

Spain: New National Security Law to come into force before Catalan elections

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A new National Security law, increasing the Spanish government's police state powers, will come into force in time for the September 27 elections in the region of Catalonia.

The law, which was approved by Congress in late July and will be debated in the Senate this month, gives the state more powers after a state of crisis is declared—these include allowing the central government to take control of regional and local police forces.

The elections, which were called early by regional president Artur Mas in January, are formally to choose a new regional assembly. But the Catalan separatist parties are calling for voters to see it as a plebiscite on independence. In July, the main separatist parties—Democratic Convergence of Catalonia (CDC) led by Mas and the Republican Left of Catalonia (ERC)—reached a deal to jointly run on a secessionist united electoral list. If the coalition wins, Mas is promising to declare unilateral independence within six to eight months.

Last November, 1.8 million Catalans voted for independence in an informal referendum on self-rule, but since then support for independence has gone down to 36 percent from around 48 percent.

The decrease in support reflects the volatile appeal of Catalan secessionism. In great part, it grew in the past years because of austerity measures imposed by successive governments under the Socialist Party (PSOE) and the current Popular Party (PP). An additional factor has been the role of the trade unions in betraying every struggle against austerity and the promotion of “left nationalism” by pseudo-left organisations. This is an attempt to give a progressive fig leaf to a Catalan mini-state, which would function as a low-tax, cheap-labour platform for the benefit of the banks and transnational corporations.

Now pro-separatist sections of the Catalan bourgeoisie, conscious of the dwindling support for independence, have created the united list, handing over the three first positions to “civil society non-partisan” figures. Heading the list is Raül Romeva, former Member of the European Parliament for the Catalan Greens, Iniciativa per CatalunyaVerds (ICV), who quit the party because it was not fully separatist. Romeva's inclusion is an attempt to give a more “left” cover to the project and divert attention from Mas, whom he had previously criticised for imposing austerity measures as regional president.

Second and third positions on the list have been reserved for Carme Forcadell and Muriel Casals. Forcadell was the former leader of the Catalan National Assembly, which has organized annual mass rallies in favour of independence since 2012. Casals is President of Òmnium Cultural, a cultural association heavily funded by the Catalan government to promote Catalan language and culture. Another “non-political” figure—the popular former coach of Football Club Barcelona, Pep Guardiola,—has been given the last place on the list.

Mas will occupy the fourth position in the list, but if the coalition has a sufficient parliamentary majority after the election, he will be re-installed as president.

The portrayal of the Catalan elections as a plebiscite for sovereignty is bitterly opposed by Spanish Prime Minister Mariano Rajoy and the PP government, who have made repeated threats against the independence initiative.

Following the announcement of the united list, Justice Minister Rafael Catalá warned that article 155 of the constitution could be used to suspend Catalonia's regional autonomy. The article states that if an autonomous region does not fulfil “the obligations that

the constitution or other laws impose upon it”, or it acts “in a way that threatens the general interests of Spain”, the government, “after summoning the president of the autonomous region and, in case the latter does not comply, with the approval of an absolute majority of the Senate”, can use “the necessary means” to force a region to comply with its “obligations”.

Catalá has admitted that article 155 has never been used before, because no autonomous region has been in such “flagrant non-compliance” with its obligations, but that it could be invoked for the upcoming Catalan elections. He declared that “there is no room for this scenario [the plebiscite], it is unviable and impossible” and that there was no “leeway” for the Catalan separatists.

With the passing of the new National Security Law, the PP government will have an alternative legal instrument to confront any moves towards Catalan separation.

According to ERC Deputy Joan Tardá, “The government wants to have a new instrument ready for 27-S [as the elections are referred to in Spain]. It really does have the measures that have the same effect as declaring a state of siege and emergency, without sounding so extreme, and in addition it doesn’t require a parliamentary referendum. Neither does it have the political repercussions that resorting to article 155 of the Constitution would have, which requires an absolute majority in the Senate”.

Tardá explained, “the prime minister can assume power over the Mossos [Catalan regional police force] and Generalitat public servants with a simple decree”.

Basque Nationalist Party deputy and legal expert Emilio Olabarriá added, “There will be no need to resort to article 155 of the constitution; turning to [the National Security] law and its precepts, Rajoy can take unilateral decisions by decree to manage a crisis that, in his judgment, represents a threat to national security.”

Tardá and Olabarriá’s assessment of the new law should be taken seriously in light of Rajoy’s recent statements. Speaking on July 13, Rajoy warned that the state would “uphold the law” if anybody attempts to violate it, declaring. “Have no doubt about it”.

“There will be no Catalan independence, and Catalonia is not going to leave Spain or Europe, even though this is what’s being offered to citizens there right now,” he vowed.

Last week the prime minister repeated, “The government is going to keep a watchful eye to ensure the law is obeyed, and we will continue to defend the law. There won’t be any plebiscite vote just in the same way there was no independence referendum held, despite all the propaganda. No self-respecting country can allow the law to be broken just for political benefit”.



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