

Spain: Socialist Party government attacks free speech

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The PSOE (Socialist Workers Party of Spain) government of Jose Luiz Zapatero was swept to power in March by a powerful movement of the working class against the right-wing Popular Party's (PP) pro-war stance and its attempt to exploit public horror at the March 11 bombings in Madrid for electoral success. The PP used the bombings to whip up hostility against the Basque separatist group ETA, concealing evidence that the bombings were the work of Islamic fundamentalists.

Within weeks of taking office, however, the PSOE is preparing legislation attacking the democratic right to free speech of Spain's 500,000 Muslims. Its implications are much wider, threatening the freedom of speech of everyone in ways that echo the actions of the Francoite fascists.

Any illusions that the PSOE would represent a radical shift to the left from the previous PP government in both foreign and domestic policy are being quickly disabused. The new Interior Minister Jose Antonio Alonso outlined the purpose of the new legislation: "We really need to improve the laws to control Islamic radicals. We need to get a legal situation in which we can control the Imams in small mosques. That is where Islamic fundamentalism which lead to certain actions is disseminated."

Alonso added, "We cannot name the Imam who is going to preside over a religious service, but we can require of the Imam or preacher of any religion that it be known who he is and what he is going to say in the Mosque or church... We are talking about a phenomena that can create a breeding ground for terrorism that kills people."

The Interior Minister did not specify any major threat posed by a mosque, Imam or their speeches that had provoked this legislation, or the content of a sermon that would fall foul of its statutes. If Congress passes the legislation it removes from the state the burden of proof that a particular speech led to an illegal act. This would be a significant legal change with broader implications for democratic rights than controlling "Islamic radicalism" after the March 11 bombings. The PSOE is legitimising "pre-emptive" censorship, which is explicitly outlawed in the

Spanish constitution.

The constitution, adopted by all the main political party's in 1978 after the fall of the fascist regime of General Franco (1939-75), declares that every individual enjoys the right "to express and disseminate freely thoughts ideas and opinions by word, in writing or any other means of reproduction." Clause two of the same article expressly forbids any form of the type of "prior censorship" widely practised by the fascist regime.

If passed by congress the legislation will initially be used to spy on Spain's 500,000 Muslim workers, close down unregistered mosques, control the political content of sermons and deport imams. The other crucial constitutional right that these measures infringe is the freedom to practice religion unhindered by the state. Alonso unashamedly admits that his proposals follow the example of repressive laws enacted by the right-wing French government of President Jacques Chirac and Prime Minister Jean Pierre Raffarin.

The French state has placed its Muslim population under siege. Exploiting the reactionary outpourings of a number of imams, they have proceeded with repressive legislation attacking the rights to freedom of speech. Raids on mosques and deportations based on the political content of sermons are the norm across France. Again, the initial targets of these police state measures are Muslim workers who played a not inconsiderable part in the mass demonstrations against the war in Iraq. However, these laws are direct threat to all those opposed to the war and to the working class as a whole.

Alonso introduced the proposed legislation under the Prevention of Terrorism Pact signed in 2000 by the PSOE and the Popular Party. This official coalition enabled the PP to launch a major assault on the democratic rights of the Basques to enjoy political representation by those not approved by the central government. This led to the state banning the pro-ETA party Batasuna and its newspaper.

On May 14 the committee implementing the pact met during a closed meeting to reaffirm the alliance, but this time, as well as the issue of ETA, Islamic organisation were

placed on the agenda. The meeting was called to halt a series of public conflicts that threatened to provoke a political crisis. PSOE spokesman Alfredo Rubalcaba declared afterwards, “The meeting has served to reinforce the unity of the principal parties against terrorism.”

At the two-hour meeting PP leader Mariano Rajoy described his satisfaction on being told by Alonso that his comments, blaming a lack of foresight by the previous PP government for contributing to the March 11 bombings, “were not intended to imply the responsibility of the previous [PP] government in the March 11 bombings and that he will not implicate the previous government in the future.”

El Pais, a supporter of the PSOE, has led an investigation into how much PP ministers knew about the immediate threat of a terrorist bombing prior to March 11. They have uncovered important facts, but judicial inquiries into the worst terrorist bombing in Spanish history are being held in secrecy and the PSOE has resisted all calls for a public inquiry.

The Archbishop of Seville, Carlos Amigo, has described Alonso’s measures against the Muslim community as a return to the days of censorship under the Franco dictatorship. A number of human rights and legal rights organisations have made the same point. Judges for Democracy declared that the proposals breach the basic democratic rights of Muslims within Spain. The Association for Defending Human Rights described Alonso’s statements as contempt for the constitution.

The PP initially raised constitutional concerns on the right to freedom to practice religion. They were objecting on behalf of the Roman Catholic hierarchy. Once PSOE spokesman made clear that its claim that the legislation applied to “all religions” was a political ruse, the PP’s opposition to its constitutional implications was dropped. They now criticise only its “ineffectiveness”, arguing that it will drive the imams further underground and make it more difficult for the security services to track them.

The Catalonia’s Convergence and Union party (CiU), which was in coalition with the ousted PP government of Jose Maria Aznar, didn’t even raise the issues surrounding the constitution. The main political voice of the Catalan bourgeoisie echoed the PP’s position that it would make the security services job of monitoring the imams of the smaller mosques much more difficult and that Zapatero was showing his inexperience by publicly declaring policy changes rather than using existing state powers.

The PSOE has received the support of the Moroccan government for its proposed legislation. Islamic Affairs Minister Ahmed Toufiq told *El Periodico* on May 9, “Morocco could prove a benefit to Spain with respect to

selecting moderate imams, and Rabat is also ready to help monitor mosques.”

He also made a tentative proposal for setting up a joint Spanish Moroccan organisation to carry through these changes, using the full force of the state apparatus of both countries.

There has been a mixed response amongst the Muslim establishment. The Moroccan Immigrants Workers Association, which assists Moroccan immigrants to acquire legal status and find work, agreed with the proposals and proposed to the PSOE the creation of an elected Muslim council with authority to vet Mosques and audit their finances. Leading spokesman Mustafa El Mirrabet earlier declared, “Mosques not approved by the council would be outlawed.”

The religious leader of Madrid’s main mosque M-20 has also welcomed the idea. In an interview published in *El Mundo*, Moneir Mahmoud said that the government should know what certain clerics were saying to their congregations and that it needs to stop them. Both Mirrabet and Mahmoud are supporting the attack on democratic right to free speech out of selfish political motives. They are using the proposed legislation to tighten their own grip on political power within the Muslim population.

Mansur Escudero, president of the Islamic Council in Spain and a PSOE supporter, opposed the measures declaring, “I’m bewildered. The proposals are just surreal. I never thought that a socialist minister with a progressive attitude and respect for the constitution would launch such an attack on religious freedom... It’s not constitutional and it contravenes fundamental rights. Bad influences can come from all sorts of places. Mosques do not provide refuge to terrorists and the government should not demonise a whole community.”

Immediately after the March general election results were announced Zapatero declared that unlike the PP his government would rule with the democratic consent of the people. Its first legislative measures prove quite the opposite—that there is no longer any significant support within the PSOE or the Spanish ruling class for even the limited democratic rights contained within the constitution they adopted in 1978.



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