, T. (2002) Ibid cit.

The question “What is happening politically?” applies to studying current political phenomena requiring new analytical approaches such as democratic backsliding, a new political phenomenon that drew the attention of scholars since the beginning of the 21<sup>st</sup> century. The first issue this thesis will try to address coincides with this approach, the current political events occurring in Spain will be deeply analyzed to answer the question, “Are there signs of democratic backsliding in the Spanish political system, and if so, what are the roots?”.

However, this is not inconsistent with the application of the Transitional Paradigm to the Spanish case study. The Transitional Paradigm theory emerged due to the need to develop an analytical model of democratic transition to explain the third wave of democratization phenomenon and further replicate it to expand democracy worldwide. Spain was the second country that began the democratization process and was able to complete it, attaining a full democracy. In fact, the democratic transition process of Spain was studied in depth by scholars of the transition Paradigm, especially by O’Donnell & Smithers, and Linz & Stepan. While O’Donnell & Smithers focused on the first stages of the transition process of Spain, Linz & Stepan also analyzed the transition process but focused on the third stage, the consolidation stage. For this reason, several authors refer to this process as a successful case and as a reference to countries that want to become democracies.<sup>169</sup>

Therefore, to answer the second question of the thesis, “What are the roots of the democratic backsliding process?”, the theoretical model of Rustow will be applied. Specifically, as Rustow emphasizes, to develop a genetic theory, the study of a complete process is required. Spain completed the stages of the democratization process almost 50 years ago, which provides a longitudinal evolution perspective. Another key Rustow methodological approach that will be applied in this study will be causation as the author emphasized that sequential phases are necessary for the birth of democracy.

Throughout the second of part of chapter III of this thesis, national unity will be a key variable to explore using the analytical tools of Rustow, Linz & Stepan. Rustow has identified national unity as the sole precondition and stressed its importance along the whole process. However, once national unity has been achieved, democratic regimes must

---

<sup>169</sup> Encarnación, O.G. (2002) Spain after Franco Lessons in Democratization Volume. 18 Issue 4 pages 35-44

ensure its endurance in the long run; otherwise, regional division may emerge and increase, leading to secessionism rather than unification. In the same line, Linz and Stepan sustain that “independent generic variables” are essential for analyzing the transition and consolidation process, specifically, they sustain that the variable “stateness”, which refers to the complex relationship between state nation and democratization, is a pre-requisite for a democratic political system.

Finally, as most of the transitional authors highlight (Rustow, O’Donnell, Smither, Karl, Heper) the historical perspective is key. In short, the understanding of processes of political change includes the study of the historical context, recurring pattern interactions, and processes of change. In addition, it is important to highlight that the case study remains the cornerstone of the study of a democratization process.

### **3. Is there a Democratic Backsliding process in Spain?**

The purpose of this section of the dissertation is to show that the Spanish democratic system is suffering a democratic backsliding process. To attain this objective, first, a brief overview of the evidence of democratic backsliding at a global level will be presented by reviewing the most widely used quantitative indicators. Second, the same quantitative indicators will be reviewed for Spain to third, perform a qualitative in-depth analysis applying the analytical framework on democratic backsliding depicted in Chapter I.

#### **3.1 Decline of democracies within the international system**

According to a significant number of quantitative indicators such as Polity, V-dem, and Freedom House, the total number of democracies within the global system has been decreasing since 2010. The latest quantitative indicators from 2022 show that the number of liberal democracies has reduced to 34 countries, one of the lowest scores since 1955, from a peak of 90-95 democracies<sup>170</sup>.

Factors contributing to the decline in the total number of liberal democracies include the increasing tendency of democratic institutions to allow for the increase of autocratic political leaders. At the same time, there has been a decrease in moderate democratic political parties, which has allowed the increase of populist political parties and increasingly polarized political systems.

Other relevant factors that have caused the decrease in liberal democracies have been the increasing power concentration of the executive branch, the use of the judicial branch for personal political interests and the use of democratic tools in order to remain in power. The rise of populism has contributed to the erosion of democratic institutions through false information and by polarizing mechanisms that contribute to an increasing division of society.

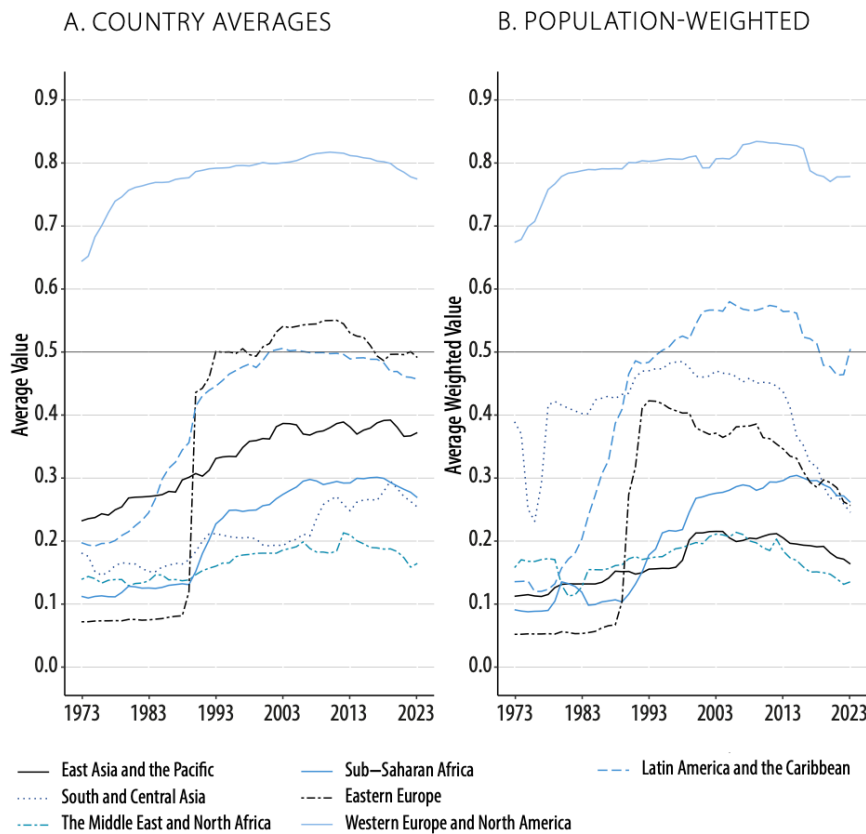
The most used Data sets, such as Polity, V-dem, and Freedom House, have been used to examine democratic backsliding. According to V-Dem democracy report 2024, the 2023 worldwide level of democracy has decreased back to the levels of 1985. Specifically, the liberal democracy Index developed by V-Dem combines the core institutions of electoral

---

<sup>170</sup> Levitsky, S. and Way, L. (2015) The Myth of Democratic Recession. *Journal of Democracy* Volume 2. Issue 1. Pages 44-85

democracy with the liberal dimensions, the rule of law, respect of civil liberties, and constraints to the executive by the legislative and judicial branches of power<sup>171</sup>. Figure 8 show regional levels of Liberal Democracy between 1973 and 2023

Figure 8: Regional Levels of Liberal Democracy 1973-2023



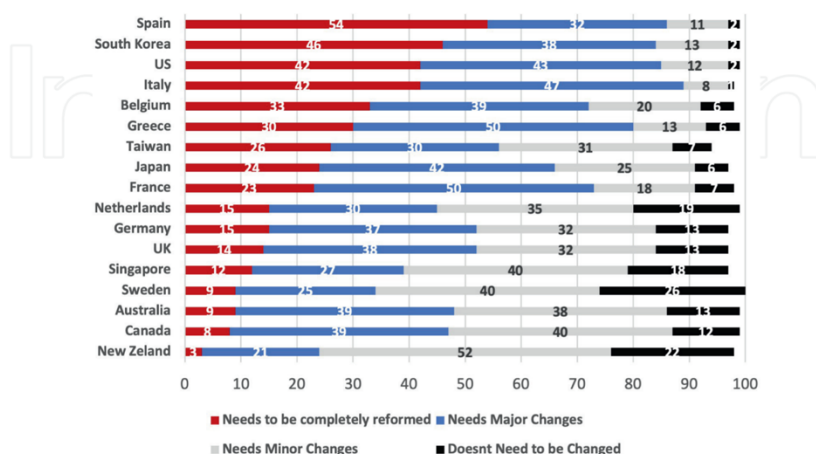
Source: V-Dem Institute 2024 Democracy Report

Similarly, to capture the nuances and trends that have been occurring in recent years; new quantitative data unveils the increasing need for reforms to reinforce and maintain the democratic quality of institutions. For example, Figure 9 displays the perceived need for the complete reform of political institutions in relation to comparable countries<sup>172</sup>.

<sup>171</sup> V-Dem Institute (2024) Democracy Report 2024: Democracy Winning and Losing at the Ballot. V-Dem institute

<sup>172</sup> Ferreira do Vale, H. (2024) Spain's Democratic Crisis (2008-2023): Territorial Conflict and Resistance to Democratic Decline. Research Gate.

Figure 9: Percentage of Support for Changes and Maintenance of Political Institutions in 2021



Source: Ferreira do Vale, 2024

Within the Spanish population, there is a broad consensus on the need to reform Spain's political institutions. According to a survey conducted in 2022 by the Pew Research Center, 86% confirmed the need to introduce a complete reform of Spain's national governmental and public institutions<sup>173</sup>.

### 3.2 Analyzing the Democratic Backsliding Process of Spain

Throughout the following pages, the dissertation will show that the current Spanish political government has shown its tendency to follow practices that decrease the quality of liberal democracy. It has been criticized by its political allies in government as "authoritarian" since it announced its intention to continue governing from 2024 to 2027 without legislative power<sup>174</sup>, attempting to concentrate power in the executive branch by appointing judicial authorities under their direct political control<sup>175</sup>, using the judicial branch for personal political interests and by using democratic tools to weaken institutions and to remain in power<sup>176</sup>.

<sup>173</sup> Ferreira do Vale, H. (2024)

<sup>174</sup> Díaz, J. (2024). Duras Críticas a Sánchez de sus socios por hablar de gobernar sin el congreso. *Expansión*. Madrid.

<sup>175</sup> Martialay, A. Una Asociación de fiscales recurre en el supremo el nombramiento de Garica Ortiz como fiscal general del estado. La APIF recuerda que el supremo sentencio que incurrió en desviación de poder y el CGPJ lo considero inidonio para el cargo. *El Mundo*

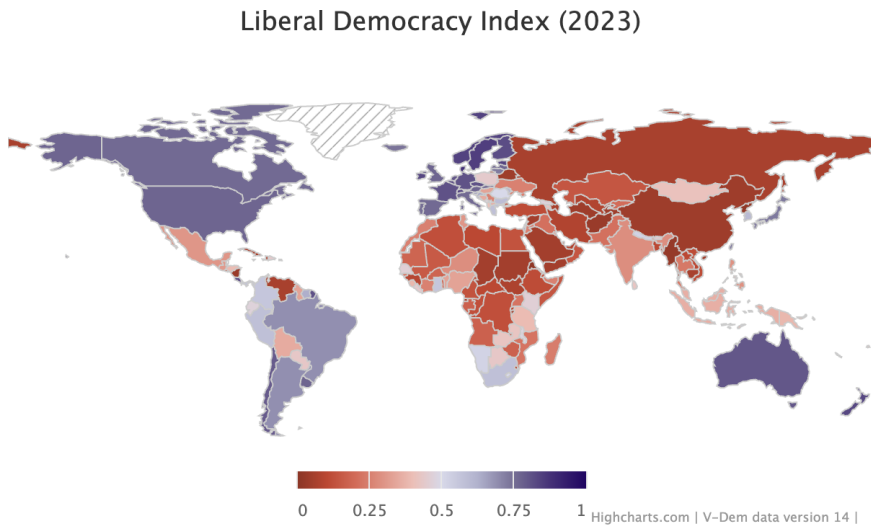
<sup>176</sup> Mosquera, P. Goodman, AL. (2024) ¿Que dice la polémica ley de amnistía aprobada en España? *CNN*.

### 3.2.1 The Evolution of the Spanish democracy through democracy Indexes

The quantitative indicators Freedom House, EIU, and V-DEM of the democracy index will be used to analyze Spain from 2017 to 2023. Polity will not be used since, unlike the other quantitative indicators, its latest data is from 2018.

It is important to highlight that all these quantitative indexes, independently from variables that each index includes in their measurements and the difference between the results obtained, all categorize Spain among the top most consolidated democracies in the world. This can be observed in the following map developed by V-DEM. Figure 10 shows the liberal democracy index.

Figure 10: Liberal Democracy Index Map



Source: V-DEM database Graphing Tools

Freedom House has categorized Spain as free among its free categories (free, partially free, and not free). Even though Spain is considered a free country, having a score of 94 out of 100 in 2017, it decreased by two points in 2020, having a score of 92 out of 100, and decreasing by two points in 2021, obtaining a score of 90 out 100 and keeping this score in 2022, 2023 and 2024. According to the Freedom House report of 2024, the rule of law prevails, and civil liberties are generally respected. However, political corruption remains a major concern<sup>177</sup>.

<sup>177</sup> Freedom House (2024) Freedom House Report: Spain. Freedom House Official Website. <https://freedomhouse.org/country/spain/freedom-world/2024>

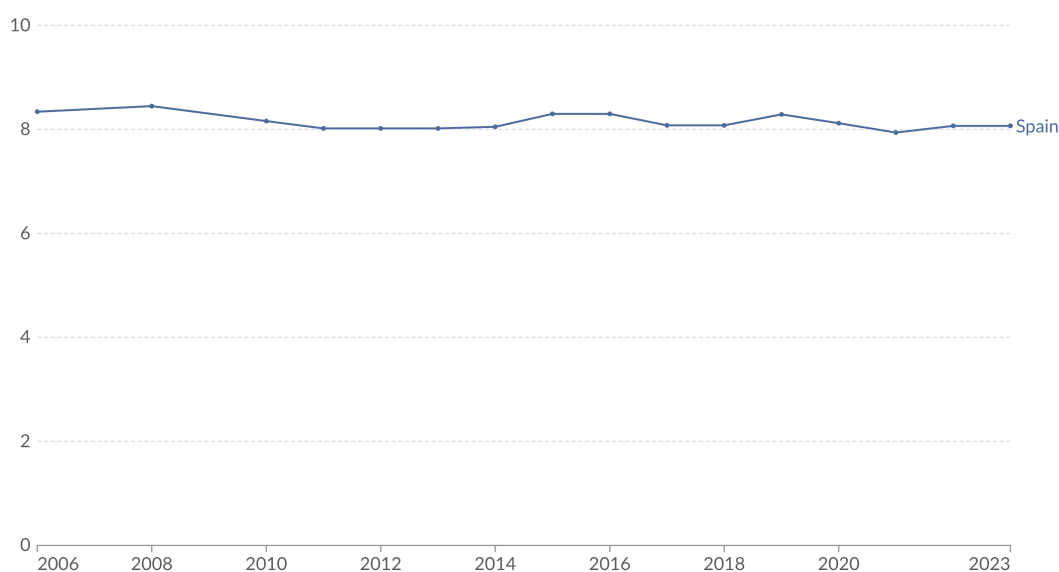
According to the Economist Intelligence Unit (EIU), in 2021, Spain could no longer be categorized as a “full democracy” but instead a “flawed democracy”. Lowering its score from 8.12 to 7.94, a decrease of 0.18, which is one of the highest decreases of an EU member state. The decrease in the EIU score has been caused by the downgrade of the independence of the Spanish judicial system due to the "political divisions over the appointment of new magistrates to the General Council of the Judiciary (CGPJ), based on a political self-taker basis.” However, in 2022, the EIU index increased to a score of 8.07 and 2023 it obtained the same score of 8.07. In this case, the report did not provide any comment on this recuperation<sup>178</sup>. Figure 11 shows the Spanish EIU Democratic Index.

Figure 11: Spanish EIU Democratic Index

## Democracy index



Based on the expert estimates and index by the Economist Intelligence Unit (2006-2023)<sup>1</sup>. It combines information on the extent to which citizens can choose their political leaders in free and fair elections, enjoy civil liberties, prefer democracy over other political systems, can and do participate in politics, and have a functioning government that acts on their behalf. It ranges from 0 to 10 (most democratic).



Data source: Economist Intelligence Unit (2006-2023)

OurWorldinData.org/democracy | CC BY

1. Economist Intelligence Unit: The Economist Intelligence Unit publishes data and research on democracy and human rights. It relies on evaluations by its own country experts, supplemented by representative surveys of regular citizens to assess political institutions and the protection of rights. The Economist Intelligence Unit is the research and analysis division of The Economist Group, the sister company of The Economist newspaper. Learn more: Democracy data: how do researchers measure democracy?

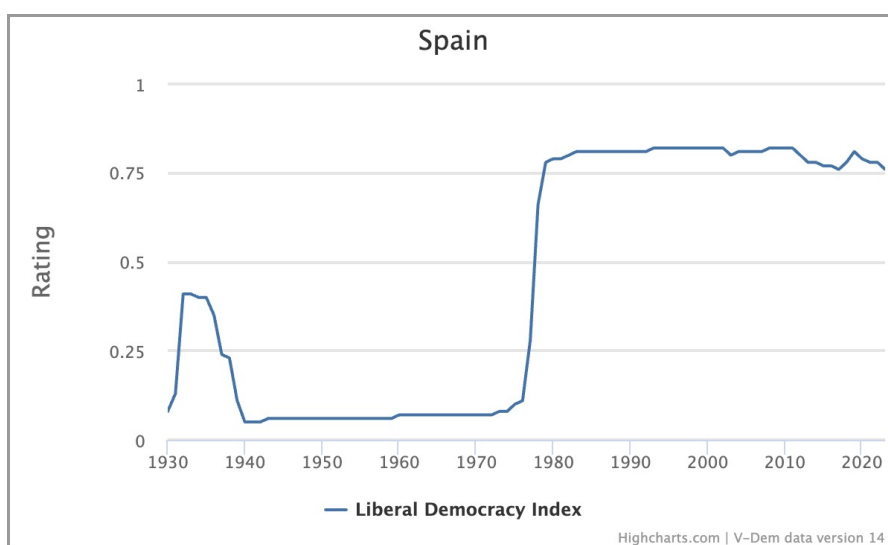
Source: EIU Database

<sup>178</sup> EIU (2023) EIU Report Democracy Index 2023. EIU Official website. <https://www.eiu.com/n/campaigns/democracy-index-2023/>

As observed in the graph in 2008, the trend of the EIU democracy index is downward. Even though it presents fluctuations year to year, the democracy index will not reach the highest score of 8.4 in 2008 in the following years.

However, an increasing number of scholars have shown some concerns regarding these quantitative indicators, specifically on some limitations in their methodology<sup>179</sup>. Therefore, V-DEM has been to measure in a more precise manner the evolution of democracy throughout time. In 2016, Spain obtained a score of 0.77, while in 2017, it decreased to 0.76. then it slightly recovered since in 2018, the score increased to 0.78, in 2019, the score increased to 0.8. However, in 2020, the score decreased to 0.79. In 2021 it decreased to a score of 0.78, in 2022, it remained with a score of 0.78, although in 2023, it decreased to 0.76<sup>180</sup>. Figure 12 shows the evolution of V-DEM Liberal Democracy Index of Spain between 1930 and 2023.

Figure 12: the V-DEM Liberal Democracy Index of Spain (1930-2023)



Source: [https://v-dem.net/data\\_analysis/CountryGraph/](https://v-dem.net/data_analysis/CountryGraph/)

In 1930, the Liberal Democracy Index increased to more than 0.4 and remained constant until 1936, when it decreased until reaching a score close to zero and remained this way until 1975. This tendency coincides with the establishment of the Second Spanish Republic (1931-1936), followed by the Spanish Civil War (1936-1939) and the Franco Dictatorship (1939-1975). In 1975, the index had a significant increase, reaching a score

<sup>179</sup> Rodriguez, Teruel, J. (2020) La Resiliencia democrática Española tas una década convulsa. Real Instituto Elcano

<sup>180</sup> V-DEM (2023) Varieties of Democracy V-DEM. V-DEM official website. <https://v-dem.net/>

of more than 0.75, which coincides with the Spanish transition to democracy. It can be seen that this score did not fluctuate until 2010-2011, when a major decrease took place until 2017 when it recovered until 2019 but it decreased following a decreasing tendency as described previously.

### 3.2.2 Polarization

Ever since Spain managed to become a democracy in 1977, the national political system was composed mainly of two political parties, the social-democratic Spanish Socialist Workers Party (PSOE) and the conservative People's Party (PP), accounting for more than 70% of the total vote. However, in 2014, new pro-independence political parties began to form in the region of Catalonia, while at the same time, new leftist, anti-establishment political parties began to emerge. This has caused increasing polarization and fragmentation within the national political system.

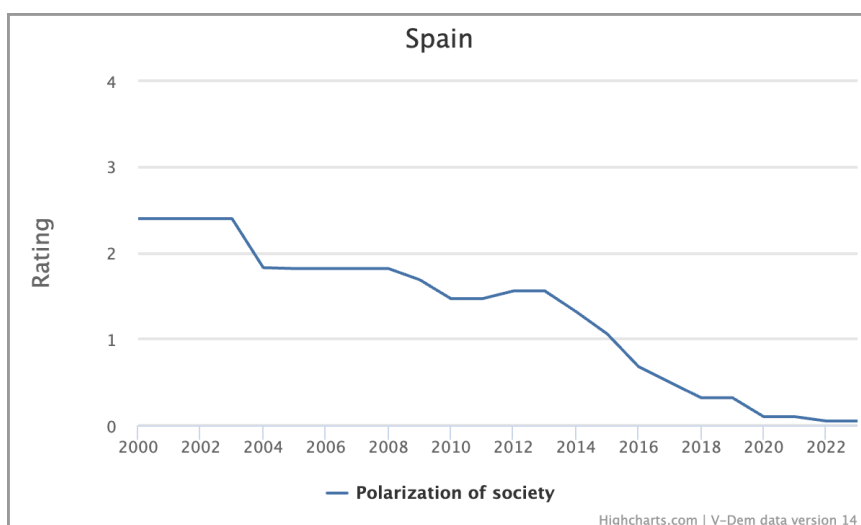
When looking at figure 13 provided by V-DEM, the first measure conducted on polarization occurred in 2000, obtaining a score of 2.4 out of 4, making Spain belong to the medium polarization category, in which there are noticeable differences in opinions on relevant political issues<sup>181</sup>. The graph presents a decreasing tendency, which intensified in 2013, starting a significant drop from 1.56 in 2013 to 0.05 in 2023 which makes the score very close to zero, which is considered as serious polarization in which there are major opinions in society on all relevant political issues, which results in high levels of clashes and discrepancies<sup>182</sup>.

---

<sup>181</sup> V-DEM (2023) Ibid cit.

<sup>182</sup> V-DEM (2023) Ibid cit.

Figure 13: V-DEM Polarization of Spanish Society (2000-2022)



Source: [https://v-dem.net/data\\_analysis/CountryGraph/](https://v-dem.net/data_analysis/CountryGraph/)

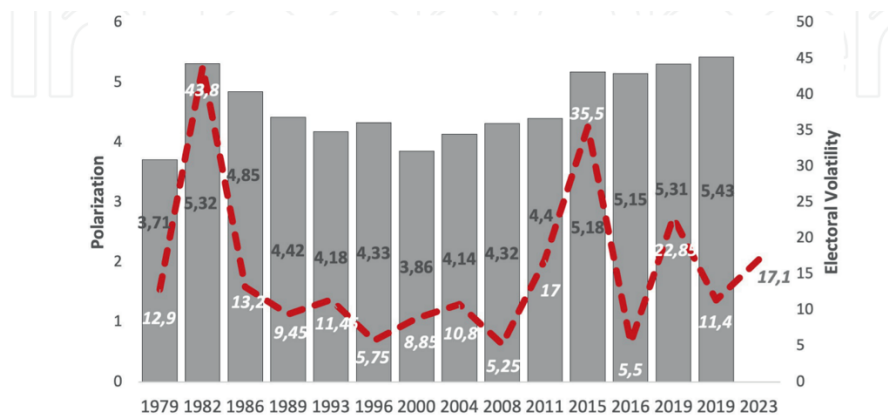
The concept of polarization, which is based on identity and ideology, has become a major issue when trying to form parliamentary majorities and cross-party agreements. Since the early years of the 21<sup>st</sup> century, the Spanish political system has experienced increasing ideological polarization. Affective polarization has gained momentum within Spanish society based on identity and emotional issues that are not necessarily related to ideological beliefs. It is based on a subjective categorization in which people assume specific characteristics towards a particular group of people or towards a different group from their own<sup>183</sup>. Similarly, political fragmentation increased significantly between 2011 and 2015 due to the appearance of new political parties which reconfigured the traditional two-party system within the Spanish national political system and national parliament.

The establishment of new political parties increased electoral competition, leading to higher levels of volatility and to higher levels of polarization. Electoral volatility is defined as “a change in votes from one party to another”<sup>184</sup>. The high levels of electoral volatility have had a major impact on democratic erosion since it has decreased political predictability and has increased voter dissatisfaction with democracy. Figure 14 shows how electoral volatility (red line) and polarization (grey bars) have increased significantly from 2008 due to the global financial crisis. The year 2019 has the highest polarization score of 5.43.

<sup>183</sup> Miller, L. (2020) Polarización en España: Más divididos por ideología e identidad que por políticas públicas. Esade ECOL: Center for Economic Policy and Political Economy

<sup>184</sup> Ferreira do Vale, H. (2024) Ibid cit.

Figure 14: Electoral Volatility and Polarization in Spain since 1979



Source: Ferreira Do Vale, 2024

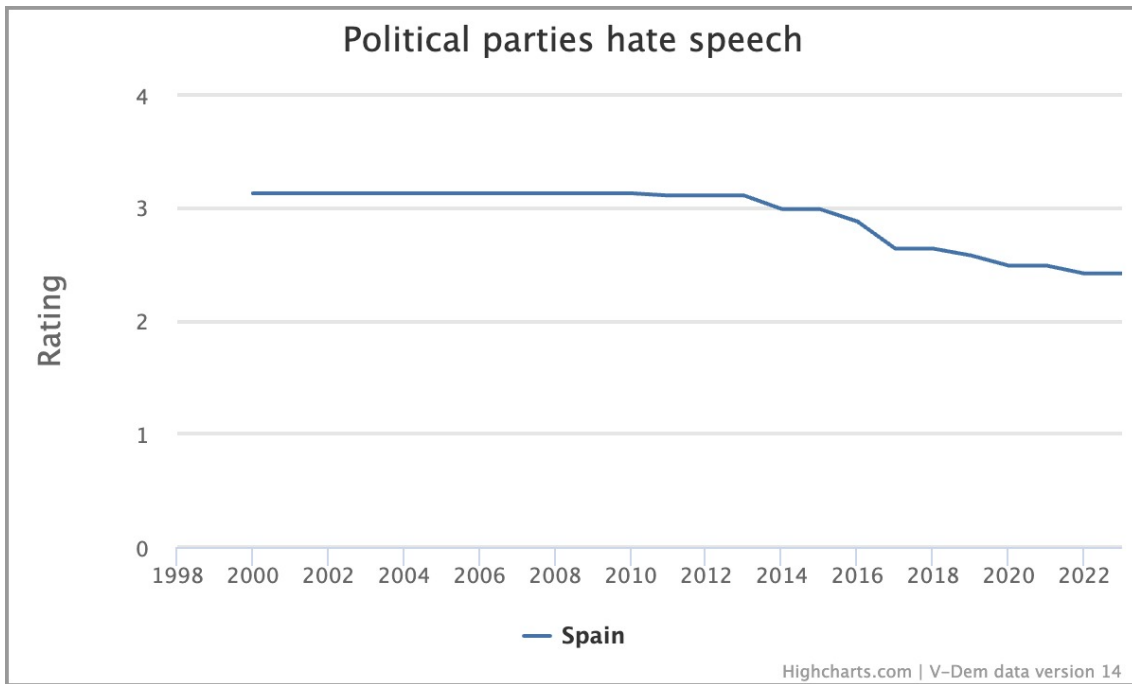
The PSOE executive government, with its current coalition of political allies, have set an ongoing political sphere of polarization by denying legitimacy to its political rival, labeling them as “enemies of the people” and the need to impede the “far right” from reaching political power<sup>185</sup>.

The index from above has been measured since the year 2000 with a score of 3.13 out of 4 and remained stable until 2011. However, from 2011 onwards, there has been a considerable decrease, reaching its lower score in 2022 of 2.42 out of 4 categorized as a hate speech rhetoric used sometimes and rarely.

In Figure 15 it can be seen that from 2013, the utilization of hate speeches has intensified year after year when the score in 2013 was 3.11 out of 4, which is categorized as the rare use of hate speech and has been decreasing year after year until reaching a score of 2.34 out of 4 in 2023 categorized as the use of sometimes using hate speech.

<sup>185</sup> Pérez-Maora, R. (2023) Sánchez. La polarización por Autonomasia. Diario El Debate

Figure 15: Political Parties Hate Speech in the Spanish Political Sphere



Source: V-DEM database

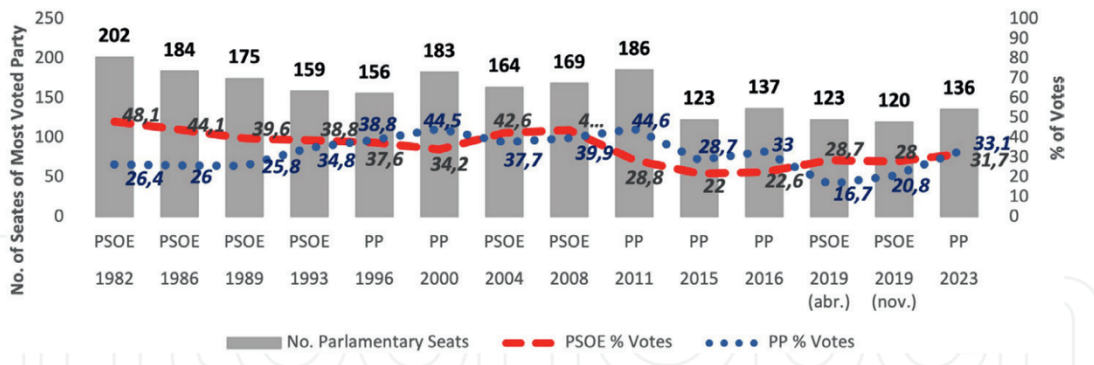
The use of major media outlets has also been used by the PSOE-led executive government as a tool against major political rivals. For instance, the current executive government has pressured the state attorney general Álvaro Garcia Ortiz to leak personal information against the personal companion of Isabel Diaz Ayuso, the current president of the Autonomous Community of Madrid on tax-related irregularities<sup>186</sup>. Ayuso is considered one of the main political rivals of the PSOE-led government. This is a violation committed by the state attorney general and by the PSOE-led government since they have unlawfully revealed judicial secrets, which can be punishable according to the criminal code.

The main opposition political party, PP, has fallen in the trap of the polarized political system which has been created and nurtured by PSOE and its allies. Consequently, PP has not been able to effectively denounce the weakening of the democratic institutions. The opposition has also used media outlets to delegitimize a coalition government that gained the majority votes in the 2023 national election. Both antidemocratic behaviors conducted by the two main political parties have contributed to the fostering and expansion of a polarized political system.

<sup>186</sup> Pérez-Maora, R. (2023) Ibid cit.

Hence, the following figure 16 shows how the two mainstream political parties of PP and PSOE have experienced a reduction in vote share in the national election of 2011. Between the years of 2016 and 2019 PP is the political party that has experienced a major decrease in the total percentage in a national election.

Figure 16: Number of Elected MP's of the Most Voted Party and Vote Share by PSOE and PP in General Elections since 1982



Source: Ferreira Do Vale, 2024

Since the national election of 2023, the Spanish political system has been slowly entering into a process of democratic erosion. Pedro Sanchez has remained in political power through concessions and promises that challenge and risk core democratic principles. Entering into short-term political pacts with ultra-leftist and independentist parties which will create medium and long-term negative consequences. Mainly by contributing to the ongoing polarization and fragmentation of the Spanish political system, by eroding the independence of the judicial system, by approving a controversial amnesty law from a legal and judicial point of view and by getting involved in major corruption cases.

### 3.2.3 Executive aggrandizement/ Lack of judicial independence

For Bermeo (2016), executive aggrandizement is defined as a political process where “*the elected politicians exceed constitutional limits of separation of powers to attack democratic institutions, resulting in an increase of executive powers and the reduction of limitations on It.*”

In 2018, according to the judicial procedures established in the constitution, the CGPJ (Consejo General del Poder Judicial) began the mandatory process of electing new judges through judicial meritocratic criteria. Two months later, after the president of the CGPJ verified that the candidates fulfilled the requirements, the list of 51 candidates was sent

to parliament. It needed to be approved with a qualified majority. Only 12 out of the 51 candidates would be elected as judges of the CGPJ.

The two political parties with the largest amount of Members of Parliament (MPs) PP and PSOE began a negotiation process in order to select new judges for the CGPJ and approve it in parliament. However, due to the increased polarization and rivalry between these two parties, negotiations have lasted for almost six years. Hence, the judicial system was *de facto* unconstitutional. According to a judicial ruling drafted by the Constitutional Court "*there is a risk of frustrating the stated purpose of the constitutional norm if the Chambers [...] only pay attention to the division of forces existing within themselves and distribute the positions to be filled". between the different parties, in proportion to their parliamentary strength*"<sup>187</sup>. Proving that the judicial system has gradually become highly politicized, polarized and has lost its constitutional judicial independence.

The European commissioner of justice Didier Reynders expressed his concerns on the inability to ensure the appointments of new judges in Spain's General Council of the Judiciary, referring to this ongoing situation as a "*matter of priority*"<sup>188</sup>. Therefore, the main concern for the European Court of Justice has also become the high levels of political interference in the judicial system through the neutralization and erosion of institutional checks and balances, the lack of judicial independence, and the breach of the separation of powers. Spain was ranked 23<sup>rd</sup> in the EU Justice Scoreboard. It is a yearly report that analyzes comparative data on the quality, efficiency, and independence of justice systems among countries from the European Union. Political pressure was considered the main factor that caused the deterioration of Spain's judicial system.

According to article 122.3 of the Spanish constitution, the proposed list of jurists and magistrates is agreed among political parties in parliament with a qualified majority requiring 60% of the votes from the MPs of the Spanish Parliament. However, due to the increased polarization and rivalry among political parties the renewal of the CGPJ was not been achieved. The political parties present in the current government led by Pedro Sánchez (Podemos, junts Per Cat and Esquerra Republicana) wanted to assign "progressive leftist" judges into the CGPJ in order to advance their own political interests.

---

<sup>187</sup> Hay Derecho (2024) Sobre la (NO) renovación del CGPJ. Fundación hay Derecho.

<sup>188</sup> HedGecoe, G. (2023) Judges get dragged into Spain's toxic politics. Politico Pro.

The leader of PP Nuñez Feijoo met on several occasions with Pedro Sanchez, proposing that the magistrates appoint new judges to the CGPJ based on meritocratic judicial accomplishments. However, PSOE and their coalition political parties have refused this proposal for six years, thus blocking the renewal process.

As observed in figure 17, the executive respect for the Spanish constitution remained constant between 1979 and 2012 with a score of 3.77 out of 4, categorized as a score in which members of the executive government rarely violate the constitution, and when it happens, they face legal charges. In 2013, the score decreased to 3.49 out of 4, and then it fluctuated within a downward tendency until reaching a score of 3.14 in 2023, categorized as a score in which members of the executive rarely violate the constitution, and when it happens, they face legal charges. However, as the evidence shows in the Spanish case, the government has violated several norms and principles from the constitution with little to none legal charges.

Figure 17: Spanish Executive Respect Towards the Spanish Constitution



Source: V-Dem database

For Pedro Sánchez, the judicial has been “*kidnapped and in the hands of the PP*”<sup>189</sup>. Subsequently, in a plenary session during parliament, the political parties of PSOE and SUMAR announced imminent packages to “*democratize and depolarize the judicial system*”. Firstly, by approving an organic law that would remove the judicial meritocratic

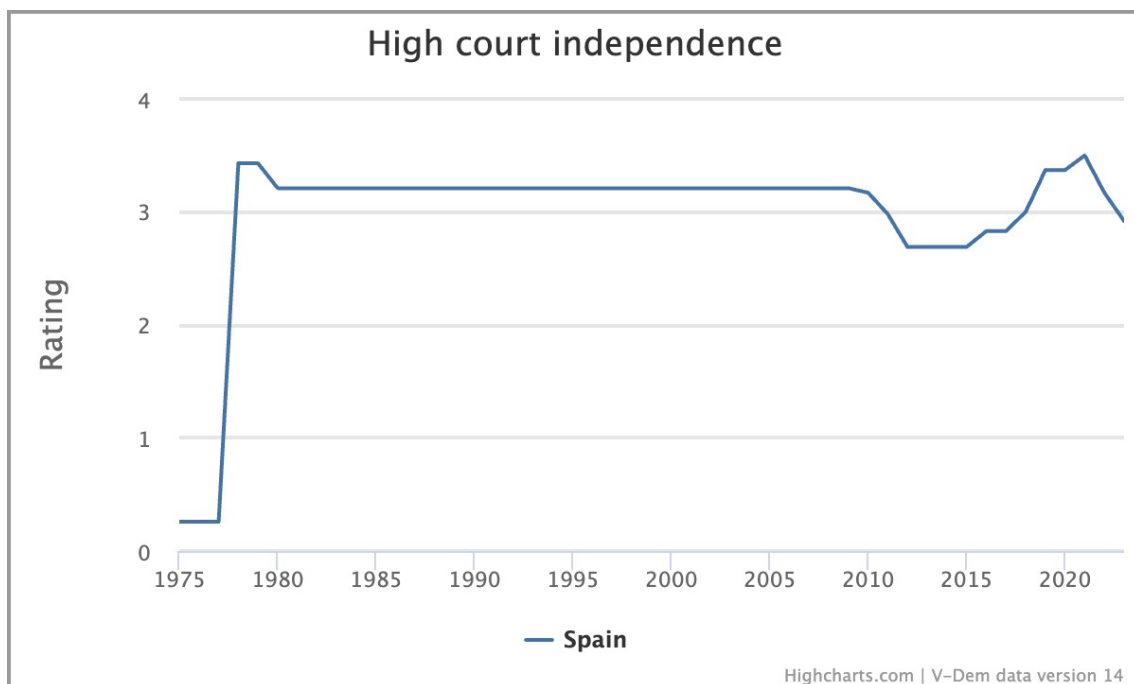
<sup>189</sup> The Objective (2024) Sánchez quiere que el Congreso elija al presidente del Supremo en lugar del CGPJ. The Objective Press.

powers of the judicial system by instead choosing new judges through parliament by simple majority. Secondly and as a consequence, by directly appointing the president of the Supreme Court. This would be a clear breach of the separation of powers and an attack against the legitimate independence of the judicial system. Hence according to Joaquin Bosch, a judge from the region of Valencia: “As well as damaging the credibility of public institutions, this [dispute] demonstrates that the Spanish justice system is very susceptible to party political interference”<sup>190</sup>.

Furthermore, according to the Dean of the *Ilustre Colegio de procuradores de Madrid Del Barco Martínez* stated that “There is nothing that interferes more in the work of a judge than politicians telling them what they have to do or checking to see whether what they have done fits in with what politicians want. In a Bolivarian regime, you can do that, maybe, but not in a democracy.”<sup>191</sup>”

As seen in figure 18, the High Court Independence index remained constant until 2009. From 2010, it started a fluctuating downward tendency, which recovered in 2021 but decreased again until reaching a score of 2.92 in 2023.

Figure 18: Spanish High Court Independence



Source: V-Dem database

<sup>190</sup> HedGecoe, G. (2023) Ibid cit.

<sup>191</sup> HedGecoe, G. (2023) Ibid cit.

The non-renewal of the CGPJ could have led to a permanent judicial blocking, which could have impeded the proper functioning of the judicial system. In September of 2024, after six years of negotiations between PP and PSOE, both political parties agreed to choose Isabel Perelló as the new president of the CGPJ, a “progressist” and “leftist” jurist elected through political preference instead of being elected by judicial meritocratic qualities.

### **3.2.4 Weakening of the rule of law**

On the 1<sup>st</sup> of October 2017, the Catalan region government held an unlawful referendum on whether Catalonia should become an independent state. A few weeks later, the former president of the Generalitat, Carles Puigdemont, declared the unilateral independence of Catalonia. The Spanish judicial system acted a few months later by charging those involved in the illegal referendum and declaration of independence. Subsequently, many Catalan political leaders involved in the 2017 events went to prison after being sentenced, and others decided to flee from Spain to escape from judicial procedures.

During the recent national elections of 2023, PP, led by Feijóo, managed to win the elections, gaining 137 MPs, an increase of 48 MPs compared to the national elections of 2019. However, Feijóo could not obtain the 176 MP's out of 350 MP'S in order to be declared president. The PP leader obtained 172 MP votes. Therefore, the second most-voted political party PSOE led by Pedro Sanchez managed to obtain 176 MP votes. Hence, Pedro Sanchez became president of Spain in the 2023 elections.

The head of the PSOE party has managed to ensure the support of two pro-independent Catalan parties, Junts per Catalonia and Esquerra Republicana. These two parties have 14 MPs in the national Spanish parliament. Consequently, both parties have urged an amnesty for all those involved in the 2017 events as a payback to support the election of Pedro Sánchez (PSOE).

The concept of amnesty has yet to be fully developed within the Spanish constitution; therefore, there is a wide range of interpretations that jurists have used. The term amnesty was not included in the 1978 constitution since ETA was active during that period of time, many politicians could not accept the idea of pardoning crimes done by ETA terrorist

members. According to article 62 of the Spanish constitution, it does not allow the use of general pardons, (*indultos generales*), although it does allow individual pardons. The PSOE-led government issued nine individual pardons to nine Catalan politicians who were involved in the 2017 illegal referendum.

However, the constitution allows the head of state, the King to “*exercise the right of grace*” following the rule of law and if it is approved by in parliament with an absolute majority. Several surveys conducted by Spanish media outlets show that more than 60% of the population reject the amnesty law. Furthermore, close to 20% of Spanish judges have demonstrated in major judicial buildings against the Catalan amnesty law.

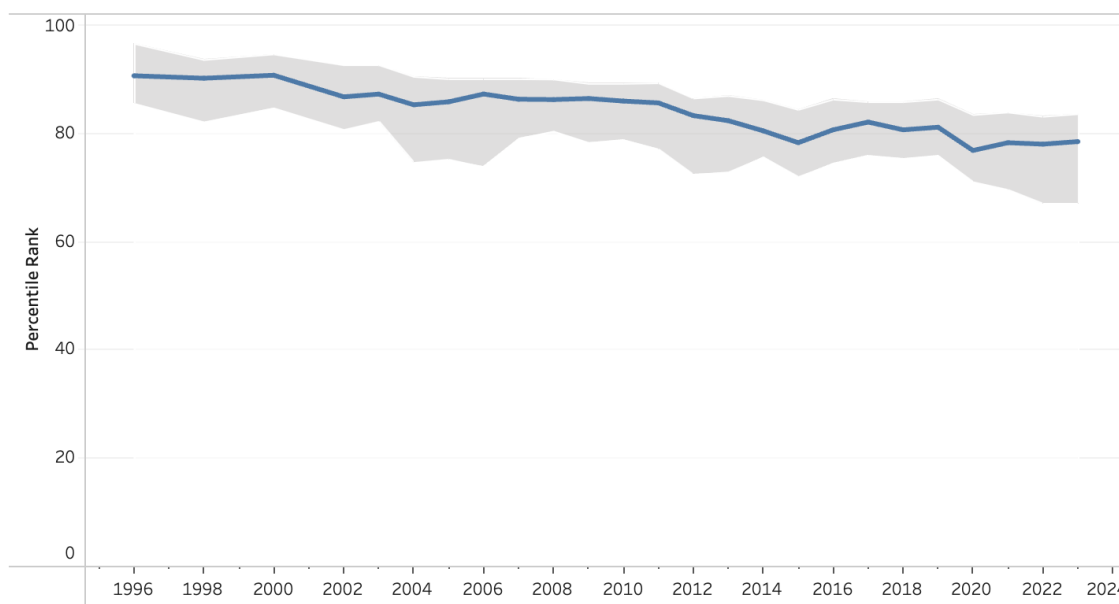
The PSOE government wanted to ensure their continuity in power by passing an amnesty law through a decree. However, this was not possible since, according to the constitution, decrees can only be used for exceptional cases. Hence, the amnesty law was approved in parliament by 178 MP’s, with an absolute majority. Serious crimes committed by the former Catalan politicians will not be punished; this includes crimes of terrorism, prevarication aggravated embezzlement, misuse of public funds, falsification of documents, public disorder, and terrorism.

The amnesty erodes vital democratic principles. Specifically, it is a direct attack against the rule of law. One of the key foundations of the rule of law is that all citizens within a given society, including those in power, are subject to the law. In this specific case, the Catalan amnesty is based on a political pact in which a particular number of politicians who have breached the law are exempt from being punished for their committed illegalities in exchange for political and parliamentary support. Hence, there is no democratic rationale or justification for the Catalan amnesty pact.

The World Bank has developed worldwide governance indicators to describe broad patterns in perceptions of the quality of governance across countries and over time, and the rule of law is one of the aggregate indicators of governance. In figure 19 it can be seen that there has been a downward tendency in compliance with the rule of law by the executive government since 1996, beginning with a percentile rank of 90.45 out of 100 and ending with a percentile score of 78.30 out of 100 in 2023.

Figure 19: Compliance with the Rule of Law by National and Autonomous Political Institutions

Spain: Rule of Law



Source: World Bank Database<sup>192</sup>

Similarly, the democratic principles of equality and prohibition of arbitrariness have also been infringed. For this reason, even though the amnesty law has been drafted and passed in Parliament, it has not entered into force since several judges have analyzed the judicial and legal implications of the amnesty pact and have found legal incongruences, requiring the verdict of the Supreme Court of Justice. In fact, the Supreme Court of Justice and several judges have judicial and legal arguments for the non-appliance of the Catalan amnesty law since the Catalan pro-independent political leaders have committed crimes of embezzlement, terrorism and misuse of public funds which cannot be pardoned merely for political interests or political benefits, it lacks a clear and transparent legal justification under the Spanish constitution and under the Treaty on the Functioning of the European Union.

In fact, the Supreme Court ruled that embezzlement with public funds cannot be amnestied according to EU law. Depending of the verdict of the government-controlled Constitutional Court, the Supreme Court already announced that it will appeal to the European Court of judges if required<sup>193</sup>.

<sup>192</sup> World Bank (2024). World Wide Governance Indicators The World Bank does not provide a specific categorization on the ranked scores. <https://www.worldbank.org/en/publication/worldwide-governance-indicators>

<sup>193</sup> Guindal, C. (2024) El Tribunal Supremo avisa al Tribunal Constitucional de que si amnistía la malversación irá a Europa. La Vanguardia News.

As a consequence, the main Catalan independentist political parties (Junts per Cat and Esquerra Republicana) have forced the PSOE government to exert pressure on those judges who are not willing to apply the amnesty pact, arguing that these judges are using their judicial competencies under alleged “lawfare practices”, arguing that judges are using the legal system to delegitimize a democratically drafted amnesty. However, the judges who have appealed the amnesty law through legal arguments are merely conducting their judicial duties under the rule of law.

In fact, the PSOE-led government has breached the independence of the judicial system by using its executive power in an unlawful manner by making the Minister of Justice exert pressure and “intimidation tactics” on those judges who have appealed the amnesty pact to the Supreme Court. On the other hand, Puente, a minister of the current executive government, has accused the Supreme Court of exceeding its authority by not applying the amnesty and declared that the Constitutional Court will correct them, in which the current government has directly appointed the new president of the Constitutional Court<sup>194</sup>.

Furthermore, the PSOE-led government, with the political parties that were required for PSOE to obtain a majority in parliament for his reelection, has created a parliamentary commission to investigate the judges who have delivered a verdict on the non-appliance of the Catalan amnesty law<sup>195</sup>. The fact that the executive opposes and defies a judicial procedure from several judges is a clear breach of the competencies of judges by the executive government.

On another front, the minister of Justice has pressured Judge Pablo Llarena (judge from the Supreme Court) to withdraw his decision of not applying the Amnesty Law to the crime of embezzlement of public funds against the Pro Catalan independentist leaders who participated in the illegal referendum of 2017 and the unilateral unconstitutional proclamation of Catalonia as an independent state.

---

<sup>194</sup> Marraco, M. Belver, M. (2024) Puente acusa al Supremo de extralimitarse al no aplicar la amnistía a Puigdemont y anticipa que el Constitucional lo corregirá. El Mundo Newspaper.

<sup>195</sup> Casqueiro J. (2023) El Congreso aprueba la comisiones de Lawfare que el PSOE pacto sobre Cataluña. El País Newspaper.

If the amnesty law is approved by the PSOE-controlled Constitutional Court of Justice, Spanish judges will appeal to the EU Court of Justice, arguing that there is a clear violation of Article 2 of the Treaty on the Functioning of the European Union.

### 3.2.5 High Levels of corruption

Corruption is considered an undesirable and unfavorable factor for the overall wellness of a democratic political system. Corruption can corrode democratic institutional checks and balances, the independence of the judicial system and can facilitate the misuse of public funds. Constant and unresolved corruption cases within major governmental and public institutions can weaken the citizen's trust towards established democratic institutions, leading to a wide range of reactions due to a perceived increase in feelings of distrust and abstention towards democratic practices and traditional democratic political parties. The overall levels of corruption within a specific political community are considered highly relevant in regards to citizens support of a democratic regime. Non-corrupt political regimes are considered as more important than the ideological beliefs of a government. Subsequently, the thorough handling of corruption is a key factor for democratic legitimacy.

Throughout the executive legislature of PSOE there have been several corruption-related cases. One of the most recent is the corruption case against the wife of the current president Pedro Sánchez. Begoña Gomez is currently being investigated by the Spanish judicial system for alleged corruption and influence-peddling criminal charges<sup>196</sup>. The complaint was set by sectors from civil society groups, specifically through “*Manos Limpias*,” a democratic pressure group involved in other relevant corruption cases. Pedro Sánchez has exercised political pressure over the general state attorney to file a lawsuit against a judge who is in charge of investigating the president's wife for alleged crimes of influence peddling and corruption. Members of the PSOE government have accused judges of prevarication. Specifically, the minister of transportation has publicly accused the judge investigating the possible crimes of Begoña Gomez, the wife of Pedro Sánchez of prevarication. In fact, Pedro Sanchez is using its executive power to intimidate judges who are investigating possible corruption crimes from individuals of his inner circle,

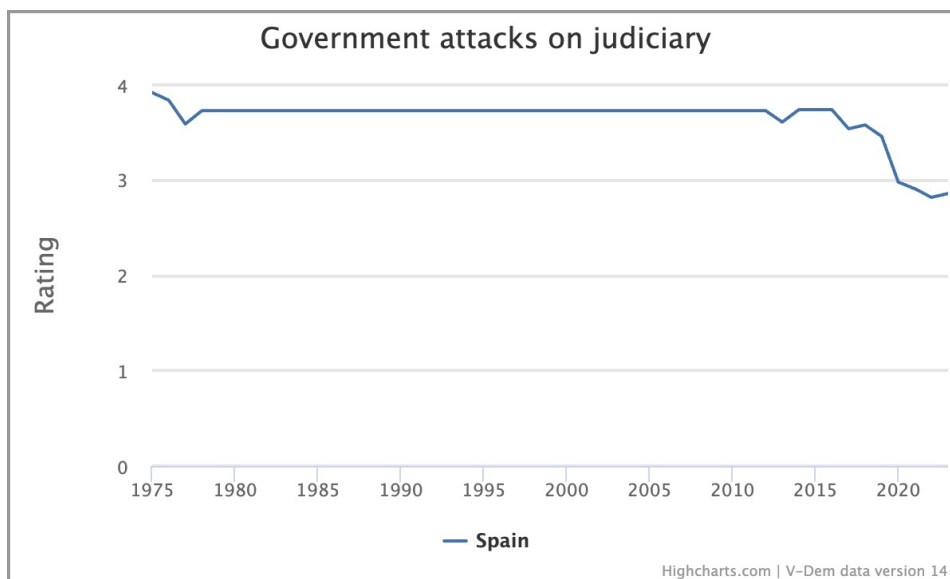
---

<sup>196</sup> De la Calle, A.L. (2024) Begoña Gómez chamada a declarar em Tribunal: Conheça o processo contra a mulher do primeiro-ministro espanhol. Diário Expresso.

notably the current minister of justice Felix Bolaños<sup>197</sup>. This is a clear breach of the separation of powers since the leader of the executive branch is deliberately using his powers to influence the decision of the judicial system, which is highly undemocratic, especially if the alleged accusations against her wife are judicially proven to be true<sup>198</sup>.

Through figure 20 the index remained stable through a score close to 4 since the creation of the Spanish democratic system in 1977. From 1975 to 2012, the score on the government attacks on the judiciary has remained constant. However, in 2013, the score began to decline, reaching a score of 3.61 out of 4, categorized as a rare number of attacks occurring. The most notable decline began to take place in 2019, reaching a score of 3.46 out of 4 and reaching its lowest score of 2.86 out of 4 in 2023, categorized as attacks occurring more than once.

Figure 20: Attacks of the Executive Government Against the Judiciary Branch



Source: V-Dem Database

Similarly, since 2023, there has been an ongoing criminal investigation known as the “caso Koldo” in which the former minister of transportation under the Sanchez administration José Luis Ábalos was involved. The criminal case involves the alleged illegal commissions charged by Koldo and other PSOE-related individuals through governmental million-dollar contracts on Covid masks during the pandemic. According

<sup>197</sup> Andrade, P. (2024) El Señalamiento de Bolaños y Puente al Supremo por su aplicación de la Amnistía solivianta a los jueces. El Debate Newspaper.

<sup>198</sup> Pérez, A. (2024) Pedro Sánchez utiliza a la Abogacía del Estado para querrellarse contra el juez que investiga a su esposa Begoña Gómez. Libertad Digital Press

to the judge in charge of investigating this criminal case, crimes of money laundering, influence-peddling, and bribery may be present.

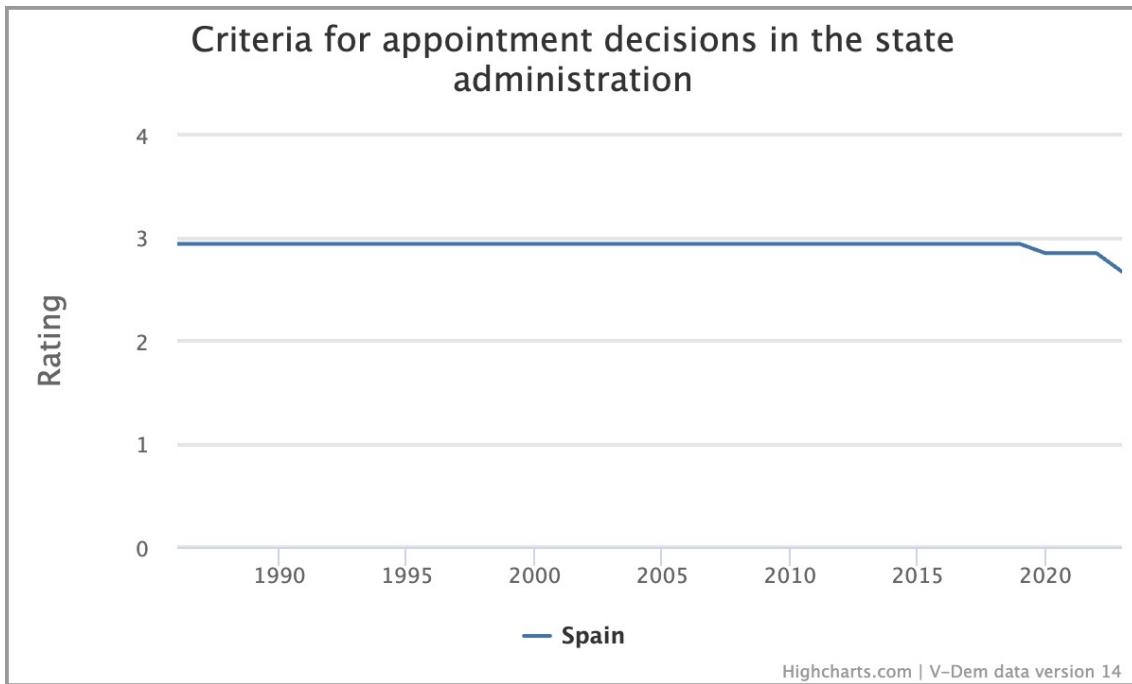
Furthermore, family members of the current president are being investigated for serious corruption-related cases. David Sánchez, the brother of Pedro Sánchez is currently being investigated by the court number 3 from the city of Badajoz under five possible crimes of prevarication, embezzlement, influence peddling, crimes against the public treasury and crimes against the public administration<sup>199</sup>. David Sánchez held public office work as president of the Performing Arts Office of the Badajoz Provincial Council, was receiving a salary from the local government without fulfilling his given tasks and duties, and he declared to be a fiscal resident in Portugal.

Through figure 21, it can be seen that the score remained constant with a score closed of 2.94 out of 4, meaning that only a few of the appointment decisions in the state administration are personal or political connections. Most appointment decisions are based on skill and merit. In 2020, the score decreased to 2.85 out of 4, reaching its lowest score in 2023 with a score of 2.85 out of 4, which means that approximately half of the appointment decisions in the state administration are based on personal or political connections while approximately half are based on skills and merits.

---

<sup>199</sup> Guerreiro, T. (2024) Irmão de Pedro Sánchez tem morada em Elvas ninguém o vê, enriqueceu 550% em três anos e vai ser investigado por cinco Crimes. Diario Expresso.

Figure 21: Criteria for Appointment Decisions in the State Administration



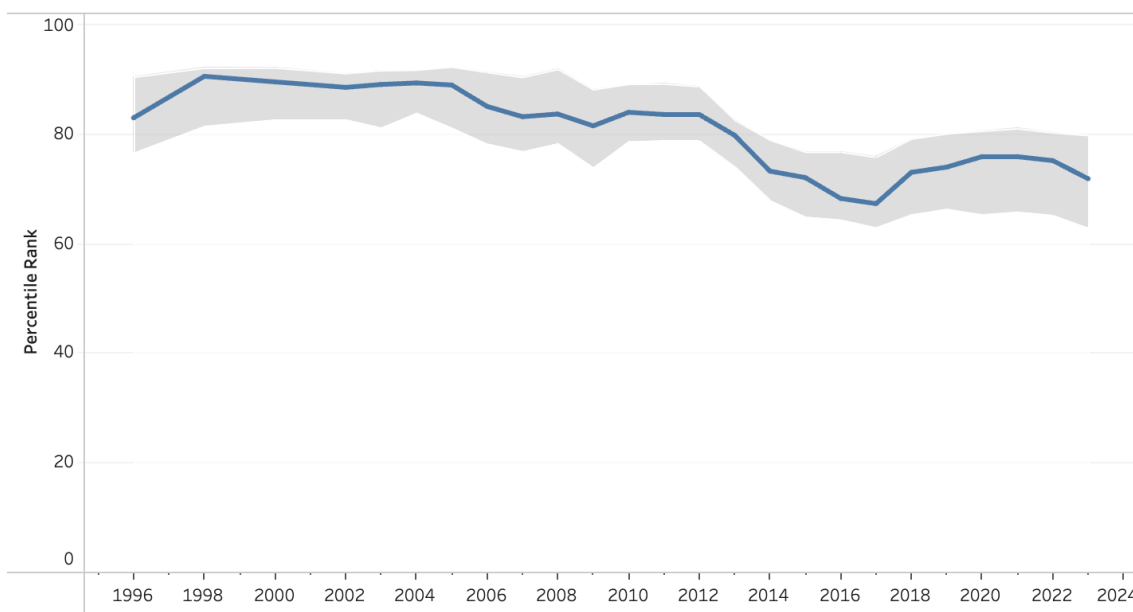
Source: V-DEM database

Within democratic regimes, there are a number of mechanisms and procedures in which if an individual from the executive government has been involved in a corruption case, they will be accountable and face the adequate punishment determined under the rule of law. For this reason, a well-functioning and independent judicial system is an essential element for handling government-related corruption cases.

Figure 22 shows that a downward tendency started in 2005 with a percentile rank 88.78 out of 100, and has deepened in 2012 with a percentile rank of 83.41 out of 100, reaching its lowest point in 2017, 67.14 out of 100 and slightly recovering in 2020, 75.71 out of 100 but without exiting the downward tendency and decreasing again in 2023 with a percentile score of 71.70. out of 100

Figure 22: Control of Corruption

### Spain: Control of Corruption



Source: World Bank Database

### 3.2.6 Control of media and press

Free media is also a key element when reducing corruption in both the public and private spheres of a given society, ensuring accountability and transparency. Freedom of the press and the right to information were fundamental rights recognized by the Spanish constitution of 1978 after the transition towards a democratic political system.

The privately owned media groups Mediaset, Atresmedia and the public broadcaster RTVE represent more than 75% of the market. At the regional level, the media landscape is characterized by a large presence of public broadcasters who are part of the Federation of Regional Radio and Television Entities (FORTA), which increases the risk of political interference<sup>200</sup>.

Another issue of political interference at an international level was the Russian government's funding of the pro-Catalan independence movement. Specifically, Venezuela-based and Pro-Russian disinformation through the use of fake internet profiles, also known as "bots" were active in the spread of disinformation and fake news during the Catalan illegal referendum of 2017. For instance, RT, a Russian TV broadcast, has progressively spread video clips throughout social media networks in the 2017, the

<sup>200</sup> RSF, Reporters Without Borders (2024): Spain. RSF Report. <https://rsf.org/en/country/spain>

illegal referendum through populist pro-independent slogans such as “Catalonia chooses its destiny between batons and rubber bullets”<sup>201</sup>.

In May 2024, the head of the executive government, Pedro Sánchez, made a public declaration that generated concerns on Spain’s democratic quality. The executive leader presented a media law-related package with the objective of ensuring a "democratic regeneration" to "improve" the accountability and transparency of the media and the elimination of fake news. Furthermore, the censorship of media outlets has been justified through the existing democratic right to Honor and Right to Rectification. However, in other countries, the justification to censure media outlets through the right to Honor and the Right to Rectification has been used to suppress and intimidate media outlets.

However, the real purpose of this proposed package is to stop the future publishing of articles related to his wife’s involvement in corruption-related cases. “The executive leader also stated that “*he would take urgent “measures to stop the right-wing media machinery”*; in other words, counteract all media outlets that are not in line with his political ideology and political interests. This is a clear violation of Article 1 of the EU Charter on Freedom of the Press: “*States Member States and the European Union to respect, guarantee, protect and promote the fundamental right to freedom of expression and information, as well as media freedom and pluralism, and hence to refrain from exerting, and to develop or support mechanisms to impede, threats to media freedom such as trying to unduly and politically influence or pressure and impose partisan control and censorship on the media, limit or wrongfully restrict the freedom and independence of the mass media in the service of private or political interests*”<sup>202</sup>.

Hence the executive government has proposed to grant more public subsidies to media outlets that support the current government, 190 million Euros<sup>203</sup>. In contrast, those who criticize the current government will no longer receive state subsidies, which is a violation of the democratic principle of freedom of speech found in the Spanish constitution.

---

<sup>201</sup> Applebaum A. (2024) Ibid cit.

<sup>202</sup> European Parliament (2024) European Parliament resolution of 21 May 2013 on the EU Charter: standard settings for media freedom across the EU. Eu Official website [https://www.europarl.europa.eu/doceo/document/TA-7-2013-0203\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-7-2013-0203_EN.html?redirect)

<sup>203</sup> El Debate Press (2024) ¿Cuánto paga el Gobierno a los medios? 'El País' y la Ser lideran la clasificación con partidas millonarias. Diario El Debate.

In addition, during a plenary session in the Spanish parliament, The PSOE leader proposed the creation of an administrative body that would be granted legal competencies to sanction any media outlet without a judicial order. The justification of the government for the creation of this administrative body was for “*a better protect citizens against defamation and false information*”<sup>204</sup>. However, this a major breach against the freedom of the press, the right of free information and against the independence of the press.

According to the National Law of Advertising and Institutional Communication of 2006 states that “*institutional campaigns will always adjust to the demands derived from the principles of general interest, institutional loyalty, truthfulness, transparency, effectiveness, responsibility and austerity in spending*”<sup>205</sup>. However, during the presidency of Pedro Sánchez, the executive government has never officially published the number of subsidies granted to media outlets.

Nonetheless, through the investigation conducted by non-public institutions such as the media academic institutions, think tanks, and several media outlets, it has been shown that the PSOE-led executive government prioritizes governmental subsidies toward those media outlets that hold a similar ideological position to the government's. For this reason, Spanish media outlets such as El País, Sun Media and El Periodico, who have been traditionally considered leftwing outlets, have received the highest number of national subsidies from the PSOE-led government, with an amount close to 10 million Euros in 2022. Within the radio sector, Cadena SER which has historically had a leftwing ideology, received the highest amount of national subsidies, close to 8 million Euros, between 2008 and 2023<sup>206</sup>.

Figure 23 shows how media bias had a constant tendency of 3.7 out of 4, meaning that the media cover opposition parties or candidates more or less impartially, but they give an exaggerated amount of coverage to the governing party or candidates. Since 2015 the score has reachest its lowest score of 3.3 out of 4 with a brief increase in 2019 with a score of 3.45 out of 4.

---

<sup>204</sup> El Debate Press (2024) Ibid cit.

<sup>205</sup> El Debate Press (2024) Ibid cit.

<sup>206</sup> El Debate Press (2024) Ibid cit.

Figure 23: Media Bias



Source: V-DEM database

### 3.3 The Spanish Model: A transition paradigmatic case

*“The Spanish transition was a paradigmatic and inspiring case for transitioning countries”*<sup>207</sup>. Spain was one of the first countries that became a democracy during the Third wave of democratization, and therefore, the “Spanish Model” was considered among scholars as a role model for other countries that were interested in accomplishing a democratic political regime<sup>208</sup>. As explained in previous sections, the Spanish Transition has been thoroughly studied by the main authors of the transitional paradigm such as O’Donnell & Schmitter, Linz & Stepan, and Przeworski, who presented the “Spanish Miracle” as the best example for Eastern European Countries who were keen on establishing a democratic political system<sup>209</sup>.

The most positive, influential, and well-known traits of the Spanish transition have been the following: the establishment of civil liberties, which were no longer under the control nor influence of the military, the democratic institutions remained stable and allowed the involvement of different democratic political parties, national conflicts have been solved

<sup>207</sup> Muro, D. and Lago, I. (2020) Spanish Politics. The Oxford Handbook of Spanish Politics.

<sup>208</sup> Colomer, J. M. (1998) La Transición a la Democracia: El Modelo Español. Anagrama Editorial.

<sup>209</sup> Przeworski, A. (1991) Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America. Cambridge University Press.

through institutional mechanisms, a global capitalist economic system was introduced, and Spain was able to join the European Union<sup>210</sup>. The Spanish democratic political system has been considered “*the crème de la crème*” regarding democratic political regimes. In 2010, according to the Polity democracy score, Spain had managed to achieve a maximum score of +10 between 1982 and 2013<sup>211</sup>.

### 3.3.1 The Spanish economic evolution between 1973 to 2023

Once General Francisco Franco passed away in 1975 and Spain initiated its political transition towards a democratic political system, the Spanish society was less developed than other Western European countries. Since 1978 until 2008, Spain has undergone a wide range of changes regarding its society, economy, demographics and politics. More specifically, Spain has been able to ensure a modernization process in four key areas. First, since the 90’s its demography began to incorporate a growing number of immigrants, mainly from Western Europe and South America, leading to a period of significant demographic growth. Second, its autarchic economy was replaced by an open economy that has been able to progressively integrate into the EU’s and to the international markets. Third, Spain has transitioned from an authoritarian and isolated dictatorship towards a consolidated liberal democracy, creating a free and dynamic civil society; and fourth, Spanish society has experienced significant changes, becoming increasingly cosmopolitan.

Between 1978 and 2015, Spain’s GDP at market prices rose 2.5% per year. This growth rate is relatively high and has shortened the income gap between Spain and Western European countries<sup>212</sup>. However, when comparing Spain’s Real GDP per capita with Italy and France, the UK, Germany, and the USA in purchasing parity-adjusted US Dollars in 2011, it can be observed in figure 24, that Spain’s level of GDP per capita is lower in comparison to other Western European Countries.

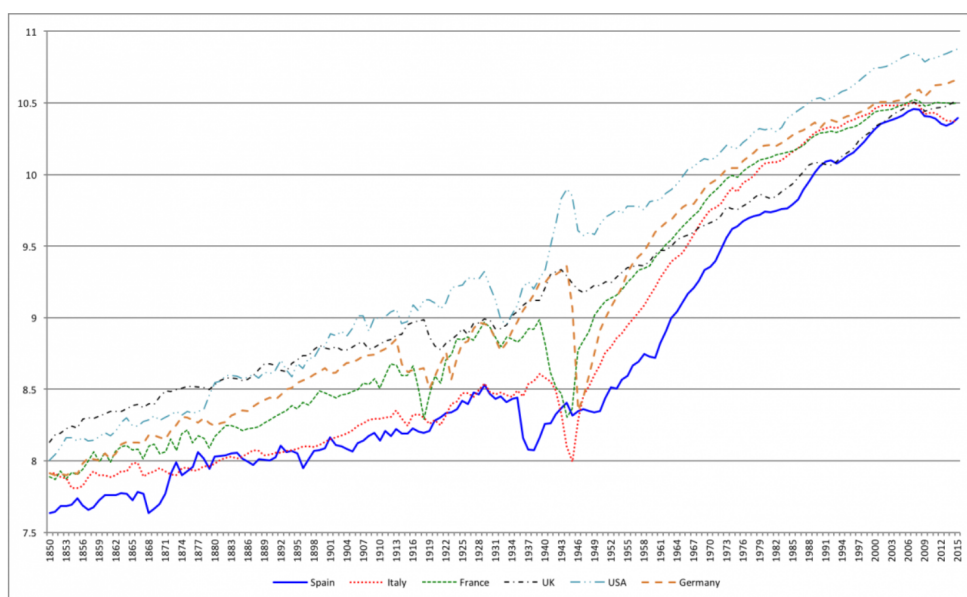
---

<sup>210</sup> Colomer, J. M. (1998) Ibid cit.

<sup>211</sup> Muro, D. and Lago, I. (2020) Ibid cit.

<sup>212</sup> Muro, D. and Lago, I. (2020) Ibid cit.

Figure 24: Spanish GDP Growth (1850-2015)



Source: Prados de la Escosura 2017<sup>213</sup>.

Even with the sustained GDP per capita growth, there was a deep gap with the other countries between 1850 and 1975. However, this situation reverted from 1950 to 2007<sup>214</sup>, allowing Spain to shorten the Gap with Western European Countries.

Figure 25: Comparative per Capita GDP Growth (1950-2015), Average Annual Logarithmic Rates

	Spain	Italy	France	UK	USA	Germany
<b>1850–2015</b>	1.7	1.5	1.6	1.4	1.7	1.7
<b>Panel A</b>						
1850–1913	0.9	0.7	1.2	1.2	1.7	1.5
1913–1950	0.3	0.9	1.1	0.9	1.6	0.2
1950–1973	5.3	5.2	3.9	2.4	2.4	4.9
1973–2007	2.6	1.9	1.6	2.2	1.9	1.6
2007–2015	-0.8	-1.6	-0.2	0.2	0.4	1.1
<b>Panel B</b>						
1850–1883	1.3	0.4	1.1	1.4	1.8	1.2
1883–1913	0.6	1.1	1.4	1.0	1.5	1.8
1913–1918	-0.6	-1.0	-7.5	2.1	1.3	-4.0
1918–1929	3.1	2.2	6.1	0.1	1.8	2.8
1929–1939	-3.7	0.7	0.2	1.3	-0.5	2.9
1939–1950	1.7	0.6	0.7	0.9	3.4	-3.0
1950–1960	3.7	5.4	3.6	2.2	1.7	6.9
1960–1973	6.4	5.0	4.2	2.5	3.0	3.4
1973–1992	2.9	2.5	1.7	1.5	1.8	1.8
1992–2007	2.4	1.2	1.4	2.9	2.0	1.3

Source: Prados de la Escosura 2017

<sup>213</sup> Prados de la Escosura, L. (2017) *Spanish Economic Growth (1850-2015)*. Palgrave Macmillan

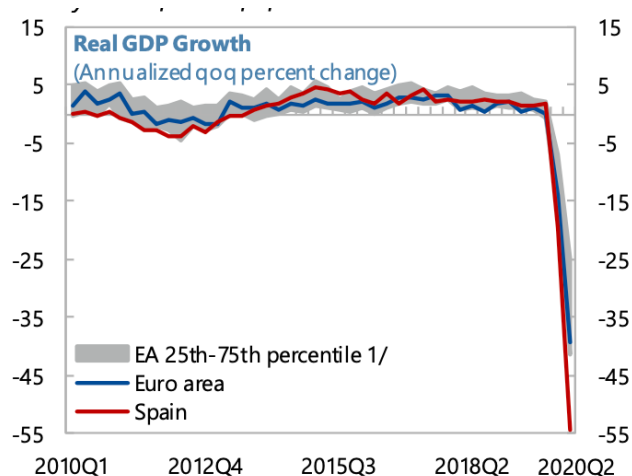
<sup>214</sup> Prados de la Escosura, L. (2017) *Ibid cit.*

As illustrated in figure 25 between 1973 and 2007, In panel A Spain's growth of GDP per capita was relatively the highest with 2.6% among Italy, France UK, Italy and the United States. In pannel B, between 1973 and 1992 the Spanish GDP per capita growth was relatively the highest in 2.9%, while between 1992 and 2007, it presented the second relatively highest GDP growth per capita after the United Kindgom. Between 2007 and 2015, it represented the second lowest decrease with a -0.8% after Italy of -1.6%. In 2008 Spanish GDP per capita growth stagnated as a result of the financial crisis of 2008 until 2013.

In 2008, the Spanish economy was in its 14<sup>th</sup> year of uninterrupted growth, between 1996 and 2008, the country grew on average by 1.4 percentage points more than the European Union<sup>215</sup>. The year 2009 was considered the worst year in economic terms since GDP fell by 3.7%, unemployment reached close to four million inhabitants and the public deficit increased to 11.4% of GDP up from 3.4% 2008.

As Illustrated in Figure 26 , Real GDP decreased until 2012 and managed to recover until 2015, In 2020, due to the global Covid 19 Pandemic, Real GDP drastically decreased. As illustrated in Figure 27, in 2021, Real GDP recovered, although, in 2022, Real GDP started a decreasing tendency that continued in 2023 and is projected to continue in 2024 and 2025<sup>216</sup>.

Figure 26: Real GDP Growth

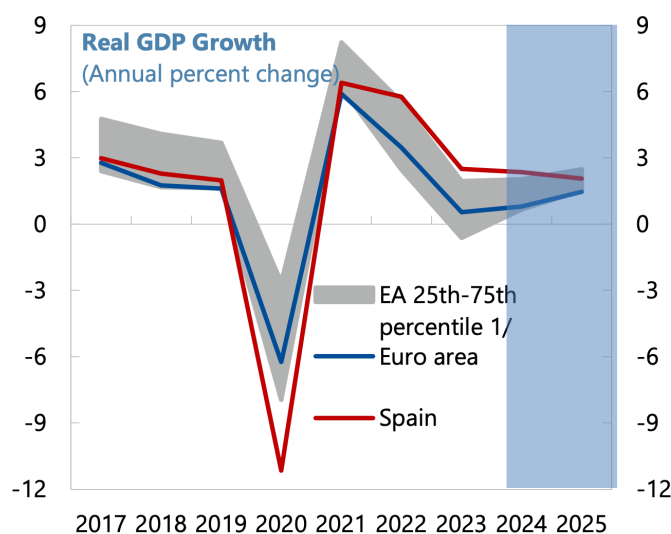


Source: IMF Country Report No. 20/298: Spain

<sup>215</sup> Royo, S. (2020) The Causes and Legacy of the Great Recession in Spain in *the Oxford Handbook of Spanish Politics*. Edited by Diego Muro and Ignacio Lago. Oxford University Press

<sup>216</sup> International Monetary Fund (2024) IMF Spain. IMF country report No.24/152

Figure 27: Real GDP Growth



Source: IMF Country Report No. 20/298: Spain

### 3.3.2 An overview of the Spanish political system between 1978 and 2024

According to the 1978 Spanish Constitution, the Spanish political system can be defined as a parliamentary monarchy. The King of Spain is the Head of State, a symbol of unity, and is considered one of the main ambassadors and one of the most relevant representatives of the Spanish state. After the completion of the 1978 Spanish Constitution and before the naming of Felipe VI as King of Spain in 2014, Juan Carlos was the King of Spain, considered one of the most important “democratizers” due to his active role in the regime change.

The legislative power resides in the Spanish parliament, *Congreso de los Diputados*, which also has legitimacy to monitor the executive branch. Between 1983 and 2015, Spain had two main political parties at a national level, PP and PSOE, which managed to gather the largest number of votes, following the democratic norms, guidelines, and principles established in the Spanish Constitution. Similarly, at a regional level, the autonomous communities of Catalonia and the Basque country, the main regional political parties, CIU (Convergència i Unió/Convergence and Union) and PNV (Partido Nacionalista Vasco/Basque Nationalist Party), also complied with the democratic norms, guidelines, and principles established in the Spanish Constitution.

Since establishing a democracy, the Spanish political system has undergone two main transformations. The first main political transformation took place in 1982, with the collapse of the political party Union of the Democratic Centre (Unión de Centro

Democrático), UCD, which won the first two democratic elections of 1977 and 1979. Hence, from 1982 onwards, the newly formed Spanish political system remained stable and composed of a two-party system, specifically PSOE (Partido Socialista Obrero Español/Spanish Socialist Workers' Party) and the PP (Partido Popular/Popular Party). In specific political mandates in which the two parties were not able to obtain a majority, they would govern with the parliamentary support of regional political parties such as PNV and CiU who complied with the general democratic guidelines.

In 2008, after the global financial crisis, the Spanish political landscape shifted significantly with the emergence of radical anti-system and antidemocratic political parties such as Podemos, while at a regional level, pro-independentist and anti-*status quo* parties would emerge, such as Junts per Catalonia, leftist independentist parties such as Esquerra Republicana in Catalonia and Bildu in the Basque Country would gain popularity and increase the votes obtained. Between 2015 and 2020, polarization fragmentation, volatility, unpredictability and the increasing number of votes towards anti-*status quo* and pro-independent political parties contributed to the deterioration of the Spanish political system due to an increasing perception that the mainstream parties were experiencing great difficulties in responding to the demands of large groups of dissatisfied volatile voters in search of new parties/alternatives<sup>217</sup>.

The year 2017 would be a triggering point since the Catalan government, composed by pro-independentist political parties decided to hold an illegal unilateral referendum on the independence of Catalonia, the decision taken by the national government led by PP to use security forces to impede the celebration of the unconstitutional referendum was perceived by most of the Spanish population as a disproportionate and excessive use of force against civilians. Hence, Pedro Sanchez managed to become president through a vote of no confidence and eventually through the national elections of 2020. The leader of PSOE decided to form a coalition government with the anti-*status quo* political parties and the pro-independentist political parties (Podemos, Esquerra Republicana, Junts per Catalonia, PNV, and Bildu)

---

<sup>217</sup> Méndez Lago, M. (2020) Parties and Parties Systems. In the Oxford Handbook of Spanish Politics. Edited by Diego Muro and Ignacio Lago. Oxford University Press.

Pédro Sanchez, leader of PSOE (Partido Socialista Obrero Español) was elected as president in 2023 through national democratic elections. However, according to the country analysis of the Economist Intelligence, *“The political stability of Spain will remain fragile given the high number of independent parties that it depends on, all of which have their own competing interests. The risk of policy paralysis and of the government collapsing ahead of the end of its term in 2027 is very high”*<sup>218</sup>.

### 3.4 Roots of the democratic backsliding

This section of the dissertation will be devoted to answering the second part of the question from this dissertation: are there signs of democratic backsliding in the Spanish political system, and if so, **what are the roots?** For this purpose, the theoretical model of Rustow will be applied. To develop a genetic theory, the study of a complete transition process is required. Spain entered a democratic transition process in 1975 after the death of the dictator Francisco Franco and was completed 50 years ago, which provides a longitudinal evolution perspective from the birth to the consolidation of the Spanish democracy. However, as Rustow emphasized, the background condition is an essential requirement before the start of the transition process. For this reason, the historical context is also a key factor in the analysis. For this reason, the historical evolution of the political and institutional dynamics of Spain, especially within the relationship between the Spanish central government and Catalonia, is key for the complete analysis of the case study.

#### 3.4.1 Historical overview of the Spanish political dynamics (From the 12<sup>th</sup> century to 2011)

*“...Catalonia has a long historical ancestry. It was integrated with varying degrees of success into an emerging polity, Spain, whose history formed part of the larger story that must be taken into account; and it has lived over the centuries in the shadow of a more powerful neighbor to which their histories need to be constantly related” ...*

Elliott. Scots and Catalans, Union and Disunion<sup>219</sup>.

---

<sup>218</sup> EIU Economist Intelligence (2024) Spain. Country Briefing EIU. <https://www.eiu.com/n/store/products/viewpoint/country-analysis/spain/>

<sup>219</sup> Elliott, J. (2018) Catalanes y Escoceses Unión Discordia. Penguin Random House Grupo Editorial. This quote has been translated from an Original quote in English.

The history of Spain focusing on the relationship between Spain and Catalonia will be exposed, starting with the description of the Principality of Catalonia in the 12<sup>th</sup> century and continuing with the evolution of its political interactions with Spain until 2017.

#### 3.4.1.1 The Spanish kingdom and the Principality of Catalonia

“Hispania” was the official name given by cartographers to the isolated peninsula that was located next to an unexplored ocean, while at the same time, it was the name given to a province of what used to be part of the Roman empire that was not able to maintain itself unified after the collapse of the empire. During the Middle Ages, cartographers established a fictional union of several Kingdoms present throughout the entire peninsula, specifically the Kingdoms of Castille and Leon, Navarra, Aragon, Granada, and Portugal. Each Kingdom had their own institutions, legal systems, and customs. However, a common factor that unified most Kingdoms located in the peninsula was their Christian faith and their deep rivalry with the Muslim Kingdoms<sup>220</sup>.

In the 9<sup>th</sup> century, the territories that composed the region of Catalonia were the Hispanic March, “La Marca Hispanica,” which was a buffer zone. These territories were divided into counties (Ampurias, Rosellón, Barcelona, Gerona, Besalú, Osona, Cerdaña, Urgell, Pallars and Ribargoza) which were ruled by a count<sup>221</sup>. These counts coexisted with each other in a peaceful manner under any unifying monarchy<sup>222</sup>.

In 1137, the Count of Barcelona Ramon Berenguer IV married Petronila of Aragon. As a consequence, the county of Barcelona was now part of Aragon and Ramon Berenguer IV became prince of Aragon. This union contributed to the coexistence between Aragon and Catalonia and eventually with Valencia and the Balearic Islands<sup>223</sup>.

During the 12<sup>th</sup> century, Catalonia was composed by the principality of Catalonia and the counties of Rosellón and Cerdaña. Located in a desired geographical location, the Pyrenees were the natural border with France, a mountainous territory that was the natural border with the Crown of Aragon, and located next to the Mediterranean, where high levels of trade and commerce occurred.

---

<sup>220</sup> Elliott, J. (2016) *La rebelión de los Catalanes, Un estudio sobre la decadencia de España 1598-1640*. Cambridge University Press.

<sup>221</sup> Canal, J. (2015) *Historia de Cataluña*. Historia de Cataluña. Editorial Turner.

<sup>222</sup> Ortiz, A. (2007) *España, tres milenios de historia*. Marcial Pons, Ediciones de Historia S.A

<sup>223</sup> Ortiz, A. (2007) *Ibid cit*.

The laws created and applied throughout the Principality of Catalonia were established through mutual agreements between the Prince and its subjects in the *Corts*, meetings that could only occur if the prince was present. These laws were known as the “*Constitutions of Catalonia*.” Every count had to swear allegiance to the Constitutions. They established an advanced tax system, advanced property rights, and legal mechanisms that could be used by citizens of the principality in case of royal abuses.

By 1469, most of the peninsula was unified when King Ferdinand II of Aragon and Isabella I of Castille married, unifying the most powerful Christian Kingdoms in the peninsula. The crown of Aragon was composed by three territories: the Kingdoms of Aragon and Valencia and the Principality of Catalonia. Catalonia exercised the leading role within this Catalan-Aragonese federation<sup>224</sup>. In 1492, the Kingdom of Spain was established when the Kingdoms Castille and Aragon managed to defeat the Muslim Emirate of Granada, expelling the last Muslim Kingdom from the Iberian Peninsula.

Both Kingdoms had different levels of legal and institutional development since, unlike the Kingdom of Aragon, in the Kingdom of Castille, *the Corts* were weaker, while at the same time, the legal institutions were less developed. On the other hand, the Kingdoms of Aragon and the principality of Catalonia had powerful and well-functioning parliaments with firm laws and legal institutions. Both Kingdoms were unified under a purely dynastic relationship. Therefore, there was no further attempt at harmonization between these two Kingdoms from an economic or political level.

By the 16<sup>th</sup> century, the principality of Catalonia was experiencing significant political and social changes. Catalonia no longer had the leading role in the main political sphere and instead became a semi-autonomous province of the Kingdom of Spain, dominated by Castille. Therefore, the prince no longer had the *Corts* (Las Cortes) in Barcelona but in Madrid. The King of Spain was supposed to become the most important figure within the political sphere and to be progressively integrated into Catalan society based on a hierarchical system. However, during the 16<sup>th</sup> century, the Catalan people rarely saw their King<sup>225</sup>.

---

<sup>224</sup> Elliott, J. (2016) Ibid cit.

<sup>225</sup> Elliott, J. (2016) Ibid cit.

At the same time, the King was bound to his citizens and to the constitutional contract. In fact, the political and bureaucratic centralization within the peripheral provinces of the Kingdom, including Catalonia, was relatively low, especially when compared to Spanish overseas territories in the Americas. This was due to the royal limits and the specific scope of power established in the Catalan constitutions.

One of the greatest achievements of the Spanish monarchy during the 16<sup>th</sup> century was the establishment of an administrative system that was centralized in Madrid, which ruled its overseas territories. However, in the 1620s, the institutional structure of the Spanish monarchy began to deteriorate since it was no longer able to fulfill and adapt to the new political, economic, and social demands. However, the provinces of Catalonia and Valencia did not experience this institutional decadence since they had their own legal, military, and fiscal institutions.

By 1621, due to the institutional weakening of the Kingdom of Spain, it became increasingly complex to maintain power over its territories since it became increasingly harder to raise taxes, which was essential to adequately finance its army and defend itself from other foreign Kingdoms. A significant difficulty experienced in the Peninsula was the diversity of legal, institutional, and fiscal systems. Therefore, there was the need to create a complete renewal of the Spanish monarchy if it wanted to survive. The relationship with Catalonia was contractual; hence, this contractual relationship relied on good relations between these two political entities. However, this relationship began to deteriorate due to the impossibility of agreement between the monarchy and the Principality of Catalonia in the Corts. Between 1599 and 1701, the Corts were only held in 1626 but it was interrupted and started again in 1632, which failed again to reach any agreement.

#### **3.4.1.2 The Catalan revolt**

The policies of Count-Duque de Olivares, one of the most influential ministers in the Spanish Kingdom, between 1621 and 1643 were centered on unifying the Spanish empire through “one law, one King, one coinage.” The Count implemented the Union of Arms, a military policy in which provinces had to contribute to the military budget based on their population size. Tepaske highlighted the discontent among the Catalan Aristocracy

and Bourgeoisie as this policy negatively affected their privilege guaranteed by the Catalan Constitutions<sup>226</sup>

The 17<sup>th</sup> century was marked by a constant rivalry and conflict among European Kingdoms. In fact, in 1635, the Kingdom of France declared war to the Kingdom of Spain. However, throughout this conflict, Catalonia was unwilling to contribute to finance the war between these two Kingdoms. At the same time, the Catalan peasants, who were increasingly outraged due to the high levels of poverty, were forced to accommodate the Castilian troops. Violence, destruction of property, and high levels of crime led to a growing dissatisfaction and distrust against Royalty, leading to numerous rebellions throughout Catalonia, culminating in the revolution of 1640. The Bourgeoisie, the Aristocracy, and the peasants from Catalonia unified under a common revolutionary spirit reflected in the peasant revolt. During the revolution of 1640, the Viceroy of Catalonia, who supported Olivares's political policies, was murdered. Consequently, Olivares and the ministers of the King decided to send an army to Catalonia in order to end the revolution<sup>227</sup>.

Pau Claris, the president of the Catalan government (La Generalitat), summoned an emergency assembly with all the representatives of the Catalan Corts to implement several revolutionary measures to prepare for the arrival of the King's troops and obtain military support from the French army. Even though there were divisions and disagreements within the Catalan Principality, the Junta General de Brazos, on January 16, 1641, approved the transformation of Catalonia into an independent republic due to the imminent arrival of the King's troops in Barcelona. However, one week later, Pau Claris formally proposed to the Junta General de Brazos that the principality of Catalonia formally became a protectorate of the French. Three days later, the Catalan-French troops that were defending Barcelona defeated the Castilian King's troops<sup>228</sup>.

For the French, it was an opportunity to integrate the Catalan Province into the Kingdom of France in order to expand its territory and ensure a relevant geographical location that provided further access to the Mediterranean Sea. In 1641, the Principality of Catalonia became a protectorate of the French Kingdom. Nonetheless, Catalonia was dissatisfied

---

<sup>226</sup> Tepaske, J. (1964) Book Review: The Revolt of the Catalans: By Elliott J.H. *Hispanic American Historical Review*

<sup>227</sup> Elliott, J. (2018) *Catalanes y Escoceses Unión Discordia*. Penguin Random House Grupo Editorial

<sup>228</sup> Elliott, J. (2018) *Ibid cit.*

with its incorporation into the French Kingdom since the French did not fulfill the legal promise regarding the Catalan Constitutions.

On October 13<sup>th</sup> of 1652, the Catalan Rebellion came to an end when Barcelona surrendered to the troops of King Philip IV of Castille, who offered a general pardon and guaranteed the fulfillment of the Catalan Constitutions. Even though the surrender of Barcelona marked the end of the Catalan Secession, the principality of Catalonia would remain under a war scenario between the Kingdoms of Spain and France. Within Catalonia, there were specific sectors of the population known as the *miqueletes* who fought with French troops due to their deep rivalry against the Castilians. In 1659, through the signing of the Peace of the Pyrenes, the war between Spain and France ended and defined the frontiers between Spain and France that are still present today<sup>229</sup>. However, the principality of Catalonia lost the territories of Rosellón and Cerdanya to the French.

#### **3.4.1.3 La Nueva Planta: A new Political Regime**

The war of the Spanish succession that lasted between 1701 and 1714 was at the same time a civil war since the principality of Catalonia supported the Austrian Archi Duque. When the peace treaty of Utrecht was signed in 1713, Spain lost its European territories, but a year later, in 1714, Barcelona surrendered under the troops of Philip V and the end of the Secession of Barcelona was military imposed.

In 1716, the Nueva Planta decrees were established by King Philip V once the Spanish Sucession war ended. The decrees officially removed the realms of Aragon, Valencia, Mallorca and Catalonia as separate political entities and unified them under the crown of Spain based on centralized monarchy. Under this new political system, Catalonia lost its political and legal independence; the Catalan constitutions, Corts, and legal system were abolished and replaced by a new arbitrary political system that depended on military power. Consequently, a centralized government was established in Madrid<sup>230</sup>.

Political decisions were centralized in the Spanish capital of Madrid. Spanish became the official language of the public administration, although the common language among the Catalan population remained Catalan. Local documents, mainly on civil-related issues, were written in Catalan.

---

<sup>229</sup> Elliott, J. (2018) Ibid cit.

<sup>230</sup> Elliott, J. (2018) Ibid cit.

The principality of Catalonia under the Nueva Planta was ruled like an occupied territory. In fact, during the following century, close to 30,000 troops would be established in the principality, and Barcelona would be the main center of military command. Within the Barcelonese neighborhood of Ciutadella, a large number of civilian buildings would be demolished to construct a military fortress.

At the beginning of the 18<sup>th</sup> century, the Principality of Catalonia lost its relative independence, creating political and administrative changes and the remaining of 18<sup>th</sup> century was a period of significant social changes, demographic growth, the urbanization of several Catalan cities and high levels of economic growth.

Within the Kingdom of France, the French Revolution concluded in 1799; French society favored political, economic and social changes, specifically by abolishing feudalism, eliminating the high levels of Theocentrism in French politics, and the declaration of human rights. The French Monarch Louis XVI was executed through the guillotine. This created a vacuum of power in which Napoleon Bonaparte managed to achieve political power and eventually became emperor of France. In 1808, Napoleon invaded the entire Peninsula. Hence, the Spanish and Catalan were unified under the objective of expelling the French from the Iberian Peninsula. In 1813, the French were defeated and expelled from the Spanish territory.

#### **3.4.1.4 The Constitution of Cádiz: The Spanish nation**

Once Spain regained its independence, there was a general idea of re-establishing the Corts from Spanish crowns. The crowns were composed of deputies elected from all regions of Spain and met in Cádiz in September 1810. There were profound divisions in the Corts between the liberals and the conservatives. Eventually, both sides created the Constitution of 1812, characterized by a liberal and a reformist manner. The Spanish capital, had an aspirational element of transforming Spain and its territories abroad into a monarchical constitution based on the British model by incorporating the ideas of popular representation and national sovereignty, which achieved their highest popularity during the French and American revolutions.

The constitution of Cadiz created the concept of the “Spanish Nation,” in which all citizens were under Spanish nationhood. However, the liberal practices promoted by the constitutions of Cádiz would not be able to manage the new growing complex issues within the relationships between the central government and the regions that had a strong national identity. This period saw a number of political regimes that tried to replicate the French state’s centralized political model and where not able to implement this political model in an efficient manner. The continuous political instability and high levels of corruption made it harder to implement the principles of the Constitution of Cádiz.

#### **3.4.1.5 Era of Political instability**

In 1814, Ferdinand VII gained political power and eliminated the Cádiz Constitution of 1812. Many liberal and reformist politicians had to go into exile, and his reign was characterized for being authoritarian. Within Spain, the principles of liberalism were related to a centralized political model; hence, the Catalans and the Basques made significant efforts to ensure a certain level of political autonomy under a centralized state that was in the process of reconstruction.

After the War of Independence, the military sector gained importance in the Spanish political sphere. Within the military sphere, the Catalans were perceived as "congenitally rebellious," hence the need to exercise strict control over them. This extended the perception of being treated as a colony, which spread throughout the Catalan sphere<sup>231</sup>.

In 1833, Ferdinand VII died, allowing the Spanish political system to shift towards a liberal regime. A relevant decree was created by the minister Javier de Burgos, building the administrative structure during the 19<sup>th</sup> and 20<sup>th</sup> centuries. The territory of Spain was divided into provinces based on their historical background, and the first provincial deputations were established.

Between 1830 and 1840, the region of Catalonia established a beneficial economic relationship with the Spanish state. The creation of the vapor machine and the significant financial investments from wealthy Catalan families and wealthy Catalan businessmen who made their fortunes on the Island of Cuba allowed Catalonia to develop its textile industry fully. By 1860, the region of Catalonia became one of the most industrialized

---

<sup>231</sup> Elliott 2018 Ibid cit.

regions at a national and at an international level, becoming one of the most industrialized regions throughout Europe.

By the mid-19<sup>th</sup> century, the city of Barcelona had established large commercial networks throughout Spanish territory and Europe, generating economic prosperity throughout the Catalan region. Moreover, the city of Barcelona became more European due to its rapid industrialization, which, although it allowed for the progressive establishment of a middle class, there was also an increasing working class that would later be influenced by communist and anarcho-syndicalism ideologies.

However, the different liberal regimes that ruled Spain during the mid-19<sup>th</sup> century were not able to handle the complex relations between the central government and the regions that had a solid national self-identity. The liberal regimes were influenced by the centralized French political system but lacked political experience, increasing self-national feelings among some regions of Spain.

In addition, the ongoing political instability, the high levels of corruption, and the administrative inefficiency negatively affected national unity in Spain. This contributed to a continuous increase in the Catalan region's political nationalism, which was fueled by documents and other forms of writings written by Catalan academics and intellectuals during the Romanticism period, describing the Catalan nation as an organic, independent political community with its own common and unique characteristics.

#### **3.4.1.6 The Reinaxença**

The Catalan language is a Romance language different from Spanish, spoken by the inhabitants of Catalonia; considered the language of the people throughout the mid 18<sup>th</sup> century, attracting the attention of intellectuals and writers. In 1815, Josep Pau Ballot, a Jesuit priest and academic, published the first compilation of the grammatical rules of the Catalan language. Moreover, in 1833, the poem *Oda a la Pàtria* from Carles Aribau was published, which fostered the publications of Catalan patriotic poems. Hence, between 1830 and 1840, Catalan was re-established as the literary language, promoting the “Catalan national spirit”<sup>232</sup>.

---

<sup>232</sup> Elliott, J. (2018)

This period of promoting Catalan literature was known as the *Renaixença*, which was used as a tool of political and administrative pressure towards Madrid, more specifically against the idea of constructing a centralized Spanish Nation. A key figure for the expansion and promotion of the *Reinaxença* was Valenti Admirall. Taking advantage of the fragile situation of the First Spanish Republic, the politician promoted Catalan regionalism as a political cause. In 1879, the Catalan newspaper “*El Diari Català*” promoted the Catalan language throughout Catalonia since newspapers were the main media outlets accessible to everyone. Similarly, Almirall created the Catalan Center, which promoted political and cultural elements of Catalonia within academia<sup>233</sup>.

Between 1868 and 1874, known as the revolutionary six-year term, the term “Catalanism,” which was limited to the social and cultural sphere, began to gain importance in the political sphere. The monarchy of Isabel I was abolished by the revolution led by the Catalan general Juan Prim, and the First Spanish Republic was established in 1873.

The leader of the Federal Republicans was the Catalan Francesc Pi i Margall, whose presidency lasted one month during the summer of 1873. It was the first time in which there was a common perception that Catalonia was fully represented in the Spanish national parliament due to a large number of Catalan politicians in the national parliament and in the Executive Government. However, the First Republic failed due to strong divisions among federalists and those who were concerned that federalism would generate the political fracture of Spain. A year later in 1874, the monarchy was restored under King Alfonso XII.

In 1876 Alfonso XII approved a new constitution written and designed to incorporate the middle classes within the political structure. That same year, Pi Maragall published “*Las Nacionalidades*”, a book that would become a reference within Spanish Federalism. For Pi i Maragall, national unity should not be imposed but established through a voluntary federation, which would allow each province to maintain its identity while at the same time being part of the Spanish statehood.

---

<sup>233</sup> Smith, A. (2014) *The Origins of Catalan Nationalism*. Paigrove McMillan London.

Between 1886 and 1931, Alfonso XIII ruled as King. By the end of WWI, several monarchies began to disappear, and a new form of political government started to emerge. However, within the Spanish parliament, several political parties, including right-wing Catalan parties, supported and were loyal to the monarch. Consequently, the Spanish parliament decided to expel all political parties that opposed the monarchy.

This contributed to a significant increase in Catalan nationalism and to its radicalization. During the following months, violent protests were frequent in Barcelona, which culminated in 1909 with the “*tragic week of Barcelona*”. The discontent among Catalan Socialists, Republicans and Anarchists against the central government worsened when the government forced Catalans to join the military ranks to fight the colonial war between Spain and Morocco. On the 26<sup>th</sup> of July of 1909, this group of Catalans organized a national strike and burned several churches, schools, and convents, creating violent battles with law enforcement, which led to the intervention of the army. The tragic week highlighted the deep divisions in Catalan society that primarily affected the *bourgeoisie* from Barcelona<sup>234</sup>.

After the end of WWI, the Spanish political sphere was still characterized by its instability, between 1918 and 1923, Spain had eleven governments and most of them lasted less than a year. In 1923, a *coup d'état* took place, led by Primo de Rivera, Captain General of Catalonia, dissolving parliament and establishing a military dictatorship. The main Catalan right-wing political party, La Liga, accepted the *coup d'état*, while the Autonomic Project for Catalonia came to an end due to the establishment of a centralized military dictatorship. Subsequently, in 1924, high levels of censorship were imposed on Catalonia by dissolving the Catalan parliament, prohibiting the Catalan language and centralizing in Madrid the major political decisions regarding Catalonia.

#### **3.4.1.7 The Statute of Autonomy of Catalonia**

In 1930, the support for Primo de Ribera in the political sphere began to diminish while at the same his health deteriorated drastically. One of the most important factors that was changing Spain was related to its demography, specifically the large immigration from the countryside to large urban cities, where the society was highly fractured between socialists, anarchists, clericals, anticlericals, pro-monarchical groups, republicans,

---

<sup>234</sup> Elliott, J. (2018) Ibid cit.

workers and businessman. Hence, by the end of the dictatorship the centralized monarchical system was losing support while at the same time intensifying national movements. The Republicans united with the National Catalan radicals, becoming a movement that attracted the Catalan working classes. Therefore, Catalanism experienced a political shift from a conservative political trajectory towards a leftist political trajectory<sup>235</sup>.

Therefore, in 1930, the military leader went into exile in Paris. One year later, in 1931 the Second Spanish Republic was established. The Spanish and the Catalan government were re-established, and all forms of censorship were removed. The negotiations between the Catalan and Spanish governments were constant, and it was eventually agreed that Catalonia would have its executive institution, “La Generalitat”. Furthermore, the leading Spanish and Catalan political leaders, the Leftist Republicans and the socialists from the political party PSOE, began to draft a legal and binding document granting Catalonia further political autonomy.

In 1932, the Statute of Autonomy of Catalonia, also known as the Statute of Nuria, was approved by more than 90% in a referendum conducted in Catalonia and approved by the Spanish parliament by an absolute majority in 1932. The document gave legal and political self-governing competencies in the areas of education, health, the creation of a Catalan parliament, and a high court of justice. Catalan became an official language with Spanish, following the guidelines, principles, and norms from the 1931 Spanish constitution, describing the state of Spain as a “pluralist state”, while Catalonia was described as an “autonomous region within the Spanish State.”

However, in 1933 Lluís Companys president of the Generalitat faced new challenges as the transfer of power from the central government towards the Generalitat was delayed, precipitating the resurgence of radical Catalan nationalism. In this context of political crisis, Companys was facing significant pressure to declare the independence of Catalonia which was proclaimed on October 6<sup>th</sup> of 1934. Companys was accused of rebellion against the state and sentenced to thirty years of jail. However the Catalan leader was

---

<sup>235</sup> Elliott J. (2018) *Ibid cit.*

pardoned by the newly elected leftist political party *Frente Popular*, and regain his political position as president of the Generalitat.

#### 3.4.1.8 The Spanish Civil War

The year 1936 marked the commencement of the Spanish Civil War in an ideologically divided country marked by high levels of violence. High-ranking officials from the Spanish army, who were stationed in North Africa revolted. The military insurgents were confronted by soldiers of the Spanish Republic, law enforcement agencies such as the *Guardia Civil*, and the anarcho-syndicalists, which became a popular and revolutionary movement whose actions included the assassination of 400 members from the right-wing political party La Liga. The Generalitat reached an agreement with the antifascist committee to create an antifascist government led by Josep Taradellas. However, this committee would eventually be dissolved for the actions done by syndicates and by communist movements when trying to monopolize all power within the committee.

The Republican government sent troops to Catalonia to re-establish the rule of law and enforce its authority. However, a new government formed by the Communist Party under the influence of Moscow governed the Generalitat until the end of the civil war. The Generalitat put forward a plan to consolidate and strengthen Catalan culture while at the same time rupturing the relationships between Catalan and Spanish institutions. Contrary to the articles from the Statute of Autonomy, the Generalitat took control of all the educational and academic institutions from Catalonia. Furthermore, the Generalitat took control of the judicial system in Catalonia and divided the Catalan territories into *Comarques* instead of Provinces. Catalan autonomy was the main drive of the Catalan civil war within the Spanish civil war.

In 1937, the city of Barcelona became the new capital of the Republic and the prime minister declared “*I am not fighting against Franco for stupid and uncultured separatism spread through Barcelona.....I am fighting this war for Spain and only for Spain*”<sup>236</sup>. The Generalitat was further weakened and unable to reach its objectives since the survival of the Republic were prioritized over the Catalan Autonomy by most sectors of society.

---

<sup>236</sup> Ucelay, D. (2024) *La Cataluña Populista*. Editorial Taurus.

The imminent defeat of the Republican side would occur in 1938, in the key battle of Ebro. The nationalists (composed mainly by conservatives, falangists, monarchists) led by a military junta under the leadership of general Francisco Franco, managed to win the battle of Ebro; hence, the Republican army would not be able to recover from this battle since they lost close to 70% of their most experienced military units<sup>237</sup>. The nationalists were militarily superior since they obtained significant economic and military assistance from Nazi Germany. Eventually, the civil war ended in 1939 by the nationalists led by General Francisco Franco. Several political and intellectuals from Catalonia had to flee into exile, mainly to France.

#### **3.4.1.9 Franco's dictatorship**

Between 1939 and 1975, Spain would be under the rule of the Francoist dictatorship, deeply influenced by fascism due to its high levels of totalitarianism in the political sphere, highly centralized, in which Spain was considered a unified state with no regional pluralism nor regional autonomy. All the legal documents and political commitments conducted during the Second Republic that granted higher autonomy and self-ruling towards Catalonia and the Basque Country were eliminated. Lluís Companys was arrested and sentenced to death and Josep Taradellas was forced into exile in France and was president of the Generalitat during his exile. During the initial stages of the post-civil war period, Catalonia suffered a violent repression by General Francisco Franco due to his determination to eliminate Catalan identity<sup>238</sup>. Nonetheless, the Catalan language and culture survived. From 1960 onwards, the Catalan language re-emerged through the publications of magazines and songs.

#### **3.4.1.10 The Democratic transition**

General Francisco Franco died in 1975. The monarchy was restored and King Juan Carlos was officially granted the title of head of state who named Adolfo Suárez the president. Spain was entering into a period of profound political uncertainty within an international context in which liberal democracies were being promoted throughout the European continent.

Spain transitioned from a dictatorship into a Parliamentary Monarchy guided by democratic principles. The first democratic elections were held in 1977. The democratic

---

<sup>237</sup> Jensen, G. (2005). *Franco: Soldier, Commander Dictator*. Potomac Books Inc.

<sup>238</sup> Ucelay, D. (2024) *La Catalunya Populista*. Taurus Edition.

transition would not have been possible without the participation and collaboration of all political and civil entities exhausted from an authoritarian regime and keen on entering into a new political system that would guarantee Spain's entry into the European tendency of economic growth and liberal democratic political systems. This could only be achieved through a democratic process. For this reason, all political parties within Spain's political system had to guarantee the success of the democratization process, national unity, and the demands of Catalonia and the Basque Country. As García de Cortázar and González Vesga said "*The consensus was already in the air*" even before its written formalization<sup>239</sup>.

However, one of the main issues that needed to be solved was the structure of the new democratic constitution and finding an efficient mechanism to handle the relations with those regions with more autonomy, especially with the regions of Catalonia and the Basque Country. Suarez summoned Josep Tarradellas to Spain in order to discuss the future of Catalonia. As a consequence, the Generalitat was re-established and Tarradellas became the president of the Generalitat. In September of 1977, close to one million inhabitants organized several protests demanding a higher level of autonomy<sup>240</sup>.

During the following months, a commission was composed by representatives of the main political parties, including Catalan and Basque nationalist parties, who needed to find a way to ensure the balance between national unity and national diversity. Article 2 of the Spanish constitution states, "*the indissoluble unity of the Spanish Nation, the common and indivisible homeland of all Spaniards; it recognizes and guarantees the right to self-government of the nationalities and regions of which it is composed and the solidarity among them all.*"

Article 137 of the 1978 Spanish constitution tried to handle the situation of those regions with a higher degree of autonomy. The territory was organized by creating seventeen Autonomous Communities. Within Catalonia, a referendum was organized to see whether Catalan citizens supported this territorial division. 90% of the citizens that voted in this referendum voted in favor (with an abstention of 32%). In 1979, the Catalan statute was approved with the support of 88% of those who participated in the referendum.

---

<sup>239</sup> González Vesga, J. M. García de Cortázar, F. (2022). Breve Historia de España. Alianza editorial S.A Madrid.

<sup>240</sup> Fusi, J.P (2000) España: La evolución del Identidad Nacional. Temas de Hoy S.A

The Statute defined Catalonia as a nationality and the Catalan language as the co-official language with Spanish. It granted more competencies to the Generalitat compared with the Statute of 1932, especially in the areas of language, culture, and education. Several other questions remained undefined to be regulated by the Catalan Parliament in the future. In 1980, the first elections were held for the new Catalan Parliament. The new right-wing Catalan political party CIU (Convergència i Unió) became the main political party, and its leader, Jordi Pujol, became the president of the Generalitat<sup>241</sup>.

#### 3.4.1.11 Catalan Statues

In the following years, the new competencies granted to the Generalitat were subject to constant negotiations and in case of disagreement, the Constitutional Tribunal would determine the lawfulness of the actions conducted by the Generalitat<sup>242</sup>.

During the decade of the 80's, former president Jordi Pujol played an essential role in the rise of Catalan nationalism. Instead of seeking the complete independence of Catalonia from the Spanish state, the Catalan politician focused on the federalization process of Spain that would transform.

In the course of Pujol's political term, the Statute of 1979 transferred 89 competencies to Catalonia, which made Catalonia the Autonomous Community with the largest amount of competencies. Three decades later, the total number of competencies increased to 274.

Nonetheless, in his efforts to obtain more competencies, Pujol had several political discrepancies with the consecutive Spanish governments. Between 1986 and 1988, the Generalitat submitted 77 complaints to the Constitutional Court of violations conducted by the Spanish authorities to the rights conferred by the Statute of Autonomy. On the other hand, several complaints against the Generalitat were presented to the Constitutional Court due to the exceeding its constitutional competencies<sup>243</sup>.

In 2003, Pujol retired, and Pascual Maragall, leader of the PSC (Partido Socialista Catalan), succeeded him. Pascual Maragall proposed the revision of the Statute of Autonomy of 1979 and was supported by the central government of Jose Luis Zapatero,

---

<sup>241</sup> Canal, J. (2015) Ibid cit.

<sup>242</sup> González Vesga, J. M. García de Cortázar, F. (2022) Breve Historia de España. Alianza editorial S.A Madrid

<sup>243</sup> Tortella, G. García Ruiz, G. L. Nuñez, C.E and Quiroga, G. (2017) Cataluña y España: Historia y Mito. Gadir Editorial S.L.

leader of PSOE who was elected in 2004. The first article of the preliminary version of the new Statute of Autonomy stated, “*Catalonia is a nation.*” Nevertheless, as it was not in accordance with the Spanish Constitution, members of the PSOE exercised significant pressure on President Jose Luis Zapatero to modify this version. The final version was approved by Parliament and by the senate with a 51% of abstention and officially became an organic law in the 19<sup>th</sup> of July of 2006<sup>244</sup>. However, according to the constitution of 1978 an organic law required the absolute majority of the Spanish parliament and not just a majority from the voters. In fact, the Autonomy Statutes are treated as an organic law.

In 2006, the political party PP gathered more than four million signatures to present an appeal of unconstitutionality against the Statute in Constitutional Court, arguing that the changes in the statute represented a change in the constitution<sup>245</sup>.

In June of 2010, the sentence by the Constitutional Court was released. The political party PP considered it as a victory against Catalan nationalism. However, the Constitutional Court did not eliminate the Catalan Statute of Autonomy but added several modifications. For several Catalan nationalist organizations, it was considered as a campaign against Catalonia. A few weeks later, a large number of protests took place around Barcelona with the slogan, “*We are a nation, we decide*”<sup>246</sup>.

Since 2011, Catalan independentism has been growing, creating a deep polarization within Catalan society, between those who favoured the independence of Catalonia and those who opposed the independence of Catalonia. Even though Artur Mas and the Generalitat did not have the support from the majority of the population they started to discuss on the right to decide the future of Catalonia. In fact, in 2014, the Catalan government held an illegal referendum in which less than 40% of the population voted. Figure 28 summarizes the historical evolution of the relationship between Spain and Catalonia.

In 2017, another illegal referendum took place, followed by the illegal proclamation of the unilateral independence of Catalonia. This contributed significantly to the gradual erosion of the Spanish democratic institutions as already discussed in previous chapter

---

<sup>244</sup> Fusi, J.P (2000) España, La evolución del Identidad Nacional. Temas de Hoy S.A

<sup>245</sup> Elliott, J. (2018) Ibid cit.

<sup>246</sup> Elliott, J. (2018) Ibid cit.

Figure 28: Critical Events in the Relationship between Spain and Catalonia

Period of Time	Political Regime	Central Government	Region of Catalonia	Outcome
Middle Ages	Catalan Aragonese Federation	Allegiance and fulfillment of the Catalan institutions  Corts located in Catalonia	Family Community/Catalan Identity	Leading role in the Federation
1469-1640	Crowns of Castille and Aragon Spanish Kingdom	Constitutions  Corts located in Madrid	Family Community/Catalan Identity	Semi autonomous
1640-1652	Spanish Kingdom	Catalan Revolt	Internal divisions and disagreements	End of the Catalan Secession  Lost the territories of Rosellón and Cerdanya
1716	Centralized Military Monarchy	The Catalan Constitutions Cort and Political Independence were abolished	Catalan language as the common language used	Loss of its relative independence
1812-1814	Monarchical Constitution  Constitution of Cádiz (1812)	Objective of Creating a Spanish Nation	Strong National Identity  Strong Catalan self-identity	Hard to implement the constitution due to Political Instability and Corruption
19 <sup>th</sup> century	Monarchy Liberal Centralized Government	Concentrate state power in Madrid	The Renaixença  Increased Catalan Nationalism	“Catalanism” gained importance in the political sphere
1873-1874	First Republic: Federalism	New ideas of Spanish state Federalism	Perception of being fully represented in the Spanish parliament	Failure of the Republic  Divisions between Monarchists and Republicans
Beginning of the 20 <sup>th</sup> century	Centralized Monarchy	Concentrate state power in Madrid  Incorporate middle classes into the political system	La Liga supported the Monarchy  Major divisions among Catalan society  Nationalism and radicalization	Political Instability and Violence  (Tragic week of Barcelona)
1923-1930	Dictatorship	Impose Censorship in Catalonia	La Liga accepted the Dictatorship  Increase of Catalan nationalism and radicalism	Republicans Socialists Nationalists Workers and farmers unified and formed the Leftist Catalan political party Esquerra Republicana
1931-1936	Spanish Second Republic  Statute of Nuria	Efforts to include the nationalist movement into government	Internal Political Crisis due to pressure by radical nationalism	Illegal Declaration of Independence
1936-1939	Spanish Civil War	Central government disappointed with Catalans for the non-support during the civil war	Rupture in the relations with the central government  Fight for their own autonomy	Defeat of the Republicans and Catalonia
1939-1975	Dictatorship	Spain: A unified state with no regional pluralism	Survival of Catalan national identity through clandestinity	Political uncertainty  European Community promoting liberal democracies within Europe

Source: Own Elaboration

### **3.5 Discussion: Application of Rustow's Genetic Theory of Democracy**

The genetic causes of the current Spanish democratic backsliding process will be explained by applying Rustow's model approach. Therefore, the four sequential phases will be analyzed in depth: the background condition, the preparatory phase, the decision phase, and the habituation phase. The purpose is to demonstrate the non-accomplishment of each phase. This will allow to answer how democracy has been established and, therefore, reveal the roots of the current incapacity to sustain the quality of the democratic system, leading to the democratic backsliding process.

This section will be structured into four main parts. The first part will be devoted to show that there was a lack of national unity. For this reason, the critical events from the Middle Ages to the democratic transition will be identified to analyze the evolution of the relationship between the Spanish central government and the region of Catalonia. The second part will focus on identifying the factors of the political struggle that were supposed to be in the preparatory phase, in this case, in the democratic transition process of 1975. The third part will center on the elaboration of the Constitution of 1978 to explain the decision phase. The fourth part, the analysis of the habituation phase, will show that politicians and the electorate did not adapt to the new democratic rules established in the Spanish Constitution of 1978.

#### **3.5.1. Background Condition: National Unity**

To assess the national unity, the critical events from the Middle Ages to the period of the democratic transition of 1975 will provide a historical evolution of the political and institutional dynamics of Spain, specifically within the relationship between the central government and Catalonia. As explained in the historical overview of the Spanish dynamics political section, during the Middle Ages, Catalan society was highly unified, creating a bond of national unity. The term "Catalan nationhood" was used during the early 14<sup>th</sup> century, unified through a common language, history, and customs<sup>247</sup>. Since the early Middle Ages, a sense of Catalan unity, independence and nationalism was already consolidated. Furthermore, there was a culture of obeying the laws, traditions, and customs and transmitting these ideas to future generations. Hence, this established a sense of duty towards the community, the Catalan lifestyle, which revolved around the

---

<sup>247</sup> Canal, J. (2015) *Historia de Cataluña*. Turner Publications.

foundations of family and community<sup>248</sup>. The Catalan Constitutions were a fundamental charter for the freedoms, rights, and duties of the principality and the institutional pillars for its relationships with other political entities, including the Crown of Aragon.

During the 16<sup>th</sup> and 17<sup>th</sup> centuries, even though the Catalan Constitutions remained the main institutional setting, the relationship between the Principality of Catalonia and the Kingdom of Spain did not consolidate and progressively deteriorated since the Cort sessions in which issues of Catalan political interests were discussed were barely held and failed to reach any form of agreements since the Kingdom of Castille prioritized other political issues creating a marginalized feeling in Catalonia. When the Union of Arms was implemented by the minister of the Spanish Kingdom through “one law, one King, one coinage” there were major discrepancies, especially in the Catalan aristocracy and *bourgeoisie*, that were an infringement against their privileges, which were guaranteed by the Catalan Constitutions. This shows “*the failure to Balance royal law and royal necessity with local rights and local privileges*”<sup>249</sup>. There was increasing discontent and dissatisfaction within the Catalan Principality with its belonging to the Spanish Kingdom. This situation culminated with the Catalan revolt of 1641 and a failed declaration of independence. After nine years as a French protectorate, Barcelona surrendered in 1652. However, Catalonia continued under a war scenario between the Kingdom of Spain and France, and the *Miqueletes* fought against the Castilians

In 1716, the Nueva Planta decrees removed the realm of Catalonia as a separate political entity and united it under the crown of Spain. Catalonia lost its political, institutional and legal independence and was ruled as an occupied territory since a centralized monarchy with military power was established that abolished the constitutions and Corts.

The remaining of 18<sup>th</sup> century was a period of significant social changes, demographic growth, the urbanization of several Catalan cities and economic growth due to development of the textile industry. Catalans were proud of creating a thriving industrial society, a success that conferred a sense of superiority and a degree of confidence in his own exclusive capacity. The bad relationship with the Spanish state generated the

---

<sup>248</sup> Elliott, J. (2016) *La rebelión de los Catalanes: Un estudio sobre la decadencia de España 1598-1640*. Cambridge University Press 2nd Edition.

<sup>249</sup> Tepaske, J. (1964) Book Review: *The Revolt of the Catalans*: By Elliott J.H. *Hispanic American Historical Review*.

conviction among Catalan society that their success had been achieved even though it formed part of a major political entity who they were considered as victims<sup>250</sup>.

At the beginning of the 19<sup>th</sup> century, Spain was interested in becoming a monarchical constitution; hence, in 1812, the Constitution of Cádiz was established, which created the concept of the “Spanish Nation” through a liberal, reformist, and centralized form of government. This feeling was not shared among a few regions of Spain, specifically among Catalonia, the Basque region, and Navarra. In fact, Felip Aner D’Esteve, a well-known Catalan politician, stated “*No one can make Catalans forget that they are Catalans.*” The debates and discussions conducted in the Corts reflected the difficulty of finding a balance between particular interests and the model of national unity, which was considered a priority.

However, the Constitution of Cádiz was eliminated two years later. The 19<sup>th</sup> century was characterized by political instability and growing complexity in the relationship between the central government and Catalonia, which led to an increase in nationalist movements. At that time, the liberal regimes that ruled Spain were related to a centralized political model that was unable to handle the relations with the solid national self identity of Catalonia. The *Reinaxença* and the term Catalanism progressively gained importance within the political sphere. The *Renaixença* was the recovery of the Catalan literary, linguistic, and historical achievements of the Catalan nationhood that were lost during the creation of the Spanish nationhood. It led to the discovery of a Catalan identity; a concept that became increasingly idolized among Catalan society.

A period of significant political instability marked the beginning of the 20<sup>th</sup> century. Within Catalonia, influenced by the European political context, there was a belief that Spain should no longer be a monarchy and, instead, become a republic. Right-wing Catalan political party, *La Liga* supported the monarchy, which contributed to the increase of Catalan Nationalism and its radicalization which provoked violent protests, including the tragic week of Barcelona. In 1923, Spain entered into a period of dictatorship and abolished the Autonomic Project for Catalonia. As a result of this political oppression, Republicans united with Catalan radicals and Catalanism shifted toward a leftist political trajectory.

---

<sup>250</sup> Elliott, J. (2016) *Ibid cit.*

In 1931, after seven years of an authoritarian regime, the Second Republic was established. The central government made great efforts to reestablish the Catalan government and to extend the degree of autonomy through the Statute of Autonomy of Catalonia. Internal conflicts within the Catalan government led to a political crisis with the illegal declaration of the Independence of Catalonia in 1934. In 1936, a civil war between the Republicans and the Nationalists took place. Catalonia fought for its own political interests by breaching its political and institutional relationship with the Republican government.

The civil war came to an end with the victory of the Nationalists, led by the military junta of General Francisco Franco. From 1939 to 1975, Spain was under a 40-year dictatorship. All forms of regional autonomy were prohibited since the Franco regime sought to create a unified state with no forms of regional autonomy or pluralism. Despite this authoritarian regime, Catalan identity managed to survive through the covert use of the Catalan language and the private use of Catalan culture-related practices. As Shubert noted, *“Ironically, Catalan identity was subsequently strengthened as a reaction against repression and the political and cultural homogenization of Franco’s regime”*<sup>251</sup>.

After reviewing all of these critical events, it can be stated that there was a lack of national unity. Since the Kingdom of Spain came into existence after the union of the crowns of Castile and Aragon, the relationship between the Spanish central government and the region of Catalonia was characterized as never fully accomplishing a complete integration due to Catalonia's singular linguistic and historical identity.

The evolution of the relationship from the Middle Ages to the transition period in 1975 was characterized by four types of political and institutional dynamics: Contractual relationships, centralized monarchies, dictatorships, federalism, and Catalan regional autonomy. From the Middle Ages to the beginning of the 18<sup>th</sup> century, the main political and institutional dynamics were based on a contractual relationship defined by the Catalan Constitutions.

---

<sup>251</sup> Shubert, A. (1990) *A serial History of Modern Spain*. London. Unwin Hyman.

From the 18<sup>th</sup> century to 1975, the relationship between the Spanish central government and the region of Catalonia ran between centralized monarchies and dictatorships. The central government's and Catalonia's objectives were opposed in both types of political systems. For the central government, the main objective was creating a centralized state with a limited or even non-existent degree of autonomy for Catalonia. For Catalonia, it was the recognition by the central government of the “differential fact” of its identity and, accordingly, a differential treatment. Between those periods of centralized governments and dictatorships in which the specific requirements of Catalonia were not a priority, short but significant political efforts were made to understand and include the concerns of Catalonia in the Spanish government. Even though those political events were brief, they profoundly impacted the political environment.

Therefore, the background condition has not been fulfilled since the Region of Catalonia has always possessed a self-national identity; expressions such as “*No one can make Catalans forget that they are Catalans*” have been used when referring to the inhabitants of Catalonia. At the same time, the full integration of Catalonia into Spain has not been accomplished. On the other hand, other Spanish regions, like Madrid, have always perceived Catalans as different and peculiar, expressed through sayings such as “Congenitally rebellious.”

### **3.5.2 The Preparatory Phase**

Following Rustow’s Genetic model, the Preparatory phase is characterized by prolonged and inconclusive struggles. Different social groups engage in conflict on specific issues that must be solved through democratic mechanisms. The first negotiating elites were, on one side, the dictatorship-leading elite, while on the other side, the democratic opposition led by King Juan Carlos I and President Adolfo Suarez. Franco’s regime created a complex institutional structure that would further complicate the transition process.

However, the “Fundamental Laws” of Franco’s regime were reinterpreted to obtain the approval of a new “Law for Political Reform,” combining continuity and change with respect to the Francoist legal system. The law confirmed King Juan Carlos I as head of state, conferring him with large executive power, and proclaimed popular sovereignty, adding the rule of law, freedoms of association, freedom of expression, and association. The Law for Political Reform was a formal instrument to establish a provisional

government, including all political processes, the holding of the referendum of the monarchy and the call for elections.

The negotiating groups entered into a negotiating process to attain an explicit consensus on inconclusive struggles that had lasted at least two centuries. The main struggles were on the monarchy, on governmental instability and the political debate on national identities and territorial disputes. Franco appointed Juan Carlos as King of Spain with the purpose of restoring an authoritarian monarchy. Contrary to this expectation, the monarch became “a key player in the transition towards democracy”<sup>252</sup>, promoting the transformation of the crown into an organ of a social and democratic state of law.

To ensure government stability the negotiating actors agreed on the creation of a democratic legislative body after open and free elections with the participation of political parties. Suarez promoted elections as crucial to the democratizing process of dismantling and disempowering the old regime<sup>253</sup>. The general elections were held on the 15<sup>th</sup> of June 1977, the results confirmed the moderation of the electorate and its desire for democratic change. The political party of Adolfo Suarez UCD (Democratic Center Union) won the national elections, obtaining 35% of votes<sup>254</sup>. The political party PSOE obtained 24% of the votes, while the extreme left and extreme right political parties obtained a small number of votes, which, therefore, could not obtain parliamentary representation. The right political party of AP Alianza Popular achieved 8.5% of the votes, while the PCE (Spanish Communist Party) obtained 9% of the votes. The electoral results allowed Suarez to continue with the strategy of pacts to address the next phases of establishing the constitution and the institutionalization of regional autonomies.

The issue that presented the most dangerous complication for democratic transition was the strong nationalist feelings in Catalonia<sup>255</sup>. The analysis of the historical evolution of the political and institutional dynamics of the relationship between the central government and Catalonia reveals a prolonged and inconclusive struggle: The autonomy of Catalonia. There have been unsuccessful attempts to balance the central government's

---

<sup>252</sup> Valles, J.M (2020) The 1978 Spanish Constitutional Design in the Oxford Handbook of Spanish politics edited by Diego Muro and Ignacio Lago Oxford University Press.

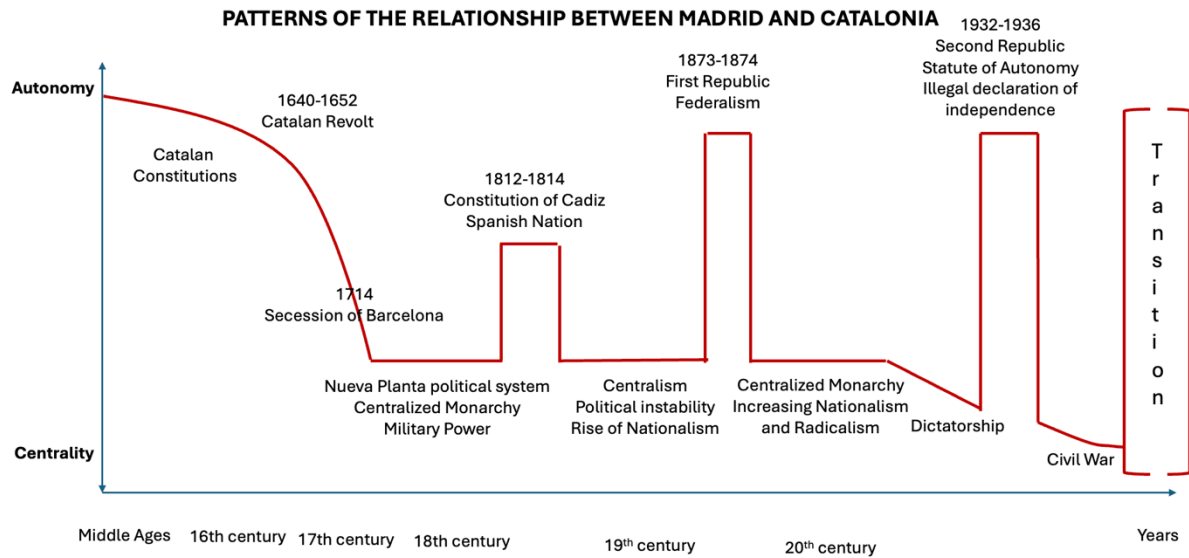
<sup>253</sup> Linz, J. J. and Stepan, A. (1996)

<sup>254</sup> Linz, J. J. and Stepan, A. (1996)

<sup>255</sup> Linz, J. J. and Stepan, A. (1996)

and Catalonia's specific interests. This can be seen in the failed projects of political autonomy and the failed declarations of Catalan independence along the historical evolution. Figure 29 summarizes the failed projects of political autonomy.

Figure 29: Patterns of the Relationship between Madrid and Catalonia



Source: Own Elaboration

Once Catalonia lost its semi-autonomy when the Catalan Constitutions were abolished and entered into a centralized political system, the first attempt to include the national interest of the region was in 1873 by providing a higher degree of autonomy and recognizing their own cultural, historical, and national characteristics. In 1873, the First Spanish Republic was established under a Federalist political model, whose leader was Pi i Margall. For the first time, Catalan society felt represented in the Spanish National Parliament; Even though he was the leader of an ideological movement that was embraced by the Catalan working and middle classes, the Republicans were divided. A year later, the monarchy was restored as the First Republic failed due to internal divisions.

Half a century later, the second attempt to include the national interest of Catalonia and to provide the region with a higher degree of autonomy was also unsuccessful due to a political crisis within the Catalan government. In 1932, the Statute of Nuria was approved. Thus, the Second Spanish Republic was established as the first political regime to tackle the nationalist political and social movements that occurred within some Spanish regions. It was the first attempt to understand the concerns and needs of Catalonia and the Basque region and make them part of the Spanish state. Political leaders such as Manuel de Azaña

played a major role during the Second Republic by making a significant effort to understand and include the national characteristics of the regions with a higher autonomy level and with their particular set of national, cultural, and historical factors.

The first failed declaration of independence was in the 17<sup>th</sup> century. When the relationship based on the Catalan Constitutions between the Kingdom of Spain and the Principality of Catalonia deteriorated, Catalonia started a revolution to attain its independence. After a decade of violence and armed conflict between the Kingdom of Spain and France where Catalonia became the fighting battleground, Barcelona surrendered, marking the end of the Catalan Secession.

Another failed declaration of independence took place in 1934 during the Spanish Second Republic. Even though the Statute of Nuria was approved with an absolute majority in the Spanish Parliament and in a national referendum, significant pressure from Catalan radical movements and political parties made the president of the Generalitat declare the independence of Catalonia, an illegal act contrary to the Spanish Constitution.

Every time Spain was involved in a war, Catalonia did not fight with Spain. Instead, it fought for its own separate interests. During the Succession War, Catalonia sided with Philip V of Spain by supporting the Austrian Archi Duque. When Catalonia was defeated by the Spanish forces in 1714, new political dynamics based on political centralization and the eradication of Catalan Autonomy marked the beginning of a new pattern of the relationship between the central government and Catalonia.

During the Spanish Civil War, while the democratically elected Republican government was focused on defeating the nationalist military Junta led by Francisco Franco, Catalonia acted autonomously by breaching its legal and institutional relationship with the Republican government and centered on its own political interests, even though such actions breached several articles from the Statute of Nuria.

Another unsolved and prolonged struggle directly connected with autonomy is the treatment of Catalan identity. Historically, the region of Catalonia had a strong set of historical, cultural, and linguistic characteristics. Since the early 19<sup>th</sup> century, the concept of Catalan identity has been used as a political instrument by Catalan nationalism that

fighters for its autonomy while at the same, by radical movements and political parties who strive for the independence of Catalonia. Therefore, within Catalonia, this form of political dynamic has generated a number of internal conflicts and increased polarization. Even though this can be considered as an internal issue it also affects its relationship with the central government.

After the end of Franco's Dictatorship, during the transition all forms of political entities and civil society groups had a common objective of eradicating the authoritarian governmental and institutional structure and guaranteeing a successful democratization through a peaceful and non-traumatic process. Hence, there was a common consensus on the need to solve this prolonged and inconclusive political struggle.

According to Rustow, the different social groups involved in the preparatory phase should enter into a conflict process and attain an explicit consensus after a negotiation process to proceed to the next stage, the Decision Phase. In this case, the political consensus was based on cross-party agreements on key issues for the construction and consolidation of democracy, which would be reflected in the composition of the Spanish constitution.

### **3.5.3 The Decision Phase**

After a year and a half of a preparatory phase of negotiations, where the consensus of establishing a democratic regime was already omnipresent, and culminated with the first national elections, the newly democratically elected government was prepared to enter into the decision phase.

Continuing with the consensus approach, the new parliament formed a constitutional commission, which chose a committee formed by seven politicians, including one from Catalan nationalism. The main objective was to create the structure of a newly democratic constitution that would end the historically weak constitutional tradition and hence overcome the historical struggle of the Catalan identity.

Between 1812 and 1931, eight constitutions were approved by elected assemblies, but all of them were eliminated and replaced by a new constitution after a revolution or military *coup d'état*. *“Each constitution had been followed by a new chapter hindering the*

*continuity of a constitutional culture*<sup>256</sup>. Figure 30 shows the Spanish Constitutions by free elected assemblies

Figure 30: Number of Approved Constitutions

APPROVAL YEAR	YEARS IN FORCE
1812	1812–1814; 1820–1823; 1836–1837
1837	1837–1845
1845	1845–1868
1854	Not enacted
1869	1869–1875
1873	Not enacted
1876	1876–1923; 1930–1931
1931	1931–1939
1978	1978–...

Source: Linz and Stepan

The committee's most crucial issues were recognizing the national attributes of Catalonia and the Basque region and the state's decentralization process. One of the main objectives of the new democratic constitution was to combine the need to include the particular needs of the Basque and Catalan regions to set up the complete transformation of the territorial organization of the state by creating a uniform system of Autonomous Communities.

Even though the risk of a possible “Balkanization” of the Spanish State was mentioned, the creation of seventeen new Autonomous Communities was formalized. The Spanish Constitution of 1978 established a new type of state, the State of the Autonomies. Hence, the Spanish Constitution created a new state that could be “federalized”<sup>257</sup>. Through this political territorial distribution, the centralized political system, which had been used in the Spanish political system since the 18<sup>th</sup> century and toughened during the Franco Dictatorship in an authoritarian manner, was eliminated.

The commission was trying to find a balance between National Unity and diversity. This is reflected in the ambiguity of Article 2 of the 1978 Spanish constitution when it states the “*indissoluble unity of the Spanish Nation, the common and indivisible homeland of all Spaniards; it recognizes and guarantees the right to autonomy of the nationalities and*

<sup>256</sup> Solé Tura, J. and E. Aja (2002) Constituciones y periodos constituyentes en España 1808-1936.

<sup>257</sup> Fusi, J.P. (2000) España, La evolución del Identidad Nacional. Temas de Hoy S.A

*regions of which it is composed and the solidarity among them all*"<sup>258</sup>. Moreover, the articles of part 8 of the Spanish Constitution, which configure the territorial structure, were left open.

During the formalization of the Spanish Constitution of 1978 and the creation of the Autonomous communities, it was believed that this new territorial configuration would cease nationalism in Catalonia. In 1979, the Catalan Statute of Autonomy was approved. However, several points were left undefined since there was the presumption that the Catalan parliament would manage them in a democratic and non-conflict manner.

However, the Spanish Constitution of 1978 has not been able to solve the territorial disputes, specifically with the competencies of the newly formed Autonomous Communities, which has led to constant litigation, disputes, and discrepancies between the central government and those regions with a strong national identity.

In addition to the territorial dispute, the Spanish Constitution of 1978, could not solve the handling of Catalan identity. Catalonia believed that its historical singularity conferred them the right of preferential treatment demanding for national recognition and hence, a different relationship with the state.

Instead of negotiating and reaching a solid, explicit consensus with a defined solution for each political matter, it was believed that this type of consensus based on the will to make concessions to ensure the consolidation and survival of democracy would prevail in the Spanish political system.

#### **3.5.4 Habituation Phase**

According to Rustow, in the habituation phase, the democratization process can either succeed in its consolidation and implementation, or it can fail. If the precondition is not accomplished, in other words if there is a lack of national unity, Rustow highlights the democratization process will eventually fail. As proven in previous paragraphs, in Spain, there is a lack of national unity between the Central government and the region of Catalonia since the region of Catalonia has deep historical antecedents and an inherent particular identity.

---

<sup>258</sup> Elliott, J. (2018) *Catalanes y Escoceses Unión Discordia*. Penguin Random House Grupo Editorial

The precondition was not fulfilled, and therefore, democratic consolidation has not been achieved. Even though after the democratic transition, the democratic process followed a rising tendency, by the early 21<sup>st</sup> century, the Spanish democratic quality began to decline, entering into a democratic backsliding process as already discussed in previous paragraphs.

During the preparatory phase, there was a general consensus among all political parties and civil society groups that the lack of national unity was a prolonged and inconclusive struggle that had to be solved. Therefore, the commission decided to write a democratic constitution that guaranteed the creation of a new state that recognized regional autonomy. However, the decision phase was not accomplished since it was done in an ambiguous manner, with several points left as not fully defined.

Subsequently, a number of Catalan politicians have used this ambiguity as a political instrument to spread a strong Catalan nationalism, which began with the Catalanism program to transform Catalonia *"as a country, as a collective with its personality and differences,"* and a *"guarantee that her own identity be respected"*<sup>259</sup>.

The Catalanism program was financed by the government of Jordi Pujol in the Catalan education system, promoting a strong Catalan nationalist indoctrination of "Us" (the Catalan people) vs "them" (the Spanish State). During the presidential term of Pujol the Generalitat managed to gain control over the educational system in Catalonia. Catalan has become the primary language used to teach in which Catalan history has been taught based on a rival perspective against Spain through the use of historical arguments such as *"In 1714 the Bourbons destroyed the Catalan State, by destroying its institutional and legal achievements"*<sup>260</sup>.

Therefore, this Catalan nationalist indoctrination that has been promoted and financed by the Generalitat since the early 80's has contributed to the increasing polarization of the Catalan society and Catalan politics and to the growing Pro Catalan Independentist movements, culminating in several unconstitutional acts such as illegal referendums. The

---

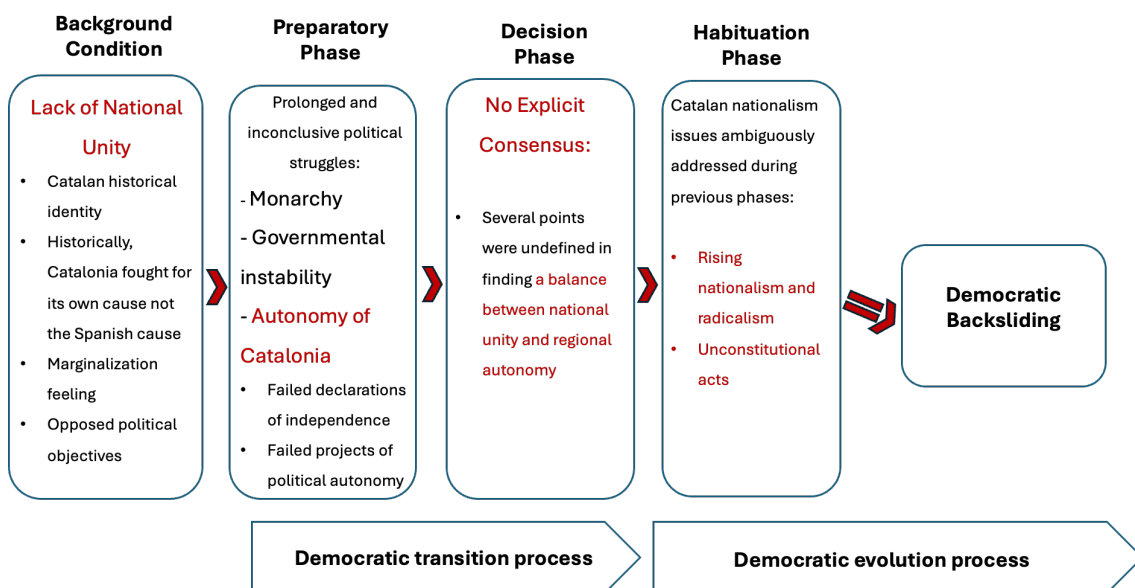
<sup>259</sup> Elliott, J. (2018) Ibid cit.

<sup>260</sup> Elliott, J. (2018) Ibid cit.

increasing discrepancies and conflicts between the Catalan Government and the Spanish Government prompted in 2006 the revision of the Statute of Autonomy of 1979. The approval of the Statute of Autonomy, whose first article states, “*Catalonia is a Nation,*” was unconstitutional as sentenced by the Constitutional Court in 2010. This aggravated the Catalan Nationalists’ discontent, and a large number of protests occurred under the slogan “*We are a nation, we decide*”<sup>261</sup>.

Catalan Independentism has been growing, creating a deep polarization within Catalan society between those who favored and those who opposed the independence of Catalonia. This culminated in a referendum on Catalan independence in 2017 and the proclamation of a unilateral declaration of independence both representing a major breach of the Spanish Constitution. Consequently, all Catalan leaders involved were prosecuted by the Spanish judicial system. In March of 2024, the amnesty law for the Catalan government was approved, an act that erodes vital democratic principles, representing a direct attack against the rule of law as already explained in previous paragraphs. Figure 31 shows the analysis of the Spanish case within Rustow’s dynamic model.

Figure 31: Analysis of the Spanish Case within Rustow’s Dynamic Model



Source: Own elaboration

<sup>261</sup> Fusi, J.P (2000) La evolución de la Identidad Nacional. Temas de hoy S.A

## Conclusions

*... “There are liberal societies, open and free countries that offer a better chance for people to live useful lives than closed dictatorships do. They are hardly perfect. Those that exist have deep flaws, profound divisions, and terrible historical scars. But that’s all the more reason to defend and protect them”...*

*Applebaum, Autocracy Inc.*

The purpose of this master’s dissertation was to expose the democratic backsliding process that Spain is currently experiencing and to bring the roots of this democratic backsliding process to light. Throughout this master’s dissertation, it has been shown that Spain, considered among scholars a paradigmatic case of democratic transition during the third wave of democratization and categorized among the top consolidated democracies worldwide, is currently going through a democratic backsliding process. It has also been shown that the roots of this democratic backsliding process can be traced back two centuries ago to a lack of national unity due to major identity issues in Catalonia.

The master dissertation began with the question: Are there signs of democratic backsliding in the Spanish political system, and if so, what are the roots? To answer the first part of the question, a literature review on democratic backsliding has been developed in Chapter 1. Democratic backsliding is a relatively new line of research with growing relevance within contemporary global politics, where scholars are still trying to conceptualize and operationalize this concept.

One of the main difficulties when defining the concept of democratic backsliding stems from the ongoing discussion when trying to define and measure the concept of democracy. In essence, modern liberal democracies have three major institutions: democratic accountability, the state, and the rule of law. To ensure the long-term efficacy of democracy, democratic political systems need well-functioning states and institutions to maintain order and ensure development at all levels through the rule of law and good governance.

The democratic backsliding process occurs when political leaders from the executive branch use democratic mechanisms to erode, weaken and, in some cases eliminate democratic institutions to increase their political power in a progressive matter, which makes it hard to detect and, therefore, to impede this political process.

A democratic backsliding process is not a reverse wave since in a reverse wave, the political system of a state shifts from a democratic regime into a non-democratic regime in a straightforward manner. Conversely, a democratic backsliding process generates subtle, incremental, and therefore hard-to-detect decrease in democratic quality and erosion of democratic institutions on a continuum rather than a radical transformation into an autocratic system. The fact that the key components of democracy backslide on a continuum increases the complexity when trying to assess a democracy that falls into the grey zone of ambiguity. These factors were depicted in a framework denoting that those actions would gradually undermine the stability and the quality of democratic institutions and eventually lead to a less democratic political system.

Before applying the conceptual framework to the analysis of the Spanish case study, a review of the evolution of the most well-known quantitative indicators of democratic quality of the Spanish political system was conducted to have a first overview on the evolution in the quality of Spanish democracy. Even though those indicators show different variations in the level and quality of the Spanish democracy as well as in its evolution, there is evidence that Spain is suffering a decline in its democratic quality.

According to the Freedom House report of 2024, the rule of law prevails, and civil liberties are generally respected. However, political corruption remains a major concern. For the Economist Intelligence Unit (EIU), in 2021, Spain could no longer be categorized as a “full democracy” and instead categorized as a “flawed democracy. In 2022, the EIU index increased and maintained in 2023 but the report did not provide any comment on this repercussion.

However, due to increasing concerns on these quantitative indicators, scholars have begun to use V-DEM to measure in a more precise manner the evolution of democracy throughout time. V-DEM showed that Spain is experiencing a democratic backsliding process since 2016. In 1975, the index had a significant increase, which coincides with the Spanish transition towards democracy. This score did not fluctuate until 2010-2011 when a major decrease occurred until 2017, when it recovered until 2019, but it decreased following a decreasing tendency the following years.

The qualitative analysis of the Spanish case study started with the assessment of polarization, a major factor that contributes to a democratic backsliding process. Increased polarization and fragmentation within the national political system started in 2014 when new pro-independence political parties began to form in the region of Catalonia, and also, new leftist anti-establishment political parties began to emerge. High levels of electoral volatility had a major impact on democratic erosion.

According to V-DEM, an increasing tendency in polarization started in 2013, reaching in 2023 the qualification of serious polarization in society. The PSOE executive government, with its current coalition of political allies, have set an ongoing political sphere of polarization by denying legitimacy to its political rivals labeling them as “enemies of the people” and the constant need to impede the “far right” from reaching political power. The use of political party hate speech has intensified yearly since 2013 as shown by the V-DEM political party hate speech.

Executive aggrandizement has become one of the most common forms of democratic backsliding in which one of its main targets is the breach of judicial autonomy. The two mainstream parties of PP and PSOE began a negotiation process to select new judges for the CGPJ. However, due to increasing polarization and rivalry between these two parties, negotiations have lasted more than six years. The political parties present in the current government led by Pedro Sánchez wanted to assign “progressive leftist” judges to the CGPJ, blocking the renewal process for more than six years. Finally, in September of 2024, PP and PSOE agreed to choose a “progressist” and “leftist” jurist as the new president of the CGPJ, elected through political preference instead of being elected by judicial meritocratic qualities.

The V-DEM High Court Independence index started a fluctuating downward tendency, which recovered in 2021 but significantly decreased in 2023. Another indicator, the EU justice scoreboard, concluded that political pressure was the main factor that caused the deterioration of Spain’s judicial system.

During the national elections of 2023, the head of the PSOE party has managed to ensure the support of two Catalan pro-independent parties (Junts per Catalonia and Esquerra Republicana). As a payback for supporting the election of Pedro Sánchez, both parties

have urged an amnesty for all of those politicians convicted for participating in the illegal referendum on whether Catalonia should become an independent state and the illegal declaration of independence of Catalonia.

The Supreme Court of Justice and several judges have judicial and legal arguments for the non-appliance of the Catalan amnesty law since the Catalan pro-independent political leaders have committed crimes of embezzlement, terrorism, and misuse of public funds, which cannot be pardoned merely for political interests or political benefits. It lacks a clear and transparent legal justification under the Spanish constitution and under the Treaty on the Functioning of the European Union.

The amnesty erodes vital democratic principles. Specifically, it is a direct attack against the rule of law. One of the key foundations of the rule of law is that all citizens within a given society, including those in power, are subject to the law. In this specific case, the Catalan amnesty is based on a political pact in which a particular number of politicians who have breached the law are exempt from being punished for their committed illegalities in exchange for political and parliamentary support. Hence, there is no democratic rationale or legal justification for the Catalan amnesty pact. In fact, one of the World Bank Governance Indicators, compliance with the rule of law, has shown a downward tendency from 1996 to 2023.

The PSOE-led government has breached the independence of the judicial system by unlawfully using its executive power by making the Minister of Justice exert pressure and “intimidation tactics” on those judges who have appealed the amnesty pact to the Supreme Court. On the other hand, some ministers of the current executive government have accused the Supreme Court of exceeding its authority by not applying the amnesty and foresees that the Constitutional Court will correct them, in which the current government has directly appointed the new president of the Constitutional Court. Furthermore, the PSOE-led government has created a parliamentary commission to investigate the judges who have pronounced a final judicial sentence. The fact that the executive opposes and defies a judicial procedure from several judges is a clear breach of the competencies of judges by the executive government.

Throughout the executive legislature of PSOE, several corruption-related cases have occurred, especially within the president's inner circle. The head of the executive has tried to impede the ongoing judicial investigations against his personal circle by exercising significant levels of pressure on the General State Attorney, appointed by him, to file a lawsuit against the judges involved in the investigation of the president, his wife, his brother, and other PSOE ministers.

This is a clear breach of the separation of powers since the leader of the executive branch is deliberately using his powers to influence the decisions of the judicial system. The government attacks on the judiciary V-DEM index has shown a notable decline, which began in 2019, reaching its lowest score in 2023. Another V-DEM index, the Criteria for appointment decisions in the state administration, remained constant until 2020, when it started to decrease, reaching its lowest score in 2023, meaning that half of the appointment decisions in the state administration are based on personal or political connections while only half are based on skills and merits.

The PSOE-led government wants to implement censorship of media outlets through a media law-related package for “a democratic regeneration” and “to improve” the accountability and transparency of media outlets and to impede the “ongoing spread of fake news.” Furthermore, the president has publicly stated on a number of occasions that the government will counteract all media outlets that disagree with its political ideology and political interests, making it a violation of Article 1 of the EU Charter on freedom of the press. Furthermore, the PSOE leader proposed the creation of an administrative body that would be granted legal competencies to sanction any media outlet without a judicial order.

Another major breach against the freedom of the press is that it has been proven that the PSOE-led executive government prioritized media subsidies towards those media outlets that hold a similar or close ideological position to that of the government.

Current allies of the coalition-led government, specifically the Catalan political party of Junts per Catalonia and the ultra-leftist political party of SUMAR have had close links with autocracies such as Russia and Venezuela. It has been proven that the Russian government was funding the Pro-Catalan independence movement and that Venezuelan-

based and pro-Russian media outlets have been involved in the spread of disinformation and spread of fake news during the Catalan illegal referendum of 2017.

The second part of the question from this master's thesis "**What are the roots?**" was approached by applying Rustow's political model of democratic transitions. With this purpose, chapter II has been devoted to exploring the transition paradigm and describing in depth Rustow's work to understand the author's dynamic model and its applicability when trying to identify the root causes of the democratic backsliding process in the Spanish case study.

The concept of transition, which refers to a political regime change, was introduced by Rustow in 1970 and shortly after, this concept became the primary term used to describe the political change under the third wave of democratization and a new literature on democracy and democratization emerged in trying to answer the question "What are the Conditions for a transition from some form of authoritarianism to democracy"? known as the transition paradigm, in which the Spanish transition has been considered a successful case and a model to follow.

The transition paradigm's research focused on the democratization processes that occurred during the 70's and 80s in Southern Europe and South America, where military dictatorships were replaced by democratically elected civilian governments. During the 90s, a significant number of Eastern and Central European countries managed to break away from the totalitarian political regime of the Soviet Union after its collapse in 1991, while at the same time, most countries from the African continent gained their independence and were in the early stages of transitioning towards democratic political systems.

Drawing attention to the fact that explanations of democracy must distinguish between function and genesis, Rustow developed a dynamic model of the Genesis of democracy where causation is key. The author's model emphasizes that certain factors are key to the birth of democracy: There must be a sense of national unity, entrenched and serious conflict, a conscious adoption of the democratic rule, and lastly, politicians and the electorate must understand and know about these rules. The model also argues that these

factors must be achieved one at a time in sequential phases: the background condition, the preparatory phase, the decision phase, and the habituation phase.

The genesis of the current Spanish backsliding process has been explained by applying Rustow's model approach. Particularly, it has been shown that each phase has not been accomplished, revealing the roots of the current incapacity to sustain the quality of the democratic system, leading to a democratic backsliding process. To assess the background condition, national unity, the critical events in the interactions between the Spanish central government in Catalonia from the Middle Ages to the democratic transition have been identified. After reviewing these critical events, it can be stated that there was a lack of national unity. Since the Kingdom of Spain came into existence after the union of the crowns of Castile and Aragon, the relationship between the Spanish central government and the region of Catalonia was characterized as never fully accomplishing a complete integration due to Catalonia's singular linguistic and historical identity. In fact, since the Middle Ages, a sense of Catalan unity, independence, and nationalism was already consolidated. From the Middle Ages to the beginning of the 18<sup>th</sup> the main political and institutional dynamics were based on a contractual relationship defined by the Catalan Constitutions. However, the relationship between the Principality of Catalonia and the Kingdom of Spain did not consolidate and progressively deteriorated.

In 1716, Catalonia lost its political, institutional, and legal independence and was ruled as an occupied territory by a centralized monarchy. From the 18<sup>th</sup> century to 1975, the relationship between the Spanish central government and the region of Catalonia ran between centralized monarchies and dictatorships. The central government's and Catalonia's objectives were opposed in both types of political systems. For the central government, the main objective was creating a centralized state with a limited or even non-existent degree of autonomy for Catalonia. For Catalonia, it was the recognition by the central government of the "differential fact" of its identity and, accordingly, a differential treatment. Between those periods of centralized governments and dictatorships in which the specific requirements of Catalonia were not a priority, short but significant political efforts were made to understand and include the concerns of Catalonia in the Spanish government. Even though those political events were brief, they profoundly impacted the political environment.

When Franco died in 1975, Spanish society was immersed in high levels of political uncertainty. Society was keen on leaving aside years of repression and isolation from Western Europe. Furthermore, the trauma of the Spanish Civil War made society urge for a peaceful democratic transition. There was a political will among the regime and the opposition to transform the authoritarian regime into a democracy. Hence, they entered into the preparatory phase, which is characterized by prolonged and inconclusive struggles. The main struggles were on the monarchy, government instability and the political debate on national identities and territorial disputes. The analysis of the historical evolution of the political and institutional dynamics of the relationship between the central government and Catalonia, has revealed a prolonged and inconclusive struggle, the autonomy of Catalonia. There have been unsuccessful attempts to balance the central government's and Catalonia's specific interests. This can be seen in the failed political autonomy projects and also failed declarations of Catalan independence along the historical evolution.

Once Catalonia lost its semi-autonomy when the Catalan Constitutions were abolished and entered into a centralized political system, the first attempt to include the national interest of the region was in 1873. In this year, the first Spanish republic was established under a federalist political model, which provided a higher degree of autonomy and recognized their own cultural, historical, and national characteristics. However, the first Republic failed due to internal divisions a year later in 1874. The second attempt to include the national interests of Catalonia and to provide the region with a higher degree of autonomy was during the Second Republic, between 1932 and 1936. However, this also failed due to a political crisis within the Catalan government.

There were two failed declarations of independence, the first was in the seventeenth century, when Catalonia started a revolution to attain its independence. The Catalan secession ended with the surrender of Barcelona after a decade of armed conflict between the Kingdom of Spain and France, where Catalonia became the main battlefield territory. Another failed declaration of independence took place in 1934 during the Spanish Second Republic. Even though the Statute of Nuria was approved with an absolute majority in the Spanish Parliament and in a national referendum, significant pressure from Catalan

radical movements and political parties made the president of the Generalitat declare the independence of Catalonia, an illegal act contrary to the Spanish Constitution.

During the Spanish Civil War, while the democratically elected Republican government was focused on defeating the nationalist military Junta led by Francisco Franco, Catalonia acted autonomously by breaching its legal and institutional relationship with the Republican government and centered on its own political interests, even though such actions breached several articles from the Statute of Nuriá.

Another unsolved and prolonged struggle directly connected with autonomy is the treatment of Catalan identity. Historically, the region of Catalonia had a strong set of historical, cultural, and linguistic characteristics. Since the early 19<sup>th</sup> century, the concept of Catalan identity emerged from the *Renaixença*. It was the recovery of the Catalan literary, linguistic, and historical achievements of the Catalan nationhood that were lost during the creation of the Spanish nationhood. It led to the discovery of the Catalan identity a concept that became increasingly idolized among Catalan society. The *Renaixença* has been used as a political instrument by Catalan nationalism that fights for its autonomy while at the same, by radical movements and political parties who strive for the independence of Catalonia. Therefore, within Catalonia, this form of political dynamic has generated a number of internal conflicts and increased polarization that has also affected its relationship with the central government.

After a year and a half of the preparatory phase, the newly democratic elected government entered the decision phase. Continuing with the consensus approach, a constitutional commission was formed with the main objective of creating the structure of a newly democratic constitution that would end the historically weak constitutional tradition and overcome the historical struggle of Catalan identity. In trying to find a balance between national unity and diversity, the Spanish Constitution of 1978 established the state of the autonomies and the creation of 17 new Autonomous Communities. However, the article 2 of the Constitution was ambiguous, and several articles of part 8 which configure the territorial structure, were left open.

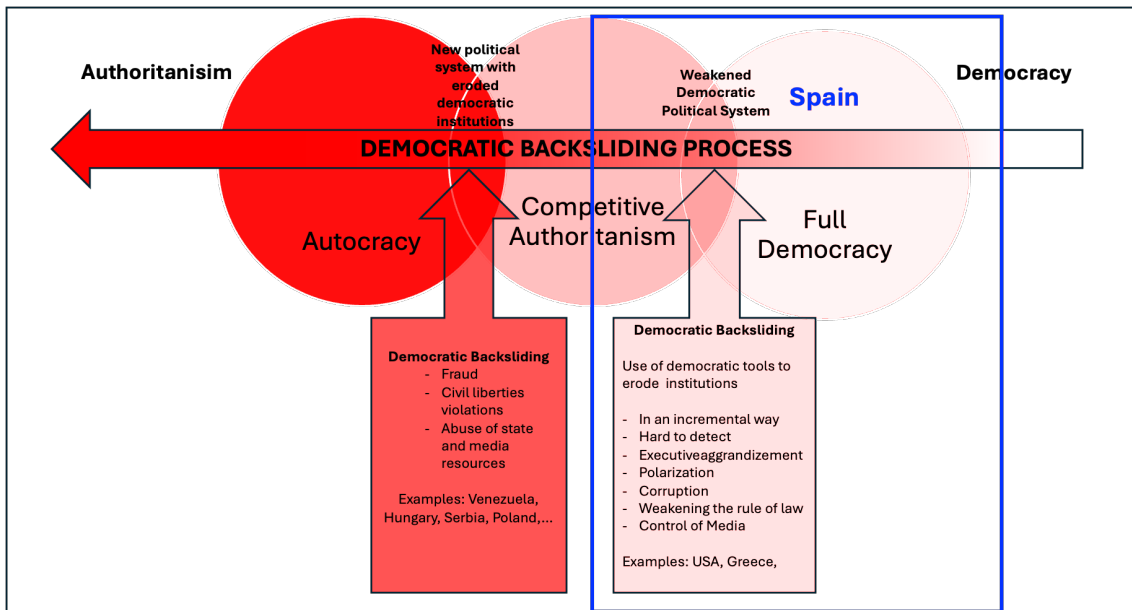
The Constitutional Commission was firmly convinced that this new territorial configuration would cease nationalism in Catalonia. In 1979, the Catalan Statue of

Autonomy was approved. However, several points were left undefined since there was the presumption that the Catalan parliament would manage them in a democratic and non-conflict manner. The Spanish Constitution of 1978 did not solve the territorial and the Catalan identity disputes. Catalonia is deeply convinced that its historical singularity gave them the right of a preferential treatment demanding national recognition and a different relationship with the state.

In the habituation phase, the democratization process can either succeed in its consolidation and implementation or fail. In the case of Spain it failed. The Precondition was not fulfilled, there is no national unity. During the Preparatory Phase, there was a consensus that the prolonged and inconclusive struggle was the Catalan identity issue and its territorial dispute. However, during the decision phase it was not solved as several points were ambiguous and not fully defined. Consequently, a number of Catalan politicians have used this ambiguity as a political instrument to spread a strong Catalan nationalism, which began with the Catalanism program. This Catalan nationalism indoctrination has contributed to the increased polarization of Catalan society and to the growing Catalan independentist movements culminating in several unconstitutional acts, such as the illegal referendums and the illegal proclamation of the unilateral independence of Catalonia.

At a theoretical level, this dissertation contributes to reinforcing the concept of democratic backsliding. The analysis revealed how the slide backward into a lower quality of democracy occurs within a fully consolidated democracy. When looking at the figure depicting the democratic backsliding in the continuum from democracy to autocracy, this thesis has focused on the democratic backsliding process within a full democracy, a type of democratic backsliding that is hard to detect as it is characterized by the use of democratic tools and procedures whose changes are eroding the quality of democracy but still are framed within a democracy.

Figure 32: Democratic Backsliding: The Case of Spain



Source: Own Elaboration

The thesis questions the “end of the transition paradigm” that authors such as Carothers argue. Carothers sustained that the transition analytical framework was no longer applicable, arguing that several countries that were supposed to be in transition did not follow the model, and also questioned its core assumptions. However, this thesis has contributed to reinforcing the validity of Rustow’s model, especially the core assumption that democracies follow sequential stages and that the sequence and accomplishment of each phase before entering into the next phase is key for a complete transition towards a fully consolidated democratic system.

The influence of the international context has always been a key factor for the Spanish political system. Therefore, it should also be considered that the Spanish Democratic Backsliding is following an international populist trend that is represented by a pro-populist independentist movement. At a practical level, this study highlights the urgent need for politicians, civil society and society, in general, to counteract the current democratic backsliding by ceasing or challenging corruption, executive aggrandizement, the weakening of the rule of law, polarization, and the control of the media. There is also an urgent need to deal with the identity and territorial conflicts in Catalonia. Otherwise, the risk that the democratic backsliding process continues on its way backward may worsen and have profound adverse effects on the quality of Spain’s democracy in the long run.

## Bibliography

Amnesty International (2024) Our Work at The European Union. Amnesty International Official Website. <https://www.amnesty.eu/>

Anderson, L. (1999) *Transitions to Democracy*. Columbia University Press

Andrade, P. (2024) El Señalamiento de Bolaños y Puente al Supremo por su aplicación de la Amnistía solivianta a los jueces. *El Debate Newspaper*.

Applebaum A. (2024) *Autocracy Inc: The Dictator who wants to run the World*. Penguin Random House.

Arana, M. (2000) Latin Americans are Souring on Democracy. That's not so surprising considering the Region's History. *Times Magazine*.

Arbatli, E. and Rosenberg D. (2020) United we stand, divided we rule: How political polarization Erodes Democracy. *Democratization*.

Bermeo, N. (2002) *Myths of Modernization: Confrontation and conflict during Democratic Transitions*. Columbia University Press

Bermeo, N. (2016) On Democratic Backsliding. *Journal of Democracy*. Volume 27, Issue 1. Pages: 5-19.

Bermeo, N. (2022) Questioning Backsliding. *Journal of Democracy*. Volume 33. Issue 4. Pages 156-159

Bernhard, M. (2021) Democratic Backsliding in Poland and Hungary. *Slavic Review*. Volume 80. Issue 3. pages 585-607

Boix, C. (2003) *Democracy and Redistribution*. Cambridge University Press.

Boix, C. Miller. M.K. Rosato, S. (2012) *A Complete Dataset of Political Regimes, 1800-2007* Sage Journals

Brandvoll, J. (2002) From Apparatchik to President from Businessman to Khan: Regime Transition and Consolidation in the Russian Republics of Buryatia and Kalmykia. Norwegian Institute for International Affairs.

Canal, J. (2015) *Historia de Cataluña*. Editorial Turner.

Carothers, T. (2002) The end of transition paradigm, *Journal of Democracy* Volume Number 1.

Carothers, Th and Harnett. B. (2024) Misunderstanding Democratic Backsliding. *Journal of Democracy*. Volume 35. Issue 3. Pages 24-37.

Carothers, T. and Press B. (2022). Understanding and Responding to Global Democratic Backsliding. Washington DC. Carnegie Endowment for International Peace.

Castaldo, A. (2020) Back to Competitive Authoritarianism? Democratic Backsliding in Vučić's Serbia. *Institute for political research* pages 1617-1638

Casqueiro J. (2023) El Congreso aprueba la comisiones de Lawfare que el PSOE pacto sobre Cataluña. *El País Newspaper*.

Center for Systemic Peace (2021). About Polity, The Polity Project: Center for Systemic Peace.

Collier, R. and Mahoney, J. (1999). Adding Collective Actors to Collective Outcomes: Labor and Recent Democratization in South America and Southern Europe. in *Transitions to Democracy* by Lisa Anderson. Columbia University Press.

Colomer, J. M. (1998) La Transición a la Democracia: El Modelo Español. Anagrama Editorial.

Cordero, N. (2024) Candido Méndez, el Último facha. *El Confidencial*.  
[https://blogs.elconfidencial.com/espana/caza-mayor/2024-09-23/candido-mendez-el-ultimo-facha\\_3967781/](https://blogs.elconfidencial.com/espana/caza-mayor/2024-09-23/candido-mendez-el-ultimo-facha_3967781/)

Diamond, L. (2015) Facing Up to the Democratic Recession. *Journal of Democracy*. Volume 26. Issue 1 Pages 141-155.

Diamond, L. (2019). Ill Winds: Saving Democracy from Russian Rage, Chinese Ambition, and American Complacency.

Díaz, J. (2024). Duras Críticas a Sánchez de sus socios por hablar de gobernar sin el congreso. *Expansión*. Madrid.

De la Calle, A.L. (2024) Begoña Gómez chamada a declarar em Tribunal: Conheça o processo contra a mulher do primeiro-ministro espanhol. *Diario Expresso*.

Deutsch, K. (2021) Nationalism and Social Communication; an Inquiry into the Foundations of Nationality. Hassell Street Press.

Edmonson III, H. (2023) The Fracturing of Spanish Politics. *Law and Liberty*.  
<https://lawliberty.org/the-fracturing-of-spanish-politics/>

El Debate Press (2024) ¿Cuánto paga el Gobierno a los medios? 'El País' y la Ser lideran la clasificación con partidas millonarias. *Diario El Debate*.

Elliott, J. (2016) La rebelión de los Catalanes, Un estudio sobre la decadencia de España 1598-1640. Cambridge University Press.

Elliott, J. (2018) Catalanes y Escoceses Unión Discordia. Penguin Random House Grupo Editorial

EIU (2022) EIU Report: Democracy index 2022. The Economist Intelligence .  
<https://www.eiu.com/n/campaigns/democracy-index-2023/>

EIU (2023) EIU Report Democracy Index 2023. EIU Official website.  
<https://www.eiu.com/n/campaigns/democracy-index-2023/>

EIU Economist Intelligence (2024) Spain. Country Briefing EIU.  
<https://www.eiu.com/n/store/products/viewpoint/country-analysis/spain/>

Encarnación, O.G. (2002) Spain after Franco Lessons in Democratization Volume. 18  
Issue 4 pages 35-44

Encarnación, Omar G. (2023) Spain Is Going to Be Fine. The New York Times.  
<https://www.nytimes.com/2023/07/20/opinion/spain-election-sanchez-vox.html>

Encarnación. O.G (2024) Why Separatism Is No Match for Democracy. Journal of  
Democracy. Volume 35. Issue 1. Pages 136-144.

Europa Press. (2023) Borrell critica que el PSOE acepte el relato del Procés de ERC y  
Junts sin que asuman su responsabilidad. El  
Confidencial.[https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad\\_3782286/](https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad_3782286/)

European Parliament (2024) European Parliament resolution of 21 May 2013 on the EU  
Charter: standard settings for media freedom across the EU. Eu Official website  
[https://www.europarl.europa.eu/doceo/document/TA-7-2013-0203\\_EN.html?redirect](https://www.europarl.europa.eu/doceo/document/TA-7-2013-0203_EN.html?redirect)

Ferreira do Vale, H. (2024) Spain's Democratic Crisis (2008-2023): Territorial Conflict  
and Resistance to Democratic Decline. Research Gate.

Freedom House, (2023) Freedom in the world 2023, Marking 50 years in the struggle for  
democracy.

Freedom House (2024) Freedom House Report: Spain. Freedom House Official Website.  
<https://freedomhouse.org/country/spain/freedom-world/2024>

Fukuyama, F. Diamond, L. Horowitz, D. Plattner, M. (2014) Reconsidering the  
transition Paradigm. *Journal of Democracy* Volume 25, Number 1. Pages 1-16

Fukuyama, F. (2014). Why are democracies performing so badly? *Journal of Democracy*.  
Volume 26 Issue 1 pages 11-20

Fusi, J.P (2000) España: La evolución del Identidad Nacional. Temas de Hoy S.A

Ghandi, J. (2019) The institutional roots of democratic backsliding. *American Journal of  
Political Science*. Volume 81 Issue 1.

González Vesga, J. M. Garcia de Cortázar, F. (2022). Breve Historia de España.  
Alianza editorial S.A Madrid.

Guerreiro, T. (2024) Irmão de Pedro Sánchez tem morada em Elvas ninguém o vê, enriqueceu 550% em três anos e vai ser investigado por cinco Crimes. *Diario Expresso*.

Guindal, C. (2024) El Tribunal Supremo avisa al Tribunal Constitucional de que si amnistía la malversación irá a Europa. *La Vanguardia News*.

Haggard, S and Kaufman, R.R. (1999) *The Political Economy of Democratic Transitions* by Lisa Anderson. Columbia University Press.

Haggard, S. and Kaufman, R. (2016) Democratization during the third wave. *The Annual Review of Political Science* Vol 19 Issue 1. pp 125-144

Haggard, S. and Kaufman, R. (2021) *Backsliding: Democratic Regress in the Contemporary World* Backsliding: Cambridge University Press.

Hay Derecho (2024) Sobre la (NO) renovación del CGPJ. Fundación hay Derecho.

HedGecoe, G. (2023) Judges get dragged into Spain's toxic politics. *Politico Pro*.

Helmke, G. Kroeger, M. and Paine, J (2021) Democracy by Deterrence: Norms, Constitutions and Electoral Titling, *American Journal of Political Science* Vol 66. Issue 2. Pages 434-450.

Heper, M. (1991) *Transitions to Democracy Reconsidered. Comparative Political Dynamics: Global Research Perspectives*. HarperCollins Publisher

Herman, L. E (2018) Re-evaluating the Post-Communist success story: party elite, royalty, citizen, mobilization and the Erosion of the Hungarian Democracy. *European Political Science Review*. Volume 8 Issue 2 pages 2-53

Howell, W., et al. (2021). "Executive Absolutism: The Dynamics of Authority Acquisition in a System of Separated Powers." SSRN.

Huntington, S. (1991) Democracy's Third Wave. *Journal of Democracy* Volume 2 Issue 2. Pages 12-35.

Jensen, G. (2005). *Franco: Soldier, Commander Dictator*. Potomac Books Inc.

Karl, L. (1991) *Dilemmas of Democratization in Latin America. Comparative Political Dynamics: Global Research Perspectives*. Harper Collins Publishers

Kenneth, M. (1991) Spain's Transition to Democracy: A Model for Eastern Europe? *The Academy of Political Science*. Volume 38. Issue 1. Pages 35-49

Knutsen, C. Seim, B. Marquardt, K. Coppedge, M. Edgell, A. Mezihorsky, J. Pemstein, D. Teorell, J. Gerring, J. and Lindberg, S. (2024) Conceptual and Measurement Issues in Assessing Democratic Backsliding. *Political Science and Politics*. 1-16.

Knutsen, C. Seim, B. Marquardt, K. Coppedge, M. Edgell, Mezihorsky, J. Pemstein, D. and Teorell, J. (2024) Conceptual and Measurement Issues in Assessing Democratic Backsliding. *Political Science and Politics*. Volume 57, Issue 2, April.

Levitsky, S and Way. L. (2010) *Competitive Authoritarianism: Hybrid Regime after the Cold War*. Cambridge University Press.

Levitsky, S. and Way, L. (2015) The Myth of Democratic Recession. *Journal of Democracy* Volume 2. Issue 1. Pages 44-85

Levitsky, S. and Ziblatt, D. (2018) *How Democracies die*. Penguin random house.

Linz, J. Stepan, A. (1996). *Problems of Democratic Transition and Consolidation*. The Johns Hopkins University Press

Lipset, S. (1959) Some Social Requisites of Democracy: Economic Development and Political Legitimacy. *The American Political Science Review*. Volume 53. Issue 1. Pages 69-105

Little, A. Meng, A. and (2024) What we do and do not know about Democratic Backsliding. *Political Science and Politics* Volume 57. Issue 2. Pages 224-229

Lührmann, A. and Lindberg, S. L. (2019) A third wave of Autocratization is here: what is new about it? *Democratization*. Volume 26, issue 7, pages 1095–1113

Lust, E. and D. Waldner (2015). *Theories of Democratic Change: Phase I: Theories of Democratic Backsliding*. Research and Innovation Grants Working Papers Series. Y. U. a. U. o. Virginia, Usaid.

Marcos, J. (2024) Felipe González: La amnistía es una autoamnistía, hecha por los propios amnistiados, es rara y difícil de aceptar. *Diario-El País*. [https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad\\_3782286/](https://www.elconfidencial.com/espana/2023-11-27/borrell-psoe-relato-proces-erc-junts-asuman-responsabilidad_3782286/)

Markovitz, I. L. (1999) *Constitutions, the Federalist Papers and the Transition to Democracy*. Edited by Lisa Anderson. Columbia University Press.

Martialay, A. (2024) Una Asociación de fiscales recurre en el supremo el nombramiento de Garica Ortiz como fiscal general del estado. La APIF recuerda que el supremo sentencio que incurrió en desviación de poder y el CGPJ lo considero inidonio para el cargo. *El Mundo*

Marraco, M. Belver, M. (2024) Puente acusa al Supremo de extralimitarse al no aplicar la amnistía a Puigdemont y anticipa que el Constitucional lo corregira. *El Mundo Newspaper*.

Méndez Lago, M. (2020) Parties and Parties Systems. In the *Oxford Handbook of Spanish Politics*. Edited by Diego Muro and Ignacio Lago. Oxford University Press.

Miller, L. (2020) Polarización en España: Más divididos por ideología e identidad que por políticas públicas. Esade ECOL: Center for Economic Policy and Political Economy

Mosquera, P. Goodman, AL. (2024) ¿Que dice la polémica ley de amnistía aprobada en España? CNN.

Mueller, W-J. (2014) Eastern Europe Goes South: Disappearing Democracy in the EU's Newest Members. *Foreign Affairs*. Volume 93. Issue 2 pages 14-16

Munck, G. L. (2011) Democratic Theory after Transitions from Authoritarian Rule. *Perspective on Politics*. Volume 9. No.2 pp 333-343.

Muro, D. and Lago, L. (2020). Introduction in the Oxford Handbook of Spanish Politics. Edited by Muro and Lago. Oxford University Press.

O'Donnell, G. Schmitter, Ph. Whitehead, L. (1986) Transitions from Authoritarian Rule. The Johns Hopkins University Press.

O'Donnell, G. and Schmitter, Ph. (2013) Transitions from Authoritarian rule. The Johns Hopkins University Press.

Ortiz, A. (2007) España, tres milenios de historia. Marcial Pons, Ediciones de Historia S.A

Pérez, A. (2024) Pedro Sánchez utiliza a la Abogacía del Estado para querrellarse contra el juez que investiga a su esposa Begoña Gómez. Libertad Digital Press

Pérez-Maora, R. (2023) Sánchez. La polarización por Antonomasia. Diario El Debate.

Powell, Ch. (2015) The Long Road to Europe: Spain and the European Community, 1957-1986. Real Instituto Elcano. Pages 5-22. <https://media.realinstitutoelcano.org/wp-content/uploads/2021/11/dt9-2015-powell-long-road-europe-spain-european-community-1957-1986.pdf>

Prados de la Escosura, L. (2017) *Spanish Economic Growth (1850-2015)*. Palgrave Macmillan.

Prezworki, A. (1991) Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America. Cambridge University Press.

Riedl, R. Friesen, P. McCoy, J and Roberts, K. (2023) Democratic Backsliding Resilience and Resistance. *World Politics* Volume 75 Issue 5. Pages 1-28

Rodriguez, Teruel, J. (2020) La Resiliencia democrática Española tas una década convulsa. Real Instituto Elcano.

Romanos, E. (2020) Social Movements on Spanish Politics on *The Oxford Handbook of Spanish Politics* by Diego Muro and Ignacio Lago. Pages 465-478.

Royo, S. (2020) The Causes and the legacy of the Great Recession in Spain. Oxford Handbooks: Spanish politics Pages 127-129.

RSF, Reporters Without Borders (2024): Spain. RSF Report. <https://rsf.org/en/country/spain>

Rusell, M. Renwick, A. and James, L. (2022) What is Democratic Backsliding, and is the UK at Risk? Constitutional principles and the health of democracy. University College London-Constitution Unit-Department of Political Science

Rustow, D. (1970) Transitions to Democracy. *Comparative Politics*. Vol. 2, No. 3. pp. 337-363

Rustow, D. (1970) Transitions to Democracy: Toward a Dynamic Model. *Comparative Politics*. Volume 2. Issue 3 Pages 337-363

Rustow, D. & K.P. Erikson. (1991) *Comparative Political Dynamics: Global Research Perspectives*. Harper Collins.

Schmitter, P. and T. L. Karl (1996). What Democracy is and is not. The Global Resurgence of Democracy. L. D. a. F. Plattner, The Johns Hopkins University Press.

Shubert, A. (1990) *A serial History of Modern Spain*. London. Unwin Hyman.

Sinkkonen, T. (2015) The rise of the Podemos party in Spain > An upcoming enfant terrible in Europe? *Finish institute of international affairs*. [https://www.fuia.fi/wp-content/uploads/2017/01/comment3\\_2015eng.pdf](https://www.fuia.fi/wp-content/uploads/2017/01/comment3_2015eng.pdf)

Smith, A. (2014) *The Origins of Catalan Nationalism*. Paigraive McMillan London.

Solé Tura, J. and E. Aja (2002) *Constituciones y periodos constituyentes en España 1808-1936*.

Sotiropoulos, D. A (2018) The backsliding of Democracy in Today's Greece. Friedrich-Ebert-Stiftung. Volume 4. Issue 1. pages 1-32

Taub, A. (2024) The Game Theory of Democracy. The New York Times. <https://www.nytimes.com/2024/10/29/magazine/democracy-elections-game.html>

Tepaske, J. (1964) Book Review: The Revolt of the Catalans: By Elliott J.H. *Hispanic American Historical Review*.

The Objective (2024) Sánchez quiere que el Congreso elija al presidente del Supremo en lugar del CGPJ. The Objective Press.

Tilly, Ch (1975) *The Formation of National States in Western Europe*. Princeton University Press.

Tortella, G. Garcia Ruiz, G. L. Nuñez, C.E and Quiroga, G. (2017) *Cataluña y España: Historia y Mito*. Gadir Editorial S.L.

Ucelay, D. (2024) La Cataluña Populista. Editorial Taurus.

Valles, J.M (2020) The 1978 Spanish Constitutional Design in the Oxford Handbook of Spanish politics edited by Diego Muro and Ignacio Lago Oxford University Press.

V-DEM (2023) Varieties of Democracy V-DEM. V-DEM official website. <https://v-dem.net/>

V-Dem Institute (2024) Democracy Report 2024: Democracy Winning and Losing at the Ballot. V-Dem institute

V-Dem (2024) V-Dem Methodology. V-Dem Varieties of democracy.

Wachman, M. A. (1994) Taiwan: National Identity and Democratization. Routledge Taylor and Francis Group Volume 36 pages 218-221

World Bank (2024). World Wide Governance Indicators The World Bank does not provide a specific categorization on the ranked scores.  
<https://www.worldbank.org/en/publication/worldwide-governance-indicators>

Zakaria, F. (1997) The Rise of Illiberal democracies. Foreign Affairs. Volume 76.

Ziblatt, D. and Levitsky, S. 2021 How Democracies Die. Crown New York.