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BASIC PRINCIPLES OF ESQUERRA REPUBLICANA DE CATALUNYA



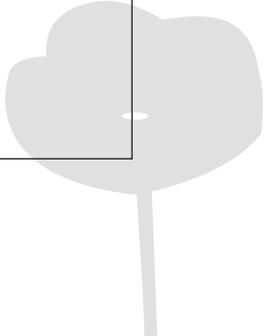
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BASIC PRINCIPLES OF ESQUERRA REPUBLICANA DE CATALUNYA

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CONTEXT

The transformations that Catalonia underwent in the nineteenth century favoured the genesis of progressive and federalist movements with profound democratic and republican roots. In parallel, the cultural and literary renaissance gave rise to a national awakening process contemporary to developments in Germany, Italy and Greece. The confluence of these two realities led to the formation of Esquerra Republicana de Catalunya as a meeting place of organisations, which realised that there was a need to create a common front in the face of a reactionary Spanish State that was rigid with eighteenth century structures.

ABSTRACT

The Basic Principles set out the ideological bases of Esquerra Republicana de Catalunya, which are summarised in the party's name:

Esquerra (left): socialisation of wealth;
Republicana (republican): defence of civil and political rights;
de Catalunya: recognition of the national character of Catalonia.

On this basis, the document is centred on the following themes:

- a) Social question: basic premises for improving the working conditions of the working class (establishment of a collective ownership regime, reduced working hours, establishment of a minimum wage...)
- b) Religious problem: section that advocates freedom of thought and conscience, from which the defence of a secular state is derived.
- c) Agricultural problem: establishment of measures aimed at facilitating access to land by farmers (new forms of leases, establishment of cooperatives, etc.).
- d) Education: establishment of education as a human right, which must be guaranteed by the State.
- e) Economy, finance and cooperativism: defence of the socialisation of wealth through the nationalisation and municipalisation of certain production sectors, which will be defined by a cooperative system.
- f) Justice: defence of the need to create an independent judiciary.

EXCERPTS

"[The Party] considers the following to be essential to the sovereignty of democracy: The recognition of the popular will (...) as the sole source of law and exclusive and legitimate origin of power.

The separation of powers into legislative, judiciary and executive entities, each sovereign, independent within the scope of its powers and accountable without exception. The republic as a form of government, with fundamental laws subject to referendum. The full autonomy of municipalities and counties (...)"

"In consideration of the indisputable evidence of the national character of Catalonia (...), with the Catalan people reserving the right to the use of the power of self-determination, which is their own right, the Assembly considers necessary (...) the federation of Catalonia with the other Iberian peoples.

Declares that this federation with the other Iberian peoples can only be governed democratically, agreed directly with them through their own legitimate representatives once the freedom of Catalonia has been achieved".

“The Party aspires to the progressive transformation of the current private property system into a collective one, which makes impossible the economic exploitation of man by man impossible, and advocates, as a project for immediate implementation, the following improvements and reforms in the organisation of wage labour”.

LINKS

History of Esquerra Republicana de Catalunya:

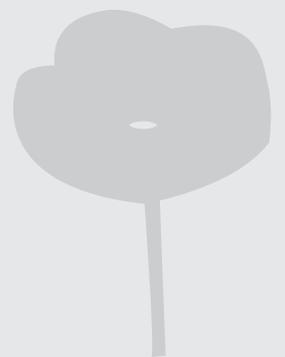
www.esquerra.cat/partit/historia

Hiperenciclipèdia d'Esquerra:

www.memoriaesquerra.cat

Panoràmica de l'Esquerra Nacional:

www.irla.cat/documents/6768055BEN-panoramica.pdf



BASIC PRINCIPLES ADOPTED BY THE CONSTITUTIONAL ASSEMBLY OF THE ESQUERRA REPUBLICANA DE CATALUNYA PARTY

Barcelona, March 1931

DECLARATION OF PRINCIPLES

The Party declares inviolable:

The right to life with complete security and dignity.

The right to free expression and dissemination of thought through spoken word, writing, cinema, radio broadcasting or any other means without being subject to prior censorship.

The right to free expression of conscience and exercise of religion.

The right to free, compulsory primary education.

The freedom to work and the right to the fruits of labour.

Freedom of movement and choice of domicile.

The inviolability of the domicile, and written, telegraphic or other type of correspondence.

The right of petition, assembly, association, demonstration and going on strike.

Equality before the law.

The right of all men and women over twenty years of age to participate in government by direct suffrage, and the ability to be elected.

Considers essential to the sovereignty of democracy:

The recognition of the popular will, which is determined by law as the exclusive and legitimate source of power.

The separation of powers into legislative, judiciary and executive entities, each sovereign, independent within the scope of its powers and accountable without exception.

The republic as a form of government, with fundamental laws subject to referendum.

The full autonomy of municipalities and counties in the administration of their particular interests and in guaranteeing and defending freedom and order.

Considering indisputably evident the national character of Catalonia owing to historical, geographical, linguistic and economic characteristics, in addition to the unwavering determination of the Catalans, while reserving the right to the use of the power of self-determination, which is their own right, the Assembly considers necessary by the supreme interests of universal brotherhood, and particularly on grounds of a historical and geographical nature, the federation of Catalonia with the other Iberian peoples.

Declares that this federation with the other Iberian peoples can only be governed democratically, agreed directly with them through their own legitimate representatives once the freedom of Catalonia has been achieved”.

Understands that, when this case becomes reality, it is indispensable that the Catalan State be in charge of its structure and system of Catalan administrative, economic, political and social life with the following powers:

Maintenance and guarantee of the freedom and order, the trial and resolution of conflicts between municipalities and counties, the organisation of Catalan militias without interference by the federal power, except in case of war with foreign countries; social, civil and penal legislation, except in cases of so-called federal crimes; the organisation of tribunals, with full sovereignty, except in cases which affect the Constitution of the Federal State; the enforcement of the sentences handed down by the courts outside of Catalonia; taxation and collection of taxes of all kinds; the organisation of education at all levels; participation in federal power.

All non-Catalan minorities established in Catalonia shall be respected and enjoy the full civil and cultural rights of the State they belong to.

The Catalan people shall have the right to decide on territorial division, of the order of administration and judicial matters, establishing the powers with a criterion of maximum freedom.

SOCIAL QUESTION

“The Party aspires to the progressive transformation of the current private property system into a collective one which makes the economic exploitation of man by man impossible, and advocates, as a project for immediate implementation, the following improvements and reforms in the organisation of wage labour”.

Accordingly, the Party will fight to achieve:

- a) The regulation of wages in accordance with a study of the cost of living index.
- b) A reduction in working hours.
- c) Higher moral and economic independence of workers, allowing them to edify themselves intellectually.

The most powerful and effective instrument at the disposal of the proletariat to achieve its economic demand is the Trade Union.



The Law must therefore protect trade unions effectively so they can develop in a non-clandestine system. However, the State must not content itself with permitting, with its own means, that workers receive what is rightfully theirs; in our view, it must legislate specifically for the working class.

The Party shall structure its social programme on these bases, establishing legally, with immediate effect:

A. - Freedom of association and the right to strike

(In this way, allowing, within the Law, the free play of economic struggle, in addition to allowing workers to obtain positive improvements, it gives them the opportunity to train themselves, working within their Unions, in exercising their rights of man and proletarian).

B. - Labour laws.

These laws lay down the following foundations for a better, more rational organisation of Labour and Production:

- a) Minimum wage. (For all industries.)
- b) Guarantees for the payment of wages (Avoiding the abuse of sanctions, payment of wages in kind, etc.).
- c) Protection of workers' health (Meticulous regulation of hygiene and sanitation measures, which are very inadequate today. Recognition of occupational disease.)
- d) Maximum working day (for all types of jobs, making impossible the existence – in the conditions in which they work today – of so-called weekly (setmanals) workers, who are forced out of necessity to accept tacit contracts with Employers that do not give them their deserved wage and make them work more hours than permitted by the law on legal full-time working).
Under current laws permanent or weekly workers, where they are present, are not only subject to harm themselves; they harm others, taking from them – for less than the prevailing cost of labour – part of the work that Employers would have to entrust to them in the absence of weekly workers.
In addition to allowing workers to have time for their intellectual edification, and preventing their physical exhaustion, the rigorous enforcement of the legal working day reduces the number of unemployed workers. (The reserve army currently at the disposal of Employers is reduced.)
The maximum legal working day shall be 8 hours a day.
For labour-intensive jobs, the working day shall be 6 hours with weeks of 5 working days.
The exceptions and extensions of hours currently in force, which were established in the two Royal Orders of 15 January 1920, shall be narrowed.
- e) Prohibition of child labour, and creation of establishments to protect children and pregnant woman; such as childcare homes and evening homes, maternity hospitals, etc..
- f) Closing on Sundays. (Enforcing it effectively with adequate sanctions in case of violation).
- g) Holidays for workers. (One to three weeks per year, depending on the industry).
- h) Total reorganization of the current Labour Exchanges. (Achieving real efficacy by means of adequate inspections).
- i) Insurance and Worker's Retirement, against I: Industrial accidents. II: Old age and disability. III: Forced strikes. (The State must ensure that the organisation of such insurance offers the maximum guarantees, carefully graduating the fees that must be paid and ensuring that the reserve fund can never be depleted).

- j) Courses organised especially for adult workers. (Revision and fine-tuning of existing legislation pursuant to the general rules established for general public education.)
- k) Vocational schools to provide technical education for workers and pre-professional training.
- l) Creation of "Workers' Committees" (in factories and in all organisations that use wage labour).
 These committees, like those established in other countries of Europe and America, shall work together, if only with consultative voice in the management of industries, thereby achieving a principle of democratisation of said industries, with very encouraging results for the future.
 With this system we wish to transform the management regime of industries, which can be called absolute (as Wilson once said), into a constitutional regime, or beginnings thereof, while still respecting private initiative in the industry.
- ll) Legal protection for Production and Consumers' Cooperatives. (Granting facilities for the development of these formidable instruments of worker emancipation).

RELIGIOUS PROBLEM

In raising this question, we start from the liberal premise, which is none other than respect for human dignity, especially in its noblest expression: the freedom to think and express one's thoughts, without any limitation other than an equal right for everyone.

Just as safeguarding our physical freedom requires that we punish murder, slavery, mistreatment and attacks on bodily health, the same criterion should compel us to prohibit any attack, limitation or adulteration of our spiritual freedom, of the right we all have to hold, if we so desire, an opinion on the matter of religion, to voice it publicly and to adopt a particular behaviour to accommodate it.

The State must therefore remain neutral in these spiritual decisions. It must respect and enforce the respect of the exercise of worship, without distinction of any religion, with the sole condition of maintaining public order and ensuring the general comfort of those citizens who do not subscribe to any of said religions. It must condemn all anti-liberal doctrines, including those seeking the monopoly of one religion, and those that would outlaw the practice and public manifestation of any religion. The former, because by declaring that there is only one truth and seeking to impose it by force is inquisitorial. The latter, which constitute another form of fanaticism, as they establish something that is false, that science has proven any religious statement to be in error, when in fact science, full of respect and caution in its statements, knows that the last word on this matter shall never be said, and being anti-dogmatic and evolutionary as it must be, stays clear of the metaphysical speculations of humans, who are quite free to deduce the facts that they see fit.

In light of the foregoing principles, the practical conduct to be followed by leftists who are truly liberal left is very clear: the State cannot take sides for any religion; must ensure that religious matters and differences, which belong to individual conscience, never invade official life or influence any of its institutions. Nevertheless, the State shall allow all Churches to convene and work towards their own ends, provided that none of them violates the essentials of life. Furthermore, religious confessions shall not only pursue their aims separately, as confessions, they shall supervise and control them, in the name of the freedom we are all due, subjecting them to common law and correcting the possible overstepping of boundaries.

Accordingly, all men who accept this point of view, whenever they officially express it in corporations and political organisations, are obliged to defend the secular and liberal argument, which is civilisation itself, while remaining free to act as they deem fit in their private lives.

These concepts can be summarised in the following conclusions:

1. Absolute freedom of worship.
2. The state shall remain neutral in religious matters, and education shall therefore be secular.
3. All religious organisations shall abide by common law.
4. All representatives of the Catalan left in popularly elected bodies shall defend this secular ideal, and, once formed, the Catalan State shall open a record on religious properties.
5. Absolute prohibition of liturgical acts in public.
6. The possibility of achieving the cancellation of the Concordat with the Holy See, although diplomatic relations may be maintained with it.

AGRICULTURAL PROBLEM

Agriculture is the most vital and definitive foundation of every country's wealth. Agricultural prosperity presupposes a better ability to buy industrial products and therefore always indirectly represents the welfare within the country's industry.

Moreover, a state with flourishing agriculture obviates the emigration of rural workers to the city, thereby solving the conflicts of the "unemployed", who are the modern victims of large industrial concentrations. Democracies resolutely strive to ensure that the agricultural problem is solved through a plan for field worker justice, and that the land yields maximum production and wealth.

The ultimate ideal must be the acknowledgement that the land, being of value to the community and an essential basis for human life, cannot be the absolute property of anyone but society, which must preserve it, allow it to be used in social usufruct, to make it produce the wealth that humanity needs to gain from it.

The great concentration of property in the hands of people who live far from the soil itself, without working it or understanding its problems, only worrying about getting an income as easily as possible and against usurious interest rates, is a problem that must be solved as a matter of priority – as is happening in most countries – in the form of compulsory appropriation to the benefit of farmers. This problem, which is very serious in Spain and many regions, such as Andalusia, with its "latifundios" (large estates), etc., is one of the factors that most saps the agricultural wealth of the Peninsula.

Like any other trade or industry, the cultivation of the land requires the individual factor of the person who farms it. The problem is not the same everywhere, nor can it be addressed by a comprehensive structure. While there are lands that are easily farmed in large sections, thus lending themselves to mechanical agriculture, there are also – unfortunately in large proportions in Catalonia – lands which, owing to their meagre yield or their geographical surface area, are more suitable for work on an individual or family level.

Accordingly, while full socialisation in the agricultural sphere is not possible in Catalonia, we believe in a number of solutions towards social progress and paving the way for organisation that is more comprehensive and definitive.

For this reason, the following principles must be established:

We believe that the problem of land necessitates the revision of working conditions and the servitude between the land owners and those who work the land – rabassaires (barren land tenants), tenant farmers, day labourers, etc.

The revision will be carried out according to the notion that the land shall not bestow on an owner who does not work it and who is not involved in production any gain other than the normal interest on the capital as represented by the estate.

Contracts for which the worker has created wealth on barren land, as is the case of the 'rabassa', or barren land contract, shall be considered emphyteusis contracts, that is, the perpetual and compulsory granting by the owner of the land.

All leases shall be long-term, with a minimum term of ten years. In case of contract termination or dissolution for other causes, the lessee shall have the right to claim compensation for any improvements.

In case of sale of the land leased, the lessee shall have the right of pre-emption.

All non-farmed lands shall be compulsorily appropriated by public corporations, with the current owners being compensated with the value represented by the barren land. These lands shall be cultivated communally by the towns under a system of socialised production, or, depending on their spatial, economic and social situation, assigned to small owners who shall redeem the value of the assigned land through annual payments at the time of harvest, or better yet, said land shall be given to professional associations or cooperatives.

Furthermore, we shall work towards the legal consecration of the "coto familiar" (small plot of land inhabited by a single family), so the small house and plot of land required for the life of a family is considered instrument of labour and, as such, not subject to legal liabilities of any kind nor subject to attachment for any reason whatsoever.

The equitable distribution of property, which presupposes the creation of wealth, shall be completed by the organisation of cooperatives, with the support of public corporations: the creation of cooperatives and trade unions that provide the farmer with the necessary strength and organisation for the purchase of fertilisers, seeds, raw materials, etc. and, through agricultural credit institutions, facilitate access to loans in amounts that do not compel the beneficiary to take out a mortgage or undersell crops.

Also forming part of the social organisation of agriculture is the providing of practical training, and studies of possible new crops, thereby avoiding excessive competition and over-production. Studying and adapting new farming systems and new crops, such as tobacco, cotton, flowers, etc., giving Catalan lands good potential for economic success.

Without forgetting that Catalan terrain largely consists of mountains and rugged landscapes, forestry is of the utmost importance and can be developed through better scientific organisation.

There needs to be a study in each region of the types of trees that can be most easily grown and developed. Requiring that owners replant suitable land, with the threat of seizing lands left barren. Require that two cuttings be planted for each tree destroyed by the logger's hatchet, as is the case in countries of the richest forestry, such as Canada, Sweden, Norway, etc., thereby avoiding the loss of this wealth that in Spain and Catalonia used to be one of the soundest economic resources.

In short, since the ultimate aim is that of socialising the land, the immediate task shall be to ensure that land is attributed its real value, in a system of greater justice and welfare for those who truly cultivate it, while still promoting scientific improvements in farming, cooperation, etc., in view of increasing wealth in our country.

EDUCATION

The quantitative and qualitative assessment of a modern doctrine of a political organisation can be largely achieved by analysing its outlook on the education of individuals in the many aspects it offers, in terms of its scope, subject, classes, teaching staff and counselling. We must recognise as true the notion that considers humans as beings with a purpose. Considering this condition to be specific and fundamental, we believe that in order to facilitate the maximum achievement of human aims – individual and social, it is society's duty as a whole to foster and develop the strengths of each individual. Education, therefore, is an individual human right, with absolute disregard for the subject's origin, sex, age or economic situation, and it is a duty of organised Societies to satisfy it with a sense of humanity and as a measure of public health. The ability of political societies to attain ongoing improvements in the moral, economic and citizenship spheres is dependent on improvements in education and the training of individuals.

As a complement to this social duty towards people, nothing can justify an infringement on individuals' other substantive rights, such as liberty. This requires, with increasing urgency, that we base education on more precise knowledge of human nature, in light of biology and psychology, and of the environment, which in a way regulates the functioning of organisms and partially determines their idiosyncrasies and the unique character of peoples.

Education must be a joint, organised function of the family, the Municipality and the State, but with a focus on the latter as the highest authority for fulfilling this duty and avoiding negligence or diversions at the lower levels of sovereignty.

These brief general considerations prompt us to formulate the following foundations for the subsequent development of planning for a system that meets the humanist demands of our time.

- a) Education is a right of all men.
- b) The educational system must adapt to the biological potential of subjects in the natural periods of childhood, youth and adulthood, and the conditions of the environment.
- c) Since the human character is one, however, there shall be no limitation of an economic or social order to the enjoyment the benefits of primary, vocational or higher education. A single school system is necessary to respond to a human demand, to satisfy the longing for justice and to make possible the selection of the best in accordance with the needs of the community.
- d) Consequently, education shall be free at all levels and compulsory through the primary level and vocational training level up to 14 and 18 years, respectively.
- e) To move on to the other levels of education, individual qualifications shall be assessed.
- f) All educational institutions shall have the greatest respect for the conscience of students. Technical staff shall be secular.
- g) It is incumbent on the State to provide the minimum resources required for the educational system, in terms of size and strength, as well as the training of teachers. Other classes can be improved through individual initiatives.
- h) Teaching staff shall be paid as other technical civil servants.
- i) It is of the utmost urgency that we employ extraordinary resources to reduce to insignificance the fearful number of illiterates within no more than fifteen years.

ECONOMY, FINANCE AND COOPERATIVISM

As regards Economics and Finance, the Party declares that its programme shall proceed with the progressive nationalisation and municipalisation of credit and exchange institutions, customs, transportation, industries, etc. The Party shall therefore advocate:

- 1) Tax unification. System of direct taxes. Elimination of taxes on wages and basic products and goods.
- 2) Progressive tax on income, unproductive capital and inheritance.
- 3) The limitation of the real estate property owners' rights in favour of tenants and mainly industrial workers.
- 4) Promotion of national production. Vocational schools. Consular organisations. Study of the sources of wealth.
- 5) Reduction of military expenditure in nature, passive rights and bureaucracy.

At present, we cannot consent to the robbery of the collective economy by the system of price fixing and which defends holders of foreign securities.

These foundations are nothing more than evolutionary means to reach a definitive system of a socialist character.

Related to these points, the perfect organisation of cooperatives is of singular importance.

It is not possible to define with a single formula the various forms of cooperation, since although they all have in common the fight against exploitation of man by man, their immediate goals and their economic aims are very different.

Broadly speaking, we can break cooperatives down into three groups.

First: Independent Production Cooperatives, the purpose of which is to put in the hands of wage-earning producers the necessary tools and capital, removing the employer, or, what is commonly referred to as the bourgeois. This group includes the collective exploitation of the land by farmers.

Second: Agricultural Cooperatives, the aim of which is to free farmers, particularly small farmers, from the exploitation they are victims of, both in purchasing raw materials (fertilisers, machinery, etc.), and the production and sale of products (milk, cheese, wine, grain, etc.).

Third: Consumer or Distribution Cooperatives, which aim to put in the hands of consumers organised into cooperatives the means of producing, distributing and exchanging wealth, achieving in an indirect, more consistent and safer way, the expropriation of private capital, which becomes collective.

Given that in our country, cooperation, in its various forms, although known, is meagre compared with other civilised peoples; that this delay is mainly due to the lack of general culture and social culture; that the State, rather than encourage the peaceful transformation of the social economy, often hinders it with absurd rules and tax prosecutions; that is not possible to regulate the cooperative movement, whose purpose is to do away with profit, with codes created to regulate the life of organisations whose goal is precisely the pursuit of profit; the following foundations are in order:

First: As has been done in many other countries, the teaching of cooperation must be implemented, both in elementary schools and higher institutions, promoting the creation of school cooperatives.



Second: A Cooperative Code must be ratified to regulate the lives of cooperatives on the basis of minimal state intervention.

Third: Work Cooperatives must not only be promoted, they should take precedence in all tenders for the execution of public works and be financed by interested corporations, if necessary.

Fourth: Agricultural Cooperation shall be fostered with the State providing a portion of the necessary capital, at reduced interest rates and in the long term, as well as technical personnel essential to the functioning of rural industries, if necessary.

Fifth: Given the economic results obtained in cases where the cooperativisation of many public and industrial services that supply basic necessities (electricity, water, bread, etc.), almost always superior to direct municipalisation, municipalities shall endeavour to establish agreements with consumers organised in cooperatives, providing part of the necessary capital, with a right to audits, while allowing the administration of these cooperative companies to be fully independent.

JUSTICE

Justice and the means of being administered are essential to the lives of all peoples. Under any form of government in modern groups, the judiciary must be independent, sovereign and accountable; judges and civil servants must be permanent in their functions, and the civil jurisdiction competent to hear all matters and to judge all offenders. The people must be involved in the administration of justice in criminal cases by means of a jury, which must have power not only to declare offenders guilty, but also to fix the sentence for certain crimes.

These fundamental principles cannot be detached from others that are of a secondary, but equally necessary character.

In particular, the desirability of having justice that is free to everybody, within everybody's reach, without having to first ask if someone is rich or poor, powerful or in need, while punishing rashness of litigants with the condemnation of fines handed down by the Courts.

Civil servants shall be chosen by competitive examination and paid adequately by the State, both to prevent corruption and to raise interest in judicial professions.

Closely related to this aspect of Justice is the organisation of auxiliary and subordinate bodies, also elected via competitive examination, duly paid and held strictly accountable.

We need a rapid procedure for the submission of evidence in the cases; the establishment of a single body, collegiate courts, etc., may be appropriate measures.

We also deem necessary the creation of special tribunals competent in matters relating to commerce, social affairs, childhood, etc.

We must pay great attention to the prison system. The prison should not be a place of torture or affliction; rather, a true reformatory where the offender is transformed into a citizen useful to humanity. Ex-convict organisations must continue the work of re-education and monitoring. The training of prison staff must receive great attention and be in accordance with modern prison theories.

Sentences handed down by foreign courts shall be reviewed by the country's own courts to see if they are in contradiction with its own laws, in which case they shall not be enforced. Extradition shall not be granted for any political crime.

The Supreme Court may veto any provision, rule or law that is not ratified by legitimate authority, and in accordance with the procedure established in the Constitution.

The Organic Law of the Judiciary and the Criminal Code shall be submitted to popular referendum.

Other magistracies of the Judiciary shall be elected directly by universal suffrage; to be elected, they must meet conditions of competency prescribed by law.

Accordingly, for the organisation of the administration of justice, the following principles must be upheld:

- Independence and accountability of the judiciary.
- Single civil jurisdiction.
- Participation of the people in the administration of justice.
- Free justice.
- Selection and proper remuneration of officials, assistants and subordinates of the Judiciary.
- Simplification of Procedure.
- Special Tribunals for matters relating to Commerce, Social affairs and childhood.
- Prison system oriented towards re-education.
- Protection of foreign political offenders.
- Objection by the Supreme Court to illegal provisions.
- Abolition of the death penalty.

