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Spain's National Parks Policy

Spain was one of the first countries in Europe to adopt a national parks policy similar to the one the United States started in 1872 when Yellowstone National Park was established. Spain's legislation pertaining to national parks was issued in 1916. In 1918 its two first parks were established—the Montaña de Covadonga or Peña Santa National Park, located in Asturias, and the Valle de Ordesa in the Pyrenees mountains of Aragon. With respect to national parks, the only European countries that acted before Spain were Sweden (in 1909), Russia (in 1912), and Switzerland (in 1914).

The idea behind the creation of the two parks in Spain was as selfless and generous as that which brought about Yellowstone. The man whose initiative it was, Don Pedro Pidal y Bernaldo de Quirós, Marquis of Villaviciosa de Asturias, who became Spain's first commissioner of national parks, was familiar with the national parks of the United States and persuaded Spain to devote some thought to preserving the country's most outstanding geographic sites.

However, Spain was not the United States, nor was the situation in Covadonga and Ordesa the same as that of Yellowstone. As happens in any nation whose culture spans thousands of years and where there has been intense human activity since ancient times, it is no easy task to find lands where the original features have remained unchanged and which have not been subjected to a large number of economic and social impacts. In this sense there were particularly important obstacles in Spain owing to the small amount of nationally owned lands. The disentailment or expropriation laws enacted in the 19th century, under which most of the lands of the country that formerly had been held under *morimain* title passed into private hands, also had an entirely negative effect.

In 1918 there were two further factors which also worked against any programs for preservation of natural areas. One was the country's largely agrarian economy and large rural population. Another was that, to a great extent, the ruling classes were owners of large agricultural tracts and were sensitive to any measure that might restrict their using the land.

These circumstances were reflected in the law enacted in 1916. Prevailing conditions molded considerably the criterion that was adopted: although natural scenic beauty was in itself a part of the nation's heritage, the lands wherein that beauty is to be found were to remain the property of their owners. Furthermore, those owners should be taken into account in any attempt to ensure and accomplish preservation, although it was not stated how this was to be done. This basic reason that Spain's national parks are not "national" in the sense of being owned by the country itself—a condition which stems from a lack of sufficient legal power and the financial means to acquire the lands on which the parks are located—has been the decisive factor in shaping Spain's national park policy.

There did exist legal means for imposing a number of restrictions on the use of natural resources inside the parks, and the owners cooperated willingly in this sense. The lands at Covadonga and those at Ordesa were mostly municipal property and were not

subject to disentailment or expropriation and they were therefore included in the *Catálogo de los Montes de Utilidad Pública* (List of Woodlands of Particular Value to the Public). These lands were under special control by the national government and, in fact, were managed by its Forestry Service. Thus the rational ordering of anything those lands might offer was included among the powers of the authorities to whom management of the country's forests was entrusted.

The other broad aim envisioned in the 1916 law was to provide the national parks with a means of communication that would make possible their becoming known and enjoyed. Because of the lack of adequate means, this was not achieved to any appreciable degree. However, that objective has been among the principal ones and was far-reaching. The decree which created the Ordesa National Park set forth that it should be protected and equipped "not only in order to draw thereto a flow of tourists from abroad, which is economically beneficial for countries, but also to promote a trend toward the countryside, which is helpful indeed for rendering the population more vigorous through improved customs and through study."

However, as we have pointed out, very little was actually accomplished in this sense. The intended cultural aims failed to make any deep mark upon national awareness. The truth of the matter is that the country's economic, political and social conditions were hardly the most favorable for such a policy. Things had not ripened sufficiently for projects which had been thought up by persons whose ideas were half a century ahead of their time. They foresaw what could come about at some future time—a time not as close at hand as they believed—when national parks might become an important tool for economic development.

Regulations to control operation of the national parks at Covadonga and Ordesa were issued in 1918. They provided for the services of wardens and merely set up, along very strict lines, conditions regarding the development of parks' forests, livestock, hunting and fishing resources as well as industrial exploitation and any activity whatsoever that might cause a change in the existing situation. Notwithstanding, those activities were not forbidden altogether, inasmuch as the aim sought was to bring about coordination between production and the conservation of the most outstanding scenic features.

Although this policy might seem a concession purely out of expediency in the face of situations which were difficult to change, it was a policy that really was not entirely unwarranted.

The sites chosen for the world's earliest national parks were in areas that man had changed hardly or not at all. Hence the notion of the parks as nature's laboratories and the prohibition put on any human action that might impinge upon them, or deny their preservation for future generations to enjoy. In the case of Spain's parks these assumptions did not apply. At the time when they were established they already had been modified by human action. If it was truly intended to preserve them exactly as they were when they were declared, the radical, absolute elimination of one of the



Left, Spain's Valle de Ordesa National Park in the Pyrenees contains some of the wildest terrain and most spectacular scenery on the Iberian Peninsula, but the area has been used by man for generations. Valle de Ordesa was made a national park in 1918. Above, sheep graze on a plateau in La Montaña de Covadonga National Park, a beautiful mountainous area in northern Spain. Covadonga was Spain's first national park. It is fully protected, although some pasturing of stock is still permitted.

elements that had molded them might have brought about an imbalance, perhaps a positive one from the ecological standpoint, but a modification that might have been somewhat disputable from the standpoint of scenery and the preservation of existing beauty. This undoubtedly was not taken into account in the drafting of the Regulations which we have mentioned, but it is something that has been taken into account in the subsequent legislation, specifically in connection with *natural parks*, about which we shall deal later, with a notion somewhat similar to the present one of *protected anthropological areas*.

The results brought about by the legislation were far different from those that had been intended originally. The national parks, instead of becoming dynamic factors contributing to a region's economy, were reduced to being places subject to a very strict control in so far as utilization of the resources contained in them was concerned, which involved a burden that the property owners and the area's inhabitants endured without any indemnity or other reward being given to them.

Such was the state of affairs during a long period in which political circumstances and the country's general condition prevented more attention being given to these problems. It was only much later, when a sufficient degree of stability and economic development was attained, that these questions again became current. In 1954 two more national parks were established, both of them in the Canary Islands—at Teide, on Tenerife, and at Caldera de Taburiente, on La Palma. The land on which the former is located was municipal property and that of the latter was private property, but this did not pose any serious problem as the owners had given implicit approval. There has always been in the Canary Islands a strong sentiment in favor of protecting their forests, and moreover the economy of those islands is closely linked to the tourist trade. In 1957 another new park was established in the Pyrenees, that of Aigües Tortes y Lago de San Mauricio. Its site was questioned somewhat, since it was located exclusively on lands that were either municipal or privately-owned, instead of on national property, and, furthermore, the area had important hydroelectric developments.

At that time the Forestry Administration, which had charge of

the national parks, was carrying out a wide reforestation program and was unable to avail itself of any broad means to pursue a more dynamic policy regarding the parks, for which reason the principal aim remained, as in previous years, that of merely preserving the areas.

Later on, as the national standard of living rose, other points of concern began to show up.

A swampy area at Las Tablas de Daimiel, where interesting waterfowl have their habitat, was declared a national park to preclude the owners of surrounding lands from draining and turning them into croplands. A similarly conservationist motive was behind the establishment of Doñana National Park in 1969. In both cases the legislation invoked was that provided in the Forest Law, enacted in 1957, which maintained substantially the same principles that were contained in the 1916 law. To a certain extent, the proposed immediate objective—consisting of forestalling situations for the waterfowl communities that might bring about changes which could not be undone subsequently—was achieved, but undoubtedly that did not offer a perfect solution, inasmuch as the opposition on the part of the landowners (in the case of Daimiel) or of interests in the outlying areas (in the case of Doñana) continues to this day and has precluded any clear-cut action by the Administration with regard to those highly problematical locations.

Owing to all these circumstances, it was deemed necessary to change the political approach as well as the legal basis upon which action with regard to national parks might rest. A new Law on Protected Natural Areas, similar to the regulations prevalent in most countries and which are based upon the setting up of different types of areas, was drafted, and a new classification was drawn up, including integrated reserves of interest, natural parks, and natural sites of national interest. The law was approved with certain changes, but, in any event, it is a useful instrument for developing a dynamic policy, provided that the financial wherewithal is forthcoming.

Although the new law does not spell out explicitly that the national parks must be national property, and authorizes the utilization of their natural resources under strict technical controls,

it does make it possible to follow a system that is in keeping with established international standards through payment to their owners of indemnity for loss of income or forced expropriation of their lands.

At the present time the reclassification of the already existing national parks, sites, and monuments which the new law requires is being undertaken with a view to bringing them up to the newly established categories. This involves a lengthy process, since the integrated reserves as well as the national parks will have to be declared such in a special law.

What is beyond question is the new spirit with which the Forestry Administration proposes to carry out the policy regarding national parks in order to turn them into a dynamic force in keeping with the conservation of the values they contain and with the public understanding of and enjoyment of their features. It is felt that the country has reached an adequate cultural and economic level, and that the public has become aware of the problems we have pointed out. Among the actions contemplated, outstanding importance is attached to a gradual acquisition of the lands constituting parks or, failing that, entering into use arrangements with the owners. Master plans will also be set up and whatever

installations and development may be necessary will be done in accordance therewith. It is expected that, as in other countries, the national parks will contribute to promotion of economic and social development of the areas wherein they are located.

However, the possibilities for short-term action seem rather constrained. The effects of the worldwide economic recession which began in 1974 also have been felt in our country. Moreover, the new political conditions are monopolizing the attention of the authorities and of the people in general.

The programs and procedures which have already been looked into call for investments that are relatively high, at least if one compares them with the amounts normally allocated for such purposes. It may turn out, therefore, that the new policy cannot be put in operation at the pace that was originally thought, but whatever delay may be necessary will be only because of the need to abide by whatever amounts the budgets will allow. In the six decades since 1916, the situation in Spain has reached a point of maturity that makes it possible to devote attention to these matters.

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National Parks

Name	Province	Hectares	Authorization
Parque Nacional de la Montaña de Covadonga	Oviedo y León	16,925	Ley 22-VII.1918
Parque Nacional del Valle de Ordesa	Huesca	2,046	R.D. 16.VIII.1918
Parque Nacional del Teide	Sta. Cruz de Tenerife	11,866	D. 22.I.1954
Parque Nacional de la Caldera de Taburiente	Sta. Cruz de Tenerife	3,500	D. 6.X.1954
Parque Nacional de Aigües Tortes y lago de San Mauricio	Lèrida	9,851	D. 21.X.1955
Parque Nacional de Doñana	Huelva y Sevilla	39,225	D. 2412/16.X.1969 (1)
Parque Nacional de Las Tablas de Daimiel	Ciudad Real	1,875	D. 1874/28.VI.1973
Parque Nacional de Timanfaya	Las Palmas	5,107.5	D. 2615/9.VIII.1974

Ley: Law R.D.: Royal Decree D: Decree

Natural Sites of National Interest

Name	Province	Hectares	Authorization
San Juan de la Peña	Huesca	245.00	R.O. 30.X.1920
Dehesa del Moncayo	Zaragoza	1,388.91	R.O. 30.VII.1927
Ciudad Encantada	Cuenca	250.00	D. 239/11.VII.1929
Torcal de Antequera	Málaga	1,200.00	D. 240/11.VII.1929
Picacho de la Virgen de la Sierra	Córdoba	0.99	D. 241/11.VII.1929
Pedriz de Manzanares	Madrid	1,450.00	R.O. 30.IX.1930
Pinar de la Acebeda	Segovia	1,000.00	R.O. 30.IX.1930
Cumbre, Circo y Lagunas de Peñalara	Madrid y Segovia	522.00	R.O. 30.IX.1930
Región Central de la Sierra de Espuña	Murcia	5,084.00	R.O. 7.IV.1931
Monte del Valle	Murcia	159.00	R.O. 7.IV.1931
Cumbre de Curotiña	La Coruña	50.26	O.M. 31.X.1933
Promontorio del Cabo Villano	La Coruña	6.50	O.M. 31.X.1933
Parte culminante del Cabo de Vares	La Coruña	0.90	O.M. 31.X.1933
Lagunas de Ruidera	C. Real y Albacete	3,000.00	O.M. 31.X.1933
Monte Alhoya	Pontevedra	200.00	O.M. 5.VII.1935
Lago de Sanabria y alrededores	Zamora	5,027.00	O.M. 7.XI.1946
Hayedo de Riofrio de Riaza	Segovia	87.00	D. 2866/30.VIII.1974
Hayedo de Montejo de la Sierra	Madrid	250.52	D. 2868/30.VIII.1974
Hayedo de Tejera Negra	Guadalajara	1,391.00	D. 2868/30.VIII.1974

O.M.: Ministerial order R.O.: Royal order D.: Decree