

Democratic regeneration

A large part of the Spanish population has doubts about judicial independence, one of the basic pillars of the rule of law. These questions seem grounded. A report last year by the European Commission placed the perception of judicial independence in Spain at the tail end of the European Union. Even the Spanish judges do not consider Spanish justice very independent, according to a survey published in The 2016 EU Justice Scoreboard.

The increasing politicisation of Spanish justice has deserved the reproaches of the Council of Europe, because in Spain the executive is involved in the process of appointing judges at the highest levels of the Spanish judicial system. The same report from the Council of Europe last year also showed concern about Spanish government interference in the prosecution.

Indeed, currently the attorney general seems a transmission belt of the Spanish government, as evidenced by the judicialisation of the Catalan independence process. Recall that the prosecution in

Catalonia did not consider the democratic consultation on November 9 2014 to be an offence. Moreover, we have heard a Spanish minister talking of "sharpening the prosecution".

And the politicisation of the Constitutional Court is important, with its president a former member of the Popular Party (PP). The function of most European constitutional courts is to interpret the respective constitutions. However, the Spanish Constitutional Court, especially after the

last reform, acts in a manner unbecoming of European democracies. Also, remember the Spanish Constitutional Court ruling of 2010 that substantially cut back the 2006 Statute voted on by the Catalan electorate and broke the constitutional pact of 1978.

The quality of Spanish democracy is getting worse. This was especially evident following the current phase of the Catalan in-

Catalan independence process in comparison with the prosecution of other judicial proceedings. Not to mention many prosecutions, announced with great concern by the media, have been timed to influence key moments of the Catalan independence process and are then found to have no legal substance.

Corruption is a structural problem in Spain. Tax amnesties and pardons for corrupt politicians have been numerous. In 2016, the NGO Transparency International put the perception of corruption in Spain as worse than in Botswana, Qatar and Taiwan. Indeed, the Spanish state is involved in blocking judicial investigations for clear political reasons.

The issue of corruption has also been used against the Catalan independence process to try to stop it. Thus, if the state knew about the Mr. Pujol case for many years, why it did not act until 2014, just when Mr. Pujol came out in favour of independence? Not to forget the false reports to undermine politicians, such as Xavier Trias when he was mayor of Barcelona.

The Catalan Republic of the 21st century, a new member state of the EU, will continue the Catalan democratic tradition. It is no surprise that the Catalan Courts of the Middle Ages were the first European parliament. The independence of Catalonia is a good opportunity to build a new democratic state with separation of powers, where there is zero tolerance for corruption, with efficient control mechanisms that work against the corrupt, and that guarantee of effective punishment for those who defraud.



Artur Mas, Joana Ortega and Irene Rigau respond to their 9N sentence./ A. PUIG

dependence process. Unlike the cases of Scotland or Quebec, Spain refuses to allow a referendum on self-determination in Catalonia, going against the wishes of 80% of the Catalan population. Several parliamentarians from Europe and America as well as the Liberal International, among others, have all criticised the clearly undemocratic behaviour of the Spanish government.

What's more, it is surprising how quickly action has been taken against the

VERBA DOCENT, EXEMPLA TRAHUNT NEIL STOKES nstokes@cataloniatoday.cat



"Leo [Messi] is happy at Barcelona, and you can see that when you look into someone's eyes" Robert Fernández, technical secretary of FC Barcelona

Looking at his bank account is probably enough. Messi earns 40 million euros a year. Not that it will stop certain other clubs from sniffing around. Something, by the way, that Barça also does when it comes to top players at other clubs.