Federalism and the Spanish First Democratic Republic, 1873-1874

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Abstract Federal theory is experiencing new momentum in connection with contemporary political challenges such as the crisis of the nation-state and ethnic and cultural minorities that claim recognition and political autonomy. The present article presents a critical discussion on the principles that were enshrined in the Project of a Federal Constitution of the Spanish Republic of 1873 and the events that led to the first Democratic Republic in Spain, in order to highlight some basic tenets of federalism. The article is divided into four parts. Firstly, a general introduction to the paper is provided. The second part offers some methodological clarifications with regard to federal studies. Thirdly, the discussion takes place in two separate sections: the first one presents the events that led the proclamation of the first Democratic Republic in Spain in 1873; the second delivers a critical analysis of the federal principles that were enshrined in the Project of a Federal Constitution of the Spanish Republic of 1873. Finally, to conclude, two different principles are contrasted in relation to contemporary debates that arise in connection with the European Union and multicultural states: the principle of citizenship and the principle of cultural communities.

Keywords Citizenship, EU, Federalism, First Democratic Republic of Spain, Nationalism

1. Introduction: New Momentum for Federalism?

Federalism is a key concept of modern political thought. The conceptualization and study of modern states cannot be fully addressed without federal ideas and arrangements\(^2\). Yet, the era that witnessed the emergence and consolidation of the modern state is giving way to a postmodern epoch in which transnational flows of goods, persons and information are transforming former political boundaries and allegiances.

In our interconnected world, peoples and states are compelled to interact and cooperate in order to ensure their economic prosperity and security. With the help of communication technologies and the Internet, civic networks and engagements are able to flourish beyond local and national borders. As a result, basic democratic concepts, institutions and political allegiances must be reappraised to adapt to the postmodern constellation.\(^3\) It is in this scenario that federal studies and ideas have reemerged. Two main trends should be underlined. On the one hand, since World War II, European federalism has gained momentum within the debates on state integration and the creation of the EU. On the other hand, confederation, as well as The Federalists papers published in the US between 1787 and 1788. Federal ideas and principles have played a central role in modern and contemporary thought from Althusius to classical nineteenth-century federalist thinkers such as the French Pierre-Joseph Proudhon (1863) and the Spanish politician Francesc Pi i Margall’s (1876). During the Enlightenment period, federal ideas were closely linked to cosmopolitan values and the law of peoples, for example, through Immanuel Kant’s works. Regarding federal ideas in John Stuart Mill’s and Alexis de Tocqueville’s political thought see Jowkes. For a conceptual-historical outlook of the conceptual and rhetorical uses of federalism in the era that witnessed the emergence and consolidation of the modern state is giving way to a postmodern epoch in which transnational flows of goods, persons and information are transforming former political boundaries and allegiances.

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\(^1\) Daniel J. Elazar [18] has highlighted the existence of theological expressions of federalism and covenant principles (foedus) in ancient Israel, the Middle Ages and the Bible. However, the secular political meaning and use of federal ideas and theories arise in connection with the modern state and modern political thought.

\(^2\) Common examples are the United States of America (US) and the Swiss Department of Philosophy, University of Málaga, Spain.
federalism has acquired new significance in connection with demands for recognition of cultural minorities \cite{30, 34, 65} and secessionist movements, such as the Catalans’ and Basques’ in contemporary Spain \cite{23, 35, 55}. While the first one is a clear example of the postmodern dynamic that brings peoples and states closer towards new forms of political cooperation and integration, the latter reflects the main paradox of globalization, that is: as the world gets increasingly interconnected, ethnic claims reemerge dividing citizens along national and ethnic lines.

Allegedly, federalism becomes a useful tool to address both phenomena, that is, interstate integration, as in the case of the EU, and demands for political autonomy and cultural recognition of ethnic and national minorities. Yet, it is difficult to envisage what of the two tendencies, the centrifugal or the centripetal, is going to be decisive in twenty-first century federalism. It seems, though, that federal theory and solutions are likely to stay and play an important role in postmodern political theory.

This paper offers a discussion on the federal principles that were enshrined in the Spanish Project of a Federal Constitution of 1873 and the experience of the first Federal Democratic Republic of Spain (1873-1874). This historical example reveals a gap between the theoretical ideals and goals of the Spanish nineteenth-century federalists, and the concrete political circumstances that prevented the success of the republican regime.

In order to carry out this purpose, the following section will present some methodological clarifications that arise when dealing with controversial and contingent political concepts such as federalism \footnote{According to Elazar \cite{18}, federalism, as other basic political concepts, such as democracy, republicanism and liberalism, should be viewed as a “classic value concept”, insofar as it “does not have a once-and-for-all-time precise definition in the usual scientific sense, although it can be and is defined operationally in well-accepted ways”\cite{6}.}

To continue with the discussion, in section three, the historical backgrounds and events that led to the First Federal Democratic Republic of Spain in 1873 and the main principles that were enshrined in the Federal Constitutional Project will be critically addressed and discussed. Finally, a reflection on the value and suitability of federal principles to deal with twenty-first century political issues, such as the European integration process, will be provided in the concluding remarks.

3. Discussion


In Spain, federalism gained momentum at the end of the nineteenth century when the first Democratic Republic was proclaimed in 1873. The republican regime had a very short life. It lasted just eleven months, amid strong political struggles. This brevity was due to the political instability of the country –that included civil wars (Carlist uprising)\footnote{The Carlist Wars were a series of civil wars that took place in Spain after the death of King Ferdinand VII in 1833, lasting until the end of the nineteenth century. They were held between two main political sectors: on the one hand, traditionalist monarchical supporters of Carlos V; and, on the other hand, liberals and Republicans that supported the Regency of Maria Christina and her daughter, Isabel II, when the latter became of age to reign. The wars broke out in several episodes: 1833-1840, 1846-1849, and 1872-1876. In fact, they had a strong regional dimension since, through the succession disputes, the Carlists aimed at preserving traditional legal and territorial prerogatives (fueros) that the liberals called into question on behalf of the principle of equal citizenship and constitutional reforms.}, military plots, economic crisis and cantonal revolts\footnote{Starting in Cartagena on July 1873, the cantonal rebellions were a series of cantonalists uprisings that spread out, during the first Spanish Republic, through several regions such as Valencia and Andalusia, but also in provinces of Extremadura, Salamanca and Avila, on behalf of autonomous cantons (towns or cities) and the creation of a Spanish federation made of independent units.}, as well as the internal divisions between centralists (Unitarians) and federalist republicans.

In spite of such instability, the republican period gives insight into the political and moral commitments of Spanish nineteenth-century federalists. The leading intellectual and political figure of federalism in Spain at that time, Francesc Pi i Margall \cite{48, 49}, believed that the federal democratic
Figueras announced his resignation from the executive government and presented a proposition bill entrusting Pi y Margall— who was then Ministry of Interior or Gobernación— the formation of a new executive government for its approval by the Cortes. It is interesting to note that both decisions, the proclamation of the Democratic Federal Republic on 7 June 1873 and the commendation to Pi y Margall to propose a new executive, were considered by several MPs a violation of the parliamentary regulations, insofar as they were put to the vote without parliamentary debate 12.

In this regard, President Figueras argued that the unity among the republicans implied that the Spanish Federal Republic should be “proclaimed by acclamation without need of discussion”. As a result, the proposition bill, consisting of a single article declaring the form of Government of “the Spanish Nation the Democratic Federal Republic”, passed “as an urgent procedure” without discussion or debate [13].

The above shows the unstable circumstances under which the Democratic Federal Republic was established. Likewise, Pi y Margall was entrusted the formation of a new executive government in an “urgent” move due to the uncertain political environment of the country 14. Although his commendation passed by nominal voting 142 votes in favor and 58 against 13, Pi y Margall withdrew his proposal due to the lack of parliamentary consensus. After a private session, the Chamber reelected Figueras’ executive [14]. In spite of this earlier withdrawal, Pi y Margall was finally elected President of the executive by the Cortes on 11 June 1873, when Figueras flew to France incapable of dealing with the political instability, and a planned cop (“pronunciamiento”) was prepared by general Manuel Sodas [15].

Overall, the Spanish first Republic lasted just eleven months, covering the abdication of King Amadeo of Savoy on 11 February 1873 and the plot orchestrated by General Manuel Pavia, on 3 January 1874, that paved the way to the “pronunciamiento” of the Spanish officer Arsenio Martínez-Campos y Antón, on 19 December 1874, that restored the Bourbon monarchical dynasty and gave way to

12 For the parliamentary regulations that were applicable during the “Revolutionary Six Years” period see Merino Merchán [39]. Also see “Dictámen de la comisión de Reglamento para el gobierno interior de las Cortes Constituyentes” [12].
13 The bill proposal had been submitted by PMs Adolfo de la Rosa, Ángel de Torres, Ramos Pérez Costales, Domingo Sánchez Yago, Manuel Lapizburú, José Ramírez y Duro and Tomáis de la Calzada. However, several deputies, among them Alfaro, García Ruiz and Sainz de Rueda, López García, Despote Benet, Sainz de Rueda and Ruiz Llorente, urged the Cortes to proceed according to the parliamentary rules and submit the proposition to debate in the Cortes. Finally, the bill passed by 219 in favor and 2 votes against without parliamentary debate. Only MPs García Ruiz and Rios y Rosas voted against.
14 The proposition was signed by MPs Rafael Cervera, Agustín Sardá, José María Torres, Salustio V. Alvarado, Eduardo Palanca, Joaquín Gil Bergen and Modesto Martínez Pacheco [13].
15 The new executive was made up the following names: Presidency and Ministry of Interior (Gobernación), Pi y Margall; Ministry of State, Rafael Cervera; Minister of Justice, Manuel Pedregal; Minister of War, Nicolás Estébanez; Minister of Development (Fomento), Eduardo Palanca; Ministry of Finance, José de Carvajal; Ministry of Navy, Jacobo Oreiro; Ministry of Overseas (Ultramar), José Cristóbal Sorní [14].

11 As Amadeo of Savoy abdicated, the Congress of Deputies and the Senate conformed a single National Assembly.
the historical period known as the Spanish Restoration. In the meantime, during the eleven months of the republican regime, five elections, seven legislatures, two of them constituents, and four Presidents –Estanislao Figueras, Francisco Pi y Margall, Nicolás Salmerón and Emilio Castelar–, succeeded, which testifies to the political turmoil and instability of the regime. The Carlist wars, the economic crisis, attempts at military plot and the cantonal revolts that broke out in several provinces of the peninsula, were major threats that ended with defeat of the republican government.

Pi y Margall, then President of the Republic, resigned on July 1873, unable to calm internal divisions and guarantee the necessary order among intransigent federalists and insurgents. Nor did his successors, Salmerón and Castelar, manage to tame internal divisions and contain the cantonal revolutions. Broadly, besides ideological discrepancies, Spain was being cut into multiple parts by cantonalist rebellions and traditionalist Carlists [38, 48, 49].

In spite of all these setbacks, the short republican regime gives insight into the ideas and goals underpinning Spanish nineteenth-century federalism. Moreover, it reflects too wide a gap to be overcome between the high political and moral aspirations of Spanish federalist thinkers such as Pi y Margall, and the political reality of the country, which was deeply divided. Federalism was allegedly the best way to modernize Spain according to the most progressive values of that time –international pacifism and cosmopolitanism, democratic principles and social reforms benefiting the working classes–, while preserving the historical territorial divisions and prerogatives. Yet, these were in fact too antagonistic goals.

Was such antagonism a theoretical or a practical incompatibility? To the discussion of the federal and republican principles that were enshrined in the constitutional project of 1873 will be devoted the next section. Therein the so-called ontological dualism of federalism is analyzed. To conclude, in section four will be presented an argument in favor of the principle of citizenship.

3.2. The Debate of Ideas: Spanish Failed Project of a Federal Constitution of 1873 and the Paradoxes of Federalism.

The first and only explicitly federal system in the democratic history of Spain was the first Republic’s. In that country, nineteenth-century federal ideas and principles were embodied in the Project of a Federal Constitution of the Spanish Republic of 1873, which never came into force. The Preamble of the failed constitutional project declared an “authentic liberal, democratic and republican federation” [11], thereby illustrating the commitments of the Spanish federalists.

It is interesting to note that democratic, republican and federal ideals where closely interrelated in late nineteenth-century Spain. A clear example is the denomination of the Spanish Republican Democratic Federal Party, which was formed as a split from the Democratic Party after the “Glorious Revolution” of September 1868. In fact, the Democratic Party, which was created in 1849, aimed to embrace progressive, democratic, republican, and socialist forces jointly, in an effort to advance the most progressive values and trends of Spanish liberalism. However, internal divisions led to the disintegration of the Party in 1868, in part due to the republicans’ disagreement with the unionists that supported Serrano’s Government after the Glorious Revolution. As a result, the democrats ended up divided between centralists (unionists) and federalists (for a further discussion on the issue see Peyrou Tubert [45]).

Given such ideological complexity, it is not surprising that the Preamble of the federal Constitution, which was drafted by Emilio Castelar, declared Spain a liberal, democratic, and republican federation. Three main objectives were therein mentioned: Firstly, “the preservation of liberty and democracy that were conquered by the Glorious Revolution”; secondly, “the arrangement of a territorial division that, deriving from historical memories and differences, would ensure a solid Federation, and with it, the national unity”; thirdly, “the division of powers so that, with clear and underlined limitations, would never be mixed nor confused to restrict any right or establish a dictatorship” [38, 48, 49].

In order to understand more fully the significance of these goals, it can be instructive to read carefully the following paragraph of the constitutional Project:

“(…) We could probably have divided more scientifically the individual rights and could have grouping them with more delicate art; yet, we have sacrificed everything to the idea that we are not breaking foolishly with the past, but have improved it, so that it can be seen that the Republic is linked to the whole liberal movement of our time” (the emphasis has been added) [18].

It is worth noting that, as can be seen in the foregoing quotation, Spanish federalists were in fact attempting to attain two seemingly contradictory goals: On the one hand, the consolidation of individual rights and civil liberties in tune with the “whole liberal movement of their time”, and on the other hand, the resort to history (the “past”) to preserve former territorial divisions and prerogatives within the federal pact (foedus). In short, federal republicans wanted to stabilize and consolidate modern liberal and democratic principles without “breaking with the past”.

What was the meaning of the expression “without

16 Partido Republicano Democrático Federal, also Partido Republicano Federal.
17 The emphasis has been added. I have tried to follow, as far as possible, the original wording of the Spanish [10].
18 The original text in Spanish reads as follows: “quizás hibieramos podido dividir más científicamente los derechos individuales y agruparlos con más delicado arte; pero lo hemos sacrificado todo a la idea de mostrar que no rompemos desatendadamente con lo pasado, sino que lo mejoramos, para que prácticamente se vea cómo la República se enlaza con todo el movimiento liberal de nuestro tiempo” [10].
breaking with the past”? The sentence clearly referred to former territorial divisions and prerogatives of the Spanish kingdoms and regions [46, 47]. Such prerogatives were in fact pre-modern; they were medieval monarchical privileges—such as the Spanish fueros—which were clearly at odds with modern citizenship egalitarianism. At the end they had decided to “sacrifice” the “scientific division” of the individual rights to “improve the past”. But, was this a feasible goal in light of the radicalism of some federalist factions?

Along with modern democratic principles and social egalitarianism, Pi y Margall advocated the ontological existence of local and regional communities based on historical divisions and prerogatives, what he called “the nationalities principle” [46]. Indeed, a key goal and principle of federal republics was the balance between unity and diversity. Pi y Margall was inspired by empirical experiences such as the Swiss federation and the United States, and was well acquainted with Proudhon’s Du principe Fédératif [36]. The latter essay contained, in fact, similar dualism and raised the same kind of political paradox [51]. The republican federation was, according to the Spanish federal thinker, the suitable solution to the territorial, economic and political problems afflicting Spain since the Catholic Kings, which he mainly attributed to the administrative centralization (unitarism), which had led to economic inefficiency, and to the corruption of the monarchy [36,46,47]. His own words may result illustrative: “The events show us once again that we need to change the system and adopt a principle which, in its own virtuosity, reconstructs the very last municipality up to Europe. This principle is in my view, the federation is the only one that can gather, in an organic whole, our whole lineage” [46] [20].

The federal constitutional project of 1873 arranged the decentralization of the State in Titles I and III “according to the principles of liberty and the State of Law” (Preamble) [21]. The ideal situation was, according to Pi y Margall, to enhance a bottom-up process of federation starting from the provinces (juntas) and the states (cantons) to the federal pact (foedus) to reach national unity, and even a larger European cosmopolitan federation [46, 53, 54]. However, in practice, when the cantonal revolts were threatening to jeopardize the first Republic from 1873 to 1874, the then President of the Republic stood on behalf of the national unity and the Constituent Cortes to counteract the revolts in several provinces [46, 47]. This was viewed by some radical republican sectors as a betrayal to their federal principles by the central Government [36]. At the end, Pi y Margall had to support the gradual decentralization supervised by the Cortes against his own theories and political allies.

There were, of course, other important issues on the agenda of the Spanish federalists. For example, social and economic reforms, the working class, and the abolition of quintas, that is, the mandatory military service that only the wealthier could avoid [36, 63]. Broadly, in the second half of the nineteenth century, the federation was considered, by its republican ideologists, the best way of enhancing and completing the country’s democratization—by means of universal suffrage and socio-economic reforms—and fostering its modernization—by guaranteeing the freedoms of thought, religion and education “in contrast to the restricted individual rights that were enshrined by the moderate regime” (of Isabel II) [36, 46, 63].

Ideally, the federal principle would achieve a balance between the improvement of citizenship rights and the arrangement of the territorial decentralization according to historical prerogatives and traditions. Finally, a broader international European federation among free republics would be gradually encouraged. The reality was, however, that cantonal rebels and traditionalist insurgents alike were incapable of showing loyalty to Spain as their common patria. Without internal unity, Spanish federal republicans were unable to defeat the monarchical opposition.

In my view, along with these internal divisions and civil wars, Spanish nineteenth-century federalism raised a main paradox: the federalists, like Pi y Margall and Castelar, appealed to pre-modern history and territorial divisions to foster the decentralization of power, while, at the same time, they advocated the modernization of Spain according to liberal principles and citizenship rights. In this regard, their theory combined two apparently contradictory political ontologies: On the one hand, the territorial divisions and prerogatives that were, in fact, pre-modern and medieval (what they called “the past”), and, on the other hand, liberal citizenship and modern democratic values. The extent to which these two different and even antagonist political ontologies can be combined is a matter of reflection and debate.

4. Concluding Remarks: Citizenship and Federalism

Federalism is based on the creation of a political community by pact or covenant (foedus). It is in this regard that federalism fulfills a basic requisite of modern political thought in tune with the civil pact of citizenship [17, 52].

However, Citizenship is basically a political and civil creation [38]. By contrast, the idea of the federation (foedus) admits the ontological existence of nations and states which

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19 The Spanish politician and thinker was, indeed, the main translator of Pierre-Joseph Proudhon’s works into Spanish. However, along with Proudhon’s ideas, Pi y Margall’s federalism linked with cosmopolitan and pacifist movements led by figures such as Victor Hugo, Giuseppe Mazzini and Carlo Cattaneo [36].

20 The original text reads as follows: “Demuestren los sucesos una vez más que necesitamos cambiar de sistema y adoptar un principio que, por su propia virtualidad, reconstituya sin esfuerzo desde el último municipio hasta la misma Europa. Este principio es para mí de la federación, el único que puede reunir en un todo orgánico nuestro linaje” [46].

21 The constitutional project of 1873 was made of 117 articles, distributed into 18 titles. It defined Spain as a federal republic integrated by the following states: High Andalusia, Low Andalusia, Aragón, Asturias, Baleares, Canarias, Castilla the New, Castilla the Old, Catalonia, Cuba, Extremadura, Galicia, Murcia, Navarra, Puerto Rico, Valencia and Basque Regions.
are prior to the political covenant that creates the federal polity.

As has been pointed out by Ernest Gellner, the principle of nationalism is based on the paradoxical doctrine holding that when a given ethnic community claims its political autonomy it is precisely because its members feel that they belong to a cultural community or a nation; that is, the claims of political autonomy and self-government are justified on the bases of sentiments and identities that are prior to the political covenant or constitution [22]. By contrast, citizenship consists of a common basic civic status shared by the members of a political community. It is this common civic status that allows the extension of rights –from civil to social and political and so on– [38]. The civic and political status of citizenship basically differs from cultural and ethnic belongings in that the latter’s bonds are based on allegiances and identities that are not necessarily civic, that is, that can be prior to the civil and political covenant and constitution. For this reason, Spanish nineteenth-century federalism seemed to combine two apparently antagonistic ontologies: civic and cultural.

Indeed, this is the case of the federal systems that hold multi-level political belongings on basis of cultural identities and divisions.

Moreover, in the EU, unity and diversity happen to be the two basic principles that capture the double dimension of the European polity. On the one hand, the EU encompasses an inter-governmental and inter-state decision-making structure (represented by the Council and the European Council), and, on the other hand, it has given place to a supranational citizenship represented by the democratically elected European Parliament. Hence, the EU combines the principle of citizenship—a dual form of citizenship, national and supranational—and the principle of interstate or intergovernmental decision-making, supported by a multi-level legal and constitutional system [19,20,40,48-50,64].

It is important to note, however, that the EU is the outcome of decades of tough diplomatic negotiations and cooperation among sovereign states aiming at advancing their common interests. The extent to which EU citizenship is to flourish counteracting European inter-governmentalism will be a decisive factor in EU’s future. With regard to federalism, it is also to be seen whether it will yield to the demands of a cosmopolitan citizenship or to the nationalist principle and ontology.

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