Pursuit of rapper Valtònyc reveals widespread censorship in Spain

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A Belgian court provisionally released rapper Josep Miquel Beltrán (stage name Valtònyc) pending its decision on a European Arrest Warrant (EAW) issued by Spain. The rapper fled Spain in May to avoid a three-and-a-half-year prison sentence after being convicted of glorifying terrorism, insulting the monarchy, and issuing threats in songs posted on YouTube and other internet platforms.

Valtònyc's offending lyrics included "Let them be as frightened as a police officer in the Basque country," "The king has a rendezvous at the village square, with a noose around his neck" and "We want death for these pigs," referring to corrupt politicians and the monarchy.

Valtònyc has defended his songs saying, "Calling me a terrorist is nonsense…My songs don't hurt anyone, I haven't killed anyone. I rap about things that happen, but I'm not a participant." He invoked freedom of expression in his defense, describing the very nature of rap lyrics as "extreme, provocative, allegorical and symbolic."

Valtònyc is widely supported among Spanish youth. In April, a group of Spanish rap artists recorded a video in support of free speech and the rapper, and opposed to the royal Bourbon dynasty under the title "Los Borbones son unos Ladrones" (The Bourbons are Thieves).

The unrelenting pursuit of Valtònyc is further evidence of the growing assault on free speech and democratic rights in Spain and throughout Europe.

WikiLeaks founder Julian Assange is the most high-profile victim of the EAW. He was first arrested in London in December 2010 under its anti-democratic provisions to answer trumped up "questions" of sexual misconduct in Sweden. In 2017, an EAW was issued by Spain against ousted Catalan separatist leader Carles Puigdemont. It has subsequently been dropped.

Esteban Beltrán, the director of Amnesty International Spain has stated, "Sending rappers to jail for song lyrics and outlawing political satire demonstrates how narrow the boundaries of acceptable online speech have become in Spain."

"People should not face criminal prosecution simply for saying, tweeting or singing something that might be distasteful or shocking. Spain's broad and vaguely-worded law is resulting in the silencing of free speech and the crushing of artistic expression."

"Spain is emblematic of a disturbing trend which has seen states across Europe unduly restricting expression on the pretext of national security and stripping away rights under the guise of defending them."

Following Valtònyc's sentencing and before it was installed in government in June, the Socialist Party (PSOE) together with the pseudo-left Podemos both used it to attack the Popular Party (PP). PSOE Secretary General Pedro Sanchez, now Prime Minister, called for "freedom in artistic expression" and tweeted, "Bad taste cannot be punished with jail…That a rapper enters prison is a very bad symptom on the state of our democracy."

Podemos general secretary Pablo Iglesias declared that a clear "regression in regards to civil liberties" was taking place adding, "It seems that criminal law is applied to persecute dissidents while the corrupt ones are let off scot-free."

However, since coming to power with the help of Podemos, the PSOE has remained completely silent. So too has the Attorney General's office, which was used by the previous PP government to intervene in all manner of right-wing political operations, most recently in the Catalan independence campaign firing off criminal complaints to the courts within hours of actions by the separatists.

Instead, both Podemos and the PSOE have directed their attention to "reform" of the Citizens Security Law, also known as the Gag Law, which was used against Valtònyc. The law, passed by the PP in 2015 under the all-encompassing pretext of "fighting against terrorism", limits freedom of speech, prohibits mass gatherings and imposes fines for protesting and making comments on social media.

Since it was passed three years ago, there have been a huge number of prosecutions. Some 48,000 fines have been imposed solely on the basis of article 37.4—"disrespect and lack of due consideration to the State Security Forces".

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Where once Podemos called for the Gag Law to be abolished, it now pleads with the PSOE to "remove the most negative aspects." Podemos could have conditioned its support for the new minority PSOE government on the repeal of the Gag Law, but instead declared the PSOE would be installed with their help with "no preconditions."

Valtònyc was also found guilty of defaming the monarchy under articles 490 and 491 of the Penal Code dealing with "Crimes against the Crown," which includes the whole Royal Family, past and present and can result in sentences of up to two years. Some 29 people have been charged between 2007 and 2016.

It was the PSOE which re-inserted the articles into the Penal code in 1995 and it has resisted all attempts to amend or remove them. Last March, it opposed attempts by the Catalan separatist party ERC to revoke them in the Spanish parliament, declaring they "go far beyond the freedom of expression and enter the field of institutional respect."

The PSOE also supported the "praising of terrorism" law, which was introduced into the Penal Code by the PP government in 2000 and strengthened in 2015. It was passed under the pretext of fighting the terrorism of the Basque petty-bourgeois armed group ETA [Euskadi Ta Askatasuna—Basque Homeland and Freedom]. However, whilst there were 33 sentences between 2004 and 2011 under this law, after ETA announced it was ceasing its armed struggle in 2011 the number of sentences has multiplied by four. From 2011 to 2017, there have been 121 cases.

The most notorious case under "praising of terrorism" was against two puppeteers for a performance in Madrid denouncing the Gag Law. César Strawberry, lead singer of the group Def Con Dos, was sentenced to a year in prison last year for tweeting jokes about ETA and giving the king "a cake-bomb" for his birthday.

Cassandra Vera, a 22-year old student, also received a one-year suspended jail sentence last year for "humiliating" the victims of terrorism by making jokes on Twitter about the killing of general Luis Carrero Blanco, the right-hand man of Spanish dictator and mass murderer Francisco Franco. Referring to his assassination over 40 years ago by an ETA bomb, which blew his car 20 metres into the air, Vera joked, "Not only did ETA have a policy about official cars, they also had a space programme." The sentence resulted in the loss of her university scholarship and disqualified her from employment in the public sector for seven years.

Since the start of the year, other censorship and attacks on free speech include:

• In January, the High Court sentenced a man to a 900-euro fine for insults to the monarchy.

• In February, Arco contemporary art fair in Madrid removed artist Santiago Sierra's piece, "Political Prisoners in Contemporary Spain," which included photographs of jailed Catalan independence leaders, claiming it was hurting the "visibility" of the other art on show.

• In March, rapper Pablo Rivadulla, known as Pablo Hasél, was sentenced to two years in jail for praising terrorism, slandering the Spanish state and insults to the monarchy. "A generation of rappers has emerged with combative lyrics," Hasél declared, adding "[The state is] afraid because these lyrics reach a lot of young people, and they don't want those people to get involved in the struggle for the rights that are denied us."

• Also in March, actor Willy Toledo appeared in court because he had defended three women charged with blasphemy after they paraded in the southern city of Seville with a giant vagina, simulating a religious procession.

• Two weeks ago, the mayor of La Línea de la Concepción ordered the removal of a photograph at an exhibition by the photographer Marta Castellano, in which a woman dressed as a priest is seen marrying two men, saying it "could offend Catholics".

In numerous articles, the WSWS has warned that the Spanish ruling class has been organising the forces of the state to be used, not in "a war against terror," but for domestic repression under conditions of growing inequality.

We have explained how the Gag Law heralded a new stage in the development of sweeping police-state powers aimed at prevent mass opposition organised through social networks outside of the control of the main parties and union bureaucracies.

Podemos is playing a vital role in the development of this framework. The party is the chief architect and main prop of the new government, which is committed to austerity, militarism and attacks on democratic rights.

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