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Cover Page Footnote

This paper is part of Professor XXX ongoing research of State administration in Spain during the twentieth century, and of YYY ongoing investigation towards the completion of his dissertation on local Transition to democracy in Spain (case study Sevilla). A reduced draft was presented at the annual ASPHS conference, Lisbon 2011.

Difficult Years in the *Ayuntamientos*, 1969-1979.
The Transition to Democracy in Spanish Municipalities*

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Introduction

This article analyses the evolution of municipal life in the course of a crucial decade of Spanish history, the final years of Franco's dictatorship and the Transition to democracy. A substantial part of research on the Spanish Transition to democracy has focused thus far on the actions of 'central' actors: King Juan Carlos I, Torcuato Fernández Miranda, Adolfo Suárez, etc. In this dominant approach, the process of democratization took place in and from the geographical and political "center," Madrid, led by those central actors. In the aforesaid approach, the Transition is depicted as responding to decisions taken by those actors "from above." Different lines of research have studied other aspects of the period that have enriched and widened our knowledge of those crucial years, often with an approach focusing on actors "from below:" labor unions, university students, grass-roots movements, etc.

This paper concentrates on processes that took place away from Madrid, and by actors different from those in the political capital. The approach would thus be "from the periphery" or "from the margins" of the State, in local administration and institutions, as opposed to its geographical

*This paper is part of Professor Julio Ponce ongoing research of State administration in Spain during the twentieth century, and of Carlos Sánchez ongoing investigation towards the completion of his dissertation on local Transition to democracy in Spain (case study Sevilla). A reduced draft was presented at the annual ASPHS conference, Lisbon 2011.

and political “center” in Madrid. Municipalities are the administrative level closest to the people, at the same time, they are closely monitored and controlled by the government through the civil governors. In that sense, they are subject to pressures and demands from both “above”, or the “center”, and “below” or the “margins.” That makes the analysis of municipal life potentially useful for giving a better understanding of such a crucial period of Spanish history from a new angle.

The co-authors have tried to address a number of questions: How was municipal life articulated during Second Francoism? Why were municipal elections held and what role did they play? To what extent was local administration fully under control by the regime? What happened from the death of General Franco in 1975 to the democratic municipal elections of 1979? Evidence provided comes from archives, written press and secondary sources.

Agony and end of the regime (1969-1975)

Spain underwent enormous and profound economic transformations in its socioeconomic structures during Late or Second Francoism,¹ the so-called *desarrollo* years. The transformation of the economy preceded, and went in parallel to, sweeping social and cultural changes that characterized the late Franco regime. The majority of Spaniards -the silent or silenced majority-, had actively or passively accepted the dictatorship. Conservative values (order, social peace) became dominant after years of authoritarian rule. With modernization came new liberal values: justice, democracy, and liberty (with justice prevailing over the other two). This conservatism, enriched with liberal ingredients, suggested that political reform was the most adequate path to democracy from dictatorship. *Continuismo-ruptura-reforma* was the well-known triad of possible scenarios after Franco's death. The alternatives were too risky. Francoism without Franco, suicidal *continuismo*, was pointless in the face of social changes. Abrupt rupture with the past did not seem wise either in the light of the profound conservative slant of the *España neutra* that Antonio Maura spoke of at the beginning of the twentieth century.

Admiral Carrero Blanco formed a new cabinet as Vice President on October 29, 1969. One of the government's priorities was, initially, to enact a new law regulating local government as part of a wider battery of reforms.

¹ Nigel Townson ed., *España en cambio. El segundo franquismo: 1959-1975* (Madrid: Siglo XXI, 2009) excellent collective work addressing the major issues of the period. The editor's introduction sheds light on the period and on the historiographical debates that have risen around Second Francoism. The English edition was published earlier, *Spain Transformed: The Late Franco Dictatorship: 1959-1975* (Basingstoke: Palgrave MacMillan, 2007).

There was growing social pressure, but also dissenting voices from within the regime.² A draft of new local law was ready in 1971, and it was presented in Cortes late that year. It did not change corporative representation by *tercios*, (similar to representation in the *Cortes orgánicas*), a red line for the most radical sectors in the regime, but it did propitiate participation in municipal government through the *Ley de Asociaciones* of 1964. The draft was rejected in the *Cortes* in 1973; the reform of local administration was delayed once again.³

A week after Carrero's government took office in October 1969, Juan Fernández y Rodríguez-García del Busto became the major of Sevilla (November 6). He was a well-known and respected doctor in the city, but had no previous political or administrative experience. The biggest merit Fernández toted was allegedly his friendship with Carrero.⁴ His designation is an example of the way appointments were done in Franco's regime, particularly majors, considered mere governmental delegates in Spanish administration since the nineteenth century. Loyalty and subordination were expected and encouraged. Such arbitrary designations gave the regime no legitimacy, and did not reflect the changes in Spanish society.

During Fernández's inauguration as Major, civil governor Utrera de Molina said the following, somewhat intriguing, words:

*"Sevilla vive en nuestros días una instancia histórica singular. En su horizonte se señalan inequívocamente los signos de su transformación que ha de traducirse en un próximo futuro en una más justa integración social, en una más alta dignidad de la convivencia ciudadana, en un desarrollo más profundo de la participación popular, (...) y en un entendimiento responsable del sentido de la nueva libertad."*⁵

In reality, such terms were increasingly used by the regime's political personnel. For instance, in preparation for the 1966 municipal elections, the *Delegación Nacional de Provincias* oriented provincial *Movimiento* leaders as follows:

² Cirilo Martín-Retortillo González, *Ley de Régimen Local: Texto refundido de 1955: anotada y concordada* (Madrid: Aguilar, 1958); Fernando Albi, *La crisis del municipalismo* (Madrid: Instituto de Estudios de la Administración Local, 1966).

³ Luis Cosculluela Montaner and Enrique Orduña Rebollo, *Legislación sobre Administración Local: 1900-1975* (Madrid: Civitas, 1983), 696-792; Preliminary Note, XXII.

⁴ Carrero and his daughter Carmen (married to Mariano Borrero Hortal, President of the *Diputación* of Sevilla, from September 1971 to January 1978) had been patients of Fernández. Additionally, they were members of the same religious brotherhood in Sevilla. Antonio Fontán Meana, *El Ayuntamiento de Sevilla: desde la transición al cambio: La historia pequeña de una casa grande* (Sevilla: Graf. Salesiana, 1983), 19-20. Juan Fernández passed away as this article was drafted (July 29, 2011). He was 94 years old.

⁵ Archivo Municipal de Sevilla (AMS), Sección X (Actas del Ayuntamiento - Escribanía Única), Libro de Pleno 33 (November 6, 1969).

“La Jefatura Provincial del Movimiento orientará convenientemente una información de prensa y radio, discreta y eficaz, sobre las elecciones municipales. En esta información se utilizarán de forma conveniente los conceptos sobre libertad, representación auténtica, objetividad y adecuación política.”⁶

At the local level, Juan Fernández opened channels of participation,⁷ “representación auténtica,” with the *Alcaldes de barrio*, in keeping with Carrero's attempt to introduce reforms, and the new style, or mood, in the regime. In reality, the position dated back to the Bourbon reforms of the eighteenth century. Although very limited in their actual capacity, the *Alcaldes de barrio* seemed to hint at “aperturismo” and even at “política municipal... de signo democrático.”⁸

Designation of majors was one way of controlling municipal life. Municipal elections (held roughly every three years since 1948) were another such mechanism. They gave the impression of limited democratic life, but in reality kept local government closely monitored.

Elections, at least a façade thereof, had become a necessity for the regime due to external and internal factors. Similarly, the regime updated its political discourse to include terms and concepts that hinted at democracy and democratization. The elections of November 1970 and 1973 included the innovations of the 1966 *Ley Orgánica del Estado* in electoral law: the vote for married women, and regulation of electoral campaigns (*Decreto de 12 de septiembre de 1970*). Voting was mandatory, following the Maura Electoral Law of 1907, but that did not prevent low participation in elections during Second Francoism.

With municipal elections, the *Movimiento* was able to recruit loyal personnel that could guarantee the regime's continuity. The local track of political posts was part of the *Cursus honorum* in Francoism, which offered the possibility of moving up in the pyramid to higher appointments. Loyalty was the most appreciated merit. The elections were also wielded by the regime as evidence of “organic democracy,” which presented Spain as a nation with her own particularities evolving towards a *pseudo democracy*. Instead of political parties, organic democracy used family, labor unions, cultural and economic entities, and municipalities as mechanisms of representation.

⁶ Cit. in Roque Moreno Fonseret, “Las elecciones del tercio familiar en el régimen franquista,” 142, ed. Roque Moreno Fonseret, *Plebiscitos y elecciones en las dictaduras del Sur de Europa*, (Alicante: Ed. Marfil, 2003), 135-162.

⁷ Special thanks to Nigel Townson for bringing the question of ‘channels of participation’ to the attention of the co-authors in the course of the ASPHS conference in Lisbon.

⁸ Those were the terms used by councillor Cayetano Domínguez Delgado in a *Pleno* meeting when referring to the *Alcaldes de barrio*. AMS, Secc. X, Pleno 38 (January 21, 1972).

Elections were controlled by very complex machinery equipped with the necessary ideological filters for the selection of candidates. The candidates had very limited room for maneuver once they went through the process of indirect designation.

Municipal elections in Francoism were marked by the world view of an authoritarian and centralizing regime. The dictatorship rejected *la política*, politics, as the source of all evil. *Concejales* (councilors) liked to convey an image of themselves as municipal administrators, rather than political personnel. Official propaganda delivered the same message in each election, by blaming the bad administration of municipalities on politics and presenting the regime as the only remedy for those problems. The attempt to bury or discredit politics was doomed from the start. Taking part in elections meant participating in the only authorized politics -that of the *Movimiento*-, and the acceptance of the regime, or to profess loyalty to Franco.⁹

The *Jefatura Provincial del Movimiento* was in charge of the preparation, as well as of the political orientation, and development of the elections, coordinated with the *Delegación Nacional de Provincias*. In turn, the *Delegación* transmitted political direction from the *Secretaría General del Movimiento*, and administrative instructions from the *Dirección General de la Administración Local* of the Ministry of the Interior. Other key instruments in controlling the process from above were the criteria for the selection of candidates and, if needed, the manipulation of electoral results.¹⁰

The 1970 elections in Sevilla yielded interesting results. In the *tercio familiar*, the most "representative" of the three, four *concejales* had to be renewed. For the four seats in that *tercio* there were a total of sixteen candidates. The *gobernador civil* had a thorough and detailed control of the whole process. He received reports from the Police on each candidate, with information on the social and economic background, profession, and political affiliation: ranging from "*totalmente afecto*" to "*desafecto*" and "*independiente*" or even "*oposición*."¹¹ Of the sixteen candidates, four were

⁹ Jesús María Palomares Ibáñez, "Las elecciones de la democracia orgánica: El Ayuntamiento de Valladolid (1951-1971)," *Investigaciones Históricas* 25 (2005): 211-261. For Valladolid's municipal life during late Francoism and Transition see also David Encinas Rodríguez, *El Ayuntamiento de Valladolid en la Transición (1973-1987). Política y gestión* (PhD diss., University of Valladolid, 2008), 115-133. And by the same author, "El final del régimen franquista y los ayuntamientos: El colapso legal y la difícil convivencia con la democracia del consistorio vallisoletano con la democracia," *La Transición a la Democracia en España. Historia y Fuentes Documentales. Actas de las VI Jornadas de Castilla-La Mancha de Investigación en Archivos*, Sergio Argul et al., (Guadalajara: Anabad Castilla-La Mancha y Asociación de Amigos del Archivo Histórico Provincial de Guadalajara, 2004).

¹⁰ Carmen R. García Ruiz, *Franquismo y transición en Málaga: 1962-1979* (Málaga: Universidad de Málaga, 1999), 64-65.

¹¹ Archivo de la Delegación del Gobierno en Sevilla (ADGS), sección Administración Local, Legajo 337.

considered "*oposición*" by the Chief of Police, in collusion with Alejandro Rojas Marcos.¹² Nevertheless, two of the candidates labeled as "*oposición*" won representation and became members of the city council.¹³ The case of the 1970 election in Sevilla illustrates how local elections were controlled by the regime. Although two "opposition" candidates made it into the city council, there were the other two from the same *tercio*, in addition to those elected through the other *tercios*. The ultimate composition of the municipal house (twenty-one members that year) left the opposition in a clear minority that could easily be kept at bay. Thus, the regime had no need to manipulate the election, at least not always. There were sufficient legal mechanisms to effectively control local administration, without resorting to blunt manipulation of results. It could even allow for the presence of a visible, and sometimes loud, opposition.

Marcelino Molina, a communist militant, was appointed town councilor in Lorca (Murcia) in 1971. Prior to that he became an *enlace sindical* (union steward) and later on president of the Official Section of the Textile Branch in the regime's Vertical Union, which put him in a position to become a candidate, and win a seat in Lorca's City Council, through the *tercio sindical*. His term ran until 1975, but when Franco died elections to renew *concejales* were postponed, so he stayed in office. In the first democratic local elections of 1979 he was elected with the PCE. Molina was councilor for a total of sixteen years. His testimony as protagonist in municipal life provides valuable information on the years of Transition.¹⁴ Marcelino Molina witnessed the disenchantment of the last Francoists who, according to him, considered resigning after the dictator's death. Fernando Rodríguez Ocaña, a steel worker in Barcelona, was less fortunate. He won a municipal seat in Barcelona in

¹² Elected through the *tercio familiar* in 1967, he resigned the following year denouncing the regime's democratic shortcomings. Rojas Marcos was active in the opposition to the dictatorship in Sevilla. José Santotoribio Sumariba, *Sevilla en la vida municipal: 1920-1991* (Sevilla: Guibusur e Impresión, 1994), 406-409. Eventually, he was elected mayor of the city 1991-1995. In 1968 Rojas Marcos was substituted as councilor by Ginés López-Cirera, who remained in the corporation until the 1979 democratic municipal elections. That year he was appointed *Director General de Juventud* by Manuel Clavero, Minister of Culture in the UCD cabinet. López-Cirera remained in the Ministry until 1980, when he abandoned political life.

¹³ Cayetano Domínguez Delgado received the largest support in the *tercio familiar* in Sevilla that year, almost 12,000 votes. The turnout was, nevertheless, very low: 22.23% in the *tercio familiar*. ADGS, Admón. Local, Leg. 341. The province of Sevilla had one of the lowest participation percentages in the local elections held during Second Francoism, well under the national average. In 1970, 27.25%, as compared to the national average of 45.55%. Moreno Fonseret, *op. cit.*, 154-155.

¹⁴ Encarna Nicolás Marín, "<<La Transición se hizo en los pueblos>>". La vida política en Murcia (1968-1977)," coord. Rafael Quirosa-Cheyrouze y Muñoz, *Historia de la Transición en España: Los inicios del proceso democratizador* (Madrid: Biblioteca Nueva, 2007), 256-266. Marcelino Molina's testimony in Encarna Nicolás Marín and Alicia Alted Vigil, *Disidencias en el franquismo (1939-1975)* (Murcia: Diego Marín, 1999), 156-161.

1973 through the *tercio familiar* thanks to the support of grass-roots associations, but his victory was annulled by the *Junta Municipal del Censo*.¹⁵

The situation after the 1973 elections in Pamplona was more complicated. As María del Mar Larraza Micheltorena shows, in the *tercio familiar* all four seats at stake were won by the opposition, known as "*sociales*" at the time in Pamplona. Nevertheless, the regime, through governor José Luis Ruiz de Gordo, retained control of the two other *tercios*. The situation became even more complicated when the results of elections in those other *tercios*, *tercio de entidades* and *tercio sindical*, were contested. Thus, city council continued with its activities, but with a judicial decision pending for several of its members.¹⁶

Carrero became President in 1973, and Carlos Arias Navarro minister of the Interior in the new cabinet. After Carrero's assassination late that year, Arias became President. The new President of the executive announced restricted liberalizing plans on various fronts beginning February 12, 1974. During his famous speech at the *Cortes*, 'Spirit of February 12' as the initiative

¹⁵ Saturnino Carrasco Ramírez and Carlos Hermida Revillas, "Las elecciones municipales de 1966, en Madrid," *Tiempo de Historia* 42 (1978): 58-67.

¹⁶ Municipal life in Pamplona was marked since the 1950's by a struggle between "*carlistas colaboracionistas y opuestos al régimen, junto a falangistas*". The "*sociales*" entered the scene in the 1960's. María del Mar Larraza Micheltorena, "El ayuntamiento pamplonés en el tardofranquismo," *Actas del Congreso la Transición de la dictadura franquista a la democracia*, (Barcelona: CEFID-UAB, 2005), 68-79. Further studies on local and municipal life during Francoism and Transition: Juan Carlos Colomer Rubio, "<<Razones personales>> Una crisis municipal y política en el franquismo," *X Congreso de la Asociación de Historia Contemporánea* (Santander, 2010); by the same author, "<<Entre la vida y la muerte>>. El Ayuntamiento de Valencia en el tardofranquismo (1969-1979)," *III Congreso Internacional de Historia de Nuestro Tiempo*, (La Rioja, 2010); Mónica Fernández Amador, "Las elecciones municipales del tardofranquismo en Almería: ¿representatividad o ficción?," eds. Carlos Navajas Zubeldia and Diego Iturriaga Barco, *Crisis, dictaduras, democracia. Actas del I Congreso Internacional de Historia de Nuestro Tiempo* (Logroño: Universidad de La Rioja, 2008), 267-278; Fernando López Agudín, "Los ayuntamientos de la transición," *Tiempo de Historia* 72, (1980): 64-73. Martí Marín i Corbera, "Franquismo y poder local. La puesta en marcha de la democracia orgánica municipal en la Cataluña urbana, 1945-1957," ed. Javier Tusell, *Congreso Internacional "El Régimen de Franco (1936-1975). Política y Relaciones Exteriores"* (Madrid: UNED, 1993), vol. 1, 569-579; by the same author, *Política i administració local durant el franquisme. Els ajuntaments a la Catalunya urbana entre 1938 i 1979* (Barcelona: Bellaterra UAB, 1994); Óscar Martín García, *Albacete en transición: el Ayuntamiento y el cambio político, 1970-1979* (Albacete: Instituto de Estudios Albacetenses "Don Juan Manuel" de la Diputación de Albacete, 2006); M^a Carmen Martínez Hernández, "Fin del régimen franquista e inicio de la transición en la Diputación de Córdoba: 1972-1979," *La Transición a la Democracia en España. Historia y Fuentes Documentales. Actas de las VI Jornadas de Castilla-La Mancha de Investigación en Archivo* (Guadalajara: Anabad Castilla-La Mancha y Asociación de Amigos del Archivo Histórico Provincial de Guadalajara, 2004); coord. Julio Ponce Alberca et al., *Guerra, franquismo y transición. Los gobernadores civiles en Andalucía (1936-1979)* (Sevilla: Centro de Estudios Andaluces, 2008).

came to be known, Arias expressed the intention of opening up local administration as one of his main concerns:

*"El nuevo proyecto, que atribuirá a alcaldes y presidentes de la Diputación carácter electivo, responde al afán de contemplar como un todo coherente, el conjunto de los problemas de la vida local desde sus aspectos específicamente políticos a los financieros, burocráticos y funcionales, en consonancia con el relieve que el Gobierno atribuye a las entidades locales."*¹⁷

The liberalizing intentions of the Spirit were rather short lived in regards to local government, as will be clear in the following section.

The Shadows of Dictatorship beyond Franco's death

On November 19 1975 a new law was passed, the *Ley de Bases del Estatuto de Régimen Local* (LBERL). It tried to reform local administration, to adapt *ayuntamientos* and *diputaciones* to the context of a modernized Spain. Earlier attempts had failed, Spanish local administration remained essentially unchanged since Maura. The new project came too late, general Franco died the next day after almost forty years as Head of State. The new law would have a short period of application, due to the rapidly changing context. Francoism could not continue without Franco, Europe's last dictator this side of the Iron Curtain after the ongoing transformations in the other Southern European dictatorships (Greece, Portugal). As during Franco's dictatorship, change and adaptation would be a response to the changing foreign and domestic environments.

Carlos Arias Navarro was a bridge between Franco's last government and the first government of Juan Carlos I's monarchy. His attempted reforms were unsuccessful and incompatible with Francoism. The LBERL is a good case study of the failed reform program of Arias. Local elections were decreed for December 5,¹⁸ a few days after the proclamation of Juan Carlos as head of state. That Decree was a consequence of the recent LBERL and called for the election of presidents of *Diputación*, island *Cabildos* and of majors within four months. In spite of the complicated moment, Arias decided to maintain the election but increasing the control measures that the Law already included. The election was to be indirect, and scarcely representative: the vote would be held within the different corporations in order to elect their leadership. The Spanish people were still unable to choose their local representatives. The initial dates were January 11 and 18 of 1976 for the elections of *Diputación*

¹⁷ ABC, February 13, 1975.

¹⁸ Less than a month later the date was modified by another decree (3411/1975 de 26 de diciembre). BOE, December 10, 1975; BOE December 27, 1975.

presidents and majors, respectively. The dates were later moved to January 18 and 26 in order to have more time to prepare the election.

The decision was not universally acclaimed within the ranks of the political establishment. A group of majors in Catalonia sent a letter written in Catalan to the President of the Executive, Carlos Arias Navarro, and to his Minister of the Interior, Manuel Fraga Iribarne. In their letter, the majors said that the elections were “*un grave obstáculo a la aspiración del pueblo de Cataluña de conseguir rápidamente, por fin, una Administración absolutamente representativa en el marco de un régimen democrático*” and that “*solamente la libre elección por sufragio universal de la totalidad de concejales y diputados será la prueba de que estamos superando un sistema que nos aleja de la Europa democrática.*” A few days later, another group of Catalan *concejales* sent a communiqué to the media showing their disappointment with the Government’s decision to hold the election under those conditions.¹⁹

At stake were all the *Diputación* presidencies (except for Navarre in the north), all the presidents of the Canarian *Cabildos*, all the majors in provincial capitals and in cities of more than 100,000 inhabitants (except for Madrid and Barcelona, due to their special legal status), and half of the majors in each province, starting with those longest in office. There were very strict requisites for candidates: to be, or to have been, *Diputación* president, or provincial deputy; major, or councilor; or to be backed by one percent of the census for majors (0.5% for *Diputación* presidents). Needless to say, collecting the required signatures in such a short period of time was a serious obstacle and, even more so, to be proposed as candidate by one of the recent political associations included in the Decree 1970/1975 of August 26. To top it off, provincial governors kept ample powers to control the *correct* development of the process.

After almost three decades of closely-controlled local elections, the election of early 1976 did not give rise to great expectations nor did they inspire much enthusiasm. Spanish people were more concerned about the general political situation, after the dictator's death, than about an electoral process that was neither innovative nor representative. The mood was not better in local corporations. Many understood that things would change sooner or later, therefore elected candidates would be in a very precarious situation. Results were eloquent. Elections were held in only 18 *Diputaciones* (provincial councils), in the other 26 there were no candidates so those that were previously in office stayed in their positions. Of 18 *Diputación*

¹⁹ *ABC-Sevilla*; December 18, 1975; and *ABC*, January 8, 1976. Cit. in Rafael Quirosa-Cheyrouze y Muñoz and Mónica Fernández Amador, *Poder local y Transición a la democracia en España* (Granada: CEMCI, 2010), 86-87. This recently published book is an excellent introduction to Spanish local administration from Francoism to the municipal elections of 1979.

presidents, 10 were reelected, and only eight provinces elected new presidents. As for the 4,523 majorships that were elected, most remained stable; there was limited changes in municipalities of more than 100,000 inhabitants. Thus, 39 majors remained for another term, and only 19 were newly designated by the government (and only five of those were not part of city councils).²⁰ Political demobilization was eloquent.

The failure is further illustrated with the new local election held on February 20 to fill local seats that remained vacant. This phenomenon is also exemplified with Law 7/1976. Enacted on March 11, this legislation entailed a reform of LBERL shortly after its enactment and established, once again, a new period to elect majors and presidents of *Diputaciones*. Arias' government was completely disoriented in local policy. It was unable to set an adequate pace for reforms, it did not believe in those reforms, and convinced no one of the reforms' goals.

The elections of 1976 in Andalusia were held in mixed atmosphere of popular indifference and uncertainty amongst the local authorities. Candidates carefully analyzed the possible political scenarios for the near future. For most, the best option was to be well positioned for the upcoming changes. For others, caution seemed to advise remaining outside of the spotlight until the situation cleared. There were also young and idealist candidates that tried to set up *gestoras* -executive/consultive committees with members of the opposition forces and local authorities- as bridges between the old and the new system in the making. Many Andalusian majors had been in office for decades: in Cantillana, Jesús Pérez Pueyo had been a major since March 1950; in Paradas, José Gómez Salvago, since October 1953; in Niebla, Manuel Molina García, since October 1956; and in Lepe, César Barrios Balboa, since January 1957.

Some of the veteran majors were worn out by fatigue, and declined the offer to run for reelection. But many decided to stay, particularly in provincial capitals. In Sevilla, Fernando Parias, after becoming major in June 1975, competed with four other candidates, including a woman, Adelaida González Vargas,²¹ and two candidates linked to ASA-PSOE (one of them being, once again, Cayetano Domínguez Delgado). Parias was reelected and stayed in office until early 1978. In Málaga, Cayetano Utrera Ravassa, who had been the major since 1970, was reelected and resigned in 1977. Utrera was succeeded by Luis Francisco Merino Bayona, who remained as major until 1979. Merino was elected for the regional parliament in 1982 with UCD.

²⁰ Enrique Orduña Rebollo, *Municipios y provincias: historia de la organización territorial española* (Madrid: INAP-Centro de Estudios Constitucionales, 2003), 617-618.

²¹ As a municipal civil servant, González Vargas could not be candidate according to the article 3 of the *Decreto 3230/1975*. Nevertheless, she ran for Major with the support of the *Movimiento*.

The reelection of Jerónimo Almagro, major of Cádiz since 1969, seemed certain. But, against all odds, Emilio Beltrami López-Linares was elected instead. He was a lawyer and, as councilor, part of Almagro's team. In Rota, also in the province of Cádiz, Felipe Benítez Ruiz-Mateos had been elected *concejal* in 1967 and was elected Major in 1976. He stayed in the municipal government after 1979.²² Major Antonio Alarcón Constant of Córdoba was reelected after the second leg against Antonio Cruz Conde, former major and also former president of the *Diputación*. José Dorado Alé ran for major in the town of Utrera, and was elected after 1979, running for the Socialist Party. Antonio Navarro Pérez was major in Olivares beginning in 1965, and was reelected in 1979.

The elections of 1976 were not a solution for the problems that local entities faced. Many recently elected majors understood that their time in office would be brief. Nevertheless, they worked hard for their cities: Parias defended the metro project in Sevilla, and major Beltrami struggled to abolish the toll over the bay bridge in Cádiz. It was clear that the measures undertaken by president Arias did not lead the way towards democracy. Arias was challenged by voices from the illegal opposition, but also by voices within the regime. Evidence of dissent within the regime is found in Manuel Fraga's *Libro Blanco para la Reforma Democrática*, published also in 1976 by GODSA (promoted by Fraga). Fraga's White Paper called for a total renewal of municipal governments through democratic elections, where all adults of age should vote and be eligible as candidates.²³ Few believed that organic democracy and elections through *tercios* could last much longer.

The regional question appeared in this context of new concerns and demands, particularly in Catalonia or in the Basque provinces. But there were also demands in Andalusia, where actors within the regime called for the creation of a regional entity following what the LBERL stated.²⁴ This is how the *Comisión Promotora del Ente Regional para Andalucía* was organized in March 1976, headed by the presidents of the Andalusian *Diputaciones*. Their aspirations were clear beginning with their first public statement: a depoliticized regional government, which would manage an adequate administrative decentralization, built from the joint action of the Andalusian provinces, which they wanted to be compatible with the unity of the Nation. In their own words:

²² He was *Teniente de Alcalde* until 1983, when he also became *diputado provincial*. Finally, he was democratically elected major in 1987; and re-elected in the 1991 and 1995 local elections.

²³ Guillermo Márquez Cruz, "Transición y normalización del sistema político local en España," Carlos R. Alaba and Francisco J. Vanaclocha, *El sistema político local: un nuevo escenario de gobierno* (Madrid: Universidad Carlos III-BOE, 1997), 165.

²⁴ Along the same lines, study commissions were requested in Galicia, Valencia and Murcia to introduce 'special regimes' (*comisiones de estudio para la implantación de regímenes especiales*).

“La unidad de España solo se fortalecerá con un equilibrado desarrollo de todas sus regiones, y sobre ellas, la Patria común, siendo condición indispensable para su logro, un sentido y una acción de eficaz solidaridad entre todas sus tierras y regiones.

La provincia, aunque sea división administrativa relativamente reciente, ha calado en el pueblo y tiene sus raíces en el mismo, por lo que es realidad que hay que tener en cuenta en toda política, y más aún si esta es de carácter regional.

Pretendemos, por tanto, el desarrollo de Andalucía como un conjunto de sus ocho provincias en igualdad de rango.

No es nuestra intención, con la Mancomunidad de Diputaciones inmediata, ni con el Ente regional posible, amparar idearios ni partidos políticos determinados, sino crear un instrumento apto e idóneo para hacer eficaz el desarrollo de Andalucía. Necesitamos una verdadera descentralización para esta eficacia.”²⁵

The growing isolation of Arias and his heterogeneous cabinet, in a context which required high doses of caution and boldness, precipitated the president's resignation and his replacement by Adolfo Suárez in July 1976. Suárez represented in appearance continuity rather than rupture, but soon enough that proved not to be the case. Torcuato Fernández-Miranda was one of the main actors in the process that led to the designation of Suárez. The meaning of the operation is summarized in his own, well-known, words: *“Estoy en condiciones de ofrecer al rey lo que me ha pedido.”²⁶*

President Suárez had no easy task in the selection of ministers. He tried to satisfy the different regime families, and introduced new figures that would play significant roles in the Transition. Of particular interest for this study was Rodolfo Martín Villa. He held the *Gobernación* portfolio (later known as Interior) until September 1980. His responsibilities were particularly complicated during those years (strikes, demonstrations, terrorism, etc.). Additionally, Martín Villa was also responsible for matters related to municipalities and provincial councils, through the control that civil governors exercised over local institutions. Paradoxical as it may seem, Francoist centralism ruling over municipalities and provincial councils would guarantee local stability during the process of democratic Transition. In fact, the

²⁵ "Declaración de la Comisión Promotora del Ente Regional," *Comisión Coordinadora de las Diputaciones Andaluzas: Documentos para la Historia de Andalucía* (Córdoba: Imprenta San Pablo, 1978).

²⁶ Josep M. Colomer, *El arte de la manipulación política* (Barcelona: Anagrama, 1990), 50-61. Also Pilar and Alfonso Fernández-Miranda, *Lo que el rey me ha pedido. Torcuato Fernández-Miranda y la reforma política* (Barcelona: Plaza y Janés, 1995), particularly 202-214.

Transition delayed the renewal of local corporations. More often described as a Transition carried out from above, local demands were not top priorities in the political agenda: reforms, legalization of political parties, *Cortes constituyentes*, and the drafting of the Constitution. The *ayuntamientos* had to wait a few years to hold their first democratic elections. The delay was due to two main reasons: the experience of 1931 (municipal elections and ensuing regime change); and the limited presence at the local level of the recently legalized political parties (which had also been a problem during the Second Republic, for the left and the right). Consequently, the path chosen was to avoid risks and, at the same time, to encourage sufficient local presence of the national parties as a way of *nationalizing* local elections.

Thus, municipal and provincial corporations inherited from Francoism coexisted until April 1979 with a fast-changing environment headed for democratization. Oddly enough, that was possible thanks to the survival of the Francoist model of local administration: local entities were closely monitored and controlled by civil governors, who were responsible for the enforcement of the regime's agenda in every single municipality. The difference was that governors were appointed then by an executive pushing for political reform. The top local authorities were in charge of maintaining order and of simultaneously dealing with the possible resistance coming from local political elites against reform. Martín Villa rightfully stressed the importance of such governors as Fernández Madrid (Sevilla), or Enrique Riverola (Málaga), defining them as “*pieza fundamental del proceso democrático del país*” and “*auténticos administradores de las libertades en el ámbito provincial cuando esta administración era ciertamente más comprometida y compleja.*”²⁷

Once in the Ministry, Martín Villa focused on two objectives --aside from those pertaining to public order-- determined by the action of Suárez's first government. First, to ensure the success of the referendum for political reform; second, to maintain the existing local corporations until municipal elections were held. Those two lines of work overlapped during the second half of 1976.

The referendum was crucial for the political system and for the country as a whole, so the government prepared it with great detail, respecting all due formalities. Several factors played in favor of the government: the inertia of an electorate -passively or actively- accustomed to accepting official slogans; the limitations of an opposition still weak in numbers; the support of a Head of State inherited from the previous regime; the control over the media; and the support of many representatives of political Francoism, who believed that a controlled evolution of the system after the death of Franco was the best

²⁷ Rodolfo Martín Villa, *Al servicio del Estado*, (Barcelona: Planeta, 1984), 131-132.

possible scenario. Rodolfo Martín Villa has recognized their key role in preparing the referendum:

“... se puso al rojo la red política con la que el gobierno contaba y que todavía no tenía una estructura de partido. Los gobernadores civiles fueron los encargados de coordinar el gran esfuerzo a nivel provincial.

Y he de decir en justicia que buena parte del franquismo político, cuyos máximos representantes ya habían aportado su contribución a la reforma al aprobar la ley de la misma, se volcó para asegurar el éxito del referéndum, aspecto éste que no ha tenido nunca la debida atención, ni por supuesto valoración, pero que entiendo constituye un hecho relevante y, lo que todavía reviste mayor importancia, decididamente significativo.”²⁸

Undoubtedly, civil governors were crucial in spreading messages in favor of political reform. They were the symbols of reform in the provinces, facing the (more or less clandestine) opposition amplified in grass-roots movements of neighborhood, family and homemaker associations, and also facing local corporations inherited from the dictatorship. Provincial deputies, municipal council members, majors and presidents of Provincial Councils remained, in general, subordinate to the government and his representatives, regardless of their opinions. That meant that local corporations would not interfere with the reform process, nothing less.

In Andalusia, the network of governors also worked to ensure the *adequate* result in the referendum. The case of Málaga has been well studied by Carmen García Ruiz. She shows how the governor intervened in the whole process, presiding over the Provincial Referendum Commission, and even designating the members of polling stations. Public order was preserved, particularly to neutralize voices against the referendum. The electorate was influenced through information control, and the governor rallied most of the local authorities (President of the *Diputación*, majors) in favor of political reform.²⁹

In addition to the network of governors, Martín Villa (and with him, the full government) used other strategies such as the company Ageurop Ibérica, which had provided services in information control since 1973. Members were people such as Jesús Aparicio (Executive Vice-President of Entel Ibermática, an affiliate of Telefónica in charge of processing data from all the elections and referenda since 1976); people that had already intervened in the preparations for the 1966 referendum -as collaborators and officials of Francoism-, and were now using the old methods with a new purpose: the political reform that would lead to democracy.³⁰ Martín Villa and others close

²⁸ Martín Villa, *op.cit.*, 71.

²⁹ García Ruiz, *op.cit.*, 253-259.

³⁰ Manuel Durán, *Martín Villa*, (Donostia: Hórdago, 1979), 83-93.

to him were associated with this company that worked hard for the "yes" in the referendum. Significant sectors of the previous regime understood and shared the new direction that the period was taking. The general context called for it: the demands for change in the opposition were known, and it was necessary to come to terms with them (in fact, Suárez had already met with Felipe González in August 1976); democratization was progressing in Southern Europe (Greece, Portugal) with the support of the main powers (especially the United States). That general context considered, it seemed opportune to bring about political change through the initiative of the most modernized sectors of Francoism.

Similar conclusions are to be extracted from the words of Santos Juliá:

*“La actitud favorable a la democracia, pero temerosa de una quiebra de la paz social, explica que obtuviera un rápido y masivo apoyo popular la propuesta de una Ley para la Reforma Política procedente del sector de las fuerzas del régimen que se desprendió del franquismo después de la muerte de Franco.”*³¹

Thus, the results and the voter turnout of the 1976 referendum in Andalusia are easier to understand. Those results were not determined by the intervention of the government alone. The alternatives, rupture and continuity, were not viable either. Doubts regarding the perpetuation of Francoism were more than evident: Carlos Arias Navarro was certainly not Franco even for the staunchest Francoists. Nor could any of the figures entrenched in the so called *búnker* replace the dictator. The only feasible solution was a reform activated from within the system itself to cope with the new scenario and to address the growing demands of a society which was more complex than in 1939. Spanish society had evolved, and with it the regime. There was a new generation reaching positions of responsibility at different levels. A generation that had not fought or experienced the war, and that was looking into the future more than into the past. A new generation that was aware of the fast changing world, who travelled, studied and worked abroad, and that wanted to take part in those international transformations.

Sectors of the regime accepted the path of reform as a way of addressing the demands of the Spanish people, but reform was also an answer to the foreign environment. With the fall of the Portuguese and Greek dictatorships, Franco's regime in Spain became an anachronism. But the commitment to reform found within significant sectors of Francoism was also considered unavoidable in order to dismantle a wide battery of clichés which informed the international image of the country. A modernized economy and society did not take well to that image. Ironically, wide fractions of the regime

³¹ José Carlos Mainer and Santos Juliá, *El aprendizaje de la libertad, 1973-1986. La cultura de la transición* (Madrid: Alianza, 2000), 44.

and of Spanish society in general resented the “*España es diferente*” depiction that was widely assumed by international actors. The slogan that the regime had successfully used to promote its burgeoning tourism industry had led to an unacceptable international image of the country. Political reform was a way of creating a new and different image of modernity.³²

Once political reform was backed by the referendum, the priority was the legalization of political parties and holding general elections. Martín Villa and his ministry also played a leading role in this issue. The memory of 1931 was still present, so holding local elections was not considered an option yet. Local elections in 1977 could lead to a victory of the old political leadership from the *Movimiento* in small municipalities, since many parties were still weak organizations unable to present candidates at the local level across the country. On the other hand, a possible victory of the left in large cities could derail the reform process. Neither option seemed desirable for Suárez's government. Reforms would be piloted from above, responding to pressure from below; and, for the time being, a Constitutional Assembly with legalized parties seemed the sensible and advisable scenario. The *Real Decreto Ley 17/1976* of October 8 postponed local elections until after general elections were held.

The elections of June 1977 produced the map of a very limited and imperfect two-party system between UCD and PSOE. In addition to other democratizing reforms, the biggest concern was to draft and approve a constitution. Local administration and institutions could be altered by the new Constitution, so the renewal of municipalities and provincial councils was postponed once again to deal with other priorities. Electoral law remained undefined. The general elections were regulated by *Real Decreto Ley 20/1977* on March 18, but a more precise norm would be necessary for the local elections, such as the *Ley 39/1978*, which was drafted into law on July 17. The different left-wing organizations did not share this view, and pressed municipalities hard through grass-roots movements. Nevertheless, the left was also uncertain about local elections since it could not provide the large number of candidates necessary for such an election. Municipalities and provincial councils would therefore remain under corporations inherited from Francoism for the time being.

Martín Villa was aware of the difficulties that municipalities and provincial councils were facing, evident in the lack of enthusiasm during the 1976 elections. Members of local corporations were aware that, beginning in 1976, their periods in office would be brief. Further problems included lack of

³² Tom Buchanan, “¿Hasta qué punto era “diferente” España? El segundo franquismo en el contexto internacional,” Townson, *op. cit.*, 71-86. Sasha D. Pack, “Turismo y cambio político en la España de Franco,” *ibid.*, 23-47.

resources, lack of autonomy, and exposure to growing criticism from the citizens. In Martín Villa's own words:

*“Las tensiones que se producían, como ocurría en el franquismo con todas las instituciones políticas que tenían un contacto directo con el pueblo, tuvieron sobre ellas un serio reflejo desde hora muy temprana. En los territorios de nuestra geografía más sensibles desde el punto de vista político, la izquierda, singularmente la comunista, había organizado un potente movimiento vecinal que, a través de sus asociaciones, actuaba casi como un ayuntamiento paralelo en el que se planteaban los temas municipales y otros que no lo eran tanto.”*³³

Regarding the lack of resources, LBERL had clearly not solved the financial difficulties of local government. In spite of the rhetoric, even the regime was aware of the very limited benefits of the new law. In the *Memoria de Haciendas Locales* for 1976, the provincial chief of the *Movimiento* in Toledo wrote about the financial situation in his province:

*"Resulta evidente que con esta fórmula se ha paliado, en principio, el agudo desfase que se estaba produciendo, pero en tan escasa medida, que esto ha sido a costa de seguir constriñéndose a las más elementales previsiones, y aún dentro de esta austera consideración, bajo la amenaza de que el constante aumento del coste de los distintos servicios pueda producir verdaderos desfases en el momento de la liquidación del ejercicio económico.”*³⁴

This report illustrates the limits of the new law in a context of tremendous changes. According to the law, municipalities had to provide and finance significant services: schooling, health, water and power supply, transportation, street lighting, etc. With the spectacular expansion of urbanization, and the growth of urban population, poorly-funded municipalities could not provide those services and were increasingly pressured by residents to attempt to. It could be argued that poor funding, particularly of large cities, was another way of keeping local authorities closely under control. This is a precarious financial situation that prevailed throughout Franco's dictatorship, and which is still evident today.

The Minister and the provincial governors doubled their efforts to prevent a withdrawal en masse from municipal and provincial corporations, as a wave of resignations could have led to instability. Regardless, Martín Villa

³³ Martín Villa, op. cit., 200. For the tensions and difficulties of municipal life in Málaga, see: García Ruiz, op.cit., 262 and following.

³⁴ From 1975 to 1976, ordinary budgets were increased in Toledo 27.98% for the *Diputación* of that province, and 28.65% for the *municipios*, as compared to 32% and 30%, respectively, in 1975 in comparison to 1974. Archivo General de la Administración (AGA), Sección de Interior, caja 58/1118.

laid down three key objectives in the short and medium term: to rationalize the complicated financial situation in many municipalities; to preserve the continuity of corporations until local elections were held; and, lastly, to consolidate the role of municipalities and provincial councils in the new territorial organization of the state, the *Estado de las Autonomías*.

For the first objective, Martín Villa had the support and collaboration of several majors, such as Luis Merino (Málaga), who eventually joined UCD. Municipal deficits were reduced with generalized loans from the *Banco de Crédito Local*. The loans continued until 1981, helping fund some initiatives of outgoing majors and, especially, of the incoming corporations after the 1979 local elections. As for the second objective, corporations were preserved, often rewarding majors and provincial council members with presence in UCD electoral lists. That way, Suárez's party was able to present some 8,000 lists for the local elections, with a total of 80,000 candidates. Once again, the cooperation of governors was crucial in this regard. As for the last objective, Martín Villa intervened in the constitutional draft and designed a *proyecto de ley de bases de régimen local* (a law regulating the financial aspects of local government), which was approved by the government in April 1981. It did not get through the legislative due to the crisis of UCD and the socialist victory of 1982.³⁵

Up until 1979, municipal corporations in the capitals and main cities underwent similar difficulties across Spain. In general, they showed a great deal of responsibility by staying in office in the midst of growing political solitude, under the pressure and criticism -not always justified- from grass-roots movements. These movements, in turn, were often more driven by political interests than actual desires to improve the living conditions of residents. There were, nevertheless, resignations and replacements of majors, such as Cayetano Utrera in Málaga, or José María Suárez (brother of Fernando Suárez, former Minister of Labor) of León, and the corporation in full in Cartagena. Fernando Parias resigned in Sevilla as well.

During his last intervention in the city council, Parias said that there were two main motivations for his resignation after two and half years as major: Disagreement with the Ministry of Public Works in relation to urban planning, and disagreement with the provincial governor in relation to a conflict involving taxi drivers.³⁶ Thus, in his resignation Parias pointed out the complete lack of autonomy in local government. Major Parias had to deal with the frictions and divisions within the city council during his time in office,³⁷

³⁵ *ibid.*, 88, 201-214.

³⁶ The governor had annulled the concession of taxi licenses legally granted by the major. AMS, Secc. X, Pleno 52 (January 2, 1978).

³⁷ A good example of those difficulties was the unusual rejection by the City Council of a motion proposed by Major Parias in early 1977. Parias proposed the temporary suspension of construction permits in San Fernando street. The vote was eloquent: 19 council members

and was also increasingly criticized by grass-roots movements for his lack of democratic legitimacy. He was aware of this, and, to no avail, demanded local elections from the government in order to obtain the legitimacy of electoral urns.³⁸ This was, ultimately, the motivation for his resignation in January 1978.

After the introduction of the Constitution in December 1978, the end was near for those corporations. The different parties agreed to draw up a municipal electoral law before the constitutional referendum (the aforementioned *Ley 39/1978*), but they also agreed to call local elections after the promulgation of the Constitution. In early 1979 the dates for two new elections were set: the second general election (March), and, at last, the first democratic local elections, aside from the two partial elections of 1932 and 1933. Undoubtedly, Spain and the municipalities of 1979 were very different from those of 1931, and, fortunately, they would change even more in the last decades of the twentieth century.

Conclusions

As we have seen, the regime, centralizing and authoritarian as it was, wanted the effective control of local administration. Since the nineteenth century, civil governors were seen as essential to this task. Laws regulating municipal life were another instrument used to ensure close government control. Nevertheless, there were growing domestic (even within Francoist elites) and foreign pressures to modernize the administrative and legal systems. Those pressures led to some changes: for instance, municipal elections for councilors began in 1948 (intermittently). The elections were also closely controlled, but not necessarily manipulated. Mostly, municipal power was actually in the hands of the major, who was appointed by the government. Designation of majors changed with the LBERL (another attempt to modernize administration and laws), but only in a very slight way. The new municipal law coincided with the death of Franco, and is a good example of the fiasco of Arias' reform projects.

Political Transition really began with the designation of Suárez as president after the resignation of Arias in 1976. At that point, majors had been elected democratically within the corporations, an extremely limited reform that did not change municipal life. Starting in 1976, there were growing

against the Major's initiative, 3 in favour (the Major included, presumably), and one absence. AMS, Secc. X, Pleno 49 (February 10, 1977).

³⁸ "*¿Es que somos el ama de llaves del gobierno?*," he once said personally to Minister Martín Villa. Oral interview with Fernando de Parias Merry, recorded June 9, 2010. Furthermore, Parias felt close to UCD. The press spoke those days of him being a possible candidate for the coalition in future elections. In the end, the party founded by Suárez never asked him.

demands for deep reforms across Spanish society, and within the regime. Municipalities, the form of government closest to the population, were hard pressed by residents. Local corporations had demands of their own as well. But the government stalled local reforms, which it considered less vital. Although there were resignations in municipal administration, for the most part local corporations stayed in their posts, aiding the accomplishment of the government's tasks during those years. Once again, civil governors played a crucial role in controlling the local administration. After 1979, Spanish municipal life was run by democratically elected officials, many of whom had started their political life years before, even within the regime.