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Spain: Political Developments and Data in 2020

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Introduction

The management of the Covid-19 health crisis and its socio-economic impact are the main features of the 2020 political situation in Spain. Three decrees adopted in March and October 2020 declaring a state of alarm to cope with the Covid-19 pandemic were of particular relevance. The activation of this exceptional constitutional measure by the first coalition government of Spanish democracy in history involved the attribution of extraordinary powers to the executive and allowed, in particular, for the lockdown of the country in varying degrees throughout the year. Among the consequences of the state of alarm, the postponing of regional elections in Galicia and the Basque Country and the revision of the intergovernmental scheme of governance between the state and the regions in the health domain stand out. In legislative terms, the adoption of the budget and the increase of the minimum income constitute two of the main results of the year. Yet, controversy between the executive, which is supported by a narrow majority in the parliament, and the main opposition parties has been a dominant picture. In addition to the controversy in terms of parliamentary control derived from the adoption of the third state of alarm in October for six months, with a single revalidation by the parliament after three months, the adoption of Basic Laws without a large consensus, such as the new Education

Law, contributed to creating a bad-tempered political climate. This atmosphere has had an impact on the renewal of Constitutional organs, which continues to be blocked due to the lack of agreement between the main political parties.

Election report

Regional elections

During 2020, two Spanish regions, Galicia and Basque Country, celebrated elections to their regional parliaments on July 12th, during the pandemic crisis. In February, both regional presidents called for the celebration of elections on April 5th. Yet, a month before the start of the electoral campaign, the electoral process was stopped. With the consensus of all the political forces, two regional decrees were approved to suspend the elections due to the endorsement of the first state of alarm that was declared on March 14th and prevented their celebration.

In May, after successive extensions of the state of alarm, a new decree allowed for the free circulation of persons and the celebration of elections. In this new legal scenario, both regional presidents in functions convoked the elections for July 12th. As the electoral law did not prevent this exceptional situation, the National Electoral Board (*Junta Electoral Central*) approved several resolutions to solve problems and provide electoral warranties such as those related to the absentee vote.

The electoral results showed that the pandemic could affect the turnout, which was slightly lower than in the former election (4% lower in Galicia and 11% in the Basque Country). Both party systems were similar, and the new governments replicated the former composition. In Galicia, the People's Party continued as the first party of an absolute majority government. In the Basque Country, the two main parties remain in the same positions (Basque Nationalist Party (PNV) and

Bildu, the party of the former terrorist group). The PNV repeats a coalition government with the Spanish Workers Socialist Party (PSOE).

Table #. Results of regional (*#name of region in original language*) elections in [#Country] in [#Year]

Cabinet report

The year started with the inauguration of a new cabinet as a result of the legislative elections of November (see Databook Spain 2019). On January 7th, Pedro Sánchez was sworn in by the parliament with 167 votes in favour, 165 against and 18 abstentions. Six days later, the Official Journal (BOE) published the composition of the first national coalition government of the Spanish democracy, Pedro Sánchez II. It is a Minority Coalition Government supported by the 41.7% of the Lower House (*Congreso de los Diputados*) based on the 34.3% of the Spanish Socialist Workers Party (PSOE) seats and the 7.4% of the political party United We Can (*Podemos*), a former split of the Spanish communist party United Left (*IU*). The composition of this cabinet and its political program was signed by Pedro Sánchez and the leader of United We Can (Pablo Iglesias) after the aforementioned legislative elections. Twenty-two ministries, four of them as vice presidencies, integrate this large coalition cabinet. The Spanish Socialist Workers Party (PSOE) leads 17 ministries and three of the vice presidencies. Almost all of the socialist ministers remain in their former posts of the Pedro Sánchez I cabinet. United We Can appointed five ministers, and its leader occupied the second vice presidency.

The government agreement established ten public policies and a calendar with programmatic political commitments to be achieved during the year. At the end of 2020, the government published an *accountability report* (see www.moncloa.es), which reflected that it had activated almost all the promised compromises, despite the pandemic. The government has extensively used the Royal Decree. The objective of the first one was to reorganize the public administration to adapt it to the new and larger ministerial structure. Immediately, the cabinet appointed the former Minister of Justice, Pedro Sánchez I, as the State Public Prosecutor by another Royal Decree. This appointment was the first of many. At the same time, the government approved

seven bills, including the education bill that was one of the priority issues of the coalition cabinet.

When the World Health Organization (WHO) declared the Covid 19 pandemic, the cabinet approved the first exception Royal Decree, the state of alarm, a constitutional resource that allows the government to adopt exceptional measures to face a crisis over a period of 15 days. After that period, the government must inform the Lower House about the content, territorial scope, and length of the state of alarm and receive its support for an extension. These decisions must be proportional and carry the government's responsibility. The government approved the first state of alarm on March 14th; it established the lockdown of the country until July 21st. During these four months, the government became the sole authority and adopted exceptional changes such as allowing the celebration of two regional elections (see regional elections). During this period, the intergovernmental relationships between the state and the regions could be identified as a model of *inclusive authority or authority pattern* in which the government assumed regional health competencies.

The government approved two new states of alarm, one on October 9th only for the Madrid Region, and two weeks later, the second to extend it to the rest of the Spanish territory due to the increase of infections. The last was in force until the end of the year. This last state of alarm decree introduced some differences from the previous ones. The regional authorities, which exert almost all the sanitary competencies in ordinary conditions, could adjust several decisions such as the length of the lockdown or the mobility between regions. During the last months of the year, in order to coordinate regional decisions, the government activated the role of the *Interterritorial Council of the National Health System*. However, coordination was hampered due to the diversity of the decisions adopted by the regions, and, actually, some of them went to

the regional Court, which resulted in diverse judicial sentences. During this period, the intergovernmental relationships could be identified as a hybrid model between *overlapping authority* (the common one in Spain between the regions and the state) and *inclusive authority* (the model introduced by the government under the state of alarm).

The coalition government's agreement also established coordination resources, such as weekly meetings between members of both parties and between the leaders of both parties, to solve disagreements. Nevertheless, during this year, the second vice president of the government and leader of United We Can repeatedly disagreed publicly with decisions by ministers and the government.

Parliament report

The year started with the investiture of the second government of Pedro Sánchez with the support of the PSOE, United We Can, Basque Nationalist Party, + Country, 1 Canary Nationalist, 1 Teruele and BNG (167), the vote against of the PP, VOX, CS, JUNTS, NAVARRA +, 1 CUP, 1 CC and 1 PRC (165) and the abstentions (13) of ERC and (5) Bildu. The main issue addressed by the new parliament was the March 14th adoption of the first decree declaring the state of alarm in the country for an initial period of 15 days. The Lower House approved its first extension on March 25th. It was then successively renewed (six times) and backed by parliamentary support until June 21st.

The government passed the decree declaring the first state of alarm and its first extension with the support of 321 out of 350 votes in favour and no votes against. The only abstentions were the Catalan pro-independence parties ERC, JxCat, and CUP, as well as the Basque Country United (Bildu) and the Galician nationalist party BNG (Galician Nationalist Block). The second

extension was voted on April 9th. On this occasion, the Lower House approved it with 270 votes in favour (from PSOE, United We Can -UP-, PP, Citizens, and minority parties), 54 votes against (from Vox and CUP), and 25 abstentions. The same day, the Lower House also approved three economic decrees. The first one, which included more than 50 economic measures, was approved by 171 votes in favour, 174 abstentions, and two votes against. Furthermore, the decree limiting dismissal on the grounds of coronavirus received 188 votes in favour, 138 against, and 21 abstentions. Finally, the decree regarding recoverable paid leave received 194 votes in favour, 139 against, and 14 abstentions.

The third extension was voted in the Lower House on April 22nd. The government was supported by the votes of the parliamentary groups PSOE and UP (governing parties in coalition), PP, Citizens, PNV, More Country, Compromise, BNG, UPN CC-NC, Asturian Foro, PRC, Teruel Exist, and UPN. In total, 269 votes were in favour; as in the previous extension, it represented 77% of the chamber. JxCat (8 MP) and CUP (2 MP) voted against, and Bildu (5 MP) and ERC (13) abstained.

The fourth extension was debated and approved in the Lower House on May 6th. The result was 178 votes in favour (PSOE, UP, PNV, Más País, Compromise, NC, PRC, TE, CC, and Cs—the whole "investiture block" plus Cs and CC), 75 votes against (Vox, JxCat, CUP, Foro Asturias, and ERC) and 97 abstentions (PP, Bildu, BNG, and Navarra Adds). The support declined substantially, with only 51% of the chamber being in favour.

The fifth extension, approved on May 20th, included the new notion of “de-escalation”—the possibility for the state of alarm to be suspended in territories that fulfilled a series of health requirements. The extension was approved in Lower House on May 20th by a single vote. It received 177 votes in favour (PSOE, UP, Cs, PNV, More Country, NC, CC, PRC, and TE), 162

against (PP, Vox, ERC, JxCat, CUP, and Compromise), and 11 abstentions (Bildu, Navarra Add, New Canary, and BNG). For the first time, PP, the main party from the opposition, opposed the extension, and a member of the investiture block, Compromise, dissociated itself from it.

The Lower House approved the sixth extension on June 3rd. The president announced that it would be the last extension. The results were as follows: 177 votes in favour (PSOE, United We Can, Cs, PNV, Más País, Canarian Coalition, New Canary, Teruel Exist, and PRC), 155 votes against (PP, Vox, JxCat, CUP, Navarra Adds, Compromise, and Asturian Foro), and 18 abstentions (ERC, EH Bildu, and BNG).

During this time, the legislative activity of the parliament had halted, the presence of the MP was reduced due to the social distancing measures, and the chamber allowed telematic voting. To move forward with the third extension, the government made a commitment with PP and Cs to set up the Commission for Social and Economic Reconstruction.

Subsequently, on October 25th, the government decreed a new state of alarm, which was ratified and reformed in the Lower House on November 3rd (the proposals of PNV and ERC were included) with 194 votes in favour (PSOE, UP, Citizens, Más País, Compromise, PNV, BNG, Canarian Coalition, Nueva Canarias, PRC, Teruel Exist, and 4 PDeCAT MP—who had broken away from JxCat), 53 votes against (Vox and Asturian Foro), and 99 abstentions (PP, Bildu, JxCat, CUP, and Navarra Adds). The decree, which expires on May 9th, 2021, established that the president of the government would appear every two months to give an account of the situation regarding the coronavirus, and the Minister of Health would do so every 15 days. However, this did not occur in practice. As such, the parliamentary control of the executive power was limited to ordinary control.

The year 2020 ended with the approval of 43 laws, 28 of which were the result of a transposition of decisions adopted by the EU: seven laws transposed European directives, and another 21 contained references to EU recommendations, programs, or initiatives. Among the laws passed in 2020, the Organic Act 3/2020 of December 29th on the amendment of the Act 2/2006 of May 3rd on education stands out. Despite being an organic law, it followed an accelerated process for its approval. The ‘Celaá Law’—named after the name of the Minister of Education—is the eighth education law since 1978. In the Lower House, it obtained 177 votes in favour, 148 against, and 17 abstentions. On the other hand, the Budget Law was approved by the Lower House between December 1st and 3rd by 11 parliamentary groups representing 188 votes in favour (150 votes against). On December 14th, the Upper House approved the same text coming from the Lower House, and the legislative process ended. The Spanish National Budget for 2021 was published on December 30th in the Official Journal.

Political party report

In March 2020, Cs held primaries. The leader, Albert Rivera, had resigned in 2019 after his party received poor results (he went from 57 MP in April 2019 to 10 in November). Parliamentary spokeswoman Inés Arrimadas, who won against Francisco Igea, the vice president of the autonomous community of Castilla y León, won the primaries. A week later, the party held an extraordinary Lower House to renew its leadership and strategy, which was done telematically due to the safety measures to combat the coronavirus.

Table #. Changes in political parties in [#Country] in [#Year]

Institutional change report

In 2020, the only institutional change was the renewal of the National Electoral Board (July). For the rest, the lack of agreement among political parties to renew the members of constitutional organs such as the Constitutional Court, the Ombudsman or the General Council of Judiciary Power (Consejo General del Poder Judicial) in function since November 2018 reactivated the debate on the mode of election of the latter institution. The government's proposal to reform the *Ley Orgánica del Poder Judicial* (LOPJ-Basic Law of Judicial Power) to reduce the parliament majority required for the election of its members from two-thirds to 51% in the second reading was considered particularly controversial by the major opposition parties (PP, Cs, and Vox), the Consejo General del Poder Judicial itself and even the GRECO due to its impact on the independence of the judicial power.

Issues in national politics

The year 2020 was particularly dense. It began with the investiture of the socialist Pedro Sánchez as President of the government and the inauguration of the first coalition government in the history of Spanish democracy. The three decrees adopted in March and October 2020 declaring the state of alarm—an instrument that had only been used once before in Spanish democracy, concretely in 2010 and with a duration of six weeks—in the face of the Covid-19 pandemic were the prominent issues of the year. The declaration of the state of alarm led to postponing regional elections in Galicia and the Basque Country from April to July and was punctuated by a failed censure motion presented by the Vox party in October (298 votes against and 52 votes in favour). In another area, the year was also marked by tensions between the executive and judicial power. The appointment of the former socialist Minister of Justice, Dolores Delgado, as General Attorney of the State (*fiscal general del Estado*) and, above all, the government's proposal to reform the Basic Law of the General Council of Judicial Power in order to revise the mode of election of its members by reducing the parliamentary required for their appointments, gave rise to severe controversy on the chapter of judicial power independence. The launch of the pardon process (*indulto*) for the Catalan politicians convicted of sedition by the Supreme Court for the illegal referendum of 2017 was also a matter of controversy.

In economic terms, the Covid-19 crisis has had a devastating effect. In July, Spain officially entered a recession, with a drop of 17.8% of its GDP (the highest registered in the EU) at the end of the second trimester. The public debt increased from 95.5% in 2019 to 120% in 2020, and the rate of unemployment grew from 13.8% to 15.2% in 2020 (Eurostat). Among the measures put into place by the government to mitigate the impact of the crisis, the increase of the minimum interprofessional salary from 900 to 950 € and the approval of the Minimum Vital Income stand out. The year ended with two major issues that highlighted the narrow parliamentary majority

supporting the Sánchez government: the approval of the Spanish budget and the adoption of the new Basic Law of Education.

Sources

<https://ec.europa.eu/eurostat>

www.lamoncloa.es