

Local Tourist Systems in Spain

Abstract

The enormous potential of tourism as the economic sector in this millennium and, on the other hand, the onset of the international competition that accompanies the globalization of tourism and its forms of product segmentation, mean that the EU grants tourism an important role in the realization of that all-European economic and social model drawn to Lisbon. This clearly shows that global competition is increasingly playing on the ability to offer a single service in its complexity. In the panorama of the different forms of state, Spain is today a singular case.

The priority objective of the Spanish system is to increase the value of the local tourism system as a tool for enhancing the system, i.e. all the activities integrated into the territory, with the coordination and involvement of the largest number of actors present in the territory. On the other hand, the expansion of the tourist's offer, consisting of the range of tourist products, or rather the different parts of a single tourism product, consisting of goods, services, social, cultural and economic factors capable of meeting demand Global tour and tourist visit expressed by the tourist. The reference to the local dimension of tourism policies in Spain is strongly linked to the progressive affirmation of the paradigm of sustainable development.

In this paper we understand how both Italy and Spain are, have made a different commitment to start, support and strengthen local, productive or tertiary systems, in particular tourists. Both local systems are strong, cohesive and characterized by entrepreneurial creativity, the daily capacity to innovate and the workings of local communities, where the territorial fabric has long been plagued by textures, networks, and associations, with a traditional "social" behavior, according to the logic of endogenous development.

This happens even if in Italy more than in Spain are the difficulties of the system, where excessive tax and contribution pressure persists along with the widespread delays in training circuits and infrastructural networks.

The difficulty of managing on a national scale a phenomenon that moves with great fluidity on a global scale, through tools that traditionally are effective within the individual borders of the state, explains the strength with which the regions move in this era. A natural process of refinement aimed at maintaining control over the growing interaction between national economies, which translates into regional aggregates to which powers and regulatory capacity are used to meet local and regional instances and to handle not far from the well-known problems heard by local communities².

There is a substantial agreement on the role that territory and local specificities play in global competition. The enormous potential of tourism as the economic sector in this millennium and, on the other hand, the onset of the international competition that accompanies the globalization of tourism and its forms of product segmentation, mean that the EU grants tourism an important role in the realization of that all-European economic and social model drawn to Lisbon and which

¹ Prof. of Private comparative law - *Luigi Vanvitelli* University of Campania, *Jean Monnet* Department of political Sciences

² *Barca, F., McCann, P., Rodríguez-Pose, A.*, The Case for Regional Development Intervention: Place-based versus place-neutral approach, *Journal of Regional Science*, 2013, 2006.

clearly shows that global competition is increasingly playing on the ability to offer a single service in its complexity³.

In reality, globalization has played an important role in strengthening the regional scale compared to the national one, rather than making the different geographical situations conform. It follows that the affirmation of globalization of the market with the local dimension does not express a contrast: in the geographic reality, global phenomena have a pragmatic need to anchor on the territory, or rather to geographic systems, the stronger they are, the more they can be interpreted as system areas, specialized districts, such as industrial zones, while weak local systems or geographically fragmented geographically and economically fragmented areas become increasingly marginal and poor. In the panorama of the different forms of state, Spain is today a singular case. Constitutionalist identify the nature of the Spanish state as a sort of tertium genus between centralism and federalism, and to define it using the term "autonomous state" or "autonomy"⁴.

Spain, traditionally considered a regional state model, has, with the Constitution of 1978, since the return to democracy, a complex state organization, divided into Municipalities, Provinces and Autonomous Communities. To these entities, the Spanish Constitution (EC) recognizes autonomy for the management of their interests (Art. 137 EC)⁵.

After the franchise crisis, Spain opted for a decentralized and decentralized organizational model, which is based on the distribution of political power between the various territorial public entities and the autonomy of these, understood as the regulatory power, political and administrative management of Local interests. The characteristics of the regional model established by the Constitution of 1978 are outlined in Title VIII of the same, which, by regulating the territorial model of the State, places it as a core element of the local authorities, leaving the legislature free to determine the concrete model Local regime.

In its judgments 84/1982 and 170/1989, the Constitutional Court clarified that local autonomy, as recognized in art.137 and 140 Constitution, enjoys an institutional guarantee with a minimum content that the legislator is required to comply with. This guarantee implies the right of the local community to take part, through its bodies, on the government and administration of all matters relating to it, with a gradual intensity of such participation according to the relationship between local and supra-local interests at the local level internal issues.

For this autonomy to be concrete it is denied the existence of links of hierarchical dependency between the central state, the autonomous community, and the local tourist agencies, so that relations between these levels of government are framed on an equality plan⁶.

Autonomous communities, provinces, municipalities, and local tourism authorities are also involved in the delineation of the Spanish system and are interdependent. The autonomous Communities, envisaged and guaranteed by the Constitution, are endowed with autonomous statutes endorsed by reinforced (organic) laws that form part of the "constitutional blockade", that is, the set of rules on the allocation of competences between the State and the Autonomous Communities, they act as parameters in judgments about attribution conflicts. The statutes are

³ *Lizza, G.*, Europe Between Regionalization and globalization, *Lizza, G.* (ed.), Geography of the New Europe, Turin, Utet, 1999.

⁴ *De Matteis, G.*, For a Geography of Territorial Activity and Territorial Values, *Bonora, G.* (eds.), SloT notebook 1, Bologna, Baskerville, 2001.

⁵ Geography of Tourism, Milan, *Bencardino, F., Prezioso, M.* (eds.), McGraw-Hill, 2007, 194-218.

⁶ Tourism between Economics and Geography, *Dallari, F., Grandi, E.* (eds.), Bologna, Pàtron, 2005; Tourism Between Local Development and Interregional Cooperation, *Dallari, F. E., Mariotti, A.* (ed.), Bologna, Pàtron, 2006.

contracted between the state and the autonomous community, so each community can have a peculiar accumulation of competence and a different organization⁷.

The province assumes a peculiar position in the local Spanish order: introduced with the decrees of 30.11.1833 as a territorial constituency for the exercise of state tasks, it was later transformed into a local government with the approval of the Statute of 1925. Declared by the Spanish Constitution of '78 (art.141) a local government entity with its own legal personality constituted by a grouping of municipalities, the Constitutional Court then recognized it as a compulsory local training body.

While the Basque Country is divided into three provinces (Territorios Historios) with exclusive competence in some subjects and important functions in the tax field, Catalonia has established a certain antiprovincialism that has privileged the Comarcas (surrounding service management function) Expropriating substantial tasks in the provinces. Some statutes provide that the Province and the Commune are the local authorities in which the regional territory is divided (Aragona, Castile-La Mancha), other regions safeguard the province as a division for the exercise of state duties (Galicia, Andalucia)⁸.

The municipality is defined by art.11 of the 82nd Basic Law as "the local body of the territorial organization of the State", which has as its constituent elements - "the territory, the population and the organization" (Art.11.2 Basic Law). Article 20 of the basic law distinguish the organs of the municipality between necessary and auxiliary. The latter may be governed by the autonomy legislation and by the respective communes in the organic regulations⁹.

The same basic law in art 3 classifies local tourism authorities on two levels: on the first level, municipalities, provinces and islands are also included, on a second level local authorities of lesser importance than the first, created or Recognized by autonomous communities: the Comarcas (common meetings determined by common interests or geographical features), the metropolitan areas and the Mancomundidades of municipalities (community associations). While the former is constitutionally foreseen and extend throughout the territory, the latter, although recognized at the constitutional level (Article 141.3), have an optional character. The basic law governs the procedure needed to introduce these associative bodies¹⁰.

⁷ Article 137 EC states: "The State is organized territorially in Communes and Provinces and in the self-constituting communities that are constituted. All these entities enjoy autonomy in the management of their own interests. The territorial elements enumerated in art. 137 are, according to the Constitutional Court, "architectural and indispensable elements of the constitutional order" (Trib.cost. 2.02.1981).

⁸ *Dallari, F.*, Territorial Development and Reconstruction: Local Systems and Tourism, *Savelli, A.* (ed.), Tourism, Territory, Identity. Research and Experiences in the Mediterranean Area, Milan, Franco Angeli, 2004, 285-306.

⁹ *Del Rio Iglesia, E.*, Tourism Organization and Tourism Policy in Spain, *Barucci* (ed.), Tourism Policy and Organization in Italy and Europe, Coll. Center of Tourist Studies No. 3, 1977.

¹⁰ The Comarca is an entity designed to help municipalities unable to perform their tasks, but it does not replace them, in fact, the municipalities that are grouped, can not lose the competence to provide "minimum services" or lose their competence in the subjects contemplated in art. 25 of the Basic Law. The Mancomundidades de municipio are governed by art.3 of the Basic Law, which also envisages the creation of local institutions of an institutional nature. Which voluntary associations of municipalities are created to improve the performance of works and services, they do not need to be legally recognized. The purpose of these institutions is to solve the problems of many small municipalities, especially for rural ones. Metropolitan areas are local entities formed in the forties and fifties for the management of urban planning and common services. Their creation, modification and deletion is the responsibility of the regions after the opinion of the state administration, of the communes and provincial councils participating in them, according to the provisions of the autonomous statutes.

Neither the Constitution nor statutes provide for the recognition of metropolitan cities. Art. 43.2 of the Law of 7/1985 defines the metropolitan area as: "Entidades locales integras por los Municipios de grandes aglomeraciones urbanas, entre cuyos nucleo de poblaci3n existes vinculaciones economicas y sociales, que hagan necesaria the planningification conjunta y coordinacion de determinados servicios y obras ".

The creation of metropolitan areas is restored to the laws of the Autonomous Communities. The Constitution distributes local authority responsibilities to the state and the autonomous communities, local authorities and local tourist agencies, but does not provide a concrete list of subjects on which competencies must or should be exercised. It is up to the state legislature to attribute competencies to local authorities, without altering the system of allocation of competences provided by the constitution and the statutes of autonomy.

For this reason, the State in regulating the legal regime of local tourism bodies has limited itself to defining only the minimum core of competencies necessary to ensure the autonomy constitutionally guaranteed to municipalities and provinces. It is up to state or regional laws to supplement the content of the general law on local law¹¹.

As far as the local tourist authorities are concerned, from the constitutional reading of art.137 and 142 it is concluded that Municipalities and Provinces have to manage their interests autonomously and that for these purposes "the finances of local tourist agencies must have sufficient means to fulfill the functions assigned by the law to their respective bodies, tributes and participation in those of the State and Autonomous Communities ".

This discipline is closely linked to the traditional vision of local tourist authorities in Spanish law. In fact, the State recognizes them as self-created entities to meet the needs of the community and as such, responsible for the care of their own interests, for the satisfaction of which it is necessary to attribute exclusive powers.

However, constitutional jurisprudence, emphasizing the difficulty of identifying exclusively local interests, has made it clear that art. 137 (EC) refers to the need to attribute to a smaller tourist territorial entity a minimum body of powers that protects the institutional guarantee of such bodies. Therefore, the powers are assigned not to an exclusive interest, but to assess, on a case by case basis, which entity has a predominant interest. Since it is often a matter of competing interests, there is a need to identify both procedural fittings and composite organs. Autonomy translates into the right for smaller touristic territorial entities to participate in government and administer issues that concern them.

It is the state and regional legislator to assign functions to local tourist authorities (according to the division of competence for the matter provided by the Constitution and the Statutes), that is to all those new forms of territorial aggregation potentially capable of coagulating and enhancing vocations, attractions, amenities and tourist services set up in a given area, based on processes of unions and associations between private and public actors. This is a defined space (a site, a place, an area) that can offer the visitor an articulated and integrated offer, realizing a specific and distinctive tourist hospitality system that enhances local resources and culture.

¹¹ The basic law on local government is No.7 of 02 April 1985 "Local Governance Regulatory Law" (LRBRL) amended by Law No.11 of 21 April 1999, amended and modified several times (lastly by Law No.57 of 16 December 2003-Ley de medidas para la modernizaci3n del local gobierno).

In this direction, the attention is given to the emergence of the subnational dimension as the main reference point of the economic processes and the scope for claiming the powers related to the promotion of development, involves the tourism industry in large measure. However, even if the potential elements and entrepreneurial abilities of the Spanish tourism system are really important, they have contributed to the flowering of a limited number of strong local tourist systems and little to macroscale territorial redeployment processes.

The priority objective of the Spanish system is to increase the value of the local tourism system as a tool for enhancing the system, i.e. all the activities integrated in the territory, with the coordination and involvement of the largest number of actors present in the territory; On the other hand, the expansion of the tourist offer, consisting of the range of tourist products, or rather the different parts of a single tourism product, consisting of goods, services, social, cultural and economic factors capable of meeting demand Global tour and tourist visit expressed by the tourist.

The reference to the local dimension of tourism policies in Spain is strongly linked to the progressive affirmation of the paradigm of sustainable development. The close link between tourism competitiveness and integrity/respect for local heritage is constantly pushing for the full implementation of the principles of sustainability. Precisely the realization of this paradigm demands that the process of development takes place from the bottom through: the valorisation of the local vocations, respecting the integrity of the natural environment; maximum involvement of all stakeholders by enhancing creative abilities around specific projects; the full realization, from an institutional point of view, of the European subsidiarity principle¹².

It is so obvious that tourism can also be a strategic element in the processes of building or re-designing the territory in the local and regional dimension, always and in any case in globalization and global competition scenario, to meet the growing demand of new tourism.

Both Italy and Spain have made a different commitment to start, support and strengthen local, productive or tertiary systems, in particular tourists¹³. Both local systems are strong, cohesive and characterized by entrepreneurial creativity, the daily capacity to innovate and the workings of local communities, where the territorial fabric has long been plagued by textures, networks, and associations, with a traditional "social" behavior, according to logic of endogenous development¹⁴.

This happens even if in Italy more than in Spain are the difficulties of the system, where excessive tax and contribution pressure persists along with the widespread delays in training circuits and infrastructural networks¹⁵.

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¹² *Gemmiti R., Conti Puorger A.*, The territorial bases of sustainable tourism development, *Madau, C.* (ed), *Cultural Resources and Local Development*, Acts of the Convent, Rome, Geographic Society of Italy, 2004, 397-410.

¹³ *Becheri E.*, Changes in Tourism: The Internationalization of the Markets and the Main Figures of the Offer. The Problems of Italy, Ministry of Tourism and Entertainment, Third Report on Italian Tourism, Rome, 1998, 12-56.

¹⁴ *Vecchio, B.*, Enhancement and Territorial Innovation: Reflections on the Case of Italian Tourist Areas, *Leone, U.* (ed.), *Enhancement and Territorial Development in Italy*, Franco Angeli, Milan, 1988; *Basile R., Donati C., Pittiglio R., Savarese M.*, 2015. Employment dynamics and local production structure in Italy, *Italian Journal of Regional Science*, 142: 33-68.

¹⁵ *Della Corte V.*, *Managing local tourist resorts*, Cedam, Padua, 2000.

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