



## The Legislative Term That Was: Zapatero On the Fringes of Reality

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This legislative term ended almost at year's end. One more page of our political history ends with it; but this page will not be remembered for its successes or brilliancy. It will however be remembered as a rollercoaster of a **political period with extreme ups and downs**. On numerous occasions, many have felt doubts; others have felt cheated; others have become incensed, and many have experienced an increase in indifference regarding the *res publica*.

This has been a **stage in our democracy where political factors have directly effected societal expectations**. The **pre-meditated sowing of hope regarding negotiation with ETA** has been one of the most degrading elements of this legislative term. A hope ultimately crushed because the Rodríguez Zapatero administra-

tion mistook the terrorist organization's intentions. This was a **very critical mistake for numerous sectors**. In the first place, Spanish society has experienced many long years of terrorism and endured all of its attacks with fortitude. At the same level, we would put the victims and their relatives, who have undergone unprecedented humiliation, and who have felt rejected by government authorities against the surprising favoritism towards ETA's political circle. Also affected by the administrations mistakes is the law enforcement community. They have experienced severe limitations on their ability to carry out their duties. They had to restrict their activity on a case-by-case basis. The Popular Party has had to sit back and watch - not without a certain degree of frustration - while its previous labor vanished, and its pol-

icy of blockading the *abertzale* realm was replaced by the policy of providing oxygen instead. Yet when it comes to the political effects, now at the end of this political stage, **the part sustaining most of the damage is the government itself and a Socialist Party that has been forced to follow Zapatero's delirious initiatives.**

There was a significant absence of citizenry in the demonstration convoked by the Government in order to respond to Capbreton's double mortal attacks. Society struggles with certain issues, and this should be **a warning to those who despise popular susceptibility.** The recent bomb in Biscay reminds us that terrorism does not rest, and shows even less respect for special days such as Christmas Eve.

Yet if the negotiation has been a complete failure – in spite of being this legislative term's central issue – its **consequences have not been less disastrous for the political aspirations of peripheral nationalist groups.** Today it is possible to state without a doubt that **there are pro-independence nationalist fronts perfectly aligned in Basque Country and Catalonia, and emerging strongly in Galicia.**

These groups have all been **strengthened by the actions of this Administration** – its Manichean conception of state's unity – and let us not forget, by the selfish relation and the quasi-nationalistic tone of the Socialist party in these autonomous communities. **As**

**proof of this alignment around the most radical theses, we have Juan José Ibarretxe's recent statements placing on an equal footing ETA's terrorism with the judicial sentence against his civil plot.**

Without hesitation, he stated that the Capbreton attack, the imprisonment of Arnaldo Otegi and scattering ETA prisoners around the country are part of the "spiral" of violence in Basque Country. His only solution is the one "with the democratic participation of all Basques" through its well-known intent of calling a referendum. Such irrational delirium, where fair and unfair, possible and impossible are all mixed up, is an illogical but acceptable discourse for some in our current political framework. **This situation has led us to play on a field where the rules are extremely flexible, and the trespassing of admissible limits is part of the game.**

Moreover, in an environment of weak margins, these become even weaker when regional federations of a national party as the Socialist, flirt with dominant nationalism. According to a recent study made by the newspaper *El Mundo*, **out of more than fifty city councils governed by PSOE in Basque Country, Catalonia and the islands, just about ten follow Law 39/1981 that orders the hoisting the Spanish flag in all public buildings.** In regards to this matter, PSOE's Organization Secretary José Blanco stated just two months ago; "They know they have to do it and they will". Contradicting his words

emerges a colder reality; 47 city councils with Socialist mayors do not hoist the national flag. In Basque Country more than half of the city councils governed by the Socialists (PSE) – ten out of eighteen – skip hoisting the Spanish flag. In Catalonia, out of the 278 municipalities governed by the Socialists (PSC,) at least thirty keep on ignoring Spanish Flag Laws.

**The latest step in that line of gestures is the recent “Declaration of San Mamés.”** The Basque, Catalan and Galician governments have signed an institutional agreement of cooperation promoting sport events. It pushes for the participation of teams belonging to these autonomous communities in international competitions and even creates “competitive frameworks” so that “national teams” and teams of the three countries” can take part. In order to achieve this goal, the Basque and Galician Culture Ministers Miren Azkarate and Ángela Bugallo and the Vice President of the Catalanian Generality, José Luis Carod Rovira, chose the Athletic Club of Bilbao lawn to seal this commitment. They are counting on the participation of the Bilbao club President, Fernando García Macua, and a sizeable part of his board of directors.

**This act was going after publicity for the content of their respective statutes (the Galician, Catalanian, and Basque statutes) that grant the “exclusive control for promoting sport events” to autonomic governments.** It links the devel-

opment of sport competitions at the highest level to international sport federations. These are private organizations “with their own rules in accordance with the legislation of the country where they are constituted.” With these arguments, the three autonomic governments stated that it corresponds to their respective sport federations to decide if it is “convenient for the development of sports,” to become affiliates with the corresponding international sport federations.

Finally, as the year came to an end, **the Generality President, José Montilla, declared in his End of the Year speech that 2008 “will be the year in which Catalonia will count on a new financing system.”** The intention to negotiate a new financing system is the appendix to a statute that seems incomplete, according to the Catalanian government.

These types of acts – public and political – teach us to value a real program of small steps favoring collective awareness in favor of total autonomy. The most surprising is not that the political actors who incarnate the independentist discourse assume this kind of initiative, the transcendental fact here is that those governing the whole kingdom do not issue a clear and decisive answer to this coming and going of hegemonic pretensions. **The reaction of some contrasts with the inaction or silence of others who prefer to keep silent to avoid jeopardizing their lower-chamber flirting.**

It is not surprising that this scenario generated **dissatisfaction and distrust within a significant part of the population. This distrust was openly on display during the anniversary of the Spanish Constitution, a day in which President José Luis Rodríguez Zapatero had to endure being booed at upon his arrival to Congress. This display of spontaneity by the masses is a good indication of the perception of quality regarding the government's work. This response is simply an anecdote; however, it says much about the non-existence of a real spirit of harmony regarding the performance of the government. The calls for unity are just playing to the gallery; reality has shown all the opposite.**

In spite of the nationalistic initiative, and their desire for a transition to Zapatero's confederalist model, **certain changes have been generated, which we can consider positive..** Precisely because the proposals' level of radicalism and the demand that the State grant new powers to the autonomous communities are such, this trend has given as a result an atmosphere of saturation and exhaustion felt in the streets as well as in public opinion. One could possibly say that the political situation is so strained that we have reached the limit, and new initiatives emerge in the political agenda. The last references heard in relation to a **possible Constitution reform** go along this same line.

For months, Zapatero spoke about a decentralizing reform, granting a new role to the autonomous regions, with a new model of relations among people, autonomous communities and government/state administration. This was not long ago, during the statutory reforms, and before the different strands of nationalism united their forces in favor of their common vindication. Now reform he still discusses reform, but the significance is quite different. They suggest a **reassessment of state unity; caring and protection of the national spirit**, and this time it all comes from the opposition.

What was once taboo has become quite acceptable due to its elevated political character. **The conjunctural cover offered by the Constitution of 1978 to "Historical Nationalism," and the shelter provided through the autonomy statutes have gone over the pre-arranged barriers in such a way that, in certain cases, autonomic matters are already equated with national ones.** This fact is incongruous; what once facilitated the co-existence and circumstantially solved certain problems in the general administration of the state, has become inoperative today.

Therefore, it is no wonder that as a reaction to this situation, the intelligentsia and politicians have turned around after mulling over the problem and they have suggested a change considered more than necessary. **The Popular Party as the main opposition party has suggested and included in its**

electoral program a future reform of the Spanish Constitution. In Mariano Rajoy's own words, the 1978 Constitution "has become pointless in solving the usual problems of a state". For that reason, the leader of the Popular Party has promised a change "such as the one Germany is taking into consideration" in order to "guarantee equal rights for all Spaniards, cohesion and solidarity" if he reaches power. On the same line, Rajoy pointed out that the reform of the Statutes, specifically the Catalan Statute, "establishes a confederation," and it implies building "a weak state without jurisdictions, purposes, and resources."

In this case, what Mariano Rajoy describes already is a reality. One cannot down-play the importance of bringing up a **vital issue for debated about the future of Spanish society**, though it is a difficult one. This kind of thinking belongs to someone with a vision about government that puts the national interest above personal or party interests. **When it comes to this issue, Mariano Rajoy has been clear and courageous.** The main national parties need the support of other parties with representation in Congress to reach stable majorities - in the event of not getting an outright majority - that the leader of the Opposition is risking it all in favor of this reform.

One cannot question the leadership and sense of responsibility displayed by the leader of the Opposition. **This aptitude is far from**

the so-called *talante* (flair); it is less attractive to the media, but it offers a greater guarantee to all Spaniards regarding the endeavor of real unity and smooth-running of institutions.

And talking about guarantees, there is some interesting data regarding the **minimal distance in voter intent dividing both big parties at this stage.** A three-point maximum distance is the thin line to victory. **The race is locked in a statistical tie within the margin of error, and that opens many possibilities and simultaneously clears up so many other questions.** Starting on the second premise, it is the **balance data of the Rodríguez Zapatero Administration: After almost four years of a barrage of Socialist legislative initiatives, this party has not been able to attract the support of a majority in the polls at the end of its legislative term.**

**Such an abundant array of legislative norms has not been enough to give society a sense of governance. This probably is the result of legislating with an ideological frame in mind and imposing social engineering, but far from real improvement in the basic requirements to increase the standard of living of our middle class. Key indicators such as the non-proportional increase of consumer prices, structural stagnation in sectors as for example the construction industry, an increase in interest rates - particularly those on mortgages - and a sense of economic frailty (in spite of the government's displayed opti-**

mism) have fostered a symptomatology of insecurity and economic crisis that is hard to dispel.

Here we show some concrete data to analyze the situation: Spanish inflation reached 4.1 percent in November, the highest rate since January of 2006, and now in March it is at a record 4.4 percent. According to government estimates, it will remain high.

On the other hand, the crisis in sectors such as the construction industry has led Spanish real estate companies to engage in the disinvestment of assets in order to alleviate financial debt reaching almost 300 billion euros. This amount becomes an issue of greater relevance when considering that such amount almost represents 30 percent of Spain's GDP. A direct consequence of this lack of liquidity is an increase in unemployment. The number of people unemployed in Spain has constantly risen, In 2006, the numbers increased by 30,328 people, and in 2007, unemployment saw an increase of 71,309 people, that is to say, 3.5 percent more. In November 2007, it reached 2.34 percent compared to October in all autonomous communities, according to data from the National Institute of Employment (INE). The numbers in February increased by 53,406 people, compared with a record rise of 132,378 in January and a fall of 7,233 in jobless in December 2007, pushing the total number of unemployed in February to 2.32 million from 2.26 million in January.

These numbers transmit a sense of change in the economic cycle that has been felt in the streets for months. This assessment has persisted in spite of all the pre-electoral freebies announced by the Administration. This is a package of commitments for the next legislative term, which has already overloaded the recent State General Budget. It confronts a budget gap as large as two-hundred million euros. The conclusion we can reach from this, is that a majority of citizens is not satisfied for now with what the government has to offer. Zapatero might offer some more welfare promises, but what remains clear is that the results are not as he expected.

The result is similar if the analysis is carried out by judging by the information bombarding us with promotional ads carrying the label "Government of Spain." According to a video-denouncement made by the Popular Party, during the last months, Zapatero would have spent around twenty million euros a month in advertisement. The "Government of Spain" part of the ad closing the spots costs 600,000 euros a day - public funds, courtesy of the Treasury. **This considerable increase in TV advertising has not resulted in an increase in voters choosing the Zapatero brand.**

This means **the reconfiguration of the election campaign**, in which the **Socialist Party's** biggest names are forced to resort to demanding a

**general mobilization of its grass roots to grab the leftist vote.** We suppose that in this case the advisers of the campaign and the Prime Minister are faced with a complex scenario, since they must mind their manners, and keep a moderate tone for image's sake. Simultaneously they must have a battery of explicit messages to recreate participation levels as the ones reached during the previous general elections.

About this respect, the objective is difficult to attain due to two fundamental reasons: The lack of impact and instability elements found in the aftermath of the Madrid bombings in 2004; and now **the citizens have their own opinion about the legislative term** that has ended. About this opinion, certain decisions taken by this Administration have left **a taste of perceivable debacle and retrogression** in certain areas that serve as a counterweight to Zapatero. In a certain way, facts have started outweighing image power.

Certainly, it is not a favorable course for Zapatero who needs to consolidate his power as Prime Minister. In fact, he has been urging voters in certain instances to give him "a majority" in the next elections. **Zapatero knows that in order to erase all doubts about his unexpected win in 2004, he must receive now a support big enough as to confirm his leadership position.** This will be difficult, seeing as currently, he most definitely cannot count on this kind of social endorsement.

Most likely, in his desire to gather forces, to increase support, and to most importantly, show "a more social face," the Socialist Party took steps forward in the negotiations with the UGT Union after requesting to have its own congressperson. According to Cándido Méndez, the Union would insist on laws and on debates affecting workers, although its representative will always be "one-hundred percent" Socialist. UGT's proposed candidate has been Manuel de la Rocha, UGT's current representative at the Economic and Social Council. At the same time, this negotiation shows the **excellent relations between the government and UGT now** - very different from the cold shoulder shown in previous years.

An added circumstance is the "prescient" sense of economic instability in the streets. In order to avoid that accusation before it takes place, the Administration has shifted the blame to citizens. Such move has evidently enraged them, because middle-class workers or homemakers are not responsible for controlling macroeconomic indicators. They simply delegate that responsibility to others. What can one say when the Prime Minister boasts of economic surplus, and simultaneously asks the population to change their traditional Christmas dinner habits and cook a rabbit instead? This raises more than one reasonable doubt about this Administration's efficiency.

For these and other reasons, the polls do not indicate a greater level of participation in favor of the Socialist Party at the end of the legislative term. It has obtained the opposite in **a clumsy attempt to generate efficiency and stability**. This is because they did it quickly and shabbily without thinking of the risks, and **based their actions solely on the ephemeral confidence Zapatero has of himself**.

If we evaluate the possible aspects of this wear-out, we do not think that the Socialist Party will lose in voter intent, because all the factors that could influence public opinion have already been around for some time. Unless an event of biblical proportions take place, this percentage will not diminish much. However, we do feel that the Government is worried about the **complex PP-PSOE statistical tie**.

The same tie viewed from the opposition side offers more possibilities than risks. The Popular Party is already in the opposition; it lost the previous elections, and now it is closing in near the party in charge of the government. PSOE is around three points ahead, but one must take into consideration that it receives greater news coverage, and being in charge always gives an extra boost to the estimates.

**The tie is somewhat advantageous for the Popular Party, since it means that in spite of being in the opposition - and in the anecdotal political activity during this**

**legislative term - the party has been able to reach the prelude of a possible electoral victory. Currently, it is possible for the Popular Party to win the election. This is also a consequence of this government's dispersion of policies during these years - much more than due to a good and calculated opposition job.**

In this case, **the Popular Party counts with strong voter cohesion** as well as with a clearer and transparent project. It talks the talk and walks the walk. A probably second mandate from Zapatero's opens a void regarding big issues such as Spain's foreign presence, Spanish leadership at the international level, its ability to reach agreements and how to negotiate in the face of European and national problems, to fight inflation, the debate on the future model of the state...

**As a way to take stock of this legislative term, one perceives the wear-out of the great centerpieces this government tried to affix as safety levers:**

- 1. The bet of negotiating with ETA had to be replaced by issuing a correction defending the war on terror policy.**

- 2. The unconditional support to the Socialist Party in Catalonia and its coalition partners has not helped much in spite of numerous economic and political concessions. Untimely protests and an atmosphere of confrontation have re-**

cently become commonplace compared to previous years.

3. **The agreement subscribed with the Catalan Tripartite has called into question the feeling of national solidarity** and real political attention to less advantaged regions in some cases, and in other cases to those communities belonging to different political persuasions (specially Madrid and Valencia.)

4. **The preferential treatment received by ANV and PCTV** during the last autonomic election campaign surrounded by the atmosphere of a great rights pact - to favor advancing the independence of Basque Country - has jeopardized the government discourse about Basque Country.

5. The attempt to advance towards a transition regarding the state model to a confederal formula has come to a real screeching halt due to ETA's renewed terrorist activity, and the redefinition of independentist axes in Basque Country and Catalonia. **The attempt to reinforce the party image as having**

**national character is incoherent with the project announced** during these years of accomplishing a second transition.

6. **The confidence generated by keeping a good economic situation has transformed into distrust** at the mercy of the latest macro-economic data and the government's pre-electoral commitments.

This schematic X-ray of political intentions and results clearly shows how **Zapatero's political planning - if such planning does exist - moves on the fringes of reality. This is his weakness.** His will to play politics and lack of success do not allow him to establish a continuous and stable path. A motivated Popular Party - playing its cards well and showing a daring discourse and real leadership - has a lot to gain from this. **We will see how all these strategies play with a common objective in mind: Winning the next elections.**