

DISCOURSE OF REPRESSION

TRIBUNE

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Readers from other western countries would probably not believe it. In Spain, a supposedly democratic country, the rule of law is not respected in relation to the Catalan question. Yet, it is something that is happening. Why?

First, let us review the origins of the situation. The Catalan elections have twice produced a pro-independence majority. The most recent on December 21, after Madrid imposed direct rule. The reasons for this movement are many. A Statute (the law that dictates Catalan autonomy) previously agreed with the Spanish Congress and legally voted on by the Catalans cut and altered by the Constitutional Court in 2010. Attempts to reduce the presence of the Catalan language in schools and the administration. Excessive and abusive draining of financial resources (fiscal deficit). Public spending clearly below what it should be given Catalonia's weight in the Spanish economy and its population. And there are others.

After seven years in which there have been up to 18 calls for negotiated solutions that have been ignored, Catalonia tried to declare independence in October. Previously, the Spanish government refused to hold a legal referendum that many believe would be possible with a reading of the Constitution more in line with the UN Charter. Nevertheless, the majority of Spanish parties, the PP government and the Constitutional Court have made it impossible, by enforcing an extremely restricted interpretation of the Constitution.

Meanwhile, resurgent Spanish nationalist feeling has been encouraged. This view presents the Catalan leaders as treacherous coup conspirators. Yet, this feeling totally ignores the profound political reasons for the conflict. Infused with a patriotic ex-



March in Barcelona last month. · JOSEP LOSADA

tremism and with no respect for the plurality of opinions, the Spanish media have played a key role in creating this state of opinion in which the pro-independence view has been almost entirely vetoed.

Another important factor to keep in mind is the control of judicial bodies by the two main Spanish political parties. The separation of powers formally exists but the reality is that the Spanish state has repeatedly earned international rebukes from the GRECO group (the Council of Europe's Group of States against Corruption), which has put Spain at the back of Europe in terms of its judicial independence. Political interference in appointments for key positions has been continuous from the ruling party. As a result, nine political

leaders are in preventive prison without trial and five more forced into exile, now undergoing extradition, including president Puigdemont.

The crimes attributed to them (rebellion) require the existence of "public uprising and violence". That violence has never existed and without violence the crime does not exist. The majority of jurists agree, and it has recently been recognised by the German state court of Schleswig-Holstein. However, in Spain the facts are being distorted in police reports, the prosecutor's submissions and the court resolutions, which all try to show the people who tried to vote on October 1 and who took part in previous peaceful demonstrations as violent. Meanwhile, many other abuses are being committed. Three candidates to the Catalan presidency have been blocked despite maintaining their legal rights intact. President Puigdemont among them. The UN Human Rights Committee has urged Spain to do everything possible to respect the political rights of presidential candidates.

Amnesty International has called for the release of prisoners. More than 900 public officials are being investigated for collaborating with the referendum. Websites have been closed down, businesses and town halls searched, discriminatory charges of hate crime lodged, fake news, refusal of prosecutors to act against the police responsible for violence... the list of repressive action is endless.

A long-range political operation is taking place in Spain. A general legal case against the independence movement is being prepared with the aim of eliminating a whole generation of pro-independence politicians and, especially, getting a majority of the Catalan people to renounce their legitimate aspirations.