

327/661

# COUNCIL OF EUROPE

---

# CONSEIL DE L'EUROPE

Strasbourg 5th September 1961

Restricted  
Annex II to  
AS/NR (13) PV 3

## CONSULTATIVE ASSEMBLY

### COMMITTEE ON NON-REPRESENTED NATIONS

#### STATEMENT BY DON FERNANDO ALVAREZ DE MIRANDA

Since 1936 Spain has stood aloof from European problems. The Civil War, the isolation forced upon us by the "non-belligerent" position which we maintained during the World War, and our general foreign policy, which is directed rather towards the Arab and Spanish-American worlds, are more than adequate reasons why European integration was for a long time a completely closed book in Spain, and even today many Spaniards have only confused ideas as to its meaning and significance. There is, for example, widespread opposition to union with Europe, based on the following objections:

1. Europe has never understood Spain and still does not understand her.
2. Democratic Europe will never accept a Spain without a constitutional regime, for which we are not yet prepared.
3. Integration has been foisted upon Europe by Spain's enemies, specially the Christian Democrats, the Freemasons and the Marxists.
4. Spain is too poor to join up with Europe; if it did so the result would be its exploitation by richer countries.

In view of this attitude, which is displayed in certain official circles, and which shows how far our isolation has been instrumental in distorting collective judgments, there is a growing and important section of public opinion which is favourable to Spain's integration with Europe, on the basis of the following arguments:

1. The only progressive and peaceful way out for the Spanish régime lies in the incorporation of Spain in Europe, since European unification will necessarily mean the democratisation of our political structures.
2. If Spain joined up with Europe its standard of living would rise.
3. Those Spaniards who "feel" themselves Europeans are somewhat mistrustful of the United States's leading role as the chief Western Power.
4. The incarnation of Communism, with its totalitarian structures, is Soviet Russia, which is conducting an unremitting campaign against European unification. That in itself demonstrates the importance of the question.

These collective judgments are, of course, full of nuances and distinctions which it would take too long to list here. Nevertheless, we can attempt a rapid survey of the positions taken by the various political groups with regard to the problem of European unity.

In the early days of European integration official opinion was against it, but there appears to have been a change since 1953 and relations with European countries (Britain, France, Germany, Italy) have considerably improved. The new approach may perhaps have been influenced by the views of Ministers Castiella, Navarro, Ullastres and Solis, who have openly declared themselves to be "Europeans".

The official party (FET and JONS) went through an initial stage of nationalism and Imperialism. It has now been somewhat diluted under the new formula called "the Movement", whose adherents find that European unification contains grave disadvantages and fear that the ideology behind the unifying process, with its democratic implications and demands, might jeopardise internal public order.

In any event, governmental circles are extremely suspicious of a federalist solution and more inclined to support what is called "l'Europe des Patries".

Another cause of irritation for the official Departments, is the fact that from the outset Spain was not invited to take

part in the efforts for a United Europe, and this has created according to the Government, a fundamental inequality to which we cannot be tamely resigned.

There is also some tendency to feel that the European democratic formulas are on the decline and will be replaced by authoritarian systems, notably the type of "organic democracy" now applied in Spain and Portugal. They assumed that this view has had some influence on recent events such as Spain's entry into OEEC. It has been said in official quarters that her admission represents an acknowledgment on the part of Europe that Spain has been right.

Within the "Movement" there is no room for political parties, nor are they permitted, but an undoubted influence is wielded by various pressure groups, mainly the trade unions.

The "Vertical" trade union is unquestionably an instrument of State policy, but to the extent that it affects secondary problems it exerts some influence; what is more, it constitutes the only pressure group which can survive the ideological veering of the Regime, and keep some independence and its special representative system.

The Syndicalist trade union group, specially since Senor Solis became National Delegate, has been devoting special attention to the European problem and to European policy in general. Solis has on several occasions expressed himself in favour of Spain's entry into the Council of Europe, if no modification of the present Spanish régime and of its political social and economic structures is required, and the last Manifesto published by the Syndicalist Organisation expressly supported the cause of European integration. In addition, the Syndicalists have set up an instrument for European political action, the "Committee for the Defence of Christian Civilisation", which enjoys assistance and subsidies from the budget of the Vertical trade unions and therefore from the State.

All this has contributed towards the formation of a certain "European" current in Syndicalist circles and has strengthened Solis's European policy to such effect that he has been appointed an honorary President of the "Alcide de Gasperi" Institute in Rome.

./.

It should be pointed out all these "European" activities in circles influenced by governmental policy are conducted in such a way that they can be presented as a victory for the régime. European activities outside the scope of the latter are considered with great suspicion.

In full collaboration with the government, and with influence on important minorities, are certain Catholic groups. They can count on the support of some of the ecclesiastical hierarchy and they call themselves fervent supporters of a change in the régime, but acting "from within". They are, actually, far from renouncing their actual privileges. Considerable means of action are at their disposal, which they use with great caution, and they take great care not to antagonise the official world. Some of their leaders work within the frame of the European Documentation and Information Centre (CEDI) founded by HRH Archduke Otto of Hapsburg, who was until recently President.

The CEDI, whose ideology is rather conservative and authoritarian receives annual subsidies from the government (Ministry of Foreign Affairs) and acts along the lines indicated by the latter. It arranges frequent international meetings of the Central European aristocracy, and which are always attended by various Ministers of the Government. It clearly favours "l'Europe des Patries", while it maintains a reserved attitude towards the European Institutions and in particular the Council of Europe.

There are certain more or less clandestine opposition groups which devote attention to the European problems. Spanish Socialist circles have joined the European movement and support all initiatives of a European character. A qualified group of intellectuals have set up in Spain a "Gauche Européenne" similar to and in contact with the European movement of the same name.

The group known as the Christian Democrat Left, which is the advanced wing of Christian Democracy, also supports United Europe.

Christian Social Democrats are genuine "Europeans" and proclaim the fact in their basic programmes. They advocate, for instance, that Spain should sign and respect the European Convention of Human Rights.

The "Union Espanola" movement, composed of different monarchist political groups refers in its secretly published programme to European unity, and proclaims principles contained in the European Convention of Human Rights.

Outside the political groups it should be mentioned that HRH Prince Juan of Bourbon has expressed his firm support for European integration and on the occasion of the 10th Anniversary of the Council of Europe sent a telegram to Mr. Schuman expressing that support. In general all the Spanish monarchists not serving the Régime, support a united and democratic Europe.

The Spanish Church, despite the European sentiments of HH Pius XII, has not attached any importance to the problem. We do not know of any Pastoral Letter devoted to the subject, but some religious groups are already beginning to show an interest.

Spanish workers belonging to the HOAC, the Christian syndicalist grouping of the future, are favourably disposed towards Europe, which, they feel, offers Spain great opportunities.

Spanish industry, monopolised by the Banks, has shown a certain tendency to respond to European developments. Until the Rome Treaty was signed, the majority of industrialists were quite unaware of "Europe", but since they have been commenting favourably on the Common Market, ECSC, OEEC, EFTA, etc. In certain sectors of the Catalan textile industry there is some pressure against the entry of Spain into the Common Market.

Most of the steel and chemical industries have begun to take measures in anticipation of the inevitable Europeanisation of our economy.

The National Institute of Industry, whose affiliated concerns obviously enjoy complete official protection, have in theory adopted, surprisingly enough, a favourable attitude to integration with Europe. The process would naturally curtail their advantages, and in practice it does not appear that they are much inclined to renounce these, and by consequence its Europeanism exists only in words.

./.

The private Banks have developed views similar to those of industry and today all the reports of the great banking concerns express their support for the economic integration movement and urge that Spain should hasten to join it. They display considerable apprehension about the tardiness with which this aspect of our economic policy is being approached.

The State Bank, despite the dominant opinion shows little support for Europe.

The Chambers of Commerce, it is clear from an enquiry carried out by the Consejo Superior, unanimously support Spanish incorporation in the economy of the European countries.

Spanish farmers, especially the orange-growers and olive oil producers, spurred by the fear of losing their biggest markets, have come out in favour of the Common Market.

The Spanish universities are almost wholly "European": the most prominent groups representing this trend are those which have been set up by professors and students. The Universities are the most pro-European institutions in Spain.

There are "European" groups in Spain which have broken the prevailing silence by expressing a genuine belief in Europe, and it is they who have been the pioneers in Spain of the European idea which is already being glimpsed as a reality. Their salient features are the following:

1. They, except the CEDI, act with great independence and even go so far as to show no confidence in the official attitude.
2. They consider that the European Idea is something for which sacrificos are worthwhile.
3. They argue that Europe spells a new hope of cultural, political, economic and social revival.
4. All are genuinely interested in establishing and maintaining closer contacts with the European organisations.
5. The Council of Europe flag has become a veritable symbol of freedom.

6. They fully accept the Hague Manifesto of 1948, and the European Convention on Human Rights is the common point of contact between Spanish "Europeans", who see it as the goal of all their efforts.

These groups are conducting important educational activities, mainly, in Saragossa and Barcelona, and on a smaller scale in Granada, Seville and Pamplona.

The only organisation of fully national scope, excluding the CEDI, whose European significance we have already considered, is the Spanish Association for European Co-operation (AECE), its Central Office being in Madrid.

This is the place for exchanging and developing European political tendencies, and is the launching platform of the social and democratic ideology of a united and free Europe. It is the centre of activities which try to show the need for European integration, as an example for the Spaniards of "European" co-existence.

In its private meetings it enjoys a certain freedom. In its official meetings and in its general statements it has to have the permission of the Spanish Home Office, which is sometimes refused. Let us recall the unluckly "Rencontre de Palme de Majorque", which was first approved and shortly afterwards forbidden, in spite of the promised attendance of many European leaders.

Last year a seminar on "European Unity" was held. The following took part: MM. Robert van Schendel, Secretary-General of the European Movement; Dr. A.H. Robertson, Counsellor in the Secretariat of the Council of Europe; Dr. Polys Modinos, Director of Human Rights, Council of Europe; Albert Delperée, Chairman of the OEEC Manpower Committee; Denis de Rougemont, Director of the European Cultural Centre; Dr. Nicola Catalano, Judge of the Court of the European Communities; Etienne de la Vallée Poussin, Belgian Senator; and H.E. Piero Malvestiti, President of the High Authority of ECSC.

During the year various different study groups hold meetings, attended by intellectuals representing different schools of thought. Last April, in collaboration with the Spanish Committee of ELEC (European League for Economic Co-operation) and the Barcelona Institute of European Studies, an exhibition and meetings in favour of integration with Europe were held, with considerable success.

./.

Having been refused permission to publish a regular magazine, the Association has to confine itself to distributing a private circular to its members. (It has published a Declaration of Principles, expressing its opposition to the supporters of "L'Europe des Patries" and proclaiming its faith in "Little Europe", a statement that has been published in a document of your Committee).

The AECE has provincial sections in Cordoba, Valencia and Gijon and these also conduct activities in Alicante, Santander, Bilbao and St. James of Compostela. It sponsors a publishing house called Editora y Distribuidora Europea S.A.

Two enquiries were recently conducted which throw light on the attitude of the Spanish public to integration with Europe. The results of the enquiry carried out by the Barcelona Institute of European Studies on the occasion of its exhibition "Europe in action" in 1959 may be summarised as follows:

Should Spain join the Common Market?

Yes	80 %
No	7.4%
Don't Know	12.6%

Are you in favour of a European movement?

Yes	81 %
No	1.8%
Don't Know	17.2%

Do you support a closer form of union than European economic union?

Yes	86 %
No	3.1%
Don't Know	10.9%

Should Spain join a united Europe?

Yes	79.1%
No	9.1%
Don't Know	11.8%

The enquiry conducted by the Saragossa Institute of European Studies showed that: 93.8% supported efforts to reach European unification; 63% believed in the good faith and the success of the Common Market, while 84.5% thought Spain should join in a European government.



There are practically no press publications specialising in European subjects, apart from occasional bulletins from different origins and with extremely limited distribution. The main papers hold widely varying opinions but the system of censorship and counter-signature inevitably means that the European idea can be discussed only insofar as it reflects governmental policy.

\*

\* \* \*

If we compare the European Convention on Human Rights with the Spanish Basic Law (Fuero de los Espanoles) published in 1945 we see that the Fuero includes nearly all of the Convention's guarantees, although the lack of implementing regulations means that the Fuero's text has a purely theoretical value and no practical application. Nor are there any great discrepancies between Spanish legislation and the tenets of the Convention in regard to freedom and security, but again this theoretical similarity is not reflected in practice.

There are other minimal freedoms, typically political in nature, which are now only recognised but frankly prohibited under our domestic legislation. Examples are free speech and freedom of association mentioned in Articles 10 and 11 of the Convention. Admittedly Article 12 of the Spanish Basic Law stipulates that any Spaniard may freely express his ideas provided that they do not undermine the basic principles of the State. But current practice is very different: thus the Press Law which is still in force today confers the following powers on the State:

1. Organisation, supervision and control of the Press;
2. Regulation of the number and size of periodicals;
3. Intervention in the appointment of leading staff, certain obligations being laid down;
4. Supervision of press activities;
5. Obligatory publication of articles, commentaries, etc, in the editorial pages as though they represented the publishers' own opinion.

./.

Another right that is not recognised in the Spanish Legislation is the free formation of trade unions expressly specified in Article 11 of the Convention.

In Spain the "Vertical" trade union, referred to earlier in this report, is the only union officially recognised: all workers are obliged to join it, and all the union's posts of responsibility are filled by people chosen by the Government.

Those accused of political offences are normally judged by military tribunals, in accordance with special legislation for the repression of political offences and according to a special kind of trial named "urgent". This imposes grave limitations on the choice of defence lawyer, the preparation of the defence, proof, appeals, etc.; all this being directly opposed to what is laid down in Articles 5 and 6 of the European Convention on Human Rights.

#### C O N C L U S I O N

Summing up, we can state that the Government's opposition to the European idea is ineffective, for it is a mechanical opposition to what is regarded as the recurrent European plot against Spain, and it is hoped that it will easily arouse a sentimental form of nationalism among the ordinary people.

It is necessary to prove that "Europe" offers the way of freedom and that it is open to all of us, an enterprise of all Europeans of good faith, a plain reality, a future involving all the people, without a priori forms, and unprejudiced, and also that this reality and this future must be just, dignified, free, with social justice, and democratic and all this not only theoretically but practically realised by concrete policies.