

Spanish State: Catalan independentist figures transferred to Madrid, to face charges of rebellion - “A trial against democracy”

Sunday 10 March 2019, by [CAUSSA Martí](#) (Date first published: 3 March 2019).

On Friday, February 1, 2019, the nine leaders of Catalonia’s 2017 independence bid were transferred to Madrid, to face charges of rebellion, or rebellion and embezzlement, that can lead to prison sentences of 156 years. On the same day, mobilizations began in Catalonia. In the morning they were transferred to Madrid, support for the prisoners was shown on the roads and in the afternoon there were rallies and demonstrations in many cities.

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If people examine the events that took place between September 20 and December 27, 2017 in Catalonia objectively, they will see that there was no rebellion, for the simple reason that there was no violence. There were demonstrations, civil disobedience, a massive referendum, a general strike and a declaration of independence with no practical effect. All these peaceful actions for the defence of liberty should not be criminalized and still less lead to such punitive criminal charges.

The accusation of rebellion is based on a manipulation of the facts, supported by the absence of separation of powers. This is a manœuvre to try to distort the interpretation of the Penal Code, to turn it into a shield that protects the authoritarian evolution of the Spanish state [or Spanish Monarchy]. This would make it possible to further criminalize the mobilization of fundamental rights and freedoms and to characterise any mass and peaceful political activity aimed at putting an end to the monarchical regime established by the 1978 Constitution as a rebellion. These are the reasons why the trial against separatists that will begin on February 12th can be described as a trial against democracy.

All parties, institutions and persons defending democracy, whether they support the independence of Catalonia, its membership of a federal state or its maintenance in a unitary state, should engage

in denunciation of and mobilization against this trial. All these political alternatives are legitimate and, in a democracy, they must be defended by electoral candidacies, mobilizations, strikes, referendums and civil disobedience. But when the state identifies with only one of these alternatives, restricts certain freedom to defend others, represses those who demand them and condemns their representatives to long prison terms by characterising what other European courts consider as the exercise of fundamental freedoms as rebellion, then this state attacks democracy and all those who defend the latter – whether for independence, federalism or a unitary state – must denounce this and mobilize to push it back.

The difficulties of mobilization in Catalonia

Currently, this denunciation of the trial and the unitary mobilization for the defence of democracy are not as massive as they should be in Catalonia and they are frankly weak in the Spanish state. In Catalonia, the strategic divergences between the pro-independence parties have not diminished, they have instead become chronic and have been accentuated by the proximity of the municipal and European elections, which will show who holds hegemony in the pro-independence world.

The Crida per la República (“National Appeal for the Republic”, a Catalan pro-independence movement and political party), led by Puigdemont and Jordi Sánchez, was formed to run unitary pro-independence candidates, but it is unclear whether the Catalan European Democratic Party (PDeCAT) will finally find its place in the new organization. On the other hand, the Esquerra Republicana de Catalunya (ERC - Republican Left of Catalonia) is determined to face the elections alone since the polls are favourable to it. Moreover, the Catalan National Assembly (ANC), which was disappointed by the management of the October 1, 2017 referendum by the majority parties, the abandonment of unilateralism and the lack of unity, has promoted the initiative of Primàries Catalunya to obtain open lists of pro-independence candidates in municipalities. Finally, the Popular Unity Candidacy (CUP) will promote its own candidates and is very critical of the bigger pro-independence parties. These divisions are understandable, but the pro-independence world has spent years demanding party unity and is now discouraged to see that not only is there no common road map, but that division has become established.

The social organizations of the independence movement have had difficulty organizing major mobilizations since September 11 (Diada Nacional de Catalunya). The anniversary of October 1 was still important, but the mobilizations of December 21, 2018 gathered fewer people. On each of these two dates, the Òmnium cultural association, which works for the promotion of Catalan language and culture, the ANC and the Committees for the Defence of the Republic (CDR) organized separate actions and interpreted the unitary convocations differently.

For their part, the Comunes, a network of municipalities, who declare themselves pro-sovereignty, have voted against the application of Article 155 of the Constitution [an emergency measure applied by the state to control the autonomous communities] and are clearly opposed to the imprisonment and the exile of activists, continue to promote very low-level mobilizations, beyond the statements and participation of some of their best-known personalities.

To meet the challenge posed by the beginning of the trial of the pro-independence leaders, a change is needed. Strategic differences will not disappear, but it would be useful to discuss these as openly as possible without interfering with the necessary unity of action. Electoral rivalry is inevitable, but disqualifications should be avoided, as they reinforce advocates of repressive involution. And it would be necessary to build a very broad unity to denounce the trial against democracy which is opening before the Supreme Court, to turn this event into a denunciation of the monarchical regime,

into a great mobilization for the acquittal of the accused, for civil rights and for a political solution that recognizes the right of Catalonia to decide its future. There should be a unity of parties, bodies and individuals into a single entity at the level of Catalonia, and into thousands of entities in all cities, neighbourhoods and communities of the country. This is where we could find all the defenders of democracy, without distinction between pro-independence and non-independence. A unit which would have as priority unitary mobilization around the points on which there is consensus, along the lines of the Som 80% platform ("we are 80%", the platform of Omnium).

... and in the Spanish state

The situation in the state as a whole has become more difficult following the outcome of the Andalusian elections. The attitude of the government of Pedro Sánchez (from PSOE, in government since June 2018) is deplorable: the dialogue with Catalonia is limited to offering the possibility of voting on a new status of autonomy and the only measure to improve the situation of prisoners has been to allow their transfer to Catalonia for a few months, whereas this is a right. The public prosecutor's office continues to maintain the charge of rebellion and sedition, with 95 and a half year sentences for the nine accused in the Supreme Court who have just been transferred to Madrid. The weakness of the democratic convictions of the government of Pedro Sánchez, reasons of state and the fear of criticisms from Ciudadanos and the Popular Party (PP) do not allow us to hope that there will be an initiative with a view to the acquittal of the Catalan prisoners or a dialogue with Catalonia.

This attitude contrasts sharply with the position taken by the Spanish Government towards Venezuela, where it is ready to recognize Juan Guaidó as interim president, an illegal action according to the charter of the Organization of American States (OAS) and according to the Venezuelan constitution, to favour a man who has won no election and can only rely on the support of a large number of protesters (but whose number is no greater than those who support Maduro), and who is taking part in the coup organized by Trump to overthrow the Maduro regime. In other words, the government of Pedro Sánchez ignores all legal and democratic procedures to support a rebellion that is part of a coup d'état while, in the case of Catalonia, it supports the accusation of rebellion to ignore and repress the democratic decisions of the majority of the Catalan people expressed in elections, demonstrations, consultations and referendums.

Podemos remains the only state-wide force to defend the right to decide by referendum, which recognizes that the pro-independence leaders are political prisoners who should not be in prison; but this position has not yet led to mobilization for the freedom of these prisoners. Instead of using its influence to win over socialist activists to these positions, Podemos is ready to give up doing so to get closer to the leaders of the PSOE.

Mobilisations of solidarity with Catalonia have been significant in the Basque Country and to a slightly lesser extent in Galicia, but in the rest of the Spanish state they have only had the support of anti-capitalist sectors of Podemos, radical left-wing organizations and social movements; only in certain cases, such as that of "Madrileños por el derecho a decidir" has it been possible to build a unitary solidarity organization. It is these sectors that have been responsible for explaining that what is at stake in Catalonia is not fundamentally a question of independence or unity, to opt for Catalan or Spanish nationalism, but a question of democracy, people's ability to decide on all matters that concern them.

A risk and an opportunity

It is not certain that the opening of the trial will significantly change this situation. If this is the case, we will see new restrictions on liberties, a reinforcement of authoritarian democracy and parties of the extreme right (Ciudadanos and PP) and the neofascist extreme right (Vox). When democracy is not defended by active or passive means, it is always reaction that benefits.

But the trial at the Supreme Court also offers an opportunity. Because the prisoners will make a political defence, they will denounce the state and it will not be able to silence them, even if the coverage of the television and state-wide newspapers is as bad and partial as it was in relation to September 27 and October 1 and 3. All those who, like us, defend democracy, have the duty to seize this opportunity, to mobilize and transform the trial into a #JoAcuso [I accuse] against the monarchical regime of 1978.

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P.S.

• Translation IVP, 9 March 2019:
<http://www.internationalviewpoint.org/spip.php?article5979>