

Right-wing Popular Party attacks Spain's leading judge

Daniel O'Flynn, Vicky Short
9 November 2006

A campaign has been mounted by the right-wing opposition Spanish Popular Party (PP) against the leading judge, Baltasar Garzón.

The attacks on Garzón started after he alleged in early October that three police forensic experts, Manuel Escribano, Pedro Manrique and Isabel Lopez, dishonestly signed and changed the date of a report in order to suggest that new evidence had emerged linking the Basque separatist group ETA to the March 11, 2004, train bombing in Madrid, which killed 191 people and injured 1,900 others. The officers' superiors had already rejected the report in 2005 because it was based on flimsy evidence.

The report was promoted in *El Mundo*, a newspaper close to the PP, which has taken a leading role in the right-wing campaign to destabilise the Socialist Party (PSOE) government. It claimed an Islamist suspect arrested in December 2004 in connection with the Madrid bombings must have received the same training as an ETA commander whose apartment was raided in Salamanca in 2001 because police had found the chemical boric acid (a constituent in the explosive Amonal used by ETA) in their homes. The evidence was thrown out because boric acid is used in many products such as antiseptics and insecticides that can be found in most households.

The PP's obsession with proving a connection between the Madrid bombings and ETA is linked with the PSOE's election to power three days after the bombings. The PSOE was the undeserving beneficiary of the massive opposition to the PP government's support for the war in Iraq and its anti-working class social policies. Aware that millions would correctly blame the PP's participation in the war for creating the conditions for an atrocity perpetrated by Islamic fundamentalists, the PP sought to blame ETA for the

outrage. This backfired as evidence of Al Qaeda involvement came to light and became the focus for seething opposition to the PP. Ever since, the PP has refused to recognise the election results and describes the PSOE as an illegitimate government, with the support of the right-wing media, sections of the military and the Catholic Church.

Despite overwhelming evidence to the contrary and an official investigation that ended in the jailing of scores of Arabs and the indictment of 29 Islamist extremists and their collaborators, the PP has pressed ahead with its campaign—advancing a claim of collusion between ETA and Al Qaeda.

In the face of what he described as “systematic and unjustified attacks” for doing his job, Garzón requested support and formal reaffirmation of his work from the 20-member General Council of the Judiciary (Consejo General del Poder Judicial, CGPJ)—the body that represents and gives guidance to all judges. The refusal of the CGPJ to defend Garzón—by a majority vote that split down party political lines—left Spain's most famous magistrate exposed to further attacks from the PP and the right-wing media over his decision to charge the three police officers with fraud.

The PP majority said that they would not support Garzón until they carried out their own investigation—not into the alleged wrongdoings by the police, but into whether Garzón had acted “appropriately” by investigating the fraud charges. Judge José Luis Requero has been called upon as a member of the CGPJ to scrutinise Garzón's investigation. He is a well-known supporter of the PP, who has described homosexual marriage as a “union between a man and an animal.”

The PP's readiness to break with even the pretence of impartiality of Spain's equivalent of the US Supreme

Court—and to wage a campaign in defence of government officials who are guilty of fraud—illustrates how sharp political and social tensions have become. Moreover to vilify Garzón, a well-known international figure and a stalwart defender of the Spanish bourgeois state, is no small matter.

He is despised by the right-wing in part for having secured the detention of former Chilean dictator Augusto Pinochet while he was in London for a medical check-up in 1998 and attempting without success to extradite him to Spain to be tried for crimes against humanity. He later issued arrest warrants for other members of the junta. His initial rise to prominence in Spain came with the investigations into the rightist terror group Grupos Antiterroristas de Liberación (GAL), which bombed and terrorised southwest France in the 1980s in an attempt to eradicate ETA.

Despite media claims, he is no liberal and certainly not a “people’s judge.” In 2002, he introduced a ban on the Basque political party Herri Batasuna—the first time since Franco’s death that a political party had been banned in Spain. He also mediated the closing down of the left-leaning Basque-language paper *Egunkaria*. His most recent investigations have included the September 24, 2003, indictment of 35 Al Qaeda suspects, including Tayssir Alouni, an Al Jazeera correspondent in Spain, and Osama bin Laden.

For the judiciary itself to join in a political attack on one of its own most high-profile representatives could only occur under conditions of a political civil war that threatens to destabilise the entire Spanish state apparatus. That is why the PSOE government is doing everything it can to downplay the significance of such attacks and limiting itself to an appeal for the CGPJ to remain impartial.

Such appeals not only fall on deaf ears, but actively encourage the PP and its far-right supporters to step up attacks that directly threaten the democratic rights of the working class.



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact