

Spanish state angst after Germany releases Catalan leader Carles Puigdemont

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The most extreme Spanish reaction to the April 5 ruling of the Higher Regional court of German state Schleswig-Holstein that freed Catalan president Carles Puigdemont was from radio shock jock Federico Jiménez Losantos.

“In the Balearic Islands there are 200,000 of them [Germans] as hostages,” he railed. “In Bavaria, well in Bavaria pubs could start being blown up. So, I’m proposing action? Of course, they’ve slapped us around, they’ve given us a kick in the you-know-what.”

The most melodramatic reaction was by Arcadi Espada, commentator for the Madrid conservative daily El Mundo: “A Spanish catastrophe. An 1898 [date of Spain’s loss of Cuba, Puerto Rico and the Philippines]. Confirmation of the umpteen patriotic wars that have been won by the baddies.”

On April 9, readers of sports daily Marca were greeted with the front page headline, “Germany: You Can’t Dodge Spain”. The patriotic publication was celebrating the victory of the Spanish Davis Cup team over the Germans in the tennis tournament’s quarter finals, with the German defeat viewed as a bullfighter being run down by a raging bull.

That day, Esteban González Pons, a European Parliament member for Spain’s ruling People’s Party (PP), insinuated German disloyalty to the European Union.

He wrote to his fellow MEPs: “You can be sure that no judge in Spain, either regional, national or from the Supreme Court, would dare to give a legal shelter to a German political party, movement or individual who were trying to break the German constitutional order. It is a matter of confidence and trust.”

At first glance, these outbursts might seem highly exaggerated reactions. The court decision let the Catalan president out of detention on €75,000 bail, but left him vulnerable to extradition on a charge of misuse of public moneys (which carries a maximum eight-year sentence).

But they are not. Puigdemont was ruled not extraditable for rebellion — “high treason” in German law. This vapourised the Spanish establishment’s fairy tale about the Catalan independence movement to justify jailing its leaders for up to 30 years.

As a result, the blood pressure of the whole Spanish establishment has jumped sharply.

Contradictions

Key contradictions in the Spanish-patriotic world view, for which the unity of the state is beyond question, now stand out more clearly.

The most immediate and obvious problem is that there are three classes of defendants in the show trial that Supreme Court judge Pablo Llarena is building against Catalan independence movement leaders: those awaiting trial in Spanish jails, those awaiting extradition hearings but out on bail (in

Germany, Belgium and Scotland) and those not yet even facing extradition (in Switzerland).

The jailed group includes former president of the Catalan National Assembly (ANC) Jordi Sànchez; president of language and culture association Òmnium Cultural Jordi Cuixart; and former Catalan parliament speaker Carme Forcadell, along with vice-president Oriol Junqueras and five other ministers.

Llarena's grounds for keeping them locked up is the danger of them committing a repeat offence.

The exile group facing possible extradition comprises Puigdemont and four ministers. The third is the two leaders of pro-independence parties presently in Switzerland, Marta Rovira of the Republican Left of Catalonia (ERC) and Anna Gabriel of the People's Unity List (CUP).

Members of the first group, in prisons near Madrid, have had all appeals for release on bail or relocation to jails in Catalonia refused. Members of the second and third, however, are free to give interviews and help the pro-independence campaign from a distance.

Llarena has yet to issue an international arrest warrant for the extradition of Rovira and Gabriel. But in a gross attempt to give such a warrant a chance of success with the Swiss authorities, the Spanish National Police on April 4 arrested famous whistleblower Hervé Falciani, presently resident in Spain.

Falciani is the Italian-French information systems expert whose list of 130,000 tax-evading account holders in the Swiss branch of his employer HSBC had made him a target of a Swiss warrant. He will likely be offered to the Swiss authorities in exchange for Gabriel and Rovira.

Puigdemont's release has thrown into question at a European level the independence of the upper echelons of the Spanish judiciary, in particular Llarena. His rulings, the subject of caustic criticism by legal professionals within Spain, are now being exposed to scrutiny internationally.

One recent example is a request from the Schleswig-Holstein judges for Llarena to provide more information on his grounds for charging Puigdemont with embezzlement (the Rajoy government itself claims no such funds were used for the October 1 referendum on Catalan independence). Another is a resolution of the United Nations Human Rights Committee effectively demanding Llarena reverse his decision not to allow Sànchez to stand for investiture as Catalan president.

It is becoming increasingly hard to maintain the line, repeated ad nauseam by European Commission spokespeople, that Catalonia is an internal Spanish concern that will be solved within the framework of a European Union member state governed by the "rule of law".

This difficulty does not arise from lack of support from European elites, led by the German and French governments. For as long as politically sustainable, they have backed the Rajoy administration's fable of a violent and unlawful Catalan nationalism held in check by Spanish constitutionalism.

Their problem is that a growing number of their populations don't believe this any more. This was revealed in Germany by a March 29 Civey poll.

It showed that 51% were opposed to the extradition of the "coup leader" Puigdemont, with 35% in favour and the rest undecided. Most opposed were voters for the left-wing Die Linke (71%) while those most in favour were voters for chancellor Angela Merkel's centre-right Christian Democratic Union (CDU), at 51%.

The day before, from her exile in Scotland, Catalan education minister Clara Ponsati's appeal for funds to cover her defence costs against extradition raised €150,000 in four hours and €250,000 in a week. Her target was €40,000.

Undeterred aggression

As if this were not enough for Madrid, calls for negotiations between Catalan authorities and the Spanish government have multiplied since Puigdemont's release — even from German MEPs from the CDU and the Social Democratic Party.

In reaction, the Rajoy government and the judiciary acting at its behest has not hesitated to ramp up the offensive against the Catalan movement. It aims to terrify the European establishment with the dire consequences of even thinking about negotiations with “coup-plotters”.

The Rajoy government's best hope of reversing its setbacks lies in a breakdown of social harmony inside Catalonia itself. Its representatives are seeking to provoke this with non-stop lies about the supposedly appalling situation of Catalan residents who identify as Spanish.

In particular, it is targetting the 400-plus grassroots Committees for the Defence of the Republic (CDRs) as creators of street violence. On April 10, on the order of the National Court, heavily armed Civil Guards arrested Tamara Carrasco, supposed “ringleader” of the CDRs. She faces charges of “terrorism” and “rebellion”.

The CDRs have also become the key element in the Spanish judiciary's effort to convince the Schleswig-Holstein judges that Puigdemont must be extradited.

The April 11 Frankfurter Allgemeine Zeitung reported: “Representatives of the Spanish authorities have advised of the ‘growing aggressiveness’ [of the CDRs] and have been contributing new official arguments since the start of April: Germany must extradite Puigdemont to Spain to avoid cases of ‘intimidation, coercion and material damage’.”

On April 10, the Spanish National Court's prosecution service had its own unprecedented response: it had just handed over a smuggler with a British passport sought by Germany “without any evaluation of the evidence”, claiming that this was “in loyalty to the spirit that has to prevail in the execution of European arrest warrants.”

PP spokesperson Rafael Hernandez asked German judges on the same day “to respect their Spanish counterparts who have to deal with coup-plotters”. Interior minister Juan Ignacio Zoido commented: “I would like the German judges to explain to me what they mean by violence.”

A day later, Inés Arrimades, leader of Spanish centralist Citizens' party, told European MPs that “Puigdemont is a danger for all Europe”.

The problem, however, is the nearly universal awareness in Catalonia that violence is what the Spanish state wants to justify the type of state violence it implemented in the Basque Country in the 1980s and '90s.

The offensive against the CDRs, which are committed to non-violent civil disobedience and involving thousands of ordinary citizens, has been so grotesque that Miquel Iceta, leader of the Party of Socialists of Catalonia and supporter of the Spanish government's measure ending Catalan self-rule, has had to oppose it.

On April 10, Iceta told Spanish TV: “We've seen roads cut, actions on expressways [removal of toll

barriers], paint-ups, some party headquarters vandalised, but not terrorism.”

Morale boost

The same cause of trauma for Spanish elites has buoyed the Catalan independence movement, including most Catalan parliament deputies.

Locked in seemingly intractable wrangles over tactics, the German court decision has offered a much-needed boost to the morale of supporters of Catalan sovereignty.

It confirmed that it was possible to appeal to a different Europe to that of the leading circles of the European Union — “ordinary” democratically minded people.

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P.S.

* Green Left Issue 1176, April 13, 2018:

<https://www.greenleft.org.au/content/spanish-state-angst-after-germany-releases-catalan-leader>

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<https://www.greenleft.org.au/content/live-blog-news-and-analysis-catalonias-struggle-self-determination>