

REPORT

File reference: 41/V/2013

Subject: Analysis of Report 56/2013, of 15 November, by the Contents Section, relating to the broadcasting of content comparing democratic considerations with totalitarian movements or directly or indirectly advocating the use of violence in response to these considerations.

Facts

The Government of the Generalitat, in the Government Agreement of 17 September 2013, moves to 'request a report from the Consell de l'Audiovisual de Catalunya (CAC, Audiovisual Council of Catalonia) on the broadcasting of certain information comparing democratic political considerations by Catalan society with totalitarian movements and, in some cases, directly or indirectly advocating the use of violence in response to these considerations'.

On 26 September 2013 a written brief signed by Josep Martí Blanch, Secretary for Communications of the Government of the Generalitat of Catalonia, reached this Council (registration no. 1303/2013). In keeping with Article 10 of Law 2/2000, of 4 May (LCAC), on the Consell Audiovisual de Catalunya, this brief requested 'the drafting of a statement analysing the broadcasting of content which reveals an obvious trivialisation of totalitarian and Fascist regimes, or that manifestly foment hatred, disrespect or discrimination on grounds of nationality or opinion, thereby violating the provisions of current legislation on audiovisual communication'.

The Council Plenary meeting of 17 October 2013 decided that the Contents Section of the CAC should prepare the requested report and that to this end it should analyse the broadcasting of content in which democratic considerations are compared with totalitarian movements or the use of violence is directly or indirectly advocated in response to these considerations.

In Report 56/2013, of 15 November, the Contents Section undertakes the analysis as



commissioned. Specifically, ‘the object of the report is to detect content which: a) advocates violence in response to democratic political considerations regarding the different models for Catalonia’s political organisation and its relations with the Spanish state, and b) associates society, institutions or political processes in Catalonia or Spain, including the people involved in them, with movements, regimes or totalitarian attitudes and trivialises them. For the purposes of this report, as well as specific references to what are considered totalitarian regimes, “totalitarian attitudes” are understood to be incitement to hatred, establishment of a climate of terror, lack of freedom, racism, sectarianism, fanaticism, etc.’

Finally, Report 56/2013 lays out the type of broadcast analysed (midday and evening television news and current affairs radio programmes, television magazine shows and sections of other magazines with current affairs content), the providers analysed (radio and television channels of a generalist nature in Catalonia and Spain) and the period under analysis (from 10 to 17 September 2013).

Bearing in mind the object of the report, it is important to stress the conclusions reached by the Contents Section in relation to programmes presenting analogies between democratic political processes and totalitarian regimes and attitudes advocating violence. To this effect, it found that these programmes are broadcast by the following channels or audiovisual communication service providers: 13tv and Intereconomía TV, which according to Report 56/2013 ‘present content relating society, institutions or political processes in Catalonia or Spain, including the people involved in them, with movements, regimes or totalitarian attitudes and trivialises them’. In addition, the Report specifies that, as regards Intereconomía TV, content has also been detected which advocates the use of violence in response to democratic political considerations regarding the different models for Catalonia’s political organisation and its relations with the Spanish state’. It also establishes the fact that ‘the 13tv and Intereconomía TV broadcasts analysed present this content expressed both by programme directors and/or hosts and by opinion actors’.

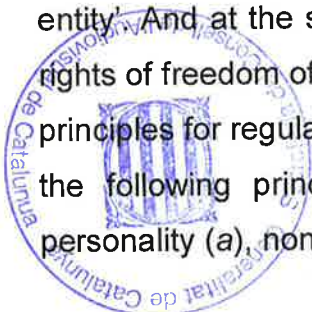


Legal considerations

First. Applicable legislative framework

Section 1 of Article 1 of the Spanish Constitution (SC) acknowledges political pluralism as one of the higher values of the legal system, and Section 1, Article 20 of the same constitutional text acknowledges and protects, among other things, the right to freely express and disseminate thoughts, ideas and opinions through speech, writing or any other means of reproduction (a) and to freely communicate or receive reliable information by any means of dissemination (d). Nevertheless, these rights are not absolute and, according to Section 4 of Article 20, mentioned above, they are limited by the respect for the rights acknowledged in Title I of the SC, in the precepts of the laws to implement it and, especially, by the right to one's honour, privacy and image and by the protection of children and young people. Even so, we must remember Article 10 of the SC, which establishes, among others, personal dignity and the inviolable rights inherent to the individual as the foundation of public order and social harmony; Article 14, which determines the right to equality before the law, which must always prevail over any discrimination on grounds of birth, race, sex, religion, opinion or any other personal or social condition or circumstance; and Article 16, which guarantees freedom of ideology, religion or worship of individuals or communities.

In this respect, the Catalan legislator, through Law 22/2005, of 29 December (LCA), on audiovisual communication in Catalonia, establishes, with regard to the audiovisual communication included in its sphere of application, the right to freedom of audiovisual communication on the part of citizens (Section 1 of Article 3), the right of all citizens to receive reliable information (Section 1 of Article 4 and Article 7), pluralism in audiovisual communication (Article 5) and the protection of fundamental rights (Article 8). In particular, in relation with this last aspect, it is important to emphasise its literality, as it establishes that 'the provision of audiovisual media services must be based on the respect for and protection of the fundamental principles, values and rights recognised by the Spanish Constitution, especially the right to one's honour, the right to privacy and the right to one's own image. This limit applies both to individuals and to social groups with or without legal entity'. And at the same time, in the framework of the lawful exercise of the fundamental rights of freedom of expression and information, Article 80 of the LCA establishes the basic principles for regulating audiovisual content. It specifically establishes, among other things, the following principles: respect for dignity, as an essential feature of the human personality (a), non-incitement to hatred on grounds of race, sex, religion or nationality (b),



respect for the right of all persons not to suffer discrimination on grounds of birth, race, sex, religion, nationality or any other personal or social condition or circumstance (c), respect for the rights of individuals recognised in the Spanish Constitution, particularly the fundamental rights of honour, privacy and one's own image (d), a clear distinction between information and opinion and respect for the principle of truth in news broadcasting. Truth in information is taken to be the result of rigorous fact checking (f).

At state level, the relevant law is No. 7/2010, of 31 March, the general law of audiovisual communication (LGCA), which lends itself as the basic regulation not only in the private sector but also in the public sector, and, with the most absolute respect for devolved powers as laid down in the SC, establishes the basic principles that should be the inspiration for the presence in the audiovisual sector of public bodies providing public services in radio, television and interactive services. Chapter I of title II of this law establishes the rights of users of audiovisual media services. For our purposes, the following rights are illustrative: the right to have unencrypted programmes included in audiovisual communication to reflect citizens' cultural and linguistic diversity (Article 5) and the right to receive plural audiovisual communication (Article 4). In addition, this last right includes others:

- To receive plural audiovisual communication that reflects society's ideological, political and cultural pluralism (Section 1).
- Audiovisual communication must never incite hatred or discrimination on grounds of gender or any personal or social circumstance and must show respect for human dignity and constitutional values, with special attention to the eradication of behaviour favouring situations of inequality of women (Section 2).
- Audiovisual communication must respect the honour, privacy and image of individuals and guarantee the right to rectification and reply. All of this in the terms foreseen in the laws in force (Section 4).
- All individuals have the right to informative communication prepared in keeping with the duty of diligence in checking the truth of the information and showing respect for political, social and cultural pluralism (Section 5).
- All individuals have the right to be informed of events of general interest and to



receive information clearly distinguished from opinion (Section 6).

To these effects, Section 1 of Article 57 of the LGCA classes the broadcasting of content that manifestly foments hatred, disrespect or discrimination on grounds of birth, race, sex, religion, nationality, opinion or any other personal or social circumstance as a very serious offence.

In the same way, Article 6 of Directive 2010/13/EU, of 10 March 2010, on the coordination of certain legal, regulatory and administrative provisions of member states relating to the provision of audiovisual media services (Audiovisual Media Services Directive), establishes the need to ensure that broadcasts by service providers do not contain incitement to hatred for reasons of race, sex, religion or nationality.

In a similar sense, but more extensively, Section 1 of Article 510 of Organic Law 10/1995, of 23 November, of the Penal Code (PC) outlaws any call to discrimination, hatred or violence against groups or associations, for racist or anti-Semitic reasons or for others relating to ideology, religion or beliefs, family situation, membership of any ethnic group or race, national origin, sex, sexual orientation, illness or handicap as a violation of the fundamental rights and public liberties guaranteed by the SC. According to Article 18 of the PC, provocation, which can only be punished if expressly foreseen, occurs if there is a direct incitement through printing, broadcasting or any medium of similar efficacy, or before a gathering of people, publicising the perpetration of a crime. If as a result of this provocation the crime is indeed perpetrated, this behaviour will be punished as incitement. In addition, for purposes of the PC, 'connivance' consists in presenting before an assembly of people or by any means of diffusion ideas or doctrines that glorify crime or extol the perpetrator. 'Connivance' will only be an offence as a form of provocation and if by its nature or circumstances it constitutes a direct incitement to commit a crime.

Similarly, Section 2 of Article 510 of the PC outlaws the spread of defamatory information, knowing it to be false or with reckless disregard for the truth, referring to groups or associations, in relation to their ideology, religion or beliefs, or their membership of an ethnic group or race, their national origin, their sex, sexual orientation, illness or handicap. To decide what can be called 'defamatory', we must turn to Article 208 of the PC, which states that defamation is any action or expression that harms the dignity of another person, in detriment to their reputation or their self-esteem.

Second. So-called 'hate speech': interpretation and scope from the European and Spanish sides

The concept of 'hate speech' is used, both in the jurisprudence of the European Court of Human Rights (ECHR) and in the resolutions of the United Nations Committee, in the declarations, recommendations and directives of the European Union, and in the recommendations by the Council of Europe, to refer to situations in which expressions are made that urge, promote or justify racial hatred, xenophobia, anti-Semitism and any form of hatred based on intolerance, ie expressions that are not only hate-driven but, above all, that set out to transmit and incentivise this same hatred in its recipients. By way of illustration, we can mention the following regulations:

- Articles 10 and 14 of the European Convention on Human Rights,¹ of 4 November 1950, on freedom of expression and prohibition of discrimination.
- Recommendation No. R (97) 20, of the Council of Europe, of 30 October 1997, on hate speech, which refers to this sort of speech as extending to all forms of expression that incite, promote or justify racial hatred, xenophobia, anti-Semitism and other forms of hatred based on intolerance, in particular intolerance expressed by aggressive nationalism and ethnocentrism, discrimination, hostility against minorities, immigrants and people of immigrant origin.
- Recommendation No. R (97) 21, of the Council of Europe, of 30 October 1997, on the media and the promotion of a culture of tolerance, whose aim it is to guarantee the dignity of all individuals and the enjoyment of rights and freedoms without

¹ *Article 10. Freedom of expression*

1. Everyone has the right to freedom of expression. This right shall include the freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 14. Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

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- Article 20 of the International Covenant on Civil Rights and Politics, approved by the General Assembly of the United Nations by means of Resolution 2200A (XXI),² of 16 December 1966.
- Recommendation No. 7 of the European Commission against Racism and Intolerance, of 13 October 2002.³
- The *Declaration on freedom of political debate in the media* by the Council of Europe, of 12 February 2004.⁴
- The 2008 *White Paper on Multicultural Dialogue* by the Council of Europe considers that public debate must respect cultural diversity.⁵ Public expressions of racism, xenophobia or any other form of intolerance, whether by people in public office or members of civil society, should be rejected and condemned, in keeping with the provisions of the European Convention on Human Rights.
- The Council Framework Decision 2008/913/ JHA, of 28 November,⁶ on combating

² According to this Resolution, 'any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law'.

³ It identifies hate speech against those expressions that deliberately diffuse a) public incitement to violence, hatred or discrimination, or b) public insults and defamation against a person or a grouping of persons on the grounds of their race, colour, language, religion, nationality, or national or ethnic origin.

⁴ VIII. '... Defamation or insult by the media should not lead to imprisonment, unless the seriousness of the violation of the rights or reputation of others makes it a strictly necessary and proportionate penalty, especially where other fundamental rights have been seriously violated through defamatory or insulting statements in the media, such as hate speech'.

⁵ Section 5.1 of the *White Paper*. 'States should have robust legislation to outlaw "hate speech" and racist, xenophobic, homophobic, anti-Semitic, Islamophobic and anti-gypsy or other expressions, where this incites hatred or violence'.

⁶ *Article 1. Offences concerning racism and xenophobia*

1. Each Member State shall take the measures necessary to ensure that the following intentional conduct is punishable:

- (a) publicly inciting to violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin;
- (b) the commission of an act referred to in point (a) by public dissemination or distribution of tracts, pictures or other material;
- (c) publicly condoning, denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes as defined in Articles 6, 7 and 8 of the Statute of the International Criminal Court, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group;
- (d) publicly condoning, denying or grossly trivialising the crimes defined in Article 6 of the Charter of the International

certain forms of racism and xenophobia through criminal law, which establishes the need for member states to class public incitement (including advocacy) of violence or hatred, directed against a group of people or a single member of the group, in terms of race, colour, religion or belief, descent or national or ethnic origin, and its diffusion in any medium, as an offence.

In addition, it is important to remember that the *Manual on Hate Speech*,⁷ published by the Council of Europe, makes it clear that this speech extends to different situations, which can be summed up as follows.

- 'Firstly, incitement of racial hatred or, in other words, hatred directed against persons or groups of persons on the grounds of belonging to a certain race.'
- 'Secondly, incitement to hatred on religious grounds, to which may be equated incitement to hatred on the basis of a distinction between believers and non-believers.'
- 'And lastly, to use the wording of the Recommendation on "hate speech" of the Committee of Ministers of the Council of Europe, incitement to other forms of hatred based on intolerance expressed by aggressive nationalism and ethnocentrism.' The same text goes on to say that 'Although the Court has not yet dealt with this aspect, homophobic speech also falls into what can be considered a category of "hate speech".'⁸

For the purposes of this analysis, it is important to note one of the first of the ECHR's

Military Tribunal appended to the London Agreement of 8 August 1945, directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group.

2. For the purpose of paragraph 1, Member States may choose to punish only conduct which is either carried out in a manner likely to disturb public order or which is threatening, abusive or insulting.

3. For the purpose of paragraph 1, the reference to religion is intended to cover, at least, conduct which is a pretext for directing acts against a group of persons or a member of such a group defined by reference to race, colour, descent, or national or ethnic origin.

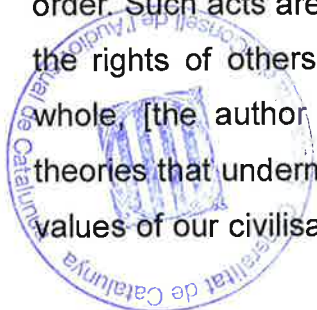
4. Any Member State may, on adoption of this Framework Decision or later, make a statement that it will make punishable the act of denying or grossly trivialising the crimes referred to in paragraph 1(c) and/or (d) only if the crimes referred to in these paragraphs have been established by a final decision of a national court of this Member State and/or an international court, or by a final decision of an international court only.

⁷ *Manual on Hate Speech*. Anne Weber. Europe Council, September 2009. Council of Europe Publishing. ISBN 978-92-871-6613-5.

⁸ It is important regarding this point to note that subsequent to the publication of this *Manual* the ECHR, in its sentence of 9 February 2012, on the Vejdeland case, accepted homophobic speech as hate speech.

judgements on hate speech, on 23 September 1994, in the case of *Jersild v. Denmark*, in which the Court, 'particularly conscious of the vital importance of combating racial discrimination in all its forms and manifestations', considered that the broadcasting of declarations by members of a youth group in a tone that was clearly offensive to the immigrant population violated the right to freedom of expression under Article 10 of the ECHR 'by inciting hatred and violence', as the object of the television programme was to generate public debate on immigration through declarations of hatred. The court stated that 'reports must be carried out in a more balanced and comprehensive manner than was the case in the television programme in question', at the same time as it stressed that he had 'failed to fulfil the "duties and responsibilities" incumbent on him as a television journalist' and that 'a significant feature of the present case is that the applicant did not make the objectionable statements himself but assisted in their dissemination in his capacity of television journalist responsible for a news programme of Danmarks Radio. ... The same must be true of journalists who disseminate such remarks with supporting comments or with their approval, as it must be borne in mind that the item was broadcast as part of a serious Danish news programme and was intended for a well-informed audience'.

This jurisprudential approach is consolidated in numerous subsequent judgements: the case of *Ibrahim Aksoy v. Turkey*, on 10 October 2000, in which it was stated that 'There is no doubt that declarations likely to spread the idea of a superior race can not benefit from Article 10 ECHR'; the case of *Garaudy v. France*, on 24 June 2003, which analysed various published articles that denied the reality of the Holocaust with the declared aim of attacking the State of Israel and the Jewish people as a whole and which legitimated the restriction of the right to freedom of expression, since 'the negation of crimes against humanity is one of the most acute forms of racial defamation towards Jews and of incitement to hatred. The negation or revision of historical facts of this type attacks the values underlying the fight against racism and anti-Semitism and seriously disrupts public order. Such acts are incompatible with democracy and human rights because they infringe the rights of others.' The court concludes that 'to discredit the Jewish community as a whole, [the author aroused] hostility towards it by associating himself with revisionist theories that undermine not only the values of the community in question but the universal values of our civilisation ... political criticism of the State of Israel, or any other State, does

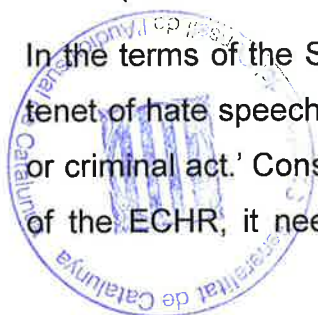


indisputably fall under that provision (Article 10 of the ECHR)', or, more recently, the judgement on the Norwood case, of 16 November 2004, which analysed the case in which a member of the public had placed a large poster in the window of his home with a photograph of the Twin Towers in flames and the words 'Islam out of Britain – Protect the British People'. In this case it considered that this action was incompatible with the values guaranteed in Article 10 of the European Convention on Human Rights, as 'such a general, vehement attack against a religious group, linking the group as a whole with a grave act of terrorism, is incompatible with the values proclaimed and guaranteed by the Convention, notably tolerance, social peace and non-discrimination.'

Another significant judgement was the Sentence of 9 February 2012 in the Vejdeland case, in which the ECHR considered that one of the limits to the right to freedom of expression is the defence of one's reputation. The ECHR thereby extends the cases included under the heading of hate speech, because until now, as the court itself said, 'while the Court has well-developed case-law with respect to permissible restrictions on freedom of expression, it has not had the opportunity to develop a comprehensive approach to hate speech directed against a person or class of persons ...' and concludes that reputation 'is a characteristic that is fundamental to a person's sense of self. It is, moreover, used as a marker of group identity'.

In short, European jurisprudence establishes that freedom of expression is applicable not only to those expressions that are 'favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population, as demanded by the pluralism, tolerance and open-mindedness that characterise a democratic society', but that nevertheless this freedom does not extend to 'hate speech', as 'there can be no doubt that concrete expressions constituting hate speech, which may be insulting to particular individuals or groups, are not protected by Article 10 of the Convention.' See also, in this respect, the Handyside, Ligens and Günduz cases (7 December 1976, 8 July 1986 and 4 December 2003, respectively).

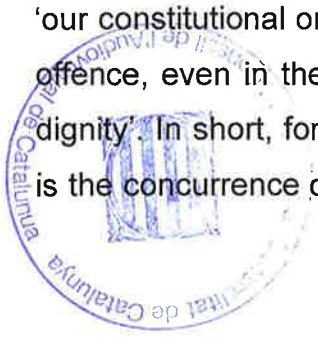
In the terms of the Sentence of the ECHR of 16 July 2009 (Féret v. Belgium), the central tenet of hate speech lies in the fact that 'hatred does not call for a specific act of violence or criminal act.' Consequently, when it comes to analysing a possible violation of Article 10 of the ECHR, it needs to be seen what the object was of the person who spread the



offensive statements, against specific sectors or groups of population, and not just whether there has been direct incitement to violence or a minimally specified act has been committed. To put it another way, as this judgement indicates, the existence of hate speech only requires that the declarations made 'merely contain a message of hatred', since this in itself can be described as 'a threat to coexistence', and therefore involves an 'incitement to discrimination'. 'For this reason', the same judgement concludes, 'these limitations on freedom of expression are necessary measures in a democratic society'.

In the positive law in force in Spain, freedom of expression is acknowledged and guaranteed under subsection 'a', Section 1 of Article 20 of the SC. In particular, this precept acknowledges the right to freely express and spread ideas and opinions by word, in writing or by any other means of reproduction. The Constitutional Court has made a broad interpretation of the exercise of freedom of expression (CC Sentence 235/2007, of 7 November), on the understanding that it includes subjective and self-interested opinions on certain historical events, however mistaken and unfounded they may be, so long as they do not involve disrespect for the dignity of individuals or a threat to peaceful coexistence between citizens. Even so, as the same court has also repeatedly pointed out, the free transmission of ideas, in its different manifestations, is not an absolute right, for which reason the spread of injurious or offensive statements and/or speech unrelated to the ideas or opinions they are intended to express and therefore unnecessary for this purpose comes outside the protection of this right.

The Spanish legislator has introduced the criminal offence of diffusion of racist or xenophobic messages or expressions provoking hatred or discrimination against the collectives indicated above in Article 510 of the PC. However, in the interpretation the CC has made of this precept (for all of them, CC Sentence 235/2007, of 7 November) after pointing out that 'Freedom of expression can not give protection to so-called hate speech, ie speech uttered in terms that represent direct incitement to violence against citizens in general or against specific races or beliefs in particular', it nevertheless goes on to say that 'our constitutional order does not allow the mere transmission of ideas to be classed as an offence, even in the case of ideas that are execrable in that they are contrary to human dignity'. In short, for the Constitutional Court, an essential condition for this crime to occur is the concurrence of incitement to or promotion of hatred that generates a direct threat for



those collectives under attack. In other words, it requires direct incitement to carry out specific acts.

The doctrine of the Supreme Court is exactly the same. The sentence of 12 April 2011 is significant when it states that 'exceeding the limits of the areas protected by freedom of ideology and freedom of expression does not directly imply criminal conduct', except 'when diffusion, taking into account the form and the sphere in which it takes place and what is being spread, implies a certain danger of generating a climate of hostility that could materialise in specific acts of violence, hatred or discrimination against those groups or their members as such'.

In short, the literalism of the Spanish Penal Code and the doctrine the Spanish courts adopt when it comes to interpreting it takes a line that is clearly contrary to what was established in the Council's framework Decision 2008/913/JHA, of 28 November, the recommendations by the Council of Europe and even the jurisprudence of the ECHR, which, in the framework of freedom of expression, do not extend to messages and manifestations that are offensive in themselves and which, without the need for direct incitement to commit specific acts, involve 'a threat to coexistence', in the terms of the ECHR Sentence of 16 July 2009.

Third. Content that relates society, institutions or political processes in Catalonia or Spain with movements, regimes or totalitarian attitudes and trivialises them and content advocating violence in response to democratic considerations on different models of political organisation in Catalonia and on its relations with the Spanish state.

Report 56/2013 of the Council's Contents Section identifies a total of 43 fragments of broadcasts by the service providers 13tv and Intereconomía TV, which present analogies between democratic processes and totalitarian regimes or attitudes or those that advocate violence against a specific group or collective that promotes, collaborates with or is associated with positions in favour of the possibility of Catalan independence.

From the analysis of the contents broadcast, and in the terms of the report by the Contents Section, these 36 fragments have been identified (5 from 13tv and 31 from Intereconomía



TV) that feature programme directors and/or hosts and 7 (6 from Intereconomía TV and 1 from 13tv) formulated by opinion actors who unambiguously associate democratic political processes in Catalonia with totalitarian movements, regimes or attitudes and trivialise them. As examples of this, we have singled out the following fragments:

Fragment no. 2. Provider 13tv, television news broadcast *Al día*, 10 September 2013.

Director and host:

'Anyone with, I'm not saying common sense... **anyone who's studied a few lines of universal contemporary history** says "This reminds me of **totalitarian movements like Nazism and Fascism**... This torch business and claiming the identity of your race, your homeland, through fire, though, well, I mean... What is this? Have we gone mad in 2013 or what?'

Fragment no. 7. Provider Intereconomía TV, programme *Es la mañana de Federico*, 10 September 2013. *Director and host:*

'They didn't just think the others were an inferior race, some races were so inferior, like the Jews, that they had to exterminate them.' All together they exterminated 6 million of them. Not bad, eh? What's more, they did it because they thought they were a superior race, the Arian race. **Whatever happened in Germany, it was always the fault of the Jews, and if not, of the Anglo-Saxons, and if not, of France. Never of the Germans. This is the Catalan model exactly.**'

Fragment no. 12. Provider Intereconomía TV, programme *Es la mañana de Federico*, 11 September 2013. *Director and host:*

'What will happen to the Spaniard living in Catalonia, in any village, who's... not harassed... **persecuted by these neo-Nazis, who are the same old Nazis as ever?**

Fragment no. 13. Provider Intereconomía TV, programme *Es la mañana de Federico*, 11 September 2013. *Director and host:*



'It's a problem of mind control and of fettering people's different ideas. It's total despotism. ***It's Nazism on sweeteners.***'

Fragment no. 23. Provider Intereconomía TV, programme *Es la mañana de Federico*, 13 September 2013. *Director and host:*

'Quite the opposite. It's fine! Artur Mas is very good at it! This is as though Churchill had congratulated Hitler on how well the Hitler youth paraded, because you must admit they paraded very well. As for the SA, well it was an army in shirtsleeves. And the SS, we won't go into that; there they were, getting the gas and the concentration camps ready to put an end to the inferior race of the Jews. ***Over in Catalonia the inferior race are the Spanish.***'

Fragment no. 26. Provider Intereconomía TV, programme *Es la mañana de Federico*, 16 September 2013. *Director and host:*

'After bringing thousands of people out into the street in a **show of totalitarianism not seen in Europe since the 1930s in Germany**, after TV3 showed its skills were up to those of Leni Riefenstahl in presenting the triumph of the wish for separatism, but what's more in colour and high definition, Mariano, this weekend, goes and writes to him [referring to Artur Mas]'

Fragment no. 40. Provider Intereconomía TV, programme *Queremos opinar*, 12 September 2013. *Opinion actors:*

'What I demand of the Government is that if Catalonia – it's not that I want it, I demand it of the Government –, that if Catalonia oversteps the red line, as it's intending to do, the Government has the duty to apply the full weight of the law and the full weight of the law means suspensions and ***whatever measures may be necessary.*** It's not that I want it, I demand it'.

'And what if it doesn't?'



...

'If it doesn't, that's the end of the rule of law and ***we can't blame people for going into bookshops***, and we can't blame people for pushing someone or other, and we can't blame people for breaking the rules because the rule of law has been broken',

...

'And then ***the pistols*** appear. And what I don't want is for ***pistols to appear***'.

...

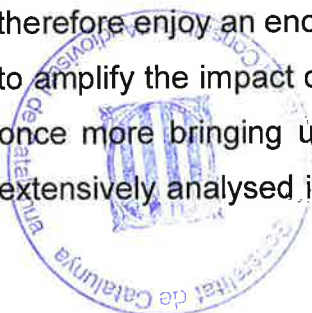
But that's how this is all going to end! ***That's how the pistols are going to end!***

[Confusion. All the guests speak at once]

The fragments analysed in Report 56/2013, from which the ones reproduced above are taken, show an obvious comparison between people in institutions, political parties or associations who promote, collaborate or identify with positions in favour of the possibility of Catalan independence, and totalitarian and genocidal regimes from Europe's most recent history. These statements 'foment' – in the sense that they promote – the growth of feelings of hatred and disrespect and even discrimination against public and private individuals, on grounds of their possible position in favour of independence.

The act of broadcasting this type of message can hardly be placed within the sphere of a simple wish to discredit or disqualify a process or a certain political expression. We must understand that what we are faced with is a clear, unambiguous and repeated discourse which is eminently negative and offensive, broadcast with the wish to denigrate or disparage a specific group or collective who peacefully and democratically promote, collaborate with or identify with positions in favour of the possibility of Catalan independence.

We must not forget that these declarations are made by television service providers who therefore enjoy an enormous power of penetration of the television medium, with the ability to amplify the impact of this type of information to a wider public. In this respect, it is worth once more bringing up the recent ECHR Sentence of 9 February 2012, which is more extensively analysed in this Report's second jurisdictional consideration and which, on the



subject of the medium used for broadcasting the message, introduces the following consideration: 'the media are an important factor, as the impact of the intervention is proportional to the size of the audience it is likely to reach. This suggests that when the contested speech reaches a wider public greater precaution is called for in the use of the media'.

To this effect, and in line with what is described in Section 1 of Article 57 of the LGCA, the contents broadcast by the audiovisual communication service providers Intereconomía TV and 13tv go beyond the mere laying out of an idea or an opinion and clearly and manifestly, as specified under Section 1 of Article 57 of the LGCA, foment and justify a discourse which in no case can be defended as the exercise of freedom of expression. In this respect, this content is likely to manifestly foment, in the terms of this precept, hatred, disrespect or discrimination on grounds of nationality or opinion.

Conclusions

The broadcasts by the audiovisual communication service providers 13tv and Intereconomía TV, identified in the 43 fragments in the Report 56/2013 of this Council's Contents section, constitute a very severe offence described in Section 1 of Article 57 of the LGCA, as they manifestly foment hatred, disrespect or discrimination on grounds of nationality or opinion. To this end, the Audiovisual Council of Catalonia will take whatever measures it considers necessary in response to the possible violation of the legislation in force in matters of audiovisual communication.

Barcelona, 18 November 2013

Head of the Legal Department

Carme Fita i Caba

REPORT 56/2013

15 November 2013

Report on the broadcasting of content comparing democratic proposals with totalitarian movements or directly or indirectly advocating the use of violence in response to these proposals.





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1. Precedents

As approved in the government session of 17 September 2013, the Government of Catalonia agrees to 'request a report from the Consell de l'Audiovisual de Catalunya (Audiovisual Council of Catalonia) on the broadcasting by some audiovisual media service broadcasters of certain reports comparing democratic proposals by Catalan society with totalitarian movements and, on occasions, directly or indirectly advocating the use of violence in response to these proposals'.

The plenary session of the council of 17 October 2013 agreed to prepare a report in reply to the government's request and to extend the analysis to all democratic political proposals.

2. Object of the report

The object of the report is to detect content that:

- Advocates the use of violence in response to democratic political proposals on the different models for Catalonia's political organisation and its relations with the Spanish state.
- Associates society, institutions or political processes in Catalonia or Spain, including the people forming part of them, with movements, regimes or totalitarian attitudes and trivialises them. For the purposes of this report, as well as specific references to what are considered totalitarian regimes, 'totalitarian attitudes' are understood to be incitement to hatred, establishment of a climate of terror, lack of freedom, racism, sectarianism, fanaticism, etc.

3. Universe of study

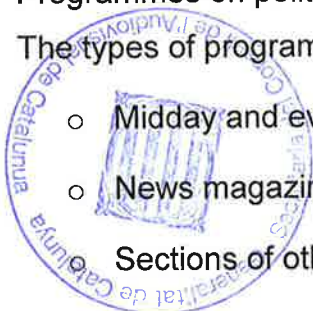
3.1. Type of programme

Programmes on political current affairs are analysed as regards information and opinion.

The types of programmes selected are:

- Midday and evening news bulletins on television and radio.
- News magazines.

Sections of other magazines with current affairs content.



3.2. Broadcasters analysed

As regards the sample of radio and television channels analysed, two parameters have been taken into consideration: type of channel and audience.

As regards the **type**, generalist channels are analysed, in view of the presence of formats coinciding with the type established in point 3.1 of this report (news bulletins and magazine shows). Continuous television news programmes are not analysed as the repetition of content does not provide additional information to supplement that of the generalist channel.

As regards the **audience**,¹ broadcasts with larger audiences in Catalonia and Spain as a whole are analysed and, in those cases where they belong to the same media group, those with most impact in the group. In addition, television channels with smaller audiences but whose programmes coincide mainly with the types described above have also been included.

The sample is therefore made up as follows:

- Generalist television channels
 - in Catalonia: TV3 and 8tv
 - in Spain as a whole: La1, Antena 3TV, Telecinco, 13tv and Intereconomía TV.
- Radio stations
 - in Catalonia: Catalunya Ràdio and RAC1
 - in Spain as a whole: COPE, Onda Cero and SER.

3.3. Period

Broadcasts between 10 and 17 September. The sample therefore comprises the day before the National Day of Catalonia and the week following, a period of growing public debate on the different models for Catalonia's political organisation and its relations with the Spanish state.



¹ Source: EGM generalist radio audiences (October 2002 to May 2013).

3.4. Programmes analysed

3.4.1. Television broadcasts in Catalonia

	TV3	8tv
10/9	<i>Els matins</i> (news section) <i>Els matins</i> (magazine section) <i>TN migdia</i> (lunchtime news) <i>TN vespre</i> (evening news) <i>Divendres</i> (current affairs)	<i>Migdia</i> <i>8 al dia</i> (news section) <i>8 al dia</i> (magazine section)
11/9	Broadcast of the official celebrations for the <i>Diada</i> <i>TN migdia</i> <i>TN vespre</i> <i>Especial informatiu Via Catalana</i> ('Catalan Way' news special)	<i>Migdia</i> <i>8 al dia</i> (news section) <i>8 al dia 11 Sep. special</i> (magazine section)
12/9	<i>Els matins</i> (news section) <i>Els matins</i> (magazine section) <i>TN migdia</i> <i>TN vespre</i> <i>Divendres</i> (current affairs)	<i>Migdia</i> <i>8 al dia</i> (news section) <i>8 al dia</i> (magazine section)
13/9	<i>Els matins</i> (news section) <i>Els matins</i> (magazine section) <i>TN migdia</i> <i>TN vespre</i> <i>Divendres</i> (current affairs)	<i>Migdia</i> <i>8 al dia</i> (news section) <i>8 al dia</i> (magazine section)
14/9	<i>TN migdia</i> <i>TN vespre</i>	<i>8 al dia</i> (news section)
15/9	<i>TN migdia</i> <i>TN vespre</i>	<i>8 al dia</i> (news section)
16/9	<i>Els matins</i> (news section) <i>Els matins</i> (magazine section) <i>TN migdia</i> <i>TN vespre</i> <i>Divendres</i> (current affairs)	<i>Migdia</i> <i>8 al dia</i> (news section) <i>8 al dia</i> (magazine section)
17/9	<i>Els matins</i> (news section) <i>Els matins</i> (magazine section) <i>TN migdia</i> <i>TN vespre</i> <i>Divendres</i> (current affairs)	<i>Migdia</i> <i>8 al dia</i> (news section) <i>8 al dia</i> (magazine section)



3.4.2. Television broadcasts in Spain

	Antena 3 TV	Telecinco	13tv	Intereconomía
10/9	Espejo público (news section) Noticias 1 Noticias 2	El programa de Ana Rosa (news section) Informativos Telecinco 1 Informativos Telecinco 2	Más claro agua Al día (lunchtime edition) Al día (evening edition) El cascabel al gato	Es la mañana de Federico Dando caña El telediario de Intereconomía Queremos opinar Telediario de la noche El gato al agua
11/9	Espejo público (news section) Noticias 1 Noticias 2	El programa de Ana Rosa (news section) Informativos Telecinco 1 Informativos Telecinco 2	Más claro agua Al día (lunchtime edition) Al día (evening edition) El cascabel al gato	Es la Mañana de Federico Dando caña El telediario de Intereconomía Queremos opinar Telediario de la noche El gato al agua
12/9	Espejo público (news section) Noticias 1 Noticias 2	El programa de Ana Rosa (news section) Informativos Telecinco 1 Informativos Telecinco 2	Más claro agua Al día (lunchtime edition) Al día (evening edition) El cascabel al gato	Es la Mañana de Federico Dando caña El telediario de Intereconomía Queremos opinar Telediario de la noche El gato al agua
13/9	Espejo público (news section) Noticias 1 Noticias 2	El programa de Ana Rosa (news section) Informativos Telecinco 1 Informativos Telecinco 2	Más claro agua Al día (lunchtime edition) Al día (evening edition) Al día – El debate	Es la Mañana de Federico Dando caña El telediario de Intereconomía Queremos opinar Telediario de la noche El gato al agua
14/9	Noticias 1 Noticias 2	Informativos Telecinco 1 Informativos Telecinco 2 Abre los ojos... y mira	-	El telediario de Intereconomía 1 El telediario de Intereconomía 2
15/9	Noticias 1 Noticias 2	Informativos Telecinco 1 Informativos Telecinco 2	-	El telediario de Intereconomía 1 El telediario de Intereconomía 2



16/9	Los desayunos de la 1 La Mañana (news section) Telediario 1 Telediario 2	Espejo público (news section) Noticias 1 Noticias 2	El programa de Ana Rosa (news section) Informativos Telecinco 1 Informativos Telecinco 2	Más claro agua Al día (lunchtime edition) Al día (evening edition) El cascabel al gato	Es la Mañana de Federico Dando caña El telediario de Intereconomía Queremos opinar Telediario de la noche El gato al agua
17/9	Los desayunos de la 1 La Mañana (news section) Telediario 1 Telediario 2	Espejo público (news section) Noticias 1 Noticias 2	El programa de Ana Rosa (news section) Informativos Telecinco 1 Informativos Telecinco 2	Más claro agua Al día (lunchtime edition) Al día (evening edition) Al día – El debate	Es la Mañana de Federico Dando caña El telediario de Intereconomía Queremos opinar Telediario de la noche El gato al agua



3.4.3. Radio broadcasts in Catalonia

	Catalunya Ràdio	RAC1
10/9	<i>El matí de Catalunya Ràdio</i> <i>Catalunya migdia</i> <i>L'oracle</i> <i>Catalunya vespre</i> <i>El cafè de la República</i>	<i>El món a RAC1</i> <i>11 September special</i> <i>14/15</i> <i>11 September special</i> <i>La nit a RAC1 11 September special</i>
11/9	<i>El matí de Catalunya Ràdio Diada special</i> <i>Broadcast of the official celebrations for the Diada</i> <i>Catalunya migdia</i> <i>L'oracle Diada special</i> <i>Especial informatiu Via Catalana ('Catalan Way' news special)</i> <i>L'anàlisi (special talk show to analyse the day's events)</i>	<i>El món a RAC1</i> <i>Versió RAC1</i> <i>14/15</i> <i>La nit a RAC1</i>
12/9	<i>El matí de Catalunya Ràdio</i> <i>Catalunya migdia</i> <i>L'oracle</i> <i>Catalunya vespre</i> <i>El cafè de la República</i>	<i>El món a RAC1</i> <i>Versió RAC1</i> <i>14/15</i> <i>La nit a RAC1</i>
13/9	<i>El matí de Catalunya Ràdio</i> <i>Catalunya migdia</i> <i>L'oracle</i> <i>Catalunya vespre</i> <i>El cafè de la República</i>	<i>El món a RAC1</i> <i>Versió RAC1</i> <i>14/15</i> <i>La nit a RAC1</i>
14/9	<i>Catalunya migdia</i>	<i>14/15</i>
15/9	<i>Catalunya migdia</i>	<i>14/15</i>
16/9	<i>El matí de Catalunya Ràdio</i> <i>Catalunya migdia</i> <i>L'oracle</i> <i>Catalunya vespre</i> <i>El cafè de la República</i>	<i>El món a RAC1</i> <i>Versió RAC1</i> <i>14/15</i> <i>La nit a RAC1</i>
17/9	<i>El matí de Catalunya Ràdio</i> <i>Catalunya migdia</i> <i>L'oracle</i> <i>Catalunya vespre</i> <i>El cafè de la República</i>	<i>El món a RAC1</i> <i>Versió RAC1</i> <i>14/15</i> <i>La nit a RAC1</i>



3.4.4. Radio broadcasts in Spain

	COPE	ONDA CERO	SER
10/9	<i>La Mañana Mediodía COPE La Tarde La linterna</i>	<i>Herrera en la Onda Noticias mediodía Julia en la Onda La brújula</i>	<i>Hoy por hoy Hora 14 La ventana Hora 25</i>
11/9	<i>La Mañana Mediodía COPE La Tarde La linterna</i>	<i>Herrera en la Onda Noticias mediodía Julia en la Onda La brújula</i>	<i>Hoy por hoy Hora 14 La ventana Hora 25</i>
12/9	<i>La Mañana Mediodía COPE La Tarde La linterna</i>	<i>Herrera en la Onda Noticias mediodía Julia en la Onda La brújula</i>	<i>Hoy por hoy Hora 14 La ventana Hora 25</i>
13/9	<i>La Mañana Mediodía COPE La Tarde La linterna</i>	<i>Herrera en la Onda Noticias mediodía Julia en la Onda La brújula</i>	<i>Hoy por hoy Hora 14 La ventana Hora 25</i>
14/9	<i>Mediodía COPE fin de semana</i>	<i>Noticias fin de semana</i>	<i>Hora 14 fin de semana</i>
15/9	<i>Mediodía COPE fin de semana</i>	<i>Noticias fin de semana</i>	<i>Hora 14 fin de semana</i>
16/9	<i>La Mañana Mediodía COPE La Tarde La linterna</i>	<i>Herrera en la Onda Noticias mediodía Julia en la Onda La brújula</i>	<i>Hoy por hoy Hora 14 La ventana Hora 25</i>
17/9	<i>La Mañana Mediodía COPE La Tarde La linterna</i>	<i>Herrera en la Onda Noticias mediodía Julia en la Onda La brújula</i>	<i>Hoy por hoy Hora 14 La ventana Hora 25</i>

3.5. Parameters of the report

3.5.1. Type of content

The report distinguishes between content corresponding to people who direct and/or host the programmes and content corresponding to interventions by contributors, panel members and/or guests.

The first group (content attributable to people directing or hosting the programme) includes:

- The voice over on news items.

- Opinion formats, such as editorial commentaries, in any of the types analysed, signed by people who are part of the programme's actual editorial team.



- Commentaries or remarks on news items, opinions or inserts by third parties, signed by members of the programme's actual editorial team.

Content of inserts in television news broadcasts and news reports appearing in other audiovisual media or the press are not included.

The second group (content attributable to people taking part in the programme) includes:

- The opinions of people taking part in the programme, whether in interview format or in the course of a debate or discussion (opinion actors).

Interventions by viewers (by phone, for example) are not included except when the programme team or the people taking part in a debate or a discussion explicitly endorse or reject them.

3.5.2. Content analysis

For each fragment of the audiovisual speech of the sample containing explicit elements of one of the two cases established as the object of study, the following parameters are recorded:

1. Type of programme
2. Format of the speech:
 - Information
 - Opinion
 - Mixed
3. Identification and role of the speaker
4. Identification and role of the object of the speech (political actor, government, private individual, group, etc.).

The report does not include an analysis of the speech beyond the explicit utterances. This report therefore does not look at: inferences, analysis of the structures and strategies of the speaker, or attribution of values or direction to the different fragments.



4. Transcripts of content spoken by people hosting the programmes

4.1.13tv

13tv. Fragment 1	
Programme	<i>Al día</i> (evening edition)
Date and time	10/9 – 9:12 pm
Type of programme	TV news broadcast
Section	News
Format of the speech	Mixed (information/opinion)
Speaker	Alfonso Merlos, director and host
Object of the speech	Political system in Catalonia
Transcript	
Alfonso Merlos (director and host):	
'We'll see what the Spanish Government does about the threat of separatism because one thing that's clear is that one side (referring to Catalonia) is generating confrontation, divisiveness, they're sowing hatred, discord... and that's bad for everyone. We'll talk, we'll collaborate, we'll cooperate, but that's something you do with people – isn't it? –, not with riff-raff...'	

13tv. Fragment 2	
Programme	<i>Al día</i> (evening edition)
Date and time	10/9 – 9:20 pm
Type of programme	TV news broadcast
Section	Interview
Format of the speech	Mixed (information/opinion)



Speaker	Alfonso Merlos, director and host Javier Ortega, spokesman for Fundació DENAES, for the defence of the Spanish Nation
Object of the speech	Political system in Catalonia
Transcript	
<p>Alfonso Merlos (director and host):</p> <p>'Defending the Spanish nation is something that's frowned on. For example, in Barcelona they've forbidden a demonstration because they said showing Spanish flags – obviously constitutional flags – is a provocation. 'What's going on here, Javier?'</p> <p>Javier Ortega:</p> <p>'Well, it's totalitarian secessionism all over Spain... What we need to defend and what we need to fight for is for Spaniards to be united. Not fall into the trap of the lie, the imposition, the demagoguery, the secessionist totalitarianism...</p> <p>Alfonso Merlos (director and host):</p> <p>'I'm going to read a piece of news and the audience will almost certainly reach the same conclusion, or more or less the same conclusion as me. One hundred municipalities in Catalonia promote a march with separatist torches on a night before the Diada. They want to claim the Catalan nation with the fire of the torches. Anyone with... I'm not saying common sense... anyone who's studied a few lines of universal contemporary history says "This reminds me of totalitarian movements like Nazism and Fascism..." This torch business and claiming the identity of your race, your homeland, through fire, though, well, I mean... What is this? Have we gone mad in 2013 or what?'</p> <p>Javier Ortega:</p> <p>'Or people in hoods persecuting blacks in the United States... They really are absolutely totalitarian policies and attitudes and enough is enough, they shouldn't be allowed...'</p>	



13tv. Fragment 3	
Programme	<i>Al dia (lunchtime edition)</i>
Date and time	13/9 – 2.30 pm
Type of programme	TV news broadcast
Section	Editorial
Format of the speech	Mixed (information/opinion)
Speaker	Alfonso Merlos, director and host
Object of the speech	Catalan nationalism
Transcript	
<p>Alfonso Merlos:</p> <p>'Catalan politicians have promoted that beautiful region of Spain to first place among corrupt regions. This historical scandal shouldn't surprise anyone; troglodytic nationalism, sectarianism, sowing hatred has had the result of, first, economic decline in Catalonia, a decline which unfortunately is impossible to stop with the people in charge today, and second, degradation of the institutions and turmoil among the nationalist political parties – the Palau case, Pallerols case, the plot over vehicle inspection centres, and the elites, the Catalan bourgeoisie, muddied and stained by crime with their pockets full and some in prison up to their eyebrows. Unfortunately for all Spaniards, starting with the Catalans, Catalonia's going backwards, like a crab, and either the anaesthetised citizens get their act together and realise what's going on or those citizens, who so often behave like sheep, have got hardship and corruption to look forward to. This isn't just my opinion, that's the official judgement of the European Commission.'</p>	



13tv. Fragment 4	
Programme	<i>Al dia (evening edition)</i>
Date and time	13/9 – 8.30 pm
Type of programme	TV news broadcast
Section	Editorial
Format of the speech	Mixed (information/opinion)
Speaker	Alfonso Merlos, director and host
Object of the speech	Catalan nationalism
Transcript	
<p>Alfonso Merlos:</p> <p>'The European Union has released a report which concludes that Catalonia is the most corrupt and rotten region of Spain and one of the most corrupt and rotten in the whole of Europe. Catalonia, amazing! The European Commission condemns Catalonia and troglodytic nationalism and sowing hatred and sectarianism. Why? Because the European Commission says that what Catalan politicians are doing will only serve to impoverish the region and to degrade the region's institutions. And Europe's got nothing new to tell us, just think a bit, the Palau case, the Pallerols case, the plot over vehicle inspection centres, and, in short, the Catalan bourgeoisie, the upper middle classes, muddied and stained by crime... What a disgrace and what an outrage! Up to the eyeballs, up to the top. Ladies and gentlemen, let's put it in a way people will understand: Catalonia's going backwards, like a crab, and that's not in anyone's interest except for the fools or the dolts who want to hurt Catalonia and to hurt the Spanish nation. We want well-being for Catalonia and well-being for Spain because Catalonia means nothing without Spain and Spain means nothing without Catalonia.</p>	



13tv. Fragment 5	
Programme	<i>Al dia</i> (evening edition)
Date and time	13/9 – 8:44 pm
Type of programme	TV news broadcast
Section	News
Format of the speech	Mixed (information/opinion)
Speaker	Alfonso Merlos, director and host
Object of the speech	Political system in Catalonia
Transcript	
Alfonso Merlos:	
<p>'Photos of children who have been dressed up in the <i>estelada</i> (Catalan separatist flag) and in T-shirts that depict hatred of Spain and they're asking us to respect everyone wanting independence for Catalonia and all the people who stir up hatred against Spain. We don't have too much respect for people who hate, do we? There should be respect for collaboration, cooperation, coexistence. There should be understanding between those of us who are human beings, not the riff-raff... Because it's very important, although there are 50,000 children in Catalonia who go hungry, who are undernourished, on the streets or at home, it's very important to stir up hatred of Spain from the age of four, because that'll be a help to anyone. In other words, you'll end up being a great person in life if you hate Spain as you should. Isn't that right?'</p>	



4.2 Intereconomía TV

Intereconomía TV. Fragment 6	
Programme	<i>Es la mañana de Federico</i>
Date and time	10/9 – 7:03 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Artur Mas FC Barcelona
Transcript	
<p>Federico Jiménez Losantos (director and host):</p> <p>‘The anti-Spanish separatist show that Artur Mas has put on, of course, which we all have to pay for as citizens, because as Spaniards we all have to pay for the Catalan deficit with our taxes, that monstrous Catalan deficit, spent by people who can’t afford it to promote separatism, hatred of Spain, is paid off by all us Spaniards... And as for the human chain of hundreds of thousands of Catalan patriots showing off their hatred of Spain and which will have its padlock, the theorist who in principle says he won’t take part – he doesn’t take part and he’s the organiser – Artur Mas – falsier than Judas Iscariot. But the essential core is at the Nou Camp. Barça is once again going to become the ministry of Foreign Affairs and totalitarian propaganda of the Nazi-onalist regime. What’s the Government of Spain going to say? Nothing at all.</p>	



Intereconomía TV. Fragment 7	
Programme	<i>Es la mañana de Federico</i>
Date and time	10/9 – 7:04 pm
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Political system in Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
<p>‘Because I’ve found out that nationalism is based on two things: on hatred of someone and on overblown self-worship. In other words, the Nazis is taken as the maximum archetype of nationalism, or national-socialism, because it was as nationalist as it was socialist and it took them both to their maximum expression. They didn’t only think that others were an inferior race, some races so inferior, like the Jews, that they had to exterminate them. All together, they exterminated six million of them. Not bad, eh? No, what’s more, they did it because they believed they were a superior race, the Aryan race. Whatever happened in Germany, it was always the fault of the Jews, and if not, of the Anglo-Saxons, and if not, of France. Never of the Germans. This is the Catalan model exactly.’</p>	



Intereconomía TV. Fragment 8	
Programme	<i>Dando caña</i>
Date and time	10/9 – 1.02 pm
Type of programme	Political and current affairs talk show
Section	Editorial
Format of the speech	Opinion
Speaker	Xavier Horcajo, host
Object of the speech	Catalan society Jordi Pujol
Transcript	
<p>Xavier Horcajo:</p> <p>'What else is happening in Catalonia? Well, one notes a certain racism, you know? In 1976 immigrants from all over Spain went to Catalonia: Galicians, Andalusians, Extremadurans, Aragonese, Murcians, it doesn't matter. They arrived there, they worked there, they've lived there and they're Catalans just as much as Catalans with surnames like Pujol, Mas. But do you know what Pujol had to say about this in 1976? If, by force of numbers (he was referring of course to the <i>charnegos</i> [a derogatory term for immigrants to Catalonia from other parts of Spain]), they ever came to dominate without overcoming their own bewilderment, they would destroy Catalonia, they would introduce their anarchic, worthless mentality – in other words, their lack of mentality. More or less what they used to think in the southern United States, in Alabama, about blacks.'</p>	



Intereconomía TV. Fragment 9	
Programme	<i>Dando caña</i>
Date and time	10/09 – 1:28 pm
Type of programme	Political and current affairs talk show
Section	Talk show
Format of the speech	Opinion
Speaker	Xavier Horcajo, host Inés Arrimadas (Member of the Parliament of Catalonia for C's), guest
Object of the speech	Government of Catalonia
Transcript	
<p>Inés Arrimadas: ‘And even worse. If you decide to open a shop and you decide to write a sign in Spanish, you can be fined because in Catalonia it’s compulsory to write shop signs in Catalan. After that you can put a sign in Spanish as well.’</p> <p>Xavier Horcajo (host): ‘So, isn’t that called apartheid?’</p> <p>Inés Arrimadas: ‘Well... that’s called persecution.’</p>	



Intereconomía TV. Fragment 10	
Programme	<i>Dando caña</i>
Date and time	10/9 – 1:47 pm
Type of programme	Political and current affairs talk show
Section	Farewell
Format of the speech	Opinion
Speaker	Xavier Horcajo, host
Object of the speech	Artur Mas
Transcript	
<p>Xavier Horcajo (host):</p> <p>'It wasn't me who compared all of this with Martin Luther King and with the struggles for civic, social and individual rights in the United States. For that reason, and seeing that this gentleman, Artur Mas, defends segregation almost like those people in Alabama in the days of Martin Luther King, today we've presented him as though he were a Southerner, one of those Southerners who defended slavery and defended the existence of societies in which some citizens, because they come from other places, had less rights. That's what will happen the day Catalonia secedes from Spain and this gentleman, or someone who thinks like him, runs the government. Anyone who thinks differently from them will be condemned to be nothing, to not be free and not be equal. And now you'll see, you decide.'</p>	



Intereconomía TV. Fragment 11	
Programme	<i>Es la mañana de Federico</i>
Date and time	11/9 – 7:05 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Nationalism
Transcript	
<p>Federico Jiménez Losantos (director and host): ‘Today, in that Nuremberg of Catalan nationalism, the Camp Nou, we’ll see how they fasten the chain or belt that keeps the population of Catalonia in a regime of political servitude, of slavery, of silence and, what’s more, at the expense of all Spaniards...’</p>	



Intereconomía TV. Fragment 12	
Programme	<i>Es la mañana de Federico</i>
Date and time	11/9 – 7:07 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Nationalism Government of Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
<p>'Because if this lady [referring to Alícia Sánchez-Camacho, leader of the Catalan branch of the People's Party], with a bodyguard, a flag, a band, all the money possible within reach, everything in her favour, can't go out of the house, what will happen to the Spaniard living in Catalonia, in any village, who's... not harassed... persecuted by these neo-Nazis, who are the same old Nazis as ever? The thing is, in the end, nationalism is much the same as nationalism and what's being reproduced on a gigantic scale is what happened a few years ago in the Basque Country or what's happening in El Goyerri, towns that have been taken over by members of ETA. The big problem here is that the members of ETA are the Generalitat of Catalonia. Here, the symbolic violence being exerted against citizens by a political idea comes from the powers that be and is taking place with the connivance of power in Madrid, which ought to wipe it out, fight it, defeat it and wipe it out.'</p>	



Intereconomía TV. Fragment 13	
Programme	<i>Es la mañana de Federico</i>
Date and time	11/9 – 7:09 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Nationalism
Transcript	
Federico Jiménez Losantos (director and host):	
‘It’s a problem of mind control and of fettering people’s different ideas. It’s total despotism. It’s Nazism on sweeteners.’	

Intereconomía TV. Fragment 14	
Programme	<i>Es la mañana de Federico</i>
Date and time	11/9 – 7:17 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
‘But let’s move on to the Diada. Let’s take a look at Nuremberg.’	



Intereconomía TV. Fragment 15	
Programme	<i>Es la mañana de Federico</i>
Date and time	11/9 – 7:37 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Political system in Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
<p>'And then the member of Ciudadanos party who lives in a village near Girona... what's he going to do? He's going to become – I don't know – an emigrant or a hermit. That is, the south means corruption. The north-east means despotism and corruption but on the scale of Germany in the 1930s. It's amazing what's happening in Catalonia.'</p>	



Intereconomía TV. Fragment 16	
Programme	<i>Es la mañana de Federico</i>
Date and time	11/9 – 8:47 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Political system in Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
‘This morning, among today’s shock news, everything that’s happening under this regime that is 1930s Germany, but not the early thirties now, eh, it’s progressing, that is Catalonia...’	



Intereconomía TV. Fragment 17	
Programme	<i>Es la mañana de Federico</i>
Date and time	11/9 – 8:57 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Political system in Catalonia
Transcript	
<p>Federico Jiménez Losantos (director and host): ‘And also that it was the Catalans who, as well as America (because Columbus was also Catalan, and I assume he was an official in the Generalitat), discovered Australia.’</p> <p>Gabriel Albiach: ‘And that <i>Don Quixote</i> was a bad translation of a book that was originally written in Catalan.’</p> <p>Federico Jiménez Losantos (director and host): ‘Of course. That only he had...’</p> <p>Unidentified voice (contributor): ‘Columbus set off from the port of Barcelona.’</p> <p>Federico Jiménez Losantos (director and host): ‘Because why should you set off from the side of the ocean. No, of course not. The best thing is to set off from the other side.’</p> <p>Gabriel Albiach: ‘All of this is such a collection of madness that it would, indeed, make a child of twelve laugh. The terrible thing is that on the basis of that hilarity a political situation is being created or has already been created that is unmanageable.’</p> <p>Federico Jiménez Losantos (director and host): ‘The idea that the Germans are a special, superior race makes us laugh, until... What a lot of rubbish! Yes, rubbish, yes, until you get killed. This is the same old story.’</p>	



Intereconomía TV. Fragment 18	
Programme	<i>Es la mañana de Federico</i>
Date and time	12/9 – 7:02 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalan nationalism
Transcript	
Federico Jiménez Losantos (director and host):	
<p>'With all its ostentation and as it's what the government takes most notice of, we can but start with the party put on yesterday by the despotic powers of the nationalist dictatorship suffered in Catalonia by the non-nationalists, those who also aren't nationalists of the sort Pujol wants, which is now totally separatist.'</p>	



Intereconomía TV. Fragment 19	
Programme	<i>Es la mañana de Federico</i>
Date and time	12/9 – 7:08 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Political system in Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
<p>'But the Spanish are providing the money for this riff-raff... Because they're riff-raff. They've enslaved half of Catalonia because they don't think like they do. How can you live in a village with 100 inhabitants where the priest is the first person to say that the whole village is going to join in the chain? In terror. Either you leave the village or you become a separatist. Inside you'll say... I don't know what you'll say. They'll sing the anthem of the Legion, they'll have it on their iPhone, they'll listen to it on headphones. I don't know what they'll do. It's 1930s Germany. It's a dictatorship, monstrously amplified by the media, who have been bought and are run by the same despotic power that organises these crowds.'</p>	



Intereconomía TV. Fragment 20	
Programme	<i>Es la mañana de Federico</i>
Date and time	13/9 – 7:04 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	The Catalan Way
Transcript	
<p>Federico Jiménez Losantos (director and host): '[Referring to the "Catalan Way"] A totally totalitarian event in which six television channels brainwash the population preaching hatred of Spain. Show me a Spanish minister who says hatred of Spain is a success. That getting 6% of the population of Catalonia onto the streets to abuse, menace, terrorise non-separatist Catalans is a success?'</p>	



Intereconomía TV. Fragment 21	
Programme	<i>Es la mañana de Federico</i>
Date and time	13/9 – 7:05 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Government of Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
‘This budget, you’re going to pay this deficit of mine so I don’t go bankrupt and have to sack my civil servants that I use to maintain this neo-Nazi machinery in good working order.’	



Intereconomía TV. Fragment 22	
Programme	<i>Es la mañana de Federico</i>
Date and time	13/9 – 8:06 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	The Catalan Way Catalan nationalism
Transcript	
Federico Jiménez Losantos (director and host):	
<p>‘A great success in terms of turnout and organisation [referring to declarations by the Spanish Minister of Foreign Affairs on the Catalan Way]. In other words, with the money, 38 million euros, they’ve spent on this racket against Spain, which included the finale, as the party ended as usual: burning Spanish and French flags, portraits of the king, you know, the usual. They didn’t burn <i>Don Quixote</i>, because now that they say they wrote it, you’re not going to burn <i>Don Quixote</i>... But it doesn’t matter, you speak Spanish and you get slapped. You can’t imagine the climate of terror created by these rackets that can only be compared to 1930s Germany, these typically nazionalist rackets with a “Z”, where everyone who doesn’t belong to your tribe gets cut out.’</p>	



Intereconomía TV. Fragment 23	
Programme	<i>Es la mañana de Federico</i>
Date and time	13/9 – 8:09 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Artur Mas Political system in Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
<p>'Quite the opposite. It's fine! Artur Mas is very good at it! It's as though Churchill had congratulated Hitler on how well the Hitler youth paraded, because you must admit they paraded very well. As for the SA, well it was an army in shirtsleeves. And the SS, we won't go into that; there they were, getting the gas and the concentration camps ready to put an end to the inferior race of the Jews. Over in Catalonia the inferior race are the Spanish.'</p>	



Intereconomía TV. Fragment 24	
Programme	<i>Es la mañana de Federico</i>
Date and time	13/9 – 8:14 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos (director and host)
Object of the speech	The Catalan Way
Transcript	
<p>Federico Jiménez Losantos (director and host):</p> <p>‘And when they put on all this Nazi hullabaloo that they put on every year [referring to the demonstrations by citizens on the National Day of Catalonia], then Cocky Margallo [the Spanish Minister for Foreign Affairs] comes along and puts Barça out of a job. Because up till now Barça was the minister of foreign affairs of Catalan separatism ... What are they going to do if the minister of the Government of Spain is neither minister, nor Government, nor Spain, but acts like a publicity agent for that separatist coup we’re watching in slow motion?’</p>	



Intereconomía TV. Fragment 25	
Programme	<i>Es la mañana de Federico</i>
Date and time	16/9 – 8:02 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalan separatism
Transcript	
<p>Federico Jiménez Losantos (director and host): 'Because Catalan separatism is partly hatred, xenophobia, that thing, that moral disease of always blaming other people for things that happen to you. Irresponsibility becomes impunity, moral immunity to one's own responsibilities. But it's also partly a political caste that's rotten up to the eyebrows and run by a gang.'</p>	



Intereconomía TV. Fragment 26	
Programme	<i>Es la mañana de Federico</i>
Date and time	16/9 – 8:15 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Artur Mas
Transcript	
<p>Federico Jiménez Losantos (director and host):</p> <p>'After bringing thousands of people out into the streets in a show of totalitarianism not seen in Europe since the 1930s in Germany, after TV3 showed its skills were on a level with Leni Riefenstahl in presenting the triumph of the wish for separatism, but what's more in colour and high definition, Mariano, this weekend, goes and writes him a letter [referring to Artur Mas]'</p>	



Intereconomía TV. Fragment 27	
Programme	<i>Es la mañana de Federico</i>
Date and time	16/9 – 8:35 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Spanish Minister of Foreign Affairs The Catalan Way
Transcript	
<p>Federico Jiménez Losantos (director and host):</p> <p>‘Who’s Margallo? Who is this guy who says what a successfully turnout it was to have humiliated Spain? “What a turnout!” “Amazing!” What is there to discuss with some characters who’ve put on this dictatorial show, terrorising people in Catalonia who feel Spanish so as to blackmail the rest of Spain and he calls it a success? So Hitler was really successful. When he shared Poland out with Stalin he had an amazing success. I mean he reached Danzig or Gdansk in no time, in a blink of an eye. Great success! He grabbed half of Poland. He shot 14,000 Polish officers. All in all, a great success. Let alone France. In two weeks he took over France. Hitler was really successful. And what about the Jews? Listen, gassing six million people is no simple matter. In other words, a tremendous success. Come on... some successes are so vile they’re not a success, they’re the triumph of evil and shouldn’t last. No, Margallo. Margallo is one of the Generalitat’s boys.’</p>	



Intereconomía TV. Fragment 28	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 7:02 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalan Television's programme <i>Info K</i> Political system in Catalonia Catalan Television media CAC
Transcript	
<p>Federico Jiménez Losantos (director and host):</p> <p>'A lot of people today will be surprised to see on the front page of the newspaper <i>El Mundo</i> three young people, Nazis, national-socialists or simply nationalists. Nazis, as they used to say in German, spelt with a 'z' or a 't', it doesn't matter. Two girls of 12 or 13 and a boy of 14, who looks younger than the girls, because of what's happening. They mature earlier. So... no pixellation. Naturally protected by the CAC and by all the neo-Nazi legislation in Catalonia that protects the separatist propaganda and hatred of Spain, which is what TV3 does and that's what you and I pay for with our taxes, because Catalonia's bankrupt. If those television channels aren't closed down it's because we pay for them in Madrid and other places. I mean... Catalonia owes 50,000 million euros and if it weren't for the cowardly munificence of Don Mariano and the vampire Montoro [the Spanish Minister for the Treasury] they'd have to close down. They'd have to bring the young Nazis out in the picnic areas. But in this way they bring them out on TV3, with programmes lasting 12 hours at a stretch, which is what that blessed chain was and with unpixellated young people, so I imagine the CAC will be pleased with itself. They're probably the children of members of the CAC.'</p>	



Intereconomía TV. Fragment 29	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 7:05 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalan Television's programme <i>Info K</i>
Transcript	
Federico Jiménez Losantos (director and host):	
<p>'If you're part of that crowd that brings out 12-year-old children to say "Spain will have to surrender", "In 1714 we lost our independence". But what independence are you talking about, boy braces? What independence? Catalonia's never been independent. But it's been driven into them the same as the Hitler youth, the same as the young people in the SA, that the Aryan race, which was them, was a superior race and that it had to dominate the world. And what's more, when they look at Margallo, Montoro and Rajoy, how can they not feel they're a superior race, even with braces? They dress up in war paint and that's what they look like, urban Indians, which has also been invented. Everything's already been invented. And what's Margallo going to say? "Enormously successful turnout, a triumph of logistics", 12-year old children on TV3 unpixellated, calling for hatred of Spain and for independence, inventing a past that never happened. Cocky Margallo! Shall we crow this morning or shall we lay an egg by mistake like a chicken?'</p>	



Intereconomía TV. Fragment 30	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 7:07 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Government of Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
<p>'But an entire government [referring to the Government of the State] that is so vile, so cowardly, not being able to say one word louder than another before this Nazism [referring to the Government of Catalonia]. Now they've started making another list.'</p>	



Intereconomía TV. Fragment 31	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 7:08 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalonia
Transcript	
Federico Jiménez Losantos (director and host):	
‘You think this government [referring to the Government of the State], which says nothing before the Nazi outrage in Catalonia and is so eloquent when it comes to paying for it, you think Judge Guevara has taken it on himself to encourage it to fulfil its obligations.’	



Intereconomía TV. Fragment 32	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 7:31 am
Type of programme	News magazine
Section	Editorial
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalan Television's programme <i>Info K</i>
Transcript	
<p>Federico Jiménez Losantos (director and host):</p> <p>'Well, the Madrid government applauds separatism, the use of children by TV3 to harangue – but 12- to 14-year-olds –, to harangue other children so that they can become – I don't know – human bombs, Taliban separatists, to wear a veil, I don't know what they're going to do... And Montoro says that in Spain we work between five and seven months a year, that it's our duty: to pay for the young Nazis who want to carve Spain up, who are already carving it up.'</p>	



Intereconomía TV. Fragment 33	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 8:07 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalan Television's programme <i>Info K</i>
Transcript	
Federico Jiménez Losantos (director and host):	
'Catalan youth devoted to this kind of cheap Catalan Nazism that Margallo is so fond of and that Rajoy keeps quiet about.'	



Intereconomía TV. Fragment 34	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 8:09 am
Type of programme	News magazine
Section	News and commentary
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos, director and host
Object of the speech	Catalan Television's programme <i>Info K</i> TV3 Artur Mas
Transcript	
Federico Jiménez Losantos (director and host): 'Using young people like the Nazis did. Exactly the same. It's identical. Is that a success? For who? For Hitler after death, for Goebbels, always alive, for TV3, for the TV Cat of Mas Cat or Margallo Cat, full stop Cat.'	



Intereconomía TV. Fragment 35	
Programme	<i>Es la mañana de Federico</i>
Date and time	17/9 – 9:36 am
Type of programme	News magazine
Section	Discussion.
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos
Object of the speech	Catalan Television's programme <i>Info K</i> TV3
Transcript	
<p>Federico Jiménez Losantos (director and host):</p> <p>'Immediately afterwards, Hitler comes to power. Well, you couldn't help remembering that seeing the front page today of <i>El Mundo</i> and <i>La Razón</i>, with kids between 9 and 14 being used in what they call the children's news, which is how the separatist pups are brought up, who tomorrow can have dynamite or a bomb or a court order put into their hand. Because obviously you can do what you like with a boy or girl of 12 or 13 once you've brainwashed them, which is very easy. You can turn them into human bombs when they grow up. People used to talk about the <i>ikastolas</i>. The <i>ikastolas</i> are archaic by the side of TV3.'</p>	



Intereconomía TV. Fragment 36	
Programme	<i>Dando caña</i>
Date and time	17/9 – 1:09 pm
Type of programme	Political and current affairs talk show
Section	Discussion
Format of the speech	Opinion
Speaker	Xavier Horcajo, host
Object of the speech	TV3
Transcript	
<p>Xavier Horcajo: ‘Why am I so obsessed with TV3? Well, look, there haven’t been one, nor two, nor three but several attempts to make use of children, little children, to use them deceitfully to exude hatred for Spain ...’</p>	



5. Transcripts of content spoken by contributors to the programme, panel members and/or guests

5.1 13tv

13tv. Fragment 37	
Programme	<i>El cascabel</i>
Date and time	16/9 – 00:11 am
Type of programme	Political and current affairs talk show
Section	Discussion
Format of the speech	Opinion
Speaker	Hermann Tertsch (journalist), guest
Object of the speech	TV3
Transcript	
Hermann Tertsch: 'The level of delirium being reached is worrying. Now we've seen this television channel, TV3, with a programme about children, with children. Stirring up hatred of Spain in children. They've brought out the children for independence, like Castro's pioneers or child soldiers in Africa.'	



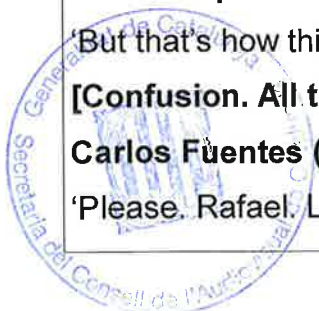
5.2. Intereconomía TV

Intereconomía TV. Fragment 38	
Programme	<i>El gato al agua</i>
Date and time	11/9 – 10:05 pm
Type of programme	Political and current affairs talk show
Section	Discussion
Format of the speech	Opinion
Speaker	José Antonio Sentís (journalist), guest
Object of the speech	Political system in Catalonia
Transcript	
José Antonio Sentís: 'Suddenly Mr Mas comes up with this idea he's some Martin Luther King making his speech about "I have a Dream". Well, look here, over there the Catalan blacks are the non-nationalists. The blacks, the apartheid, is in the non-nationalists. This is the problem we've got in Catalonia. And their irrational talk is talk that isn't really taking place. It's mass psychology talk that comes very close to totalitarianism. That's what's happening.'	



Intereconomía TV. Fragment 39	
Programme	<i>Queremos opinar</i>
Date and time	12/9 – 7:44 pm
Type of programme	Political and current affairs talk show
Section	Debate
Format of the speech	Opinion
Speaker	Rafael López-Diéguez (general secretary of Alternativa Española), participant in the debate
Object of the speech	The Catalan Way
Transcript	
<p>Rafael López-Diéguez: ‘Right, let’s see. Well, I wanted... Of course, the talk, obviously, I entirely disagree with what Santiago Espot is saying... we were talking about the street changing and changing the government and he mentioned a series of examples, but you didn’t mention the Bolshevik movements, where supposedly there were more than four million people in the streets and they led to a tyrannical regime, or the ones recently produced by Mr Maduro or Chávez, or the Mexican movements in the streets, or the six million people that brought Adolf Hitler to power. And that famous Arab spring you mention has been from bad to worse; from a bad regime to an even worse one.’</p> <p>Santiago Espot: ‘I was talking about the fall of Communism, that it was the streets that brought Communism down.’</p> <p>Rafael López-Diéguez: ‘The fact that the streets mobilise is unquestionably something to be taken into account, but street movements can never, never, never come before the rule of law.’</p> <p>Santiago Espot: ‘We’ll see.’</p> <p>Rafael López-Diéguez: ‘No. We’ll see, no. That demonstration was absolutely antidemocratic, absolutely totalitarian. It’s typical of the Bolshevik movement, of the Maduro movement or that of the Mexicans, etc.’</p>	

Intereconomía TV. Fragment 40	
Programme	<i>Queremos opinar</i>
Date and time	12/9 – 8:16 pm
Type of programme	Political and current affairs talk show
Section	Debate
Format of the speech	Opinion
Speaker	Rafael López-Diéguez (general secretary of Alternativa Española), participant in the debate
Object of the speech	Catalonia
Transcript	
<p>Rafael López-Diéguez: ‘What I demand of the Government is that if Catalonia – it’s not that I want it, I demand it of the Government –, that if Catalonia oversteps the red line, as it’s intending to do, the Government has the duty to apply the full weight of the law and the full weight of the law means suspensions and whatever measures may be necessary. It’s not that I want it, I demand it.’</p> <p>Ramón Márquez, ‘Ramoncín’: ‘And what if it doesn’t?’</p> <p>Rafael López-Diéguez: ‘If it doesn’t, that’s the end of the rule of law and we can’t blame people for going into bookshops, and we can’t blame people for pushing someone or other, and we can’t blame people for breaking the rules because the rule of law has been broken.’</p> <p>Ramón Márquez, ‘Ramoncín’: ‘And then the pistols appear. What I don’t want is for pistols to appear.’</p> <p>Rafael López-Diéguez: ‘But that’s how this is all going to end! That’s how the pistols are going to end!’</p> <p>[Confusion. All the guests speak at once]</p> <p>Carlos Fuentes (host): ‘Please. Rafael. Let Mister Esport speak.’</p>	



Santiago Espot:

'I wondered when the dialectics of fists and guns would appear.'

Rafael López-Diéguez:

'Fists and pistols. What a load of rubbish!'



Intereconomía TV. Fragment 41	
Programme	<i>El gato al agua</i>
Date and time	12/9 – 11:22 pm
Type of programme	Political and current affairs talk show
Section	Discussion
Format of the speech	Opinion
Speaker	Federico Jiménez Losantos (journalist), guest
Object of the speech	The Catalan Way
Transcript	
Host:	
‘Is Margallo [the Spanish Minister for Foreign Affairs] the new spokesman for the ANC [Catalan National Assembly]?’	
Federico Jiménez Losantos:	
‘Between 5% and 7% of the Catalan population takes part in an organisation which from its position of power intimidates those Catalans who aren’t separatists, whose prime function is to frighten, terrorise those Catalans who would like to be able to be free to be Spanish and can’t because they’re terrorised, along comes the Spanish Minister for Foreign Affairs, of course, as they’ve given Catalonia up for lost, they make it foreign and bring in cocky Margallo...’	



Intereconomía TV. Fragment 42	
Programme	<i>Queremos opinar</i>
Date and time	16/9 – 7:42 pm
Type of programme	Political and current affairs talk show
Section	Debate
Format of the speech	Opinion
Speaker	Santiago Espot (President of the Catalunya Acció platform), participant in the debate Melchor Miralles (journalist), participant in the debate
Object of the speech	Catalan independence movement People/institutions in favour of Spanish unity
Transcript	
<p>Santiago Espot: ‘Look here, Mr Fuentes, let me say something. I’m getting sick and tired of hearing the independence movement being associated with Nazism or people comparing me to a member of ETA. This is absolutely intolerable... Comparing me or the independence movement with ETA is going too far... I won’t tolerate it, that’s enough of comparing the independence movement either with Nazism or with ETA, because the independence movement has never used the mechanisms of such a sinister regime as Nazism.’</p> <p>Melchor Miralles: ‘You haven’t; the Catalan independence movement has.’</p> <p>Santiago Espot: ‘The people with links to Nazism, putting things on the same level, are the ones who support Spanish unity, because Franco was in favour of Spanish unity and it’s never occurred to me to class those people in favour of Spanish unity as Francoists.’</p> <p>José Miguel Villarroya: ‘Those of us in Catalonia who defend Spanish unity get called Francoists. There are separatists who call us Francoists.’</p> <p>Santiago Espot: ‘I’m not surprised, if the other side accuse us of being Nazis I’m not surprised.’</p>	

Intereconomía TV. Fragment 43	
Programme	<i>Dando caña</i>
Date and time	17/9 – 1:34 pm
Type of programme	Political and current affairs talk show
Section	Discussion
Format of the speech	Opinion
Speaker	Carlos Astiz (Vice-President of the Spanish Association of Publishers of Periodicals), guest
Object of the speech	TV3
Transcript	
<p>Carlos Astiz:</p> <p>'The thing is that TV3 has been indoctrinating for 30 years... In Catalonia there isn't a normal democracy like in the rest of Spain, there's a democracy in which one gang – which, as we're seeing, is involved in very serious cases of corruption – is leading a process which, with public money, is heading for secession from Spain and secession from Spanish legislation and the Spanish courts. What's more, what's happening is that all this racket, in which just about all the public and private media in Catalonia are involved, is at the service of this project in which anything that favours understanding between the rest of Spain and Catalonia is systematically concealed... TV3 is in charge of fomenting hatred of Spain but the thing is that the Generalitat of Catalonia and the Catalan Ministry of Education has as its object, it's doing it, it's carrying it through and there are thousands of examples...'</p>	



6. Analysis of the transcripts

6.1 Content spoken by people directing or hosting the programmes

8. 13tv

The state-wide generalist television channel 13tv has broadcast 5 fragments that can be attributed to the host of the news programme *Al día* containing elements of comparison between democratic political processes and totalitarian movements or regimes (fragments 1 to 5).

In the framework of the channel's news programme and during the course of an interview, the host and the person interviewed concur in their comparison of torch-bearing marches defending Catalan independence, which various towns and villages held on 10 September, with 'totalitarian movements like Nazism or Fascism' (host of the show in fragment 2) or with 'people in hoods persecuting blacks in the United States' (someone interviewed in the same fragment).

In this same programme, the host and director of the programme says that separatism and nationalism sow hatred against Spain (fragments 1, 3 and 4), among children too: '...it's very important to stir up hatred of Spain from the age of four, because that'll be a help to anyone' (fragment 5).

- **Intereconomía TV**

Intereconomía TV records 31 fragments uttered by the person hosting the programme that relate democratic political processes with totalitarian movements or regimes (fragments 6 to 36). These cuts appear in news magazines (fragments 6 and 7 and 11 to 23) and political debating programmes (fragments 8, 9 and 10).

In particular, the hosts of the programmes *Es la mañana de Federico* and *Dando caña* have compared the political regime in Catalonia with Nazism and have said that Catalonia lives under a dictatorship.



By way of example, it's claimed that Catalonia's political regime (understood as the Government of the Generalitat) 'is total despotism. It's Nazism on sweeteners' (fragment 13), that it's '1930s Germany' (fragments 16 and 19) and there is talk of a 'nationalist dictatorship' (fragment 18) and of the 'dictatorship, monstrously amplified by the media' (fragment 19).

The comparison between the Catalan political system and Nazism is also based on the attribution of specific characteristics of this totalitarian regime to the situation in Catalonia. In this respect, for the hosts of the programmes mentioned, Catalan nationalism is characterised by racism and xenophobia, since it's 'based on two things: on hatred of someone and on overblown self-worship' (fragment 7), ' Because Catalan separatism is partly hatred, xenophobia' (fragment 25).

Thus, according to some programme hosts, the situation in Catalonia is one of apartheid with regard to the non-nationalist population: in Catalonia '...one notes a certain racism' (fragment 8), 'Artur Mas defends segregation almost like those people in Alabama' (fragment 10), 'Over in Catalonia the inferior race are the Spanish [making the comparison with Nazi Germany] (fragment 23) and the obligation to put shop signs up in Catalan is described as 'apartheid' (fragment 9).

A second characteristic attributed to the policies of the Government of the Generalitat is that of creating a climate of terror against non-nationalists: '... what will happen to the Spaniard living in Catalonia, in any village, who's... not harassed... persecuted by these neo-Nazis?' (fragment 12). 'How can you live in a village with 100 inhabitants where the priest is the first person to say that the whole village is going to join in the chain? In terror' (fragment 19), and it's also claimed that, unlike the Basque Country, 'The big problem here is that the members of ETA are the Generalitat' (fragment 12). Referring to the 'Catalan Way', it's claimed that ' the climate of terror created by these rackets can only be compared to 1930s Germany' (fragment 22).

Thirdly, public (and sometimes also private) media are compared to propaganda organisations of the national-socialist regime that stir up hatred. TV3 is said to protect 'separatist propaganda and hatred of Spain' (fragment 28) and this is demonstrated in its coverage of the 'Catalan Way', which was 'on a level with Leni Riefenstahl' (fragment 26).



In this framework, the hosts on Intereconomía TV also criticise the fact that minors appear in the news item on the children's television programme *Info K* about the 'Catalan Way', as it makes use of 'young people like the Nazis did' (fragment 34), and 'little children ... deceitfully to exude hatred for Spain' (fragment 36), '12-year old children on TV3 unpixelated, calling for hatred of Spain and for independence' (fragment 29). In this way, the media have apparently contributed to the way 'separatist pups are brought up' (fragment 35), so that in future they can become 'human bombs' (fragment 35) or 'Taliban separatists' or 'wear a veil' (fragment 32).

Fourthly, the events of the Catalan National Holiday, and in particular the 'Catalan Way', are compared with the Nazi gatherings in Nuremberg (fragment 14) and an ironic parallel is drawn between the success of the 'Catalan Way' and Hitler's success with his military conquest of Europe and the holocaust during World War II (fragment 27) and with the parades by the Hitler Youth (fragment 23).



6.2 Content spoken by contributors to the programme, panel members and/or guests

5. 13tv

The 13tv channel has broadcast a fragment featuring a talk show guest, which contains the analogy mentioned between democratic processes or institutions and totalitarian regimes or attitudes (fragment 37). This fragment contains a direct accusation against TV3 of inciting hatred of Spain in children.

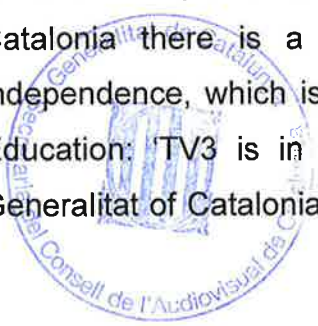
- **Intereconomía TV**

The Intereconomía TV television channel has six fragments spoken by ‘opinion actors’ who respond to the object of this report, either because they relate democratic processes with totalitarian regimes (fragments 38, 39, 41, 42 and 43), or because they defend the possibility of using violence against the Catalan sovereignist process without any clear positioning of the programme, through its host, against this possibility (fragment 40).

It therefore portrays Catalan nationalism as totalitarian and establishes a direct parallel between the ‘Catalan Way’ and mobilisations by Soviet regimes, ‘by Maduro or Chávez’ and by the ‘six million people that brought Adolf Hitler to power’ (fragment 39).

In addition, on the debating programme *Queremos opinar*, comparisons of positions in favour of independence with a regime that uses ‘Nazi mechanisms’ are countered with the claim that ‘the people with links to Nazism ... are the ones who support Spanish unity’ (fragment 42).

Similarly, other people taking part in the programmes analysed compare the political process under way in Catalonia with a situation of apartheid towards non-nationalist groups: ‘Well, look here, over there the Catalan blacks are the non-nationalists. The blacks, the apartheid, is in the non-nationalists’ (fragment 38). The claim is that in Catalonia there is a climate of terror against people who are not in favour of independence, which is contributed to by Catalan Television and the Catalan Ministry of Education: TV3 is in charge of fomenting hatred of Spain but the thing is that the Generalitat of Catalonia and the Catalan Ministry of Education has as its object, it’s doing



it...' (fragment 43).

The Catalan National Assembly supposedly has the 'prime function ... to frighten, terrorise those Catalans who would like to be able to be free to be Spanish' (fragment 41).

Opinions are also expressed which, directly or indirectly, call for the use of violence to solve the conflict.

In the course of one debate, for example, one participant 'demands' that the Government of the state to take 'whatever measures may be necessary' and predicts that 'that's how this is all going to end', in reference to the use of arms (fragment 40). This position is opposed by other guests who are opposed to the use of force, but not by the person hosting the programme, who keeps out of it.



7. Conclusions

The programmes analysed on the television channels TV3, 8tv, La 1, Telecinco and Antena 3 TV and the radio broadcasts by Catalunya Ràdio, RAC1, COPE, Onda Cero and SER do not contain speech by the hosts or by the opinion actors that respond to the object of the report.

On the other hand, the broadcasts on 13tv and Intereconomía TV that were analysed include content that associates society, institutions or political processes in Catalonia or Spain, including the people involved in them, with movements, regimes or totalitarian attitudes and trivialises them. What's more, a fragment was detected on Intereconomía TV which contained a defence of the use of violence against democratic political proposals about different models for Catalonia's political organisation and its relations with the Spanish state.

The broadcasts by 13tv and Intereconomía TV that were analysed include this content spoken by programme directors and/or hosts as well as by opinion actors.

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