

Madrid Repression of the Catalan Movement: Call for International Solidarity

By [Richard Fidler](#), [Dick Nichols](#), and [Suso de Toro](#)

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International Appeal From Catalonia

*The Spanish state's repression against Catalonia's democratic rights gets worse every day. There are at this moment 10 leading politicians and activists in prison, without having been condemned of any crime. They are accused of violent rebellion, although they have never used violence. By mid April the two leaders of the main Catalanist organizations, **Jordi Cuixart** and **Jordi Sánchez**, will have spent 6 months in prison.*

And apart from the 10 political prisoners and 6 political leaders in exile, from 1 October until now there have been: 1,500 people injured while voting or demonstrating; 150 fascist attacks; 140 web sites closed; police attacks on journalists; censorship of rappers, writers and artists...

In protest at this situation, there will be a united demonstration in Barcelona on Sunday 15 April at 112. am, organized by a very broad platform of social movements, including the ANC, Òmnium Cultural, trade unions, the neighbours' organizations, youth movements, cultural and sporting organizations, the federation of NGOs... It will be a massive call for solidarity with the political prisoners, and with all those suffering the current attacks in Catalonia and increasingly in other parts of the Spanish state.

We call on international solidarity movements to organize actions over the weekend of 14 and 15 April: demonstrations, rallies, public meetings, symbolic events...

If we allow repression to go unchallenged in Catalonia today, then fundamental rights can be repressed tomorrow in any part of the world.

Please mobilize on 14-15 April. Defend democracy and human rights. In Catalonia and everywhere.

Introduction

Richard Fidler

The poster above portrays some of the major Catalan political leaders imprisoned without trial at this moment, while the text below it outlines the balance-sheet to date of police and legal attacks on Catalans trying to implement their right to self-determination.



The Spanish state's repression is now a major issue in Germany, where former Catalan president **Carles Puigdemont** was arrested March 25, pursuant to a Spanish judge's warrant while travelling by car from northern Europe to Belgium, where he was living in exile. His arrest provoked immediate mass protests in Catalonia.

German prosecutors are seeking to extradite Puigdemont to Spain where, along with other jailed and exiled Catalan nationalist leaders, he faces charges of "rebellion," which carries a sentence of 30 years imprisonment.

The Spanish court has issued similar arrest warrants against other Catalan leaders now in exile in Belgium, Scotland and Switzerland. Writing in the [Catalan daily Ara April 3](#), legal expert **Javier Pérez Royo** noted that each of the extradition judges, irrespective of their country, "knows that the individual cases that they are expected to decide on are all linked by a common thread. And all of them realise that this affair has taken centre stage as far as Europe's public opinion is concerned, as a browse through the papers will easily confirm."

There is "a shared link" in all of these cases, Pérez Royo added:

"what constitutes a crime of rebellion in a democratic European country well into the 21st century?"

In a manifesto concerning the Catalan prosecutions published in November in the [Spanish on-line newspaper El Diario](#), more than 100 professors of criminal law from throughout Spain state that

"it's seriously mistaken to consider the facts as constituting a crime of rebellion [as defined by] article 474 of the Penal Code" because... the "structural element of this crime, which is violence, is absent."

In fact, as many commentators point out, the violence in Catalonia in the events in question, in September and October, was exercised by the police in their widely publicized efforts to stop the Catalan people from voting in the referendum on independence.

Professor Pérez Royo argues that

"all four judges know that their answer will establish a European common denominator on the subject of rebellion crimes. Even if they do it in their own individual way, together they will decide what a crime of rebellion is and what it is not; what sort of 'violence' is required for an event to be characterized as a crime of rebellion."

And he finds a Canadian angle:

“There are times when a decision by one nation’s jurisdictional body becomes a reference for the others. The case of the [Canadian Supreme Court’s opinion on Quebec](#) springs to mind. Even though it was not a ruling – it was not prompted by a court case, but by a formal enquiry from the federal government – and, therefore, it did not set a trial precedent, this opinion has become the single most influential piece of doctrine on what the right to self-determination is – and what it is not – as well as on the conditions under which a secession referendum may be held within a democratic country.”

Pérez Royo is optimistic about the outcome of the extradition cases. All of the judges, he writes,

“will seek the European common denominator, something that can be objectively and reasonably justified in front of Europe’s public opinion... On the subject of the crime of rebellion, all four judges will dismiss the arrest warrant. They will not allow the Catalan politicians to be tried for rebellion in Spain because it is impossible for the European judges to make that sort of collective decision. And they know that they cannot make contradictory decisions.”

However, the Catalan issue is a hot potato in Europe, where politics may well prevail over legal considerations. And no European government or state institution has expressed support for the Catalan right to self-determination; many of them face actual or potential challenges to their territorial integrity from oppressed national minorities. This points to the prime importance of developing a European-wide and international public campaign in defense of the Catalan people and their nationalist leaders, a goal the mid-April demonstrations should help to promote.



Source: UK Local News

Already, there are some encouraging signs of growing sympathy in Europe for the Catalan defense, even in the German media. For example, [in an editorial titled “Asylum for Puigdemont,” Jakob Augstein](#) – an influential journalist and co-owner of *Der Spiegel* – calls for the Catalan leader to not be extradited. Augstein writes that

“The detention of Puigdemont is an embarrassment. For Spain. For Europe. For Germany.”

And he also reminds readers about the arrest of another Catalan president, **Lluís Companys**:

“The Germans already handed over one Catalan politician to the Spanish. Lluís Companys declared independence in 1934. He was arrested and tried. After the victory of the leftist forces he was freed, fought against Franco, escaped to France, and was captured there by the Gestapo and sent back to Spain. He was executed on October 15, 1940.”

Germany must reject the Spanish demands, says Augstein.

“A politician who uses peaceful means to fight for his objectives should not have to go to prison.”

In Scotland, **Clara Ponsatí**, education minister in the Catalan pro-independence government and the subject of a Spanish extradition demand, raised nearly £200,000 in less than a day through a crowdfunding appeal for her legal expenses. Ponsatí is currently teaching at St. Andrews University.

In Spain itself, the government and mass media are waging an intense battle to consolidate and win further public support for their campaign against Catalan self-determination and sovereignty. [Catalan socialist Martí Causa](#) notes:

“The immediate objective ... is to reduce independence to a minority fraction of the Catalan population by resorting to temporary emergency measures. The fundamental objective is to consolidate the authoritarian evolution of the monarchical regime of 1978, and this requires convincing the population that - after the end of the Basque ETA struggle - new and dangerous internal enemies have appeared, against which we must defend ourselves by restricting democracy.

“Two conditions are necessary if this fundamental objective is to be met:

1. convince the majority of public opinion that there is a collective (a group) that ‘is not ours,’ to describe it in terms that make it appear as an enemy and discredit those who don’t agree with this narrative; and
2. justify the exceptional measures with the argument that will be limited to a particular territory and duration, but promoting legislation and a method of applying it that can be generalized throughout the state and without limits in the future.”

Although the first of these conditions, which is fundamental, has been achieved, this may be only a provisional success for the Spanish state, Causa adds.

“At present, the solidarity in major sectors of the population is weak. But there are already some magnificent examples, like those we have included in the box ‘Solidarity with Catalonia’ [on the VIENTO SUR website](#).... The growth of a sense of fraternity among all of us fighting against authoritarianism and for democracy is a necessity. Becoming a majority is what can save us.”

Republished below is the translation of an article by prominent Galician writer **Suso de Toro**, published in *El Diario* on March 28, that explains the background to the Catalan crisis and what the Spanish repression means for the future of the country’s politics. I have reproduced it from the [live blog maintained by Dick Nichols](#), Barcelona-based correspondent of the *Green Left Weekly*, an indispensable source for day-by-day news and analysis of current events in relation to Catalonia’s quest for self-determination.

And I follow it with [an article by Dick Nichols](#) published in the current issue of *Green Left Weekly*. Dick addresses some key problems confronting the Catalan movement as it

struggles to develop a unified line of struggle against the repression and in defense of Catalonia's right of self-determination.

Puigdemont is Our President Too¹

Suso de Toro

In the middle of a Spanish National Radio (RNE) broadcast from Valladolid² in front of a live audience the presenter announces the news of President Puigdemont's arrest by the German police at the request of the Spanish prosecutor, i.e., of the Spanish government.

Immediate reaction of the audience – applause. But surely not all the audience: some would have been people who instead of feeling jubilant would have been cringing at news announcing something deplorable, a politician pursued by the police on the orders of the corrupt government of M. Rajoy.³ It may even have been that some people who instinctively joined in the applause later felt ashamed.

Surely so, but what a sinister reaction from that audience, which could have been any audience that follows the RNE in many other cities of Spain. A reaction typical of volunteer jailers: the hatred implanted by Spanish politics and media towards the rulers of Catalonia and the more than two million who voted for them has degraded people and social life to a degree not known for forty years. And that corresponds to the image the Kingdom of Spain has re-acquired, of a repressive country where political differences are solved with police and prisons, a country from which dissidents either flee or end up in jail.

These are the striking results of an implacable plan drawn up from the very moment M. Rajoy arrived at the Moncloa,⁴ transported there by all the bank-owned media of the monarchy. They immediately “took over” Spanish public television (TVE) and this was indicative of what they were going to do elsewhere. To apply their program of theft of social rights and looting of the state they needed to end freedom of expression – they already had the newspapers and television stations on side – and so they drafted the Gag Law.⁵

Over the years since then they have been administering successive but regular doses of Francoism, doses so small that they have gone almost unnoticed, imperceptibly intoxicating us: as we swallowed they took away everything, the welfare state and freedom. We went along accepting what they did to others by identifying with the flag (the Borbon flag) and a hymn (the Borbon military march) and a “unity” that meant persecution (“Go, get ‘em!”⁶) of those who would not submit. We got a little more Francoist every day as we laughed at the Catalans who got bashed up for wanting freedom, made jokes about the prisoners,⁷ turning ourselves every day a little bit more into the jailers of the free. They have been vaccinating us against freedom to the point that we are scandalized that there are people who want to vote about whatever they want to vote about. Here freedom is something quite forgotten or unknown.

However, brainwashing and police repression were not enough: they also needed the judges and so carried out a reform of the legal system that not only withdrew legal protection and rights from individuals but also transformed the legal system as a separate power into a

repressive instrument of the executive power. In addition to unblushingly placing openly Francoist judges into positions of power – thus controlling the National Court (Audiencia Nacional⁸) and the Supreme Court – in 2015 they adopted the law reforming the operation of the Constitutional Court. That reform implied reform of the entire state, the cancellation in practice of the legislative branch. On the pretext of carrying out an express reform to prosecute the then-president of the Catalan government, they transformed the Constitutional Court into a reactionary instrument with unfettered power to carry out its repressive function.⁹



Prime Minister of Spain Mariano Rajoy

The People's Party (PP) of M. Rajoy, after its Spain-wide campaign of collection of signatures against the Statute “of the Catalans”, filed a complaint with the Constitutional Court and maneuvered so that the composition of that court would accord with their interests. Thus the judges appointed by the PP challenged a colleague, **Pablo Pérez Tremps**.¹⁰ And so a court in agreement with the PP issued a ruling that was far more important than the offense and the damage it inflicted on the Catalans. In fact, that ruling not only expelled Catalanism¹¹ from the consensus on which the Constitution had been built, but also represented, I believe, a real refounding of the judicial system born of the Transition.¹²

A statute that had been drafted and approved by the Catalan parliament, trimmed back, given a brush,¹³ approved by the Spanish parliament and then approved in a referendum by the Catalan people was changed by the Constitutional Court. The Catalans are today governed by a legal text that is no such thing. The statute that the parliaments and they themselves approved was not accepted by the Constitutional Court, which replaced it with another text, the original reworked with cuts. I won't go now into the fact that court took out its frustration by cutting out points recognized in other statutes¹⁴: once the cutting and polishing began it was back to zero. It's not just a question of the suspension of the judicial framework in which the Catalans have been left since then, but also of the establishment of two principles: the Constitutional Court can interpret and modify any statutory text and it is not parliaments, the legislature, that establishes the law but the Constitutional Court, which stands above it. Thus, the Kingdom of Spain is no longer a full parliamentary system as commonly understood. But these things, so serious that they seem incredible, are much better known to Professor Javier Pérez Royo.¹⁵

For years it has been hard for me to believe the things that I have been writing about here: we were just not prepared to imagine this Francoist degeneration of Spanish public life. However, as regards hatred of the Catalans, yes, I believe everything. Just as I believe that

everything that has been happening for months now has been a plan executed implacably step by step: from the Constitutional Court sentence they have been cornering the Catalans, giving them no respite, no negotiation, no way out, taking them to where they now have them – against the wall in a prison state.

When President Tarradellas returned from exile,¹⁶ bringing back the Generalitat, the Catalan republican institution of self-government, he did it on the promise of Adolfo Suarez and the previous king¹⁷ that it would get recognition and fit into the constitution that was about to be drafted. But Suarez was pushed aside by the King himself and the Army, Suárez's democratic cheque account was left without funds, and now the Generalitat and its legitimate president (since no other has yet been elected) is in exile detained by the German police at the request of the government of M. Rajoy.

Moreover, none of this could have happened without a PSOE [Socialist Workers Party of Spain, the Social-Democracy] committed to the state strategy carried out by M. Rajoy and Felipe VI.

I shall not go on, I only recall what we have been saying for some time, it is not a question of independent republic or a Spanish kingdom, but of democracy or not. And in Spain that “not” means Francoism. Puigdemont is the president of the Catalans, no matter how much it galls M. Rajoy and Felipe of Borbon, but he is a democrat and it is our duty to defend his freedom.

Catalan Movement Struggles for United Strategy Against Spanish State

Dick Nichols

“General strike! General strike! General strike!”: in protests across Catalonia after the March 23 jailing of five MPs and the March 25 detention in Germany of president Carles Puigdemont, these words rang out loud and appeared on placards and banners everywhere.

A general strike! Well that would certainly make the Spanish government of prime minister Mariano Rajoy and the senior judges doing its bidding think twice about maintaining their persecution of Catalonia's pro-independence MPs.

Except that a general strike, while desirable and important to raise as an objective, just won't happen as an offensive weapon to help advance the Catalan Republic – not until there's an earthquake in the Catalan trade union movement.



Source: Alwaght

The reasons why point to the underlying causes of the Catalan independence movement's difficulties in developing a stable and united strategy against the tightening legal siege of the Spanish state.

This siege reached its latest “high point” on March 23 when Spanish Supreme Court judge Pablo Llarena confirmed charges ranging from rebellion to embezzlement and disobedience against 25 Catalan political and mass movement leaders.

Poles in a Debate

The independence movement's basic debate, crossing both parties and mass organizations, is about the conditions that need to be in place for disobedience towards Spain to have some chance of success.

At one pole are those, mainly but not only around the left-independentist People's Unity List (CUP), who think that the conditions for success already exist: what's more, that actions of disobedience will spark a virtuous circle of revolt as more people become convinced of the chances of success.

This position points to the victory of the October 1 referendum in the face of the baton charges of the Spanish police, the October 3 general stoppage and the vast demonstrations that accompanied it, along with the confirmation of a pro-independence majority at the December 21 elections.

On this basis, the CUP abstained on the investiture on March 22 of Together for Catalonia (JxCat) leader Jordi Turull as president of a JxCat-ERC government on grounds that this would simply be another Spanish regional administration and would not "unfold the Republic". Without CUP support, the investiture failed.

The other pole, around the centre-left Republican Left of Catalonia (ERC) and with some support within JxCat, acknowledges these positives. But it holds that they alone are insufficient to give the movement the strength it needs to withstand a Spanish establishment intent on imposing a final solution to "separatist defiance."

This is all the more so because on the same day the Catalan parliament declared independence, the Spanish government ended Catalan self-rule under article 155 of the Spanish Constitution, having already taken charge of the Catalan government's finances.

Also, while winning a majority of seats, the independence bloc only managed to win 47.5% of the vote. The rabidly Spanish-centralist Citizens also emerged as the largest party (with 25.4% of the vote) on the back of a campaign that cynically exploited Spanish versus Catalan identity sentiment.

For the ERC, the priority is to recover Catalan self-government and implement a program that improves the life of all Catalans irrespective of origin. In this way, it seeks to show the lie in Citizens' demagogic rant about the independence bloc sacrificing ordinary people's lives to a "mad fantasy."

Of particular concern is the possibility of the Spanish State taking advantage of any violence - real or manufactured - to declare a state of siege under article 116 of the Spanish constitution. Incidents of violence at the pickets called by the Committees for the Defence of the Republic (CDR) on the evening of March 25 showed that this concern is not misplaced.

These incidents also confirmed who gains politically from any outbreaks of violence. The day after the protest, Spanish interior minister **Juan Ignacio Zoido** questioned the independence movement's commitment to peaceful methods. Citizens' leader Albert Rivera was tweeting about how the violence represented Catalan nationalism's true face of "hatred and confrontation."

On March 29, **José Luis Ábalos**, the organizational secretary of the opposition Spanish

Socialist Workers Party (PSOE), said the CDRs were “the seed in Catalonia” of the Basque *kale borroka* (“street struggle”), which engaged in violent action against the police. Ábalos also gave his listeners a history lesson: similar groups had been formed in the Cuban, Nicaraguan and Venezuelan revolutions.

It has since emerged that a lot of the violence was due to balaclava-wearing people no-one could identify, leading to suspicions they were plants and calls for face-covering to be banned at demonstrations.

On March 30, [football team] Manchester City’s Catalan manager **Pep Guardiola** said that

“those who compare us to the generators of violence commit a great injustice.”

Defensive and Offensive Alliances

Catalonia has experienced one general strike recently. This was the October 3 “civilian stoppage” in protest against Spanish state violence on October 1. It was convened by the two major unions – the Workers Commissions (CCOO) and the General Union Of Labour (UGT) – as part of a broader platform that contained social movement, business and religious organizations.

It was also supported by the minority trade union confederations, the pro-independence Intersindical-CSC and the anarcho-syndicalist General Confederation of Labour. These were to later call a general strike of their own (on November 8), but despite achieving road and rail line blockades, they could not repeat the success of October 3 without the involvement of the major confederations.

The relative weakness of the pro-independence Intersindical-CSC in Catalonia contrasts with the situation of trade unionism in the Basque Country (Euskadi), where the main two nationalist confederations enjoy majority coverage.

In Catalonia, pro-independence trade unionism has so far been weak because the major confederations recruited workers originating from other parts of Spain on the basis of Catalonia being “a single people.” As a result, the majority confederations, reflecting the attitude of a lot of their members, are prepared to carry out defensive industrial action – such as against the police violence of October 1 – but the divisions in the Catalan working class at large mean that UGT and CCOO action in support of the independence goal and the declared Catalan Republic is unthinkable.

On the other hand, as October 3 showed, the majority confederations support defence of Catalan institutions and Catalan self-government. After meeting on March 26 with parliament speaker **Roger Torrent**, their leaders expressed support for action to lift the article 155 intervention, restore Catalan self-rule and achieve the release of the political prisoners.

At the same time, they made it clear they would have nothing to do with CUP or CDR plans for unilaterally “unfolding the Republic.”

On March 27, the UGT and CCOO were part of the launching of a “Space for Democracy and Social Harmony.” This included the two main pro-independence associations Òmnium

Cultural and the Catalan National Assembly – and small and medium business organizations. This alliance, which repeats previous broad coalitions in defence of Catalonia’s national rights and self-rule, has called a mass demonstration in Barcelona for April 15.

On March 26, JxCat, the ERC and the CUP announced that they would move a motion to parliament asserting the inviolability of all elected MPs, their right to stand for any position and demanding the release from jail and return from exile of those who have been charged by the Spanish courts.

On March 28, this resolution was adopted, as was a second resolution moved by Catalonia Together – Podemos (supporters of a Catalan right to decide but not independence), which affirmed the need to implement Catalonia’s national rights on the basis of broad social majorities.

However, unity still remains to be achieved on the question of forming government. The arrest of Carles Puigdemont has convinced JxCat and the CUP to re-propose Puigdemont as president, if only to increase the political price Spain and its allies will have to pay for putting him in jail. The ERC remains sceptical about the usefulness of this exercise, which would violate a Constitutional Court order that candidates for president have to be physically present at the investiture session.

By March 30, however, with pressure for the Spanish state to negotiate with an elected Catalan government rising across Europe in the wake of Puigdemont’s arrest, the ERC seemed more inclined to risk supporting an “illegal” investiture of Puigdemont so as to further pressure the increasingly exposed Spanish legal system.

To disobey now, or avoid conflict until more certain of having a broader base of support? This remains the dilemma for the independence movement. If it is not solved within two months, Catalonia will go to new elections.

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Suso de Toro is a Galician writer and a long-standing supporter of the Catalan right to self-determination, is the author of *Another Idea of Spain* and various novels. He won the National Prize for Narrative in 2013.

Dick Nichols is [Green Left Weekly](#)’s European correspondent, based in Barcelona.

Notes

1. “Puigdemont, our president” is a chant that’s heard at any demonstration for Catalan rights against the repression of the Spanish state. Suso de Toro’s point is that he is the president of any Spanish democrat as well.
2. Capital of Valladolid province and seat of the regional government of Castilla y León.

3. "M. Rajoy" was how the name of Spanish prime minister Mariano Rajoy appeared in the payments column of the PP accounts of former treasurer Luís Bárcenas, presently on trial for corruption.
4. Spanish prime minister's residence and official seat of the Spanish government.
5. The Gag Law, whose official name is Law of Citizen Safety, has been in force since July 1, 2015. Its provisions cover 44 offences ranging from flashing laser beams at aircraft to organizing unauthorized demonstrations.
6. "Go get 'em" (*a por ellos*) was the chant of Spanish-centralist demonstrators gathered outside Civil Guard barracks to send off Civil Guards going to Catalonia to stop the October 1 referendum.
7. For example, members of the Spanish National Police were recorded making offensive remarks about Catalan vice-president Oriol Junqueras on his being sent into detention.
8. The National Court descends from the Franco-era Court of Public Order.
9. The Law governing the Constitutional Court was amended in October 2015 to give it powers to punish those judged to have disobeyed its rulings. The former president of the Catalan government mentioned is Artur Mas.
10. Pablo Pérez Trepms, member of the "progressive sector" of the Spanish judiciary, is an expert in relations between the legal and constitutional branches of the Spanish justice system who was also a member of the Constitutional Court. During the appeal of the PP against the constitutionality of the Catalan Statute, his impartiality was questioned by lawyers for the PP case: their submission against his sitting on the case was carried six to five by at a full bench session of the Constitutional Court.
11. "Catalanism" is a broad concept that basically means recognition and affirmation of the value of Catalan society, language, culture and institutions. It can apply to supporters of independence as well as those seeking a different relation between Catalonia and the Spanish state.
12. That is, the transition from the Franco dictatorship.
13. The Statute as first adopted by the Catalan parliament was later "given a brush" (*cepillado*) - expression of PSOE leader and Spanish centralist Alfonso Guerra - by the Spanish parliament.
14. The Spanish solicitor-general identified 85 articles in the Catalan Statute challenged by the PP that were already contained in other Statutes. Articles finally ruled unconstitutional by the court were already in operation in Andalusia and the Valencian Country.
15. As outlined in his book *The Impossible Constitutional Reform*.
16. In 1977, Josep Tarradellas, president of the Catalan government (Generalitat) in exile, returned to Spain where he negotiated with Spanish prime minister Adolfo Suarez the re-establishment of the Generalitat as the legitimate government of Catalonia.
17. King Juan Carlos, father of the present incumbent.

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