

New Mass Resistance as Spanish State Jails Catalan Ministers

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Judge Carmen Lamela of Spain's National High Court - direct descendant of the fascist Franco-era Court of Public Order - took the war of the Spanish state against the Catalan pro-independence government to a new level of judicial violence on November 2.

It was not enough that the two leaders of the Catalan mass pro-independence organizations the Catalan National Assembly (ANC) and Catalan cultural and language association Omnium Cultural, were already in jail. It was not enough that the Catalan government had been sacked on October 27 under article 155 of the Spanish constitution. Now the deposed ministers had to be humiliated.

Facing charges of rebellion (up to 30 years jail), sedition (up to 15 years jail) and misuse of public money, eight of the ministers were sent into preventive detention, supposedly to prevent them destroying evidence and fleeing the Spanish state.

The decision immediately provoked a new huge storm of protest across Catalonia. There were demonstrations outside town halls and the country's parliament and a deafening evening *cassolada* (banging of pots and pans). A planned November 12 demonstration in Barcelona looks set to be oceanic.

The minority, but rapidly growing, Intersindical-CSC trade union confederation has already called a general strike in the coming days.



The judge's action was immediately denounced by Catalan President Carles Puigdemont, who is in Belgium with his remaining four ministers. It is expected they will soon be subject to a European arrest warrant, but it is far from certain that the Belgian legal system will return them to the Spanish state.

December 21 Poll

The detentions will also impact the debate within Catalonia's pro-independence and pro-sovereignty parties over the snap December 21 elections. The new elections were called by Spanish Prime Minister Mariano Rajoy as part of his plan to marginalize the Catalan independence movement.

Rajoy announced his intervention under article 155 of the Spanish constitution on the same day the Catalan parliament officially declared an independent republic. In the aftermath, a war of position was almost universally expected: Rajoy and Co would move to behead the Catalan government, sack its senior executives, purge the Catalan police, public broadcasting and education systems, offer election bribes to parts of the population and then – and only then – risk regional elections.

No other strategy seemed possible in a country where unionism (“constitutionalism” to its supporters) had won less than 40 per cent of the vote at the September 2015 “plebiscitary” Catalan elections that put pro-independence forces into government. So it was a surprise for all sides when Rajoy moved with lightning speed – for the first time in his political life – to call Catalan elections for December 21.

Three main factors determined this decision to go early. Firstly, confidence that the considerable body of pro-Spanish voters who traditionally don't vote in Catalan elections could be mobilized by a hysterical campaign against secessionism. Secondly, hope that the pro-independence camp will split between those favouring a boycott of December 21 and those who support standing. The third and most pressing need was to end, once and for all, the international debate about the legitimacy of recent Spanish state actions (such as sacking an elected government).

The biggest risk with Rajoy's move is that it could create unity among the often fractious pro-independence and pro-sovereignty forces. This could occur behind an election campaign to validate the Catalan Republic declared by parliament on October 27, or behind a broader campaign to oppose Madrid's 155 coup and build support for a Catalan right to decide.

At the time of writing, the Spanish People's Party (PP) government's hope of provoking a split between pro-independence forces in favour of a boycott and those who will stand on December 21 looks to be failing. This seems especially so after Puigdemont announced at an October 31 Brussels media conference that the Catalan independence movement was not afraid of the ballot box.

The November 2 jailing of the ministers only makes a more united approach by forces deciding to stand more likely. The conservative nationalist Catalan European Democratic Party (PDECat) and the centre-left nationalist Republican Left of Catalonia (ERC), partners in the outgoing Together for the Yes (JxSi) ruling coalition, had previously both announced they would “meet Rajoy at the polls.” Media reports suggest opinion within the anti-capitalist pro-independence People's Unity List (CUP) was also swinging that way.

Boycott?

The initial gut response of many pro-independence activists on hearing about Rajoy's election announcement was to say the independence movement should boycott. This reaction did not just come from the CUP (whose MP Mireia Boya tweeted that it would be an ideal day for a community paella).

Members of PDECat and the ERC also condemned Rajoy's elections as 'illegitimate'. David Font, PDECat mayor of Gironella, said:

"Let's see if these elections Rajoy wants to have on December 21 he doesn't have to have in the streets, because the councils aren't going to provide halls."

Joan Manuel Tresserras, close to the ERC and a former Catalan culture minister, told the daily *Ara* on October 30 that pro-independence forces should "certainly not" run on December 21.

He added:

"Another thing would be if it wouldn't be right to call the constituent elections [envisaged in the Catalan Law of Jurisdictional Transition] and, if necessary, even have them on the same day as those called by the Spanish government.

"It is important that the government make a proposal and that this be discussed and agreed with the CUP and the other components of the pro-independence bloc. If The Commons [Catalunya en Comu, the left-wing party of Barcelona mayor Adu Colau that supports the right to decide but not necessarily independence] are there too, all the better."

Impact of Madrid's Coup

However, these sorts of projections were quickly invalidated by the real state of play in Catalonia resulting from Madrid's coup. That brought the Catalan independence advance, and all the future projections arising from the October 27 independence declaration, to a halt.

The declaration of the independent Catalan Republic was, without doubt, an inspiring and proud moment for hundreds of thousands of Catalans. It was the result of a decade of struggle culminating in the extraordinary David-over-Goliath achievement of holding the October 1 referendum under assault from 10,000 Spanish state police.



It was also something that older generations of militants thought they would never live to see. Now the Catalan Republic lives in the hearts and minds of millions, and the Catalan struggle exists as never before as a spectre haunting European, and even world, politics.

Yet, just one week after the Spanish state takeover, most of the institutional structures of the Catalan Republic have been demolished:

- The Catalan police have been brought under the control of the Spanish interior ministry and their previous chief sacked;
- Police protection was withdrawn from Puigdemont and his ministers;
- All Catalan diplomatic missions have been terminated, with the exception of Brussels, where the Catalan representative to the European Union has been sacked;
- All Catalan agencies associated with the transition to independence have been closed down;
- The parliament has been suspended, a state of affairs accepted by speaker Carme Forcadell; and
- Puigdemont, his ministers, Forcadell and the other members of the speakership panel who allowed debate and the vote on independence face charges of rebellion and sedition.

In this situation, calling for the Puigdemont government to implement the resolutions attached to the declaration of independence is not realistic. His cabinet is in no condition to make them operative.

The impossibility of building and defending the institutions of the fledgling Catalan Republic after the Rajoy coup has made taking part in the December 21 poll inevitable: the thought of what the PP and Citizens would do with Catalonia's institutions if they got their hands on them ultimately makes a boycott unthinkable.

Resistance

However, the political force of the Puigdemont government has not vanished. The president's October 31 Brussels media conference with five of his ministers, attended by 300 journalists, was proof of that.

Puigdemont appealed to the world about the basic questions at stake in the Catalan struggle: Do the Catalans have a right to self-determination? Is the Spanish constitution and legal system democratic? Was the October 1 referendum binding?

The goal of the conference was to appeal to the ordinary citizens of Europe over the heads of the European institutions that have lined up with the Rajoy government. This aimed at raising pressure for negotiations and dialogue, which several European leaders have talked about.

Puigdemont said he would accept the result of the December 21 election and challenged Rajoy to do the same. He also challenged the European Union and the international community to support Catalonia's right to self-determination.

He denounced the legal action taken against his government for doing what it promised to do, and repeated the commitment of the government, pro-independence parties and mass movement to non-violent methods - even while calling on Catalans to resist Madrid's assault on Catalonia's institutions.

Puigdemont was also explaining to independence supporters in Catalonia thrown by the Madrid coup how the strategic position had changed, as well as putting the Spanish political and legal system on trial.

The beheading of the Catalan government in no way means popular resistance has ended, as the November 2 protests showed.

If the managers imposed from Madrid move against Catalonia's firefighters, railway workers, teachers, health workers and other public servants, they will likely run into a wall of non-cooperation. They will face resistance organized through the most active trade union confederation and the Committees to Defend the Republic.

The country's 750-plus pro-independence councils (out of a total of 947) will also continue to project the symbols of the Catalan Republic and organize what disobedience they deem possible in their "liberated zones."

Approaches to December 21

This reality has led all pro-independence and pro-sovereignty forces in Catalonia - with the possible exception of the CUP that will decide its approach on November 12 - to accept the need to stand in Rajoy's "illegitimate" December 21 election.

Before November 2, it seemed unlikely this campaign would see a new edition of the JxSi alliance between PDECat and ERC. This was despite ANC and Omnium Cultural pressing for a single pro-independence ticket, potentially headed by Jordi Sanchez and Jordi Cuixart, the jailed leaders of these mass organizations.

The right nationalist PDECat has been the big loser from the independence process (and is now down to 10% in the latest polls compared to 31% for its once junior partner the ERC). The mood in PDECat has been one of wanting to recover conservative Catalan voters

unnerved by the independence process's leftward shift.

Former business minister Santi Vila, who publicly opposed the October 27 independence declaration, has put himself forward as the leader of this "moderate independentism." He will, however, be opposed by other PDECat leaders who remain loyal to Puigdemont and the independence process.

The ERC scheme for December 21 has been that of a "republican front" that excludes PDECat, while trying to attract unaffiliated independence activists and, in particular, Podemos Catalonia. Led by Albano Dante Fachin, Podemos Catalonia has fallen out with the Podemos leadership in the Spanish state over the latter's refusal to ally with any pro-independence forces for December 21.

As for the campaign of Catalunya en Comu, it will be led by Xavier Domenech (presently leader of En Como Podem in the Spanish parliament). Its central theme will be defence of Catalonia's institutions against Madrid's intervention.

Podemos Catalonia, which is not part of Catalunya en Comu, has raised the possibility of a united campaign by all forces - pro-independence or not - that support a Catalan right to decide and oppose Rajoy's planned destruction of Catalan autonomy.

However, Podemos Spanish-wide general secretary Pablo Iglesias publicly opposes an alliance with pro-independence forces. He judges it would destroy any chance of Catalunya en Comu winning support from working-class unionist voters - in Catalonia and across the Spanish state. Their vote would go to the PSC or even the new-right Citizens.

On October 29, the Podemos' Spanish-state leadership instructed Podemos Catalonia to hold a membership poll with the question:

"Do you support Podemos standing in the December 21 elections in coalition with Catalunya en Comu and related political forces that do not approve either the declaration of independence or the application of article 155, with the word Podemos in the name of the coalition and on the voting paper?"

The Iglesias leadership is almost certain to win this ballot - which Fachin is boycotting - but that result won't solve the challenge that the November 2 arrests have dramatized.

That challenge is how to maximise support for pro-independence and pro-sovereignty forces in the face of what is certain to be a brutal campaign aimed at scaring every last doubter about Catalan independence to vote for the unionist parties.

To stand a chance of defeating it, Catalunya en Comu will have to do more than just saying, as it has to date, "neither 155 nor the unilateral declaration of independence."

Postscriptum. *As a contribution to the debate on electoral strategy in Catalonia, I recommend the following comment by Borja de Rique, an eminent Catalan historian, which I have extracted from his article in Viento Sur "[Poner los pies en el suelo](#)." My translation from the Spanish version published in Viento Sur on November 1, 2017. (Richard Fidler)*

It is quite clear that we must participate in the elections of December 21 although they have been called by the government in Madrid. Not to participate would be an act of folly. We would run the risk that Ms. Arrimadas [leader of the Catalan Citizens party] would become president of the Generalitat [the Catalan government] and that this institution would then be converted into a type of provincial office subject to the directives of the Spanish government. In my opinion, we have to run in the elections defending anti-repression and pro-sovereignty approaches. Today the political dividing line is situated — as has been sufficiently clear since the Sunday demonstration — between those who support the application of article 155 and those who are opposed; between those who think it is fundamental to demand the democratic right of the Catalan people to decide their future and those who argue that the citizens of Catalonia do not have that right.

A few days ago I was defending the formation of a unitary candidacy, similar to Solidaritat Catalana, including persons from the political formations and the citizens' organizations that for more than seven years have declared themselves in favour of the right to decide. Faced with the difficulties that this can involve, and taking into account the recent statements by the party leaders, I think that at a minimum it will be necessary to ask them to include the following three demands as common and priority elements of their programs. First, the release of those detained and the stay of proceedings in all of the criminal charges, fines and sanctions of a political character. Second, the demand for immediate repeal of the application of article 155 to the Generalitat. And finally, the demand for a binding referendum with guarantees concerning the future of Catalonia.

If it can be demonstrated with real votes that more than two thirds of the citizens of Catalonia wish to be consulted in a binding referendum, reject the application of 155 and demand amnesty, that will demonstrate to international opinion the intransigence and political blindness of the Rajoy government and favour the possibilities for mediation to attain a referendum.

It may also be necessary to think about a program for government with broad parliamentary support that after the electoral victory will rigorously ensure that this program is carried out. We have to be realistic: even after a hypothetical victory, we will face a long period of tensions with the government in Madrid and their international counterparts. Nor should we discount the need for a unitary Catalan strategy of intervention in Spanish politics to try to get Mariano Rajoy and the PP out of the government in Madrid and create a political scenario more favourable to negotiation.

Things being what they are, it is necessary to avoid the political confrontation being centered on the Catalan Republic, the proclamation of which was questionable. That is not the dilemma that must be put to citizens in the forthcoming elections. The pro-sovereignty movement must go on increasing its strength and not risk losing it. There are social sectors that until very recently were in an expectant position, with doubts about the process, but who were not hostile to it and who were angered by the police brutality of October 1. We must not lose that social layer, which may be electorally decisive at a time when the forces defending article 155 are mobilizing people who until recently were fairly passive and indifferent. I think that the political alternative to the unionist sectors should be clearly centered, combined with the aforementioned anti-repression demands, on the demand for a democratic consultation on the future of Catalonia that is fully guaranteed.

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