

Observatorio Medioambiental

ISSN: 1139-1987

<http://dx.doi.org/10.5209/OBMD.93028>EDICIONES
COMPLUTENSE

The regional geographical space of tourism in Spain: bases for the interpretation of the territorial tourism system

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Recibido: 17 de noviembre del 2022 / Enviado a evaluar: 20 de diciembre del 2022 / Aceptado: 4 de diciembre del 2023

Abstract. Throughout this research we approach the sociological explanation of the tourist activities that are developed in the context of the state "apparatus" of Spain, from the regional singularity. The interpretation of a reality becomes relatively important in which the interpretation, from Article 2 of the Constitution, currently in force, of the Nation, Nationalities, Regions, particularism and differential facts stands out. Relationship or political-legal-social relational complex (conceptually materialized as a politically organized social community, that is, as a State), not even, when contrasted differentially and reciprocally, can it ignore the primary purpose to which this relationship aspires, which is none other than to consolidate (rather than achieve), a objectual unit that society, territorially established and politically governed, independently of any other supreme power, recognizes referentially with full sovereignty (with total residential settlement of power in the element "people"), that is, with the State. Tourist activities are greatly influenced by the fact that in the Spanish state model the fruitful territorial division of the nation (understood in its double facet, cultural and legal, where the first refers to a set of individuals related to each other through ethnic, linguistic, geographical, historical, or religious ties, among others, and, in which the second reference refers to the set of citizens subject to a contractual relationship or social control such as the Constitution or the established legal system), has served to superimpose, in the peninsular geographical space, a set of territorial entities resulting from of the collective national will (on which the nation is based in its legal sense), and of the sentimental and identity bond.

Keywords: Territorial model; Geographical space; Tourism; Territorial Tourist System; Territory.

[es] El espacio geográfico regional del turismo en España: bases para la interpretación del sistema turístico territorial

Resumen. A lo largo de la presente investigación nos aproximamos a la explicación sociológica de las actividades turísticas que se desarrollan en el contexto del "aparato" estatal de España, desde la singularidad regional. Cobra relativa importancia la interpretación de una realidad en la que destaca la

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interpretación, desde el Artículo 2 de la Constitución, actualmente vigente, de la Nación, las Nacionalidades, Regiones, particularismo y hechos diferenciales. Relación o complejo relacional político-jurídico-social (materializada conceptualmente como comunidad social políticamente organizada, esto es como Estado), ni siquiera, al ser contrapuesta diferencial y recíprocamente, puede obviar la finalidad primordial a la que esta relación aspira, que no es otra que consolidar (más que alcanzar), una unidad objetual que la sociedad, territorialmente establecida y políticamente gobernada, con independencia de cualquier otro poder supremo, reconoce referencialmente con plena soberanía (con total asentamiento residencial del poder en el elemento “pueblo”), es decir, con el Estado. Las actividades turísticas se ven muy influidas por el hecho de que en el modelo estatal español la fecunda división territorial de la nación (entendida esta en su doble faceta, cultural y jurídica, en donde la primera refiere a un conjunto de individuos relacionados entre sí a través de vínculos étnicos, lingüísticos, geográficos, históricos, o religiosos entre otros, y, en la que la segunda referencia alude al conjunto de ciudadanos sometidos mediante una relación contractual o de control social como son la Constitución o el ordenamiento jurídico establecido), ha servido para superponer en el espacio geográfico peninsular, a un conjunto de entidades territoriales fruto de la voluntad nacional colectiva (en la que se sustenta la nación en su sentido jurídico), y, de la vinculación sentimental e identitaria.

Palabras clave: Modelo territorial; Espacio geográfico; Turismo; Sistema Territorial Turístico; Territorio.

[fr] L'espace géographique régional du tourisme en Espagne: bases pour l'interprétation du système touristique territorial

Résumé. Tout au long de cette recherche, nous abordons l'explication sociologique des activités touristiques qui se développent dans le contexte de «l'appareil» étatique de l'Espagne, à partir de la singularité régionale. L'interprétation d'une réalité devient relativement importante dans laquelle se démarque l'interprétation, à partir de l'article 2 de la Constitution, actuellement en vigueur, de la Nation, des Nationalités, des Régions, du particularisme et des faits différentiels. Relation politico-juridico-sociale ou complexe relationnel (conceptuellement matérialisé comme une communauté sociale politiquement organisée, c'est-à-dire comme un État), même lorsqu'elle s'oppose différenciellement et réciproquement, elle ne peut ignorer le but premier auquel aspire cette relation, qui n'est aucun autre que celui de consolider (plutôt que de réaliser) une unité d'objet que la société, territorialement constituée et politiquement gouvernée, indépendamment de tout autre pouvoir suprême, reconnaît référentiellement avec pleine souveraineté (avec installation résidentielle totale du pouvoir dans l'élément « peuple »), c'est-à-dire avec l'État. Les activités touristiques sont fortement influencées par le fait que dans le modèle de l'État espagnol, la division territoriale féconde de la nation (comprise dans sa double facette, culturelle et juridique, où la première fait référence à un ensemble d'individus liés les uns aux autres par des liens ethniques, linguistiques, liens géographiques, historiques ou religieux, entre autres, et, dans lequel la deuxième référence fait référence au groupe de citoyens soumis par une relation contractuelle ou un contrôle social comme la Constitution ou le système juridique établi), a servi à superposer dans la péninsule l'espace géographique, ensemble d'entités territoriales résultant de la volonté nationale collective (sur laquelle repose la nation dans son sens juridique), et du lien sentimental et identitaire.

Mots-clés: Modèle territorial; Espace géographique; Tourisme; Système touristique territorial; Territoire.

Cómo citar. Sotelo Pérez, I. (2023). The regional geographical space of tourism in Spain: bases for the interpretation of the territorial tourism system. *Observatorio Medioambiental*, 26, 247-265.

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1. Introduction: Socio-environmental interpretation of the Spanish State and its implications in the field of Tourism

The territorial political model of Spain is marked by the intercession between a diachronic reality -history- and the current synchronic reality, the changes and transformations that the present reality of our country introduces, reaching a sociological explanation of the State to a certain extent. Spanish. In fact, today, despite how anachronistic it may seem, to speak of an absolute meaning of the term “State”, the sociological assessment that most seems to coincide with the courtroom complex of the State, is what leads us to understand it as a individual social reality and as a collective social reality, which is materialized through a complex network of legal and political postulates, which allow the institutional structuring of a set of social phenomena in a given geographic space, identifiable with a politically organized community that , in terms of organic totality, gives configurative coverage to that expression that we identify as “State.” All of this has a more than notable influence on **the territorial planning and economic planning processes of Tourism and its related activities.**

In fact, this relationship or political-legal-social relational complex (conceptually materialized as a politically organized social community, that is, as a State), does not even, when differentially opposed, and, reciprocally, can ignore the primary purpose to which this relationship aspires, which is none other than to consolidate (rather than achieve), an objective unity that society, territorially established and politically governed, independently of any other supreme power, recognizes referentially with full sovereignty (with total residential establishment of power in the element “people”), that is, with the State; with what this means in the **Tourism planning process.**

In this context, the fictitious social complex, in general, and its implications in the field of Tourism, has been materialized through political power relations, or legal formulas, capable of systematically and rationally organizing objectives and values expressed through laws. abstract, or structural configurative systems supported by social principles such as the separation of powers, or the bureaucratic administrative organization; however, its practical consolidation has been marked by that evolutionary transition that develops between the so-called liberal State characterized by separately deferring the state conception of the social appreciation of the State (that is, understanding the State and society independently), until reaching the current ideals of the so-called **Social State** erected on the corporate aggregation between the two realities that designate the State and society together (therefore, understanding the State and the social entity as parts interrelated with each other), and that when adhered to the democratic element, they have given rise, as in the Spanish case, to the configuration of the current social and democratic State of law (in which the theoretical preminence is instituted according to which there is no democratic state but is of law, that is, if it does not have a legal and jurisprudential organization chart capable of guaranteeing it).

Indeed, the State has been reaffirming and strengthening itself functionally through historical development, through the development of different techniques of social control and also through social analysis and programming capabilities that have made it possible to plan the different fields of the sphere. state, such as the economy, politics, or other aspects considered sectoral, and which, in their global consideration, comprise the set of aspects of the collective body thus established, transgressing the individual or particular scope of each of those members that make up the society, and its social and economic activities, among which Tourism stands out.

This social construction of the State becomes complex in its concomitance with the territorial context around which the complex social relations essential for the **construction of the State** (which is “social”) in its different facets originate, develop, and also execute. (economic, social, political, territorial, and governmental), among which we highlight **territorial tourism development**. Hence, if we stop at the element, or territorial scope of the State, we can capture how, throughout the ideal, material and intellectual development of the figure of the apparatus that is the State, they have been differentiated in their territorial relational connection , the different physical-social realities, according to which answers have been found regarding the models of territorial organization that the politically organized community has believed most appropriate to adopt, in the corresponding historical period in which the social realities of each specific time period.

In this sense, therefore, reference is being made to how the sociological explanation of the State responds to a social need linked to the territory where the organized community of individuals settles. Indeed, far from understanding in a disaggregated manner the logical and ideological construction of the State (this is the triple theoretical-practical dimension that has historically shaped the strict intellectual meaning of the unitary apparatus that makes up the State), at present, we have the opportunity , and even more so in a context such as the Spanish one, to overcome, through the sociological interpretation of the State, the elucidation of the three state elements of “**power**”, “**territory**” and “**government**”, as substantial elements particularly considered in their dimension theoretical, which ultimately tend to constitute, in the practical objectivity of state functioning, an entire impenetrable body; Because sociology allows us to understand these three constitutive elements of the State in their joint aspect that provides us with the unified geographical space in its regional intellection and interpretation.

In the Spanish state model, the fruitful territorial division of the nation (understood in its double facet, cultural and legal, where the first refers to a set of individuals related to each other through ethnic, linguistic, geographical, historical, or religious among others, and, in which the second reference refers to the group of citizens subjected through a contractual relationship or social control such as the Constitution or the established legal system), **has served to superimpose in the peninsular geographical space, a set of territorial entities resulting from the collective national will** (on which the nation is based in its legal sense), **and, from the sentimental and identity bond** (sustaining the nation in its cultural meaning), coming from the individual interrelation of the dominant cultural frameworks in those

singular territorial realities thus considered, and where the sum of these two social substantialities (collective, and individuality), have given rise to the configuration of a spatial situation typical of the Spanish State, in which even in its social, political, and territorial singularity and particularity; Far from being understood in isolation, it forms a unitary territorial, social and political structure, based on regional extension, which affects and has repercussions on the planning process of tourist activities.

Regional delimitation as a relational expression of all the elements of the State (remember, power, population, territory), has materialized in our practical state reality, a unity of the nation in the territory delimited by the State; that has given and made possible the variety of “forms of autonomy” recognized in the contractual expression of the community that the 1978 Constitution represents. The Region manages to avoid the fragmentation that the terminological concept “autonomous” supposes for the organically organized social community (since they are the territorial instances of power, which delimit the social distinction between one territory or another, in line with the state recognition coming from the constituent political action that I order according to government relations, the hierarchical structuring of national sovereignty, which belongs to the Spanish people in their joint and non-fractional consideration).

This “**national territorial unity**” is possible thanks to two essential social elements of the geographical space, which are (as has been delved into), **the Region**, on the one hand (in terms of abstract spatial delimitation), and **the State**, on the other. another (in terms of fictitious spatial composition). Elements both materialized through social power relations originated, developed, and governed by the politically organized community (that is, through regulated formulas of social control, originated by a state community that creates them and subsequently submits to them). We speak therefore of this double social dimension of the “**Spanish State-Region**”, insofar as the regional dimension unifies the elements of the State concerned with the territory, the people, and the government (as this is a region understood as geographical, which It encompasses in its conceptual sense the natural, cultural and human region, therefore, also the legal-political-administrative region), while the state dimension simplifies the regional complexity, unifying the natural and human disengagement that the geographical region entails. in a territorial, social, and superior political unit that embodies the regional State, managed and self-governed through the autonomous form, unified by the nation, the people, or the jointly established Spanish homeland.

2. Regional particularities of a constitutionally undefined State, and their implications on tourist activities

To understand the current Spanish decentralized territorial model, and its impact and repercussion on Tourism and its related activities, we must refer to a first-order conceptual appreciation for the practical structuring of our State. In effect, I am referring (once again) to the importance of understanding that reality that has made it possible among us (social community), to be able to define, even if it is exclusively de facto, our political territory. This reality, which allows us to definitively identify a

territorial model that the social entity through a pact has decided not to define (at least in our Magna Carta of 1978), we come to recognize as a "Region".

The **regional concept**, which beyond an identity substantivity typical of a community that assimilates and individualizes as its own, conceived as a set of natural characteristics (such as climate, relief or vegetation), or human ones (similar to, for example, a specific specific human activity, or a specific historical existence, among others), given on a specific and delimited space of the earth's surface; It must be considered as a larger social phenomenon, that is, as an intellectual contribution (let us not forget that we are focusing on a term that responds to a mental abstraction of the human being, to an abstract, cultural, individual concretion, and also assimilative to a collective subjectivity), capable of understanding in its terminological content a correlation of theoretical and legal aspects capable of organizing the spaces delimited by the state entity, as well as its constituent elements (I am referring to the population, the territory, and to the governmental sphere that encompasses power); which gives rise to an authentic regional organization of our **current Social Democratic State of Law**.

This regional organization of space (geographical, political, social, and economic), is in turn given (that is, obeys, and at the same time is conditioned), by two essential appreciations that the social community attributes regarding the conception of the called "*Regional State*". Two assessments related to the recognition (and also the absence thereof) that the Supreme Law of the State makes on the current territorial political model, which, on the one hand, omits in its formal literalness, any assimilative definition that assumes for Spain any projection of the traditional federal or unitary modalities that organizationally define the States since the appearance of the constitutional system; and, on the other hand, the observance in the constitutional text of the regions within the structural heart of the territory.

Within the framework of this double two-front conception of the territorial model (legal constitutional lack of definition of the model, and recognition in the Fundamental Standard of the State, of the regional stage), in general, and the tourist one, in particular, it is where the democratic trend has been developing to bring the decision-making centers of government power closer to citizens, pending the needs of the population, which is in turn delimited by a set of territorial entities, protected at the dawn of development. of the social project proposed by the social pact in the form of a Constitution. This process of regional reorganization of the State (which deepens its roots in the conceptions of authors such as Hugo Preuss), which would serve for other authors such as Luis Jiménez de Asúa to be able to support the original approaches of the Constitutional Text of 1931 corresponding to the Second Republic. Spanish, and that without a doubt would find doctrinal consolidation (among others), in the definition of the Italian professor Gaspar Ambrosini, who would coin in the decade of the thirties of the last century, the terminological designation of "Regional State", whose name, is appropriate (due to the characteristics of our model), to assign to the Spanish state entity.

An entity (that of the State), whose constitutive organizational condition (dictated in accordance with the provisions of the second article of the Constitution), even

without finding a *de jure* definition, has found practical materialization on the territory, through, in turn, that relational combination (between autonomy, nationalities and regions), according to which allows us to recognize that process through which the functions and institutional powers of the State are dispersed from the central state unit. This process or form of organization of the State, which has come to be called “decentralization”, stands as a fundamental characteristic piece for the development, and also for the definition of the territorial political character and the legal-administrative nature of the state system.

This decentralization is proposed in the Spanish State through two essential spatial and territorial horizons: firstly, the horizon specified by the **Region -including the so-called Tourist Regions-**, and, secondly, the horizon designated by that constituent territorial unit. of the territorial organization of the State, which corresponds to the municipality (without forgetting that delimitation according to which, it is possible to contemplate the integration of both horizons in the same territorial contemplation, in such a way that, either the municipality is incorporated into the scope of the region, or vice versa, reducing the institutional role of the Region to the simple formal support of the municipality). Within this approach, the decentralization of both functions and powers is developed between the different organs of the State in all its different spatial facets, which find in the physical support that is the territory, their limiting differentiation that individualizes and personifies them (the nominal appreciation that article 137 of the Constitutional Text clarifies regarding the territorial organization of the State, in its geographical spatial delimitation **in municipalities, provinces, and Autonomous Communities**, all of which are attributed the autonomy to be able to manage their respective interests).

Indeed, it could be clarified how in the Spanish case (between the different territorial entities, whether those that correspond to the municipality, the province or the Autonomous Communities), a conceptual reality of an eminently practical nature is interposed, such as the so-called “**autonomy**”. through which the community's own sense of **political decentralization** is developed and deployed (also understandable in some cases as economic and social). Therefore, the sense of understanding “autonomy” as a rationalizing background of the territorially constituted state functioning is not idyllic; in fact, it could be said that autonomy has been established as an essential foundation for the entire constitutive configuration of the “Regional State.” **Autonomy and Region**, it can be stated, therefore, that they are two basic aspects of the organizational component of the State, both substantivities going hand in hand, in that they formalize, through decentralization and in their unison, the appreciation not only legal but also state technique. A technical-legal appreciation that is recognized materially and objectively through the doctrine through the postulates clarified in the work “La Regione” of 1949 attributed to Professor Prieto Virga, according to which, autonomy is identified as “the condition “of a region endowed with legislative powers attributed by the constitution itself and lacking,

however, its own constituent power”².² A conceptual determination that clarifies in its different terminological components (**Region, powers, Constitution, constituent power**), and with its own substantivity the pragmatic meaning of the Regional State.

In this way, and in accordance with the exposed components, we start from a model, that of the Spanish regional State, whose original expression is reflected in the 1931 **Constitution** of the Second Republic, inspired as previously mentioned by the formulation intellectual origins from Professor Luís Jiménez de Asúa, who, in turn, is influenced, not only by the doctrines of authors such as the German Hugo Preuss, but essentially by the principles contemplated in the Weimar Constitution of 1919.

Starting from the fundamental fact that the regional State is conceived as an intermediate organizational level between the so-called federal State and the centralized State, **the regional State** is, however, appreciated as a formula of political decentralization that differs from the traditional federal State (emerged in the paradigmatic ideal of the North American Constitution of 1787).

In relation to the historical process of formation of the State in its regional form in Spain, this concerns those social movements that during the 19th century (primarily in areas such as Catalonia or the Basque Country), aspired for their corresponding territories, to achieve of self-government (in its different facets, both legislative and administrative), and, even more, in some cases certain inclinations for independence were formed. Against this trend, certain social criteria had also been developed, whose organizational option of the State leaned more towards centralism. In this sense, and given that the political autonomy of the so-called regions of Catalonia and the Basque Country respectively, could be the origin of movements that would come together in total independence for these territories, added to the fact that in other parts or regions of the State lacked any pretension that would lead to achieving “the autonomy for other areas”, desired autonomy; the aim was to violate a state organizational approach that would surpass the classic models (centralized or federal), which were not suitable for application to the Spanish territorial case (since neither the federal model of territorial organization was accepted by sectors in important political terms, nor was it suitable for the claims of the regions of the Basque Country or Catalonia; nor would the centralist model be considered viable to satisfy the claims of the social movements present in the aforementioned regions).

The decisive outcome of the problem concerning the establishment of an organizational model of the State (federal, or centralized), took place when the advent of the second Spanish Republic, the constituent power of the time (which would finally give rise to the appearance of the Constitutional Text 1931), a political and social organizational approach, previously unpublished, appeared for Spain, consisting of a formula coined by some authors -such as Professor Luis López Guerra-, “flexible” (similar but totally different to the federal one), which would

² Fragmento de Miguel Herrero de Miñón, que introduce la obra de Georg Jellinek titulada “fragmentos de Estado”. Publicada en el 2016, en Madrid por la editorial Civitas.

make possible the implementation of a broad decentralization of a political nature, and that would establish a so-called “regional” model throughout the territory. This model (which in certain senses was acquired by some Constitutions in our environment such as that of Italy of 1947, that of Portugal of 1976, or later the current and current Spanish Constitution of 1978), would present a series of particularities such as:

-The establishment by the “Norma Normarum” of the Spanish legal system, of a set of entities of a territorial nature, such as the Regions or the Autonomous Communities, to which political autonomy is attributed by constitutional mandate (regulation in the that the definition of the form of government is established - that at the present time in the Spanish Constitution of 1978, both the political form of the Spanish State is prefigured, such as the parliamentary Monarchy, the legal form as the Rule of Law, in addition to the definition of the form of the State - although, as previously highlighted, our Constitutional Text omits the defining precision of the territorial form of the state entity).

-In accordance with this constitutional recognition of Political Autonomy (prefigured by the Magna Carta exclusively as a certain provision in favor of the so-called nationalities or regions-Autonomous Communities-to which such right has been recognized, to organize themselves, and self-manage, since the practice concerning “autonomy” does not include a different issue), the Magna Carta that governs the State, limits a series of matters on which nationalities and regions (constituted in Autonomous Communities) can assume in accordance with a delimiting enumeration, **the powers that the Constitution attributes to them.**

In accordance with the current model proposed by the 1978 Constitution, if the political autonomy of nationalities and regions is conceived as a right that may or may not be exercised (dispositive principle) by the established Autonomous Communities, the distribution of powers (and therefore their distribution, to which the aforementioned principle directly responds), is elucidated around the existence of a **complex regulatory core of structural competence made up of:**

A) Constitutional norms (literality of the 1978 Constitution, which establishes those powers reserved to the State and those others that the Autonomous Communities can assume through their corresponding Statutes).

B) Basic institutional norms (or Statutes of Autonomy).

C) State regulations (concerning the establishment of bases, transfer and delegation of powers).

D) Resolutions or pronouncements of the Constitutional Court (concerning the jurisdictional conflicts that have arisen between the State and the Autonomous Communities, or between these and each other), or,

E) The Royal Decrees on transfers.

That is to say, we find a constitutional legal essence composed of a series of norms (constitutional, legislative, regulatory, jurisdictional resolutions, customs and

conventions), which defines the practical operation in which the game of the distribution of powers and services unfolds. , between the different territorial entities that make up the State³.

Therefore, in the current Spanish model, the public functions predisposed to be distributed among the different territorial bodies (central and/or peripheral or autonomous), are those that correspond to those of a legislative and also executive type, since jurisdictional competence corresponds to them. be assumed exclusively by the State, thus establishing a state configuration in which those bodies (State, or the Autonomous Communities) are settled, which are responsible for assuming the elaboration of the rules and which bodies are assigned the execution of the same.

- In any case, and in correspondence with the autonomous capacity and the functional distribution of powers (which in this described model of State, do not have to be the same for the different autonomous territorial entities), the regional State model establishes a novel peculiarity in contrast to other configurative models of the functions of public powers (in relation to the structure and also territorial scope), since it not only allows the existence of more than one level of autonomy within the state apparatus (such as in Spain , in which each Autonomous Community can choose the distribution of powers it wants to assume); but, in addition, this model called “regional” (taken de facto by the constituent of 1978), makes it possible that the autonomy of the “regions” (nationalities and regions, or Autonomous Communities for the current Spanish constitutional situation), can be extended to all or part of the territory of the State (in such a way that if in the second Spanish Republic, said

³ López Guerra, L., Espín, E., García Morillo, J., Pérez Trems, P. y Satrustegui, M. (2010). *Derecho Constitucional. Volumen II. Los Poderes del Estafo. La Organización Territorial del Estado. 8º Edición.* Editorial Tirant Lo Blanch, Valencia. As shown in the following work, the assumption of powers by either the State or the Autonomous Communities (the latter in defense of their own interests), in line with the so-called “dispositive principle”, is not established entirely within our Constitutional Text, but rather it makes it possible for each Autonomous Community, through its corresponding basic institutional norm or Statute, to assume the different corresponding powers. In contrast to what happens in federal models in which each of the powers is established by the State Constitution, in such a way that the central power is assigned a series of comprehensive powers, and in turn, the powers of the federated states are assigned in their entirety a set of specific powers, in such a way that there is a permanent distribution of powers between the state entity and the federated states; In the Spanish case, those powers corresponding to the State are listed in the Constitution (through different formulas that will not be analyzed), while the powers that correspond to the Autonomous Communities will be those that they have assumed. in their corresponding statutes, in such a way that there is a distribution between the State and the Autonomous Communities of a functional type, with which the different matters that make up the social reality object of legal regulation, will be predisposed to be distributed competently between the State and the Autonomous Communities, which (State and autonomies) will exercise public functions and powers in a distributed manner (with the singularity that the powers that were not assumed through their corresponding Statutes of Autonomy by the Autonomous Communities - or were not transferred to them -, are understood in line with the so-called “residual clause” that correspond to the state’s jurisdiction).

autonomy would only be assumed for some areas that approved their own Statutes of Autonomy such as Catalonia in 1931, the Basque Country on that same date , or Galicia in 1936; after the Spanish transition, and assimilation of the current Magna Carta, regional autonomy is restricted to some territories such as those that correspond to the two African cities/places of Ceuta and Melilla).

Consequently, the “regional” model has authorized the provision of political-administrative personality to each territorial entity that makes up the State in its entirety, recognizing at the dawn of the decentralization process, the recognition of the legal-political personality of the group of the social community organized around a territorial geographic space, which, in accordance with the organizational configuration of the public powers established therein, manages to structure the different territorial levels of the State, and around a capacity that is recognized as autonomy , the exercise of powers that enable the organic functioning of the State as a whole.

3. The interpretation of the territorial political model from article 2 of the constitution, bases for the territorial organization of Tourism

From a sociological point of view, the Spanish Territorial Political Model - and its implications in the organizing process of tourist spaces - is significantly instructive, in terms of the result of the different demands of a people who in their existential sense know and are aware national, and wants to identify itself as such in a specific territorial geographic space. In this sense, the Spanish nation must be understood as a collective will, agreed upon through a social pact, whose primary objective is directed toward the peaceful coexistence of a certain social community thus pre-established, that is, the nation considered as a community "desideratum." , that a social group has to live together in society.

This prior consideration has been subjected during the course and discourses of the times in Spain, to an arduous social debate, essentially due to the confluence in the construction of the Spanish nation of a series of particularities of a social, political, geographical, and cultural nature (among others), which, without a doubt, makes us appreciate more strongly than any other people, that Spain must be considered as a country that is the result of its history. A historical past in which the “national” confluence has emerged through the integration of the “peoples of Spain”, in a single common project that we call Spain; One issue is that of integration, which without a doubt has been seen in many periods of time in our history undermined by the controversy that arose around the convenience or lack thereof of knowing how to attribute and clarify whether the residence of political power , is established, either in the “nation”, or on the contrary in the different “territories” in which it operates in its permanence and historical presence.

Therefore, the current territorial political model of Spain is today considered a true social achievement because, more than just recognizing - but also -, it brings together in a practical reality that is the State, a set of varieties, circumstances, customs, and

social traditions; making possible the configuration of a model of coexistence that has made possible the formation of a politically organized national community in its entire territorial understanding.

This single national community organized in the territorial group that comprises the State, is based on the variety of peoples, cultures, traditions, languages and institutions that are their own, and that in their grouping establish and constitute the national understanding as a whole. . This two-faceted understanding between national unity (in its individual consideration), and cultural diversity (institutional, population, and territorial), has become a unified entity through a doctrinal intellection that makes it possible for the “Nation”, and the “Peoples”. ” that make it up, far from being opposed, can aspire to harmonious unity; issue that has repeatedly become a dispute between us in history, and especially after the approval of the current Fundamental Text of 1978 where a sovereignty that resides in the Spanish nation has been recognized within the State (art.1.2 of the Constitution), along with a recognition and guarantee of “nationalities and regions” (art. 2 of the Constitution).

The defining solution, given for this conceptual contrast, has been resolved through theoretical procedures that the doctrine (political and social theory of the State) has reflected in the jurisprudential resolutions of our courts (in essence, I am referring to the decisive pronouncements of the maximum interpreter of the constitutional text that makes up the Constitutional Court of Spain), in which it has been possible to clarify, how not even the nationality referred to in the constitutional text referenced with the different regions of the State, imperatively has to aspire to the claim of sovereign self-determination (pretending that a political power resides unlimitedly in its territories, which on the other hand are delimited by the national will of all Spaniards through the reaffirmation of a social pact that is the Constitution), nor that the people in their rigorous identity consciousness They must renounce it if they are not considered as a nation (a consideration that in the Spanish case is attributed to the Spanish people as a whole, and not to the collective portion that makes it up)⁴; without it being an obstacle to the possibility of there being peoples who, without giving up a national identity, do not exclude themselves from being integrated into higher state forms of a plurinational nature (the latter issue that has been ruled out both by the concretion of our Fundamental Text , as by the interpretation of the Constitutional Court, relegating such possibility to claims of a political nature, or in some of the scholarship of theorists on the subject)⁵.

Hence, the unity of the Spanish state model (both in its social and territorial dimensions) has been possible through the composition, establishment and recognition of the **nominal denomination** of the social and territorial realities that structure and under which the system is organized. current state apparatus. Indeed, if

⁴ Constitutional Court Judgment Sentence 147/2007; or the Constitutional Court Sentence 114/2017.

⁵ Sentence of the Constitutional Court 31/2010, of June 28, 2010, Matter/Case “Statute of Catalonia”.

the creation of the State results from the special combination of the theoretical intellectual element that allows us to define it as a unitary apparatus, a sovereign entity in which its different central powers are concentrated, as well as the product of the practical volitional element coming from of the legal formulas that make its development possible as a reference framework in which the different economic and social activities are deployed within a specific geographical space; in this sense, the unity of this social legal complex that is the State, when it is predisposed around the distributive conditioning of power between different territorial entities, which results in being configured under the definition of a territorial model that clearly decentralizes, through the formula of autonomy, **the legal-political-administrative content of the State, we must find it precisely in the establishment and subsequent nominal recognition of the different nationalities and regions that make up the indissoluble Spanish Nation (article 2 of the Constitution).**

Indeed, the unity, coherence, and coordination of the set of territorial entities in their relationship with the State is possible thanks to the technique that reproduces the Fundamental Text in its literal form (via articles 143 and 144 of the Constitution), through which , is nominalized, that is, given meaning to realities such as the so-called “nationalities and regions” that, without any initial scope and position as they are originally established in the literality of the Magna Carta, reach after the corresponding institutional invocation and compliance with what is legally regulated, a specific position within the functional development of the State.

It is, therefore, fundamental for the theoretical-practical discernment of the State, to appreciate as only when the different cultural realities, the legal-historical dimensions, the linguistic and economic varieties that are currently seen in a social space that, being geographical, have determined the mental and material construction of the “regions of Spain”; only when these are rationalized beyond their physiographic specification and the physical features that are specific to these units, this is as in the case of "nationalities and regions" in which they are endowed with title and legal personality (completing the requirements that authorize the formation of Autonomous Communities), these indefinite and inaccurate realities are determined by the guarantee of their own personality that grants them the existential recognition of political autonomy.

Consequently, the primary existence of the State apparatus makes possible the existential recognition of theoretical realities that are “nationalities and regions” that, when granted nominal meaning and legal-social positioning (through constitutionally established procedures), become known as Communities. Autonomous, completely transforming the initial conception of the territorial organization of the State, since it moves from a theoretical organizational understanding of the State into cultural, historical, and economic regions with their own regional entity (in which the different particularisms and differential facts are framed); to a practical legal, political, and administrative discernment that do not necessarily delimit, even nominally considered, Autonomous Communities according to their historical territorial particularisms, but rather, elucidate a territorial integration coinciding with the geographical region, which includes in its conceptual appreciation the traditional historical regional reality

coinciding with a series of specific cultural, geographical, or economic links, with the current geographical reality, in which are integrated not only those natural, human, and economic aspects that designated the theoretically considered "nationalities and regions", but also the administrative and legal political delimitations on which those nominally considered as Autonomous Communities are based.

4. A socially structured tourist space?

Understanding the current composition of our Spanish geographical space, in general, and the tourist space, in particular, is to understand the relational link that it has with the State. Indeed, the interpretation of geographical space has a close relationship with the theorizations that have subsequently been put into practice, relative to the national and regional State that have been shaped during the temporal transition that includes the two world wars of the last century. A temporal historical transition in which the formation in Europe of the current Nation States that currently make up the sovereign national political framework of the different countries present on this continent have been forged. States that have been following model organizational patterns of the politically organized social community, which have been consolidated through constitutive formulas of power, which we call Constitutions.

At the dawn of these social pacts, the European Magna Cartas have been implementing for their States a series of fundamental principles intended to establish in their territories and in the societies settled in them, a series of recognition of human rights, the rule of law, social and democratic, consolidation of representative institutions, or public freedoms with their component, not only democratic or social, but also regional and federal distribution of decentralized power.

Within this historical-social-contextual plot, the Spanish geographical space has been defined, circumscribed to a territorial political model given by the constituent, and which, according to the comparative organizational systems of some of the most important countries on the European continent, has been able to frame (although only in a practical way, and considering its different reservations) within the so-called "Regionalized State" (let us remember a Spanish state apparatus that, as it currently appears, had to avoid the transition of a political dictatorship of an eminently centralized distribution of power, towards a type of State whose organization of public powers was going to be predisposed towards the decentralization and coordination of governmental, political, and administrative powers, between central instances of the State and those corresponding to the territorial entities, which in accordance with the constitutional content, they were created in that period from the pre-autonomies to the final consolidation of the so-called Autonomous State). A State, this the Spanish one, which, without a doubt, is the direct derivative of a social, political, territorial, and economic composition; In short, as previously noted historically, it has been shaped around a backbone process that allows us to

differentiate the different transitions that the figure of the State has gone through until reaching its current conception.

This transition of theoretical-practical formation of the State includes a series of stages that have deployed an overall vision of a spatial, political, and legal-social nature that has enabled the social community to specify its realities and social contexts that differ from other contexts and other realities foreign to its community (that is, I am referring to some abstract phases that, rather than surpassing each other, have been juxtaposed, until finding the concrete conceptual meaning that has allowed us to practically define models of state organization. applicable to the communities and territorial spaces in which they settle and develop).

Thus, on the one hand, we can discern some transitions of the State that, aimed at specifying abstract realities, de facto formalize dimensions that the social group has managed to regulate, organize and order. In this way and applying this insight to the Spanish case, we can discern:

a) The Geographic-social Dimension of the state apparatus; implications in the field of Tourism

On the one hand, the **appreciation of the State in a territorial geographical sense** (that is, generalized and referring to the Spanish geographical space in its physical or peninsular aspect), that in terms of a community or social configuration that is identified with a concrete and specific geographical space, manages to recognize its different social relationships, on a habitable physical base that we call the Iberian Peninsula.

On the other hand, the State in its geographical-political or population consideration (therefore, specified and referring to the territorial political model, and in the decentralized distribution of functions, attributions of powers corresponding by social mandate to the state apparatus), and that, reference to the social community established in, and on, a territory that is semanticized, endowed with meaning and functionality, predisposing its own government and/or governmental configuration, independent, and not imposed by any differentiated state entity.

Without ceasing to pay attention to the estimation of the estimated State in its legal-spatial aspect relative to power or government (particularized through legal formulas applicable to the Spanish geographical space), which refers to the way in which the social community is organized in a space. determined geographical, and which is specified in the territory through the legal formula of State.

b) The Collective-Social Dimension of the State, and its impact on Tourism.

Configurative magnitude that mentions and focuses on the evolution of social-political consensus, which has led to the transformation from a centralized State model to a decentralized one. Social pacts that under the name of Constitution have organized and configured the politically organized social community under the legal

concretion of the State. Therefore, the current State with Autonomies in which we find ourselves is the final result of the materialization and execution of a series of stages that unfold between the Rule of Law, that is, relative to the concretion of the entire social community through the legal formula of law, The State. ***The Constitutional State of Law***, alluding to the concretion of the social group through the legal formula of the social pact of law, which establishes the Constitutional State of Law. The jurisprudential rule of law, concerning the interpretation of the legal specification of the social pact of law. Until finally arriving (after the achievement of these circumstantial stages) to the stage referring to the territorial constitutionalization of the State, and therefore, to the materialization of our State in its two essential facets, which are the one corresponding to the Organization and territorial configuration of the State. State (that is, which refers to the way and form in which the powers of the state entity are organized, configured and power is distributed in the territory); and that related to the ***Territorial Planning of the State*** (pertaining to the area according to which once the powers have been organized and configured in the territory, they have the function of organizing the aforementioned territory through competency techniques, legislation, regulations, or specific planning. applicable to determined and specific geographical spaces). Stages or transitions, all of them that have finally allowed the ***different States of our European environment*** in general and in particular ours, the Spanish one, to be classified within what the Belgian Paul Romus (former director of the Community in regional policy), cataloged within “***regionalized***” States (among which would include Spain, Germany, Italy, and to a certain extent also their homeland, Belgium); also to the so-called “regionalizable” States (introducing countries like France and Portugal, the latter within the appreciation that the territories of Azores and Madeira entail); as well as “non-regionalized” states (such as Greece, the Netherlands, Denmark, Ireland, Luxembourg, or the United Kingdom)⁶.

5. In conclusion

From all of the above, we can conclude how the emphasis on sociologically analyzing the politically organized social community (in the Spanish case configured in regulated terms, and although not nominally, around the form of regional State), has allowed us to recognize and therefore justify and sustain the legal-political-administrative region (“nationalities and regions”) in the natural-cultural, geographic region. Assimilative identification, which leads us to the functional achievement of the territorial structuring of the State, enabling and sustaining the work of

⁶ Classification established within the work “Autonomous Communities and European Community”: legal-institutional relations, within the chapter by Miguel Martínez Cuadrado, edited in 1991 by the Cortes of Castilla y León.

jurisprudence in the desire to reaffirm the existence of a single Nation within the Spanish State, identified that one (the Nation) as the people as a whole (Constitutional Court Ruling 147/2007, in relation to the interpretation of article 168 of the Spanish Constitution).

Indeed, without this doctrinal assumption of the legal-political-administrative region, in the geographical region, the constitutive criterion of the unitary State given by the jurisprudence of the maximum interpreter of our social pact, which represents the Court, could not be justified. Constitutional.

In this regard, considering some pronouncements such as the one referring to STC 4/81 Matter Law of Bases of the Local Regime, where the Constitutional Court ruled as “Autonomy (applied to “nationalities and regions”, that is, to the Communities Autonomous organizations thus established), refers to a limited power, in fact, Autonomy is not sovereignty, and given that each territorial organization endowed with Autonomy is part of the whole, in no case can autonomy oppose the principle of unity, since It is in this principle (that of unity), where Autonomy reaches its meaning as expressed in article 2 of the Spanish Constitution.” In this sense, and in accordance with what was also highlighted by the ruling of the Constitutional Court 31/2010, of June 28, 2010 (Matter of the Statute of Catalonia), in which it showed us how the recognized “nationalities and regions” should be understood , not in the sense of holders of sovereignty, which in this regard proclaims the Fundamental Text (article 1 of the Constitution) assigning such a design to the Spanish Nation as a whole, but in its exclusively ideological, historical, and cultural understanding⁷.

Both decisive pronouncements that, without sociological interpretation, would lead us to face an incompatible situation, since we cannot find, following the constitutional postulates, two entities, the “Nation” and the “nationalities and regions”, as subjects and holders of sovereignty. (discernment that would lead to resolving questions such as where sovereignty would reside, whether in the Nation, in the People, in the Homeland - as our Constitution resolves - or, on the contrary,

⁷ Remember, we must take into account the importance of the assimilation and identification of the Legal region, with the natural and geographical region to discern the territorial unity of the State, specifically through the discernment of the ownership of sovereignty. Question that arises every time, that the Spanish Constitution refers to the Nation, and to the Nationalities and regions, both in their legal sense, a meaning given to them by being inserted in a Constitution, which in accordance with article 9 of the Fundamental Text, has the status of a legal norm. This problem is resolved through the aforementioned pronouncements where it is stated that sovereignty does not reside in nationalities and regions, which are understood in their exclusively cultural, ideological, and historical (not legal) sense, but that: “National sovereignty resides in the Spanish people, from whom the powers of the State emanate” (art.1.2 of the Constitution). This question is reaffirmed not in an imperative way, as the pronouncements of the Constitutional Court do; but also in a scientific way, by identifying the legal-administrative region (the Autonomous Communities), with the cultural region, an issue that is only possible through the geographical region that is capable of unifying, in its conceptual sense, the legal region. , with the cultural, natural and human region.

sovereignty would reside in the territories, in the Autonomous Communities); and on the other hand unsustainable in a democratic and legal State in which we find ourselves, given that only the sociological criteria provided to scientifically motivate the resolutions of the courts, can lead us to induce, as if to support the pronouncements of the Constitutional Court, in a scientific way, the legal-political-administrative region (the Autonomous Communities) must be identified with the natural and cultural region, in order to be able to justify that the nationalities and regions (inserted within the understanding terminology of legal-administrative regions), can be assimilated just as the Constitutional Court does in its exclusively ideological, historical and cultural understanding; Therefore, only by assimilating the Autonomous Communities with the geographical region, it can be scientifically motivated that this region can unify, in its conceptual sense, the legal region, with the cultural, natural and human region (resolving the interpretive problem raised in our Magna Carta of legally assigning sovereignty to two entities “the Nation” and the “Nationalities and regions”, which according to the literality of our Constitution is completely incompatible, since national sovereignty resides in the Spanish people-art.1.2 of the Constitution), understood as a whole, and not in a fraction of it-STC 147/2007).

These clarifications that identify the “nationalities and regions” (Autonomous Communities), with cultural and geographical regions, have been possible thanks to the intellectual work that sociological analysis allows us, which allows us to justify this identification of legal region in cultural region, through the identification of “nationalities and regions” (Autonomous Communities, political-administrative units), with more or less large portions of territory that constitute a unit of life and common social action.

Therefore, the autonomies, the Autonomous Communities, have been related and identified with geographical regions; thus allowing the assimilation into the “territorial unit” of the historical and cultural particularities, in addition to the differential facts, specified in the different territories of Spain, that is, it has been possible, through the sociological interpretative criterion, to substantiate that difficult work that established Professor Francisco Tomás y Valiente, of being able to integrate in our Nation, “the parts with the whole”⁸.

⁸ Tomás y Valiente, F. (1993). *Escritos sobre y desde el Tribunal Constitucional*. Centro de Estudios Constitucionales. Madrid.

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