

Indicators Assessment- Unitary States

Spain

Tina Magazzini

May 2020

This Indicators Assessment report offers a country assessment of 4 composite indicators: (1) state-religious institutions relations, (2) status of religious minority groups, (3) religious radicalisation level, and (4) radicalisation prevention measures. It is part of a series covering 23 countries (listed below) on four continents. This assessment report was produced by GREASE, an EU-funded research project investigating religious diversity, secularism and religiously inspired radicalisation.

Countries covered in this series:

Albania, Australia, Belgium, Bosnia and Herzegovina, Bulgaria, Egypt, France, Germany, Greece, Italy, Hungary, India, Indonesia, Lebanon, Lithuania, Malaysia, Morocco, Russia, Slovakia, Spain, Tunisia, Turkey and the United Kingdom.

<https://www.grease.eui.eu>



The GREASE project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement number 770640

The EU-Funded GREASE project looks to Asia for insights on governing religious diversity and preventing radicalisation.

Involving researchers from Europe, North Africa, the Middle East, Asia and Oceania, GREASE is investigating how religious diversity is governed in over 20 countries. Our work focuses on comparing norms, laws and practices that may (or may not) prove useful in preventing religious radicalisation. Our research also sheds light on how different societies cope with the challenge of integrating religious minorities and migrants. The aim is to deepen our understanding of how religious diversity can be governed successfully, with an emphasis on countering radicalisation trends.

While exploring religious governance models in other parts of the world, GREASE also attempts to unravel the European paradox of religious radicalisation despite growing secularisation. We consider the claim that migrant integration in Europe has failed because second generation youth have become marginalised and radicalised, with some turning to jihadist terrorism networks. The researchers aim to deliver innovative academic thinking on secularisation and radicalisation while offering insights for governance of religious diversity.

The project is being coordinated by Professor Anna Triandafyllidou from The European University Institute (EUI) in Italy. Other consortium members include Professor Tariq Modood from The University of Bristol (UK); Dr. H. A. Hellyer from the Royal United Services Institute (RUSI) (UK); Dr. Mila Mancheva from The Centre for the Study of Democracy (Bulgaria); Dr. Egdunas Raciunas from Vytautas Magnus University (Lithuania); Mr. Terry Martin from the research communications agency SPIA (Germany); Professor Mehdi Lahlou from Mohammed V University of Rabat (Morocco); Professor Haldun Gulalp of The Turkish Economic and Social Studies Foundation (Turkey); Professor Pradana Boy of Universitas Muhammadiyah Malang (Indonesia); Professor Zawawi Ibrahim of The Strategic Information and Research Development Centre (Malaysia); Professor Gurpreet Mahajan of Jawaharlal Nehru University (India); and Professor Michele Grossman of Deakin University (Melbourne, Australia). GREASE is scheduled for completion in 2022.

For further information about the GREASE project please contact: Professor Anna Triandafyllidou, anna.triandafyllidou@eui.eu

<http://grease.eui.eu/>

GREASE - Radicalisation, Secularism and the Governance of Religion: Bringing Together European and Asian Perspectives

Country Assessment Report

Name of Country Assessed: Spain

I. Composite Indicator 1: State-Religious Institutions Relations

Overall assessment:

Since 1978, when Spain's current [Constitution](#) entered into force reinstating democracy, Spain has been a **secular (but not secularist) country**. This means that even though public authorities are expected to be independent from ecclesiastical structures, they are mandated to ensure that **religious freedom** is achieved, including the **freedom to express and exercise one's faith publicly**. The principles of freedom of religion and of a secular state are enshrined in article 16 of the Constitution, and elaborated further in the [1980 Organic Law on Religious Freedom](#). The only restrictions that may be adopted with regard to the right to religious freedom have to do with public security and with the principle of doing no harm to others. Despite the legal provisions on separation between state and religion, the **legacy of four decades of "National Catholicism" is still noticeable**. Beyond the **special legal relationship** based on cooperation that exists between the Catholic Church and the Spanish state (art. 16.3 of the Spanish Constitution distinguishes between Catholicism and all other religions), in practice the Catholic church enjoys **significant privileges** (in the educational, fiscal, social security and legal realms) vis à vis the State.

The degree of State **interference in the regulation of religious institutions**, and the type of state support and state control over the creation and regulation of religious courts, councils, religious family laws, etc., is the aspect in which the inequality between different religious communities is the most prominent. Four Agreements signed in 1979 between the Spanish State and the Holy See regulate **legal matters; educational and cultural matters; economic matters; and religious assistance in the armed forces and the military service of the clergy**. The Organic Law on Religious Freedom, introduced 1980, focuses on other religious groups, establishing a legal regime and certain **privileges for religious organizations**. The enjoyment of benefits of this regime, however, are conditional upon religious organizations being entered in the Register of Religious Entities maintained by the General Directorate of Religious Affairs of the Ministry of Justice. The laws [24/1992](#), [25/1992](#) and [26/1992](#), all passed on November 10th 1992, regulate the Evangelical federation, the Jewish federation and the Muslim federation, respectively. There are however a number of other religious groups who have no legal agreement with the Spanish state, and that are therefore rendered **invisible in legal terms**.

Overall, while legal indicators tend to be more 'extreme' (reflecting a strong legal protection of freedom of religion in the legal domain), the practical indicators appear to gravitate towards more moderate scores. The same is true in indicators assessing levels of participation, religious education, and religious media. While on a legal level there are no obstacles to religious minorities participating fully into Spanish public life and setting up their own institutions, in practice there is still a marked disparity between the resources, presence and reach of the Catholic Church, compared to minority religions.

1. State autonomy from religion	Score	YEAR (Most Recent)
(1a) Legal dimension: The Constitution/Basic law defines the state as secular	High	2020

(1b) Practical Dimension: Actual level of state political autonomy/independence from religion Medium 2020

2. Participation of religious institutions and religious groups in political decision-making and policy-making. Score YEAR (Most Recent)

(2a) Legal Dimension: The Constitution/Basic law or other more relevant legislation forbids formal participation of religious institutions and religious groups in formal political decision-making. Medium 2020

(2b) Practical Dimension: In practice, religious institutions and religious groups lack formal participation in political decision-making. Medium 2020

3. Religiously-based political parties in political life. Score YEAR (Most Recent)

(3a) Legal Dimension: The Constitution/Basic law or other more relevant legislation forbids participation of religiously-based political parties in political life. Very low 2020

(3b) Practical Dimension: In practice, religiously-based political parties lack participation in political life. Medium 2020

4. State non-interference in the regulation of religious matters of religious institutions and religious communities (including regulation of religious courts, councils, religious family laws, etc.). Score YEAR (Most Recent)

(4a) Legal Dimension: The Constitution/Basic law or other more relevant legislation enforces state non-interference in the regulation of religious matters of religious institutions and religious communities. Medium 2020

(4b) Practical Dimension: In practice, there is no state interference in the regulation of religious affairs of religious institutions and religious communities. Medium 2020

5. State non-interference in the regulation of the administrative matters of religious institutions and religious communities (including personnel and funds). Score YEAR (Most Recent)

(5a) Legal dimension: The Constitution/Basic law or other more relevant legislation enforces state non-interference in the regulation (e.g., personnel, financial matters) of the administrative matters of religious institutions and religious communities. Medium 2020

(5b) Practical Dimension: In practice, there is no state interference in the regulation of the administrative affairs (e.g., personnel, financial, etc.) of religious institutions and religious communities. Medium 2020

6. State recognition of freedom of religion. Score YEAR (Most Recent)

(6a) Legal Dimension: The Constitution/Basic law or other more relevant legislation allows freedom of religion. Very high 2020

(6b) Practical Dimension: In practice, religious groups/communities enjoy freedom of religion. High 2020

7. Freedom for religious groups/communities to set up and manage educational institutions.	Score	YEAR (Most Recent)
(7a) Legal dimension: The Constitution/Basic law or other more relevant religious legislation allows religious groups/communities to set up and manage educational institutions.	High	2020
(7b) Practical Dimension: Religious groups/communities set up and manage educational institutions.	Medium	2020
8. Autonomy of religious media	Score	YEAR (Most Recent)
(8a) Legal dimension: The Constitution/Basic law or other more relevant legislation recognises and allows religious media.	Very high	2020
(8b) Practical Dimension: In practice, religious media practice their activity.	High	2020

II. Composite Indicator 2: Status of Religious Minority Groups

Overall assessment:

Legal recognition in Spain is layered, and **5 different levels of recognition** can be identified in practice. 1) The Catholic Church is the religious entity with the highest level of recognition, which is established through a series of international treaties signed between Spain and the Holy See (1979); 2) the Muslim, Jewish and Evangelical communities are recognized through ordinary laws (agreements with the state); 3) Mormons, Jehovah's witnesses, Buddhist and Orthodox are recognized as "well-established religions" on the Spanish territory (but have no agreement with the state, and therefore cannot request a presence in public institutions such as prisons, schools, hospitals or the military) 4) A number of other religious organizations are included in the Register of Religious Entities maintained by the General Directorate of Religious Affairs of the Ministry of Justice (but they are not yet considered to be 'well established') and 5) The religions that are not in the governments registry enjoy no recognition.

In terms of **access to the public and political space**, the Spanish Constitution neither prohibits nor grants the right of religious minorities to participate in the political life of the state.

With regard to **social security**, the Royal Decree 3325/1981 established the obligation to apply the Special Social Security Regime for Self-Employed or Autonomous Workers (RETA) to religious organizations. With the Legislative decree 8/2015, Spain included in its "Special Regime of Social Security" more specific categories (civil servants, students, etc.). In practice, for instance, if a religious functionary belonging to the Jesuit Congregation teaches as a university professor in a university which does not have an agreement with the Jesuit Congregation, then his salary falls under the general rules of social security. If he teaches in a Jesuit university, however, his salary falls in the special regime. Given the disparity in number of Catholic religious institutions and in institutions tied to minority religions, the result is quite **unequal between groups**. In addition to this, the State maintains half of the priests who are still active in Spanish parishes with **public pensions**, and the priests contribute to social security for the **Inter-Confessional Minimum Wage**, which allows the Church to save more than 17 million euros in contributions to Social Security. Also, the collection of donations, of pastoral services (weddings, communions, funerals, baptisms, etc.) are not recorded, not investigated nor controlled.

There are certain matters that are not explicitly addressed in the Constitution (other than for a generic right to religious freedom at art. 16), such as the issue of **public accommodation of cultural practices** specific to religious minority or the issue of **ownership of houses of worship**. There is also no provision in the Constitution explicitly addressing issues of **funding**. While in principle everyone has a right to express their cultural practices publicly, the **right of religious minorities to express their cultural practices in public** is limited by their access to resources and by the cumbersome administrative processes. For issues such as dressing code, however, the topic has not been as divisive as in other countries, and when there have been controversies around being allowed to wear a veil at school, the **right of the child to education** has prevailed. Regarding taxation 0,007 of income taxes go to either the Catholic Church or to other 'social purposes', but there is **no minority religion option**.

Overall, in practice, in this set of indicators we **notice an even starker discrepancy** than in the first set of indicators between the legal rights and their implementation in practice: despite a fairly comprehensive and inclusive legal framework, such **norms do not translate in an equal access to public spaces**, particularly for those minority religions that are not recognized by the state.

1. Legal status of religious minority groups.	Score	YEAR (Most Recent)
(1a) Legal dimension: The Constitution/Basic law or other more relevant religious legislation recognises religious minority groups.	Medium	2020
(1b) Practical Dimension: In practice, religious minority groups enjoy legal registration status recognised by the government.	Medium	2020
2. Religious minority group participation in political life.	Score	YEAR (Most Recent)
(2a) Legal Dimension: Constitution/Basic law or other more relevant religious legislation grants religious minority groups rights to participate in the political life of the state.	High	2020
(2b) Practical Dimension: Religious minority groups participate in political life.	Low	2020
3. Special social security status of religious minority groups.	Score	YEAR (Most Recent)
(3a) Legal Dimension: The Constitution/Basic law or other more relevant religious legislation grants religious minority groups rights to special social security benefits.	Medium	2020
(3b) Practical Dimension: In practice, religious minority groups have special access to social security benefits.	Low	2020
4. Access of religious minority groups to public spaces.	Score	YEAR (Most Recent)
(4a) Legal Dimension: The Constitution/Basic law or other more relevant religious legislation grants religious minority groups right of access to public spaces.	High	2020
(4b) Practical Dimension: Religious minority groups enjoy access to public spaces.	Low	2020
5. Access to public funds for initiatives/activities of religious minority groups.	Score	YEAR (Most Recent)
(5a) Legal dimension: The Constitution/Basic law or other more relevant religious legislation grants religious minority groups right of access to public funds for their own initiatives/activities.	Insufficient information	2020
(5b) Practical Dimension: Religious minority groups have access to public funds for their own initiatives/activities.	Low	2020
6. Public accommodation of cultural practices specific to religious minority groups.	Score	YEAR (Most Recent)
(6a) Legal Dimension: The Constitution/Basic law or other more relevant religious legislation allows public accommodation of cultural practices specific to religious minority groups.	Insufficient information	2020
(6b) Practical Dimension: Religious minority groups express their cultural practices publicly.	Low	2020
7. Ownership of houses of worship.	Score	YEAR (Most Recent)

(7a) Legal dimension: The Constitution/Basic law or other more relevant religious legislation grants religious minority groups rights to own their houses of worship.	Insufficient information	2020
(7b) Practical Dimension: Religious minority groups own houses of worship.	Low	2020

III. Composite Indicator 3: Radicalisation Levels

Overall assessment:

STRUCTURAL: Over the past two decades, **State legitimacy has gone down**, but remains fairly stable/high overall in global rankings.

Human rights and rule of law scores have increased over the past years according to the Fragile States index. While this is true in terms of **fighting corruption**, it is not necessarily the case regarding the **treatment of minorities**, particularly with respect of the treatment of **migrants** and towards **national minorities**.

The **tensions regarding regionalism/ nationalism**, particularly with Catalonia, has increased, and while the situation in the Basque Country has normalized, political violence abandoned, and ETA announced its dissolution and unilaterally handed over to the Spanish state its arms, a number of political representatives are currently held in state prisons on charges of 'sedition'.

Spain has experienced some of the largest increases in its score for **government limits on religious activities** since 2007. In 2010, several cities in Catalonia introduced bans on the burqa and niqab (full-body and head coverings) as well as face-covering veils in public buildings. Additionally, the country's largest opposition party also proposed a ban on the niqab in all public places, though it was ultimately rejected. And, in more recent years, religious groups such as Latter-day Saints (sometimes called Mormons) and Jehovah's Witnesses have faced restrictions on public preaching and proselytizing from local governments in Spain.

PERCEPTION-BASED: In terms of perceptions, both **distrust in national institutions and pessimism in the national economy** were fairly low in the early 2000s, went up significantly following the 2008 economic crisis, and remained high for years, with a decrease in distrust starting to be noticeable only in recent years.

The percentage of people who claimed to have been discriminated against is very low, but this reflects **poor mechanisms for reporting discrimination** or access to interviewees of minority background, rather than lack of discrimination.

It is difficult to attribute a score to perceived discrimination and polarization, because many factors play differently into such assessment. For instance, **levels of discomfort towards the Roma minority** are much lower in Spain compared to Italy, but **polarization towards perceived 'regional privileges'** is much higher.

Regarding perception of **terrorist and extremist threats**, concern peaked in 2004-2005 following the 2004 Al Qaeda Madrid metro attacks (the deadliest in Europe to date), and again in 2015 with the wave of attacks in Europe, and it remains high.

INCIDENCE-BASED: In the 2000s, Spanish troops were sent to **Afghanistan** in support of the USA against **al-Qaeda** and of the Afghan government against the **Taliban**. Spain also backed the Iraqi government in the intrastate conflict that started in 2004. On 11th March 2004, 193 people were killed almost 2000 injured in the Madrid metro attacks vindicated by **al-Qaeda**. Spain had the largest deterioration in score in the GTI in 2018 because of the attacks in Barcelona in August 2017. Spain also recorded one of the five largest deteriorations on the Global Peace Index for 2017, related to social unrest.

The number of **violent extremist incidents** recorded by the police have steadily been going up over the past years. Despite being the country that recorded the highest number of fatalities as the result of the 2004 attack, and another incident in Barcelona in 2017 which caused many deaths and injuries, the **level of social hostilities involving religion** went from 'low' to 'moderate'.

1. Structural factors/environment	Score/Level/Percentage	YEAR (Most Recent)
(1a) Level of Freedom	Level: Free Freedom score: 92	2020
(1b) Level of adherence to rule of law	Overall rank: 19 Overall score: 0.73	2020
(1c) Level of religious-related government restrictions	Score: 1.9 Level: Low	2019
(1d) Level of state legitimacy	Score: 6.9 Level: Low	2019
(1e) Level of protection of human rights	Score: 1.2 Level: High	2019
(1f) Level of group grievances	Score: 6.1 Level: Moderate	2019
(1g) Uneven economic development	Score: 2.9 Level: Low	2019
(1h) Wealth disparity (top 10% possessing above average percentage of the total income share)	Percentage: 33.9%	2019

2. Perception-based indicators (social grievances)	Percentage (%)	YEAR (Most Recent)
(2a) Distrust in national institutions	Distrust in Parliament: 71% Distrust in Government: 73% Other: No data	2019 2019 n/a
(2b) Political discontent	Dissatisfaction with country direction: 49% Dissatisfaction with overall situation: 73% Dissatisfaction with democracy/government performance: 55% Other: No data	2019 2019 2019 n/a
(2c) Economic discontent	Dissatisfaction own financial situation: 29% Dissatisfaction national economy: 91% Economic situation is the most serious problem: No data Other: No data	2019 2013 n/a n/a
(2d) Discrimination	Discrimination is widespread: 25-27% Opposing diversity: 23% Discomfort with minorities: depends on minority Experienced discrimination: 1-5%	2016 2018 2015 2015

Spain	Indicators Assessment	GREASE
	Other: No data	n/a
(2e) Views on violent extremism	VE is a serious problem/threat: 75% Endorsement of VE actions/ actors: No data Other: No data	2018 n/a n/a

3. Incidence-based indicators (religious violence and conflict)	Score/Level/Number	YEAR (Most Recent)
(3a) State-based armed conflict	Yes/No: No	2020
(3b) Level of social hostilities involving religion	Level: Moderate Score: 4	2017
(3c) Incidence and impact of terrorism	Score: 3.354 Number of Incidents: 4.024	2018
(3d) Violent extremist incidents	Number: 1598	2018
(3e) Significant violent extremist actors/networks	Level: Insufficient information	2020

IV. **Composite Indicator 4: Radicalisation Prevention Measures**

Overall assessment:

*STRATEGIC APPROACH: The current **legal basis for the national anti-terrorism plan** is [Law 1/2015](#). The declared objective of the Plan, developed following terrorist attacks in the 2000s, is “to constitute an **effective instrument for early detection and neutralization of outbreaks and foci of violent radicalism**, acting on those communities, groups or individuals at risk or vulnerability” and it envisions an “integral and coordinated action”. According to the ministry of interior, the PEN-LCRV's Annual Management Plan will be **reviewed every year**, and the whole plan every three years, and may be **modified in whole or in part**. Its evaluation should be continuous from its approval, and **focused on its process, objectives and impacts**. The PEN/LCRV is coordinated by a **specific unit**: The National Group to Combat Violent Radicalisation is housed by the Ministry Interior but comprises numerous other bodies. The Pluralism and Coexistence Foundation was consulted and involved in the process, but it only allows for **limited participation** of religious organisations/leaders. The Plan identifies **three main actors**: the administrations, vulnerable groups, and civil society. The '**civic collaboration**' promoted is however basically a mechanism through which citizens can denounce 'suspicious activity', which has led to **increased racism**. The Plan includes numerous references to the issue of **terrorism financing**, and the UN Financial Action Task Force on Money Laundering has praised Spain for its effectiveness in countering terrorism financing. Beyond the Plan itself, Spain ratified in 1980 the **European Convention on the Suppression of Terrorism**, but was criticized by Human Right Watch in 2005 for its harsh anti-terrorism laws.*

*MEASURES: Spain has a **terrorism victim assistance unit**, the Directorate-General of Support for Victims of Terrorism, that includes social workers, a Medical Advisory Board, and financial process experts. Such directory is placed under the Ministry of Interior and is organized to provide both **legal, social and financial support to victims**. Originally created for victims of ETA terrorist attacks, the directorate also includes victims of religiously inspired violent extremism.*

***Civil society organizations in support of victims** also exist, like the Association of Victims of Terrorism (created in 1981 by victims of ETA), Victims of Terrorism Group Collective (representing victims from the Basque Country), and the Asociación Afectados de Terrorismo (including victims of the March 11, 2004 attacks).*

*Despite the ambitious and comprehensive scope of the National Plan (which includes **training for frontline practitioners, countering violent narratives, etc.**) concrete measures are not easy to come by. The Pluralism and Coexistence Foundation was created to promote the **integration of religious minorities**, has a privileged access to the Ministry of Interior and of Justice in matters of **interfaith dialogue**, and was included in the drafting of the National Strategy. The Foundation also includes the Observatory of Religious Pluralism, a **knowledge transfer tool** for the public management of religious diversity, which is on occasion **state-commissioned research on violent extremism**.*

*Some **grassroots initiatives** exist, but they are mostly spontaneous initiatives developed at the local and regional levels and not systematized in any best-practices at a national level.*

*Overall, the **gap between the strategic and operational dimensional is significant**. The lack of details about specific targets, organizations and budget could also be due to it being*

a matter of national security, but if we are to judge by the measures currently made public, these are struggling to live up to the National Plan.

1. Comprehensive strategic approach	Score	YEAR (Most Recent)
(1a) Legislative foundation for adoption of PVE action plan	Yes	2020
(1b) Existence of PVE strategy and a national action plan	Yes	2020
(1c) Presence of comprehensive monitoring mechanisms of strategy / action plan implementation	Insufficient information	2020
(1d) Presence of dedicated body tasked with PVE strategy development and coordination	Yes	2020
(1e) Compliance of strategy and action plan with human rights standards and the principles of rule of law	Insufficient information	2020
(1f) Participation of a wide range of government actors in development and implementation of PVE strategy and action plan	Yes	2020
(1g) Participation of non-government actors in development and implementation of PVE strategy and action plan	Limited participation	2020
(1h) Reference to FTFs and related measures in PVE strategy/action plan	No	2020
(1i) Reference to terrorism financing and related measures in PVE strategy and action plan	Yes	2020
(1j) Reference to communication counter- or alternative narrative campaigns in PVE strategy/action plan	Yes	2020

2. Comprehensiveness of measures - areas of action, actors and projects	Score	YEAR (Most Recent)
(2a) Development and implementation of programmes for support of victims of terrorism and violent extremism	Yes	2020
(2b) Training for frontline practitioners	Insufficient information	2020
(2c) Initiatives to improve the preparedness of security forces, law enforcement and justice institutions to deal with radicalisation.	Insufficient information	2020
(2d) Development and implementation of P/CVE-specific education initiatives for youth	Insufficient information	2020
(2e) Development and implementation of P/CVE education initiatives and projects for women	No	2020
(2f) Platforms for intra and interfaith dialogue between the state and religious leaders	Yes	2020
(2g) Networks for civil society, religious leaders, youth and women's organisations for dialogue, cooperation and best practices.	Yes	2020
(2h) Grassroots initiatives by civil society actors focussed on prevention	Limited level	2020

Spain	Indicators Assessment	GREASE	
(2i) Counter- and alternative- narrative campaigns		Insufficient information	2020
(2j) Multi-agency cooperation and/or referral mechanisms at local level identifying and supporting at-risk persons		Yes	2020
(2k) State-commissioned research on religiously-inspired radicalisation and violent extremism		Yes	2020
(2l) programs and measures to prevent radicalisation into violent extremism in prison and probation settings		Insufficient information	2020

Project name: Radicalisation, Secularism and the Governance of Religion: Bringing Together European and Asian Perspectives

Project Acronym: GREASE

Project Coordinator: Professor Anna Triandafyllidou

Contact: anna.triandafyllidou@eui.eu

March 2020

Document series reference: D3.2 Indicators Assessment



This document can be downloaded from the publications section of the GREASE website at <https://www.grease.eui.eu/>

The sole responsibility of this publication lies with the authors. The European Union is not responsible for any use that may be made of the information contained herein.



The GREASE project has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement number 770640