

**Satire as a radical practice of freedom of expression.
The case of the "puppeteers" on TVE news and in *ABC* texts**

**La sátira como práctica radical de la libertad de expresión.
El caso de los titiriteros en los informativos de TVE y los textos de *ABC***

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Abstract

The main objective of this paper is to analyse the coverage that TVE-1 news programmes gave to the case of the "puppeteers", since being remanded in custody on 6 February until their release four days later on the 10th, under the provisions of Act 17/2006 pertaining to fulfilling its public service remit. Besides this, the news coverage on TVE-1 is compared with news items published in *ABC* on 6 and 11 of February, in order to assess whether there were any differences. The case of the puppeteers is a relevant indicator of the limits imposed on freedom of thought and expression versus the defence of public order in Spain, since the use of satire was linked to the glorification of terrorism and incitement to hatred (Arts. 578 and 510 of the Spanish Criminal Code). Thus, the intention is to assess whether the practically inappreciable differences in the news coverage between Spanish public television and a private media company made the former an accomplice to the partisan struggle to reflect reality in a context of political and institutional crisis.

Keywords: satire, case of the puppeteers, TVE, public service, freedom of expression, *ABC*, terrorism, anarchism

Resumen

El objetivo principal del presente artículo es analizar el tratamiento que los informativos de TVE-1 dio al caso de los titiriteros, desde que ingresaron en prisión el 6 de febrero de 2016 hasta su salida el 10, siguiendo las directrices de la Ley 17/2006 para el cumplimiento de su misión como servicio público. En segundo lugar, el contenido de los informativos será comparado con los textos de *ABC* publicados los días 6 y 11 de febrero con el fin de valorar si existen diferencias en el tratamiento. El caso de los titiriteros se presenta como un indicador relevante de los límites que se imponen a la libertad de pensamiento y de expresión frente a la defensa del orden público en España, puesto que el ejercicio de la sátira se vincula a la apología del terrorismo e incitación al odio (art. 578 y 510 del Código Penal). De este modo se pretende comprobar si las exiguas diferencias en el tratamiento informativo entre un medio público y otro privado, convierte a la televisión pública en partícipe de la lucha politizada por nombrar la realidad en un contexto de crisis política e institucional.

Palabra clave: sátira, caso de los titiriteros, TVE, servicio público, libertad de expresión, *ABC*, terrorismo, anarquismo

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"Satire is the most powerful weapon against the establishment.
The powers that be cannot bear satire,
even those governments that call themselves democratic,
because laughter liberates man from his fears."
Dario Fo

Introduction

Discrepancies and criticism in their different guises and degrees of intentionality are regarded as key indicators in assessing the democratic health of a country. Their acceptance is a reflection of the respect for freedom of thought, which is presumed to be inherent to the freedom of expression, in addition to being a manifestation of the social duty that all citizens are obliged to assume, i.e. to keep informed in order to participate in the public debate with their own opinions. In the case of Spain, Article 20.18 of the 1978 Constitution guarantees this right – and duty – by recognizing the right (a) to “freely express and disseminate thoughts, ideas and opinions through words, in writing or by any other means of communication” and (d) “the right to freely communicate or receive accurate information by any means of dissemination whatsoever...” Therefore, whoever resorts to satire is contributing to enrich the public debate on issues of general interest, since its principal virtue is to highlight that other reality underlying the official version of the facts. So it can be said that satire is a cultural expression that fosters an alternative rationality which is being increasingly more censored with the deepening of the political and institutional crisis, evinced since the advent of the 15-M Movement in Spain.

Moreover, satire reveals that which has been left unspoken or silenced by the establishment, for which reason it has reacted throughout history by defending itself against this radical manifestation of freedom of expression, which when combined with comedy, exaggeration, or ridicule, manages to multiply its political potential and dissemination. During the last legislative term from 2011 to 2016, there were increasing signs of both the progressive identification of satire with offensiveness and its social and judicial persecution. In the case of the play entitled, *La bruja y don Cristóbal* (The witch and don Christopher), the puppeteers Alfonso Lázaro and Raúl García had modelled it on Federico García Lorca's puppet farce entitled, *Retablillo de don Cristóbal*. With this piece, the Granada poet endeavoured to recuperate the virtualities of the dramatic rite, borrowing characters, acts, and language from everyday life. To achieve this, he resorted to the folk genre of puppet theatre with the intention of converting theatre in general into an expression of “the human”, namely, of its finitude and contradictions. The puppeteers Lázaro and García took this genre, rooted in Iberian cultural tradition and recognizable to all audiences, and adapted it to serve as a critique of the current socio-political reality.

This is why the case of the puppeteers is relevant to the identification of the official strategy against satire, an artistic expression that is being reviled because of its purported links to the glorification of terrorism and incitement to hatred, to the detriment of the fundamental rights in which its practice is enshrined. On the contrary, satire can be a valuable ally against intolerance for any democratic government, for its comical-critical representation of reality helps to unveil those “truths” expressed as absolute or from over-simplified perspectives, and to facilitate empathy – by putting one's self in someone else's shoes – and understanding – the capacity to delve into that which has been kept under wraps – seeking the collaboration of whoever receives/interprets the message. Its potential to promote exchange as a fundamental pillar of the peaceful coexistence among people defending different ideological stances is

thus revealed.

Fostering democratic values is one of the services that Spanish public television should offer in order to guarantee the development of the aforementioned Article 20.1. However, both ideological pluralism and cultural diversity are values that are barely represented on current TVE-1 news programmes (García de Madariaga and Lamuedra Graván, 2016: 20). The news coverage that the case of the puppeteers received is an obvious example of the crisis in which public television has been immersed since the audio-visual counter-reform, borrowing the term that Bustamante and Corredor employ to refer to the legislative measures taken to consolidate the reform of the Spanish media system during the second term of office of the former president José Luis Rodríguez Zapatero (2012: 84).

The situation took a turn for the worse with the implementation of a package of measures approved in a cabinet meeting chaired by Mariano Rajoy on 30 December 2011. In 2012, following a €200 million budget cut, General Act 7/2010 on Audio-visual Communication was amended, directly imposing a private management model on the regional television broadcasters, together with Act 17/2006 allowing the chairman of TVE to be chosen without the need of a qualified majority.² To this state of affairs must be added the successive reports of cases of manipulation reaching the Consejo de Informativos (News Council). One of those cases which represents a clear violation of professional independence, veracity and ideological pluralism is that of the puppeteers, according to the February-March 2016 report released by the council.

Therefore, and based on the hypothesis that the limited promotion of democratic political culture encourages citizens to believe that access to truthful information is not essential to the formation of a critical public opinion, the principal objectives of this paper are as follows: firstly, to analyse to what extent TVE-1's failure to fulfil its public service remit has promoted the discredit of satire as a cultural practice, to wit, as a means of expressing different opinions and ideas; and secondly, to examine whether this delegitimization through a far from diligent news coverage violated the right of Spanish citizens to receive truthful information. To this end, it has been considered necessary to compare the news coverage of TVE-1 with that of other private media companies, in this case the monarchical and conservative newspaper *ABC*. The aim is to assess whether the public service broadcaster is fulfilling its social mission, enshrined in Act 17/2006, which would imply offering a coverage differing from that of newspapers more in line with the official discourse of the incumbent government.

Methodology

In the order meet the aforementioned objectives, an analysis has been performed on the midday news programmes (TD1) of TVE-1 broadcast on 6, 8, and 10 February 2016 (those of 7 and 9 February did not cover the issue), insofar as they informed about the puppeteers' remand in custody and subsequent release. Discourse analysis techniques have been employed in an attempt to identify *what was said* on

² In 2012, the People's Party (PP), which then had an absolute majority in Parliament, modified with Royal Decree-Law 15/2012 the system by which the chairman of the public corporation was elected, from an enhanced majority to a simple majority. The corporation's independence was thus undermined and, in contrast, the official discourse of the government was reinforced. In June 2017, after pressure had been brought to bear by the public and the parliamentary opposition, the system based on a two-thirds majority was reintroduced. At present, the chairman is José Antonio Sánchez Domínguez, while José Antonio Álvarez Gundín is in charge of news programmes.

those news programmes, using the following criteria: (a) the representation of those involved; (b) the information sources used; (c) the representation of the problem/reality (in which the news was covered); and (d) reference to the context of both the news and the puppet play (twofold). In order to identify *what was not said*, puppet theatre in general and symbolic cases associated with satire, and by extension with the freedom of thought and expression in which its practice is enshrined, have been reviewed.

At a second level, these same criteria have been used to conduct a comparative analysis of the news programmes of TVE-1 and the columns and leaders published in *ABC* (Madrid edition) on 6 and 11 February. In doing so, the intention is to analyse whether the news coverage of the public service broadcaster differed from that of a private media company and whether it protected the Spaniards' fundamental right of access to truthful information.

Context: the legal offensive

On 5 February 2016, Alfonso Lázaro and Raúl García, both members of the "Títeres desde abajo" theatre company, performed *La bruja y don Cristóbal*, a free adaptation of the poet and playwright Federico García Lorca's puppet farce entitled, *Retablillo de don Cristóbal*, as part of the activities programmed by Madrid City Council during the carnival celebrations. The satire's content was branded as offensive by some of the members of the audience (parents with children), who complained about the violence of the main character – a *feminist* witch and *squatter* – on the one hand, and the placard carried by a puppet resembling a policeman, which read "Gora ALKA-ETA", on the other.

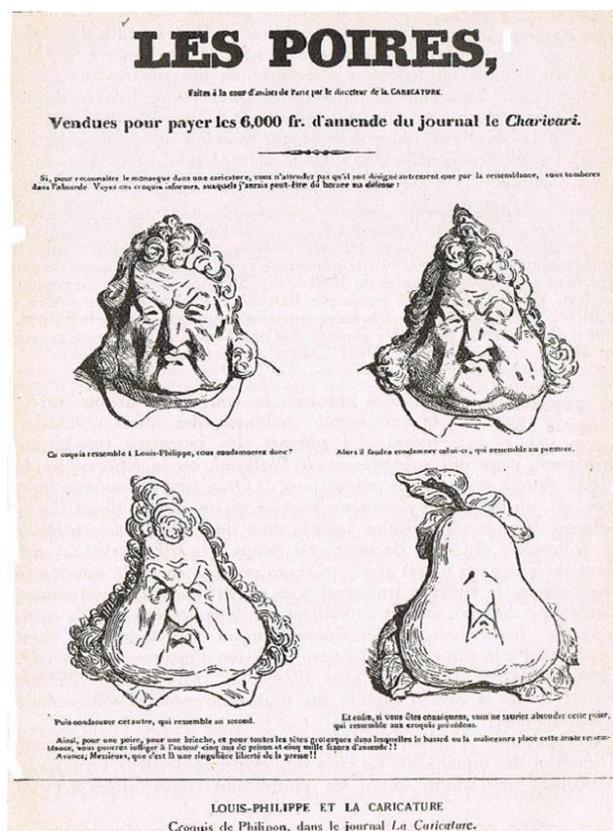
These were the circumstances that led to the imprisonment of the puppeteers during five days, as a precautionary measure since there existed the "risk of absconding and reoffending", according to the court order issued by the investigating judge of the Spanish High Court Ismael Moreno on 6 February 2016; and such acts could allegedly constitute the glorification or justification of terrorism (Article 578 of the Spanish Criminal Code) and the exercise of fundamental rights and public freedoms to provoke or favour "discrimination, hate or violence" (Article 510.1) for having performed "in the presence of young children [...] acts of violence against the religious institution, the judiciary and the security forces," according to the providence issued by the public prosecutor on 20 May 2016.³

The literal description of the plot formed part of the judicial inquiry, as set out in the court order of 28 June 2016. The main character, a witch and *squatter*, is raped by the owner of the dwelling, don Cristóbal, who the witch ends up beating to death. Afterwards, a puppet dressed as a nun appears with the intention of taking the child born as a result of the rape from the witch-mother. The witch ends up stabbing the nun. In the following scene, the policeman puppet beats the witch unconscious and furnishes false evidence, i.e. the placard bearing the slogan "Gora ALKA-ETA", in order to incriminate her as a member of a criminal organization. Finally, the witch is tried before a judge, who condemns her to the gallows. However, the witch guilefully deceives the judge and hangs him. Up until this point, the action of the plot had been referred to in the order as if it were a hard fact, rather than fiction.

So, the intentionality of the puppeteers was judged on the strength of the thoughts and actions of their

³ To this must also be added the questioning of property as an institution, represented by don Cristóbal Polichinela, a character clearly reminiscent of Lorca and Iberian folk traditions.

puppets. This is similar in a way – setting aside temporal differences – to the case brought against Charles Philipon, the editor of the French satirical weekly *Le Charivari* (1832-1836), who was tried for publishing satirical drawings representing the *roi bourgeois*, Louis Philippe (1773-1850), in the shape of a pear [Figure 1].



His counter-argument was significant: likeness should not be mistaken for equivalence.⁴ The Philipon case helps to perceive how the blurring of boundaries between the principle of reality and that of fiction can lead to “the law suppressing itself as the guarantor of freedom of expression,” inasmuch as power and society (families, judges and public prosecutors) “take figurative language literally” (Santiago Alba Rico, 2016).⁵

Furthermore, in the indictment it was expressed that the facts under investigation complied with “the objective requirements of an offense involving the glorification of terrorism envisaged in Article 578.1 of

4 The image illustrating this case appeared in the pamphlet entitled, *Les Poires* (1831), with which the editor paid the 6000 franc fine imposed on the publication. In his work *Art and Illusion*, the art historian E. H. Gombrich analyses this case and reaches two conclusions: firstly, that caricature involves taking a further step not in the imitation of the world, but in the exploration of the “capacity of imitation” of individuals; and secondly, he claims that caricature implies “the theoretical discovery of the difference between likeness and equivalence” (2000: 343). Likeness appeals to the relationship of resemblance between the thing representing and that represented by it (absent real object). And equivalence refers to the state or property of being equivalent. Likeness should not then be conceived as equivalence in reality. So, we understand that puppet theatre participates in this game to suggest an alternative representation of reality.

5 The text was published on the website Cuarto Poder on 9 February. Available at: <https://www.cuartopoder.es/ideas/opinion/2016/02/09/el-cambio-y-los-titiriteros/>. In another article, published in *Público* on 10 February, Alba Rico declared that power resides in the capacity to call things by their name: “This is the message to the forces of change: we are so strong, we have so much power, we determine reality in that way, and we cannot only imprison you, but can also call it *democracy*.” Available at: <http://blogs.publico.es/otrasmiradas/5937/los-titiriteros-y-la-ficcion-de-la-democracia/> [accessed 5 June 2017].

the Criminal Code,” since “the exhibition of the placard with the words ‘Gora ALKA-ETA’ has, from a *semantic* point of view, the meaning of a glorification or justification of terrorism.” But both the judge and the public prosecutor seemed to forget that it was fiction, a tale that symbolically recreated a critique of the authorities and institutions using archetypal characters; also overlooking the fact that the placard was carried by a puppet resembling a policeman, rather than a legal entity, and that moreover the criminal organization referred to did not exist, since it was an invention deriving from the play on words “ALKA-ETA”. The lack of a subjective – intentional – element in order that the facts might be regarded as a case of justifying terrorism was thus recognized, “that is, a real praise, glorification, commendation or justification of terrorist activities,” according to Supreme Court doctrine.⁶

On 14 September 2016, the proceedings against the actors Lázaro and García for glorifying terrorism were finally dismissed. However, the court order stressed that the High Court had no mandate to examine the second criminal offence with which they had been charged, declining jurisdiction in favour of the Provincial Court of Madrid. In January 2017, Provincial Court No. 46 ordered a temporary stay of proceedings since “the commission of the offence” under Article 510 of the Criminal Code “was not duly justified.” Nonetheless, this temporary character could lead the Public Prosecutor to appeal against the dismissal of proceedings in the future, if and when new evidence comes to light. Meanwhile, the lawyers defending the puppeteers have appealed against the judgement with the aim of achieving a permanent stay of proceedings.

For many, the case of the puppeteers is ethically and legally unacceptable in democracy. The organizations participating in the legal debate have voiced their concern about the “arbitrariness” with which such an exceptional measure as remand can be used, without first “investigating the reported acts, the real context in which the play was performed or the substantiality of the risks that were intended to be avoided with imprisonment.” These are the arguments put forward by Amnesty International, the Human Rights Association of Spain (APDHE), and the Asociación Libre de Abogadas y Abogados (Free Bar Association – ALA), among others, in a statement released by the Working Group on Arbitrary Detention of the United Nations in April 2016.⁷

In parallel, the ALA filed a writ of *amparo* (a remedy for the protection of constitutional rights) with the Constitutional Court for the dismissal by the Supreme Court of the proceedings against Judge Ismael Moreno for an alleged offence of prevarication and the unlawful detention of the puppeteers.⁸ The collective Judges for Democracy voiced its concern over “the consolidation in the judiciary of an expansive doctrine of restriction of freedom,” insofar as the judge’s order of remand had not been sufficiently substantiated, and about “the increasingly indeterminate character of crimes relating to the justification of terrorism which leads to legal uncertainty and allows for all types of interpretations that could be detrimental to the freedom of expression.”⁹

6 According to Supreme Court doctrine (see 5 June 2009, 30 May 2011, and 28 June 2013, among others), the criminal offence of glorifying terrorism is eminently intentional, viz. premeditated.

7 Information on the statement can be found on the website of Amnesty International. Available at: <https://www.es.amnesty.org/en-que-estamos/noticias/noticia/articulo/varias-organizaciones-de-derechos-humanos-piden-a-naciones-unidas-que-estime-la-detencion-arbitraria/> [accessed 14 June 2017].

8 The communiqué issued by the ALA can be found on its website. Available at: <http://ala.org.es/ala-cuestiona-la-imparcialidad-judicial-ante-el-tribunal-constitucional/> [accessed 15 June 2017]. After also being rejected by the Constitutional Court, the association has appealed to the European Court of Human Rights.

9 The information note published by Judges for Democracy on the case of the puppeteers in February 2016 can be accessed at:

This case recalls others, such as that of Guillermo Zapata, ex-councillor of Ahora Madrid, acquitted by the High Court for a number of macabre tweets posted in 2011, before occupying his seat on the council after the local elections in 2015. The sentence argued that Zapata's comments could be understood as "objectionable", but did not constitute a criminal offence.¹⁰ Or the case of Cassandra Vera, which yet again highlighted the restrictions placed on humour. Vera was given a one-year prison sentence and seven years disqualification by the High Court, after it had ruled that 13 jokes that she had made about the assassination of Carrero Blanco (an ex-admiral and the right-hand man of the dictator Francisco Franco) by ETA between 2013 and 2016 were injurious.¹¹

These three cases have a common denominator: the restrictive application of Article 578 of the Criminal Code, which pursues "the glorification of terrorism and the perpetration of acts that involve discredit, disdain or humiliation for the victims of terrorist offences." This definition of terrorism was modified with the passing of Organic Law 1/2015 of 30 March, amending the Criminal Code, as one of the commitments undertaken by the country's political parties with the signing of the anti-terrorist pact aimed at improving the fight against global jihadism.¹² The main objective of this pact was to "adapt" laws that had been passed when ETA was still very active to the present reality of the terrorism promoted by the DAESH, as well as intervening in the Internet and social networks in the event of detecting content contributing to justify jihadist terrorism.

On the contrary, Amnesty International's 2016/17 Report on the global situation of Human Rights notes that in Spain the "use of the offence of glorifying terrorism" is leading to the prosecution of "people peacefully exercising their right to freedom of expression" (2017: 182-183). Furthermore, it points to the 2015 legislative amendments to the Criminal Code¹³ and to the Law on Public Security¹⁴ as the cause of this situation.

<http://jucesparalademocracia.blogspot.com.es/search?q=caso+titiriteros> [accessed 7 June 2017].

10 Notice of the judgement was published in November 2016. *Eldiario.es* covered the news: http://www.eldiario.es/politica/Audiencia-Nacional-Madrid-Guillermo-Zapata_0_580592297.html [accessed 7 June 2017].

11 In March 2017, the conviction was disclosed: https://politica.elpais.com/politica/2017/03/29/actualidad/1490788774_203770.html [accessed 7 June 2017]. *El País* also covered another paradigmatic case in January 2017, namely, that of the singer of Def con Dos, César Strawberry, for glorifying terrorism and humiliating the victims after posting several remarks on the kidnapping of José Antonio Ortega Lara by ETA and on the GRAPO in his Twitter account between November 2013 and January 2014.

12 The agreement, signed by the PP, the Spanish Socialist Workers' Party (PSOE), and the minority parliamentary groups Coalición Canaria, UPN, and Foro Asturias, was reached in the wake of the terrorist attack against the French satirical weekly *Charlie Hebdo* in January 2015. In November of the same year, Paris was yet again hit by a double terrorist attack, which was when other political parties, such as Ciudadanos, UPyD, Democratic Union of Catalonia, and Partido Aragonésista, joined the agreement. Besides the amendment of the Criminal Code, they undertook to strengthen national security and protect the work of the country's judges and public prosecutors, for which reason the Criminal Procedure Act was amended.

13 From ETA's announcement of the definitive cessation of armed activity in October 2011 until the decommissioning of weapons started in 2017, the prosecutions for glorifying terrorism on social networks have increased significantly as of 2014; a state of affairs that has been exacerbated by the amendment of the Criminal Code. Thus, "taking the sentences contained in the database of the General Council of the Judiciary (updated until 21 March) as a benchmark, since 2014 a total of 72 sentences have been passed for glorifying terrorism, of which 57 relate to acts performed on the Internet. [...] Of these 57 judgements, 50 have to do with statements relating to ETA or the GRAPO, while in another five cases alleged crimes of glorifying jihadist terrorism were tried. This information can be found in an article written by Daniel Ríos for the online newspaper *Infolibre.es*: https://www.infolibre.es/noticias/politica/2017/03/31/al_menos_condenas_por_enaltecimiento_del_terrorismo_redes_sociales_63204_1012.html [accessed 5 June 2017].

14 Known popularly as the "Gag Rule", it violates fundamental rights such as the presumption of innocence, the right to effective judicial protection, to demonstrate, to not be discriminated on the grounds of ideology, and to impart and receive true information. Available at: <https://www.boe.es/buscar/pdf/2015/BOE-A-2015-3442-consolidado.pdf>.

Theoretical framework. Satire as a radical practice of freedom of expression

The use of satire contributes to the democratization of communication. Firstly, because it is a discursive form that enhances dialectics by fostering a “dual – and critical – vision” of the world. Thus, the aim of those who practice satire is to unveil reality. According to Stoichita and Coderch’s *Goya: The Last Carnival*, the Spanish painter offers a personal vision of the “world turned upside down” in the series of satirical etchings comprising his *Los Caprichos* (1799):

The literary figure of the Desenganado/Desenganador, as invented by someone like Quevedo or Gracian, is a dual and duplicitous creation. The Desenganado/Desenganador – the disenchanted person who disenchant – knows in this instance that all is lies and illusions. [...] The Desenganado/Desenganador is the one who can see, and who reveals that the world is representation, spectacle, appearance and deception. Goya gets into the skin of this dual person, [...] these images, in order to fulfil their destiny, had in their turn to return to the world, not to “enchant” it but to “disenchant” (1999: 185-185).

Now, as in the past, satirical authors attempt to open people’s eyes as if it were their civic duty, even though their methods are rather informal and their purpose is to offer a counter-hegemonic representation of reality. This “duty”, based on the exercise and public display of freedom of thought – freedom of expression – had already been included in the Hutchins Report (1947)¹⁵ as one of the responsibilities that political subjects should shoulder in democratic societies.

Secondly, the practice of satire always involves another subject, an interpreter, who establishes a relationship of complicity so that the heterodox vision provokes laughter as a shared expression. Bergson argues that “our laughter is always the laughter of a group” (1914: 6). Satire thus becomes a vehicle for social exchange, while fostering perspective freedom: to demonstrate the deception in order that people should adopt a critical or opposing attitude.

Therefore, the conception of satire as a radical practice of freedom of expression obliges all democratic governments to surpass the individual dimension of this right and guarantee its collective scope through the circulation of truthful information that enables citizens to express their opinions freely in the public sphere. Drawing from the philosophical basis of the US Constitution of 1787, T.M. Scanlon conceives freedom of expression as a necessary medium in order that citizens might regard themselves as “equal, autonomous, rational agents” who exercise their sovereignty in deciding what to think/believe and “in weighing competing reasons for action” (2003: 15).

This duty of conscience, indivisible from freedom of speech, involves obligations and/or responsibilities shared by the state which should educate citizens in democratic values and enable the creation of public

15 The report entitled, *A Free and Responsible Press*, was drawn up by the US Commission on Freedom of the Press, which was created on 28 February 1944. In their well-known work entitled, *Four Theories of the Press* (1956), Siebert, Peterson, and Schramm indicate that the Hutchins Report is a more complete overview of what they call “social responsibility theory”. The commission assumed part of the revisionist theses on the application of liberalism – or of *laissez faire* – in the field of social communication and decried the imbalances brought about: topical information converted into merchandise, the influence of advertisers on content, the simulation of free choice, the concentration of media ownership in a few hands, and government interference in the press – primarily through economic channels – in the context of World War II.

media; the editors and owners of the media who should provide truthful and plural information; and the citizens who should be familiar with public administration and substantiate their views to enrich the debate. Consequently, freedom of expression cannot be reduced to the right demanded by media owners to publish whatever they like, invoking the paradoxical liberal conception that “the truth” will only prevail in a free marketplace of ideas. From a liberal perspective and in an attempt to justify the necessary freedom of speech in the virtual cosmopolis mainly controlled by the American Leviathan, the British historian and political scientist Garton Ash¹⁶ resorts to the judgement passed by Supreme Court Judge Oliver Wendell Holmes in 1919 in favour of the marketplace of ideas to guarantee the non-intervention of the state:

that the ultimate good desired is better reached by free trade in ideas – that the best test of truth is the power of the thought to get itself accepted in the competition of the market (cited in Garton Ash, 2017: 75).

In contrast, Núñez Encabo argues that in “Europe the guarantee of truth lies in very different arguments”:

...it is not found in a marketplace of ideas without limits, but that the truthfulness of information is the requirement of a fundamental right that citizens can demand from all the media by clearly distinguishing between information and opinions: “opinions are free, information is sacred.” At any rate, only opinions, and not information, will solely depend on a market... (2008: 464).

As a result, the media in general cannot play a merely economic role, for the requirement of veracity concerns both public and private media. In their relevant work entitled, *Comparing Media Systems: Three Models of Media and Politics* (2004),¹⁷ Hallin and Mancini situate Spain in the Mediterranean or polarized model, whose media system is basically characterized by the following aspects: state intervention; the scant professionalization of journalists; its organization in two extremes, each one linked to the country's main political parties; a tendency towards opinion journalism; and the close ties between media owners and the political establishment (Ramón Reig, 2011), a legacy of late Francoism.

This reality hinders the role of the media as mediating agents between newsworthy events and civil society (MacQuail, 1983: 21). James Carey notes that in the public journalism model the media are expected to represent the public, to avoid being perceived as “accomplices” of the state, and to act as agents of socialization that bring the world closer through their commitment to truthfulness (1999: 57). All these functions form part of the definition of the remit of public service broadcasters in Spain. Act 17/2006 stresses the need to serve the community and contribute to its social cohesion. Thence, information

¹⁶ Ash has launched a research project, now transformed into the experimental website *freespeechdebate.com*, to analyse the limits imposed on freedom of speech since the fall of the Berlin Wall (1989), at a moment when the disappearance of bloc politics unearthed the existence of “close, sometimes covert collaboration between governments and the internet service providers, publishers, and media and data companies active in their territories.” Another of the project's objectives is to assess the defence of freedom of speech as a universal element that contributes to promote dialogue between different cultures and makes the liberal chimera of “moral globalization” possible (2017: 26).

¹⁷ This work goes beyond the normative approach of *Four Theories of the Press* (1956) and regards media systems not as abstract ideals, but as cultural formations determined by the prevailing socio-political conditions.

should:

meet the information, culture, educational and entertainment needs of Spanish society; disseminate its identity and cultural diversity; foster the information society; promote pluralism, participation and all other constitutional values, guaranteeing the access of social groups and relevant politicians (Art. 2, Act 17/2006).

The protocol on the system of public broadcasting in the Member States, forming part of the Treaty of Amsterdam, states that "the system of public broadcasting in the Member States is directly related to the democratic, social and cultural needs of each society and to the need to preserve media pluralism" (1997: 109). In a paper co-written with Patricia Corredor on what the socialists' second term in office meant for the restructuring of the television broadcasting system, Enrique Bustamante, who has studied the history of public broadcasting in Spain (2006: 201-246), confirms that Digital Terrestrial TV (DTTV) did not involve an appreciable technological change; however, Royal Decree 365/2010 of 26 March regulating DTTV allocation did indeed: "one for each private operator and two for RTVE" (2012: 67), with the intention of guaranteeing public television broadcasting in the face of competition from private operators. But the "permanent ideological duplicity" of the socialist government, which aimed to underpin the public corporation's greater autonomy without losing the favour of the private lobbies (Bustamante, 2006: 246), limited the impact of these reforms and therefore the public's perception of them.

The offensive against RTVE was launched in the context of economic crisis. According to data provided by the corporation, "TVE-1 was the most watched channel in 2011 with an audience share of 14.5%, its programming being the most popular during nine months of the year" (cited in Soler Rojas, 2012: 87). In this connection, García de Madariaga and Lamuedra Graván underscore the importance of these data in relation to the pluralism and independence of television newscasts (2016: 20). This means that, despite its loss-making financial situation, in 2012 the PP took on the management of a public broadcasting corporation with significantly high levels of social acceptance. The 200€ million budget cut in 2012 and the change in the system of appointing the chairman of RTVE squandered that legacy, first and foremost in terms of independence. In point of fact, RTVE's audience ratings have fallen as of 2013. At present, and according to the last report analysing television consumption during 2016,¹⁸ public television has maintained its position with an audience share of 10%, representing a 0.1 percentage point more than in 2015, while the country's regional television broadcasters are registering minimum audience ratings. All this has occurred in a context primarily dominated by DTTV and in which the television consumption of the Spaniards has decreased (233 minutes per person per day, although this still represents one of the highest levels compared with other European countries).

Consequently, television is still the mass medium par excellence. Thus, it is necessary to defend the autonomy of RTVE in order to enable it to fulfil its public service remit and guarantee the fundamental rights set out in Article 20.1 of the Spanish Constitution. In *El futuro de la televisión pública* (2012: 24-33), María Lamuedra argues how an alliance with the citizenry can safeguard the principle of independence that public television needs in order to ensure its social, rather than economic, profitability in the shape of a commitment to veracity. The explanatory memorandum to Act 17/2006 "certifies the public service

18 A television analysis conducted by Barlovento in 2016:
<https://www.barloventocomunicacion.es/images/audiencias/analisis-televisivo-2016-Barlovento.pdf>.

identity of the State's radio and television, establishing the need to combine social profitability and a duty to reach the widest possible market," as well as serving social, educational and integration purposes.

The case of the puppeteers thus provides relevant proof of the current need to reform public broadcasting in Spain. Firstly, it is observed that it contributed to reproduce a monolithic vision of the events – close to the official line – thus limiting discursive pluralism in the public sphere. Hence, the news programmes of TVE-1 can be compared to the articles published in *ABC*. Secondly, the lack of independence in news production reduces the guarantees of protecting the Spaniard's right to receive truthful information, since the repression of any display of criticism is ultimately justified, instead of elaborating on its virtualities in order to shift the conflict from the sphere of violence to that of discussion, thus recuperating the value of "free speech" or parrhesia of Classical Greece.

In this free flow, satire is safeguarded as a radical practice, for the thought of the satirical writer takes the form of criticizing/questioning the public sphere and promoting the carnivalization of the world. Borrowing from the Russian theoretician Mikhail Bakhtin's famous work entitled, *Folk Culture of the Middle Ages and Renaissance*, this representation is grounded in a heterodox vision of reality in which the hierarchies are inverted, the characteristics inherent to ceremonies are demystified, and time becomes another (2005: 17). Satire thus becomes an indicator of the democratic health of a country, because not only mental frontiers are inverted, viz. the classifications that civility imposes on reality, but human reality is also rediscovered through its contradictions. Paradoxically, satire opens up new avenues of understanding by breaking moulds/roles that determine the official vision of reality. Thence its necessary vindication in democratic systems.

***La bruja y don Cristóbal*. The carnivalization of the world as a legitimate expression of criticism**

The last puppet play performed by "Títeres desde abajo" combines the age-old folk tradition of puppet theatre, developed both in the West and in the East, with a political commitment to social protest. Thus, the actors Alfonso Lázaro and Raúl García stated after their release from prison that with *La bruja y don Cristóbal* their intention had been to "make society reflect" on "unjust or immoral" situations and warn against the revival of authoritarianism (*EFE*, 14 February 2016).¹⁹ For the infantilized and grotesque forms of the puppets and its plot based on scenes in which repetition, violence, and the absurd prevail made it easier to raise "serious" issues which, if it were not for the use of the absurd and laughter, would have been difficult to swallow. It should be noted that this fiction story dealt with realities that had been "silenced" hitherto, such as the theft of babies during the Franco dictatorship; or glossed over for being awkward for the establishment, such as the right to adequate housing or the criminalization of any conduct that casts doubt on current conventions. Therefore, Lázaro and García used puppet theatre as a way of fostering an alternative perception of reality-the immediate.

A clear example of the combination of political commitment with the entertainment language of theatre can be found in the works of the playwright Darío Fo (1926-2016), specifically in *Mistero Buffo* (1969) and

¹⁹ The communiqué is available at: <https://www.efe.com/efe/espaa/politica/los-titiriteros-afirman-que-querian-reflexionar-sobre-situaciones-injustas/10002-2839206#> [accessed 5 June 2017].

Accidental Death of an Anarchist (1970), both set in the years during which Italy experienced “fascist” repression at its worst after World War II, and the “red scare” aimed at stamping out the trade union and student protests (notes by the author in the edition of *Nuestra Cultura*, Madrid, 1971). In the case of *La bruja y don Cristóbal* (2016), there is a clear reference to Federico García Lorca and the technical and aesthetic renovation brought about by his conception of puppet theatre as a way of expressing a break with the canons of the bourgeois theatre prevailing at the time. It raises “excluded” issues such as human passions, death, oppression, and rebelliousness, and it reinstates one of theatre’s principal potentialities: the dramatic poet can “fill the stage with images and invention” and make both the characters and the plot “emerge from the book and become human” (García Lorca, referred to in *Cuaderno Pedagógico* (INAEM), 1997-98: 4). Thus, some experts in García Lorca’s plays claim that “puppet theatre is not [...] a minor genre, but a form of artistic experimentation” originating from a combination of modernity and tradition (Gómez Torres, 1994); namely, creative freedom or poetic imagination – defended by the European avant-gardists²⁰ – is linked to the recuperation of folk culture: nursery rhymes, romances, and character types. For this reason, puppet theatre was conceived by the Granada playwright and poet as “a paradigm of freedom” (Fernández Cifuentes, 1986).

The actors Lázaro and García drew on García Lorca’s *Retablillo de don Cristóbal* (1934),²¹ which according to the specialists was influenced by Valle-Inclán’s *Martes de Carnaval* (Carnival Tuesday) (1930), hence the use of the grotesque and the “harsh language of the puppets” (taken from the work’s spoken prologue). *La bruja y don Cristóbal* is a free interpretation that, if it has any likeness to Lorca’s play, that is the recuperation of the subversive and grotesque don Cristóbal Polichinela: “the Andalusian, a cousin to Galician fuss and brother-in-law to the Tía Norica [puppet theatre] of Cadiz, brother to Monsieur Guignol from Paris, and uncle to don Harlequin from Bergamo, as one of the characters in which the old essence of theatre remains pure” (García Lorca, cited in Tejerina Lobo, 2005). In the play under study here, recourse is made to the character of don Cristóbal, which is transfigured to a certain extent to represent the repression of the authorities. He first appears embodying the owner of the dwelling occupied by the witch, before being converted into the judge dealing with the “dismantling of a terrorist cell” and who orders the arrest of the witch, who a policeman has incriminated by placing a placard bearing the slogan “Gora ALKA-ETA” on her. The fifth scene, called the “police set-up”, ends with the recorded sound of the “official” radio station:

Radio Cristobita, it is two o’clock. In the early hours of this morning, a dangerous terrorist cell has been dismantled [...] The operation [...] has ended with the arrest of a woman who has been accused of belonging to a criminal organization dedicated to terrorism and witchcraft. The case being investigated by Judge Don Cristóbal Polichinela is still open...

20 It should be recalled that in the afternoon of 5 January 1923, a folk puppet festival was held at the Granada home of the García Lorca family, in which “Federico was the author, artistic director, and puppeteer; Manuel de Falla was the conductor and orchestra; and the painter Hermenegildo Lanz was responsible for the staging and the puppets.” Three geniuses united to represent “the estremés *The Two Speakers* – attributed to Cervantes at the time – *The Girl Who Waters Basil and the Very Inquisitive Prince* and *The Three Magi*” (Gómez Torres, 1994), both by García Lorca.

21 The first signed manuscript is dated March 1934, with the subtitle of “Escena de Cristóbal”, which was premiered at the Avenida Theatre in Buenas Aires on 25 March of the same year. It was performed in Spain at a later date. The adjective “cristobical” or “cristobital” was used by García Lorca as a way of designating the puppet theatre genre, according to the poet’s correspondence with Adolfo Salazar.

It is the purported “terrorist” witch who is therefore the victim of repression. In this way, the universe of the folk fairy-tale is used to embody the witch²² as an anti-heroine always associated with behaviours that are beyond the pale of established social norms, or as a recurrent character to provoke either an “exemplary” effect or the freedom of imagining “what is improper” of a woman. This is not new. In chapbook literature, there are two stories that serve this purpose: that of “Rosaura la de Trujillo (Rosaura of Trujillo)”,²³ a girl of noble extraction who, after having fallen in love with a young labourer, elopes with him to live their “prohibited” love. But she is duped, for during their elopement she is raped by her beloved and a cousin of his. Rosaura finds redemption in a convent, that is, by toeing the line again, and in the “kindness” of a priest who goes on to avenge her dishonour by killing the young men (Caro Baroja, 1990: 96-97). The second is the tale of “La valiente Espinela (The Brave Espinela)”,²⁴ who falls in love with a noble gentleman who rejects her for not belonging to the same lineage. Piqued, Espinela plans her revenge and kills her beloved. Thereafter, she is pursued by the authorities. During her flight, she dresses up as a man and is invested with male attributes: courage, strength, and skill with the sword. To achieve/defend her freedom, she commits all kinds of crimes.

These characters represent the fear of breaking the rules. Thus, during the performance of the play one of the puppeteers asks the audience if they know where his companion has gone. The second puppeteer admits that he is too frightened to come on stage in the event that one of the witches living in the Madrid borough of Tetuán might be watching and cast a spell on him. The first puppeteer, playing the role of the down-to-earth Sancho Panza, informs his companion that witches only exist in fairy-tales, since they are figments of the imagination. The second puppeteer replies that in that borough/village there are witches who “live in abandoned houses”:

Tit1: [...] who would want to occupy an abandoned house? They’d have to paint it, mend the leaks, the kitchen, connect the electricity and water supply, change the lock, that’s a lot of work.

Tit2: Well, they do. And I’ve also heard that they always have at least four dogs, six cats, and a rat that knows Latin and mathematics. And furthermore they don’t eat meat.

[...]

Tit2: And they go out at night in search of food in the dustbins and paint graffiti on the walls with an O with a streak of lightning in the middle.

Tit1: That’s a crime.

Tit2: And they don’t want suitors or paramours and only sleep with whoever they like and whenever they please.

Tit1: That’s very strange, who doesn’t want the peace of mind that a proper relationship gives them, monogamous, heteronormative and well-established by the roles assigned by the

22 Carlo Ginzburg, a representative of micro-history, called for a reconsideration of European medieval witchcraft in his work entitled, *I Benandanti* (1966), but it was not until *Ecstasies: Deciphering the Witches’ Sabbath* (1991) that he articulated a synchronic-morphological analysis of the rite of the Witches’ Sabbath, which was imagined by witch hunters, and the origins of the narratives with which it was described.

23 See a copy of the chapbook at the Castile and Leon Digital Library. Available at: <http://bibliotecadigital.jcyl.es/es/consulta/registro.cmd?id=8544>.

24 The “Hazañas” collection housed in the Library of Humanities of Seville University contains a copy of this romance. Shelf mark: H Ca. 029/088. Available at: <http://fondosdigitales.us.es/fondos/libros/7392/1/la-valiente-espinela-nueva-relacion-y-curioso-romance-en-que-se-declara-y-da-cuenta-de-lo-que-sucedio-esta-doncella/>.

patriarchy? What a load of rubbish. Come on, come out of there because we have to cast that spell, and it's getting late.

In this case, the disguise reveals more than it hides. The witch is described as a "squatter", "crusty busker", and "feminist", who society – personified by don Cristóbal Polichinela – "pursues" with the full force of the law and propriety. Moreover, this witch speaks in Esperanto, an international language created by Zamenhof to contribute, under the principle of equality, to international communication and global peace, and initially disseminated by the anarchist movement. Does this mean to say that the witch represents the criminalization of the libertarian movement and ideas by the capitalist system, or rather the belief that the pending social revolution depends on the emancipation and social equality of women? The final spell in the play gives meaning to such interpretations: the witch flees and crosses the frontier with "20 guards with depraved souls" hot on her heels; and in that context, in the face of an inconclusive end, the puppeteers reveal the play's message:

Tit1: They're still flying free on their broomsticks.

Tit2: That nothing and nobody impose another authority.

Tit1: That isn't that of their own free will.

[...]

Tit1: Cast off your chains!

Tit2: Cast off such a heavy burden.

Tit1: Do not fear!

Tit2: Free yourselves!

Therefore, the political potential of *La bruja y don Cristóbal* lies in raising awareness about marginalized issues and the use of recognizable folk characters, converting the genre into a vehicle for the promotion of an alternative vision of reality, which involves unmasking the contradictions of the official version of events. For "in the light of time, everything is laughable": life, death, and the finite nature of individuals. This idea forms the basis of Mikhail Bakhtin's theory of the culture of popular laughter, inasmuch as laughter has the virtuality of discovering the present as an object of representation, of breaking the rules and with time, reinstating the ambivalence that official solemnity destroys by constructing the socially acceptable as a regulatory body of reality. Official solemnity reduces the world to a sole narrative:

It is a stagnation process of the new frontiers between the senses, the phenomena and the objects of the world, of granting the world a moment of stability (the stabilization of a new hierarchy), of eternalization (canonization); it is a process of making the world serious [...] furnishing the moment of threat, intimidation, fear. But this process of stagnation and converting the world into a serious place is only verified in official spheres; this formalized culture is none other than a small island surrounded by an ocean of the non-official (2000: 166-167).

The play analysed here therefore participates in the carnivalization of the world through the

demystification of taboos and by ridiculing the characters. The re-adaptation of folk culture to typical current situations underscores one of the principal virtualities of laughter: to make an alternative vision of events accessible. However, in order that laughter may achieve its transgressive purpose, it needs an audience that participates by imagining that other place – an imagined exterior similar to that theorized by Foucault as *heterotopia*²⁵ – where the hidden meaning of facts is projected. Thus, Isabel Tejerina concludes that puppet theatre contributes to allow the transgression of peering into the unseen to be enjoyed by all, adults and children alike. Therefore, the genre shapes an inter-class discourse capable of conveying a message of opposition under the guise of the absurd and the ridiculous:

True enough, whether crude or sophisticated, they have always captivated people, select audiences on important occasions, now on the increase, and above all have attracted the attention of people and children in a very intense and special way, because [...] they manage to meet the challenge of expressing, stony-faced, all that their role requires of them, that is, they manage to express primordial human feelings and even tackle our deepest emotions in performances of an accomplished expressiveness (2005, online)

In a nutshell, this folk genre does not only foster an alternative vision, but this makes sense in the collective expression or *public* enjoyment of the dramatic rite. Satire and its virtualities thus shape a language that unites that which appeared to be disunited: the individual and collective dimension of the practice of dissent, insofar as experiencing citizen status resides in the collective expression of that other thought. Hence the carnivalization of this genre participates in the culture of the public square.

Comparative study of TVE and ABC. Limits to the access to truthful information

In order to assess whether the Spanish public television broadcaster applied the principles of pluralism, truthfulness, and professional diligence²⁶ in its coverage of the case of the puppeteers, or on the contrary helped to reproduce the official version, we have focused on three news stories covered on TVE-1's midday news programmes between 6 and 10 February 2016. The analysis of these stories will help us to identify the characteristics of TVE-1 news coverage, which will then be compared with the information offered by ABC²⁷ on case of the puppeteers, specifically in the columns and leaders published on 6 and 11 February. The analytic criteria, described in the methodology section, contribute to assess the differences between the coverage of a public and private medium, insofar as the former should offer a public service. To this end, it is necessary to ascertain the way in which the facts were presented, how the social actors involved were referred to, the information sources used to construct the story and, lastly, whether there

25 According to Michel Foucault in his work *Aesthetics, Method, and Epistemology*, theatre can be understood as a heterotopy in the sense that it creates "a space of illusion that denounces all real space, all real emplacements within which human life is partitioned off, as being even more illusory" (1998: 184). As a result, puppet theatre appeals to the spectator in order that, through his imagination, he might participate in the projection of a comical, critical, and far-fetched representation of history.

26 The values of pluralism, truthfulness, and accessibility are enshrined in Article 20 of the Spanish Constitution and, in parallel, should foster an "informed" public opinion, according to the explanatory memorandum of Act 17/2006.

27 At the time, ABC professed to be the "2nd newspaper of Madrid".

was an allusion to the context in which the events occurred or to the play performed. For the media construction of reality makes it easier – or not – to glimpse the complexity of the facts.

A politicized interpretation

The arrest of the puppeteers was covered in the initial summary of TVE-1's midday news programme (TD1) broadcast on Saturday, 6 February. In this summary, it was indicated that they had been arrested the night before and were currently testifying in the High Court for the alleged crime of glorifying terrorism, and the use of the "placard supporting ETA" was again mentioned as evidence of this. The story had initially been covered in the evening news programme (TD2) broadcast on 5 February, and since it had included an image of the placard bearing the slogan "Alka-ETA", ceded by *El País*, the audience was already familiar with the case. However, on the 6th it was stressed that the puppeteers had justified the terrorist acts of ETA and humiliated the victims, ignoring the figurative meaning of the slogan. On this second news programme, no explanation of the play's plot or the main character was offered.

This was followed by live coverage of the statements made by Celia Mayer, the councillor responsible for culture and sports at Madrid City Council, and those of Jorge Fernández Díaz, acting Home Office Minister. The former placed the accent on the measures taken as proof that the council was shouldering its responsibilities: the performance had been stopped as soon as it had become aware of the situation; it had filed a complaint against the puppeteers; and those responsible for the Carnival programme had been sacked.²⁸ For his part, Fernández Díaz stressed the "gravity" of the case: "playing" at glorifying terrorism and with the victims was unacceptable, since "it is classified as a potential crime." Furthermore, he reproved whoever held that the play was suitable for children: this "has exceeded permissible limits." The story ended with the remarks of one of the government's spokespeople. There was no trace of the testimonies of the families with children who had reported the puppeteers to the police or those of the representatives of the actors. The puppeteers, the story's main subjects, were conspicuous by their absence.



28 The first measures taken by Mayer only helped to make matters worse and above all facilitated the political use of the case to discredit the "city council of change". Without considering the arbitrariness of the actions of the police and the judge, the city council also filed a complaint against the company "Títeres desde abajo", only to call for, together with other collectives, the release of the puppeteers a couple of days later. By recanting in such a fashion, the council lost credibility.

The case of the puppeteers made the front page of *ABC* [Figure 2] published on 6 February, which featured an image, against a green background, recreating the scene in which the puppet resembling a policeman uses the placard bearing the slogan "Gora ALKA-ETA" to incriminate the witch. However, there were no further explanations about the scene or the play. The headline pointed to the culprit of such "offensive" acts, the puppeteers becoming mere accomplices, instead of being the main subjects/actors. "Carmena's new carnival teaches children to glorify ETA." In these terms, it was the Mayoress of Madrid who had committed the offence. The strapline continued to insist on the use of "a placard alluding to the terrorist group", which – it was understood – referred to ETA, and on the violence of a performance destined for children.²⁹ Such a "folly", which bordered on "the improper", according to the headline of the leader published the same day,³⁰ could only be the work of Manuela Carmena, ridiculed for her militant past and for identifying such an ideology with the transgression/freedom inherent to carnival.

The aforementioned leader claimed that the puppeteers had been booked because of their "ideological affinity" and that "Madrid is in the hands of sectarians who flaunt their ultra-left extremism." With this blunt value judgement, the enemy – also branded as "anti-democratic" – was magnified, and its political practices were reduced to "indoctrinating" children, the most vulnerable collective symbolizing innocence as a social value that should be preserved. To this end, *ABC* presented itself before its readership as the champion of the main victims (the children) and adopted the view of their legal representatives (the parents). The article, with elements of an opinion piece,³¹ featured the testimonies of some of the families: "That was the final straw for the indignant parents who did not understand..."; and "...the members of the audience, who were flabbergasted and did not stop kicking up a fuss," before adding, "What was meant to have been a fun afternoon, became a grotesque mockery with one outrage after another,"³² and even the title of the sidebar completing the information included a rhetorical question that expressed the adults' indignation: "Who booked those people?" The blending of the voice of the narrator with that of the members of the public who reported the "macabre performance" was another of the predominant features of the piece.

Criminalizing dissenters

On the one hand, the pointed exchange between Madrid City Council and representatives of the PP government on TVE-1's news programmes was one of the most remarkable features, without any attention being paid to the absence of testimonies from Lázaro and García's circle. That same morning, *Cadena Ser* mentioned a communiqué issued by the trade union CNT-AIT of Granada, since one of the puppeteers "is a militant of the CNT." The communiqué confirmed that the play had been premiered in Granada on 29 January 2016, before being performed again on the 31st, without there having been any problems. Likewise, the radio station shed light on the message that the puppet play intended to convey:

29 The front page of *La Razón*, published on 6 February 2016, also referred to the case with a similar headline: "Carmena's carnival: cheers for ETA and hanged judges and nuns."

30 Page 4 of the Madrid edition of *ABC*, published on Saturday, 6 February 2016.

31 The leader, signed by M.J. Álvarez, C. Hidalgo, and I.S. Calleja and published on 6 February, appeared on pages 16 and 17 of the Spanish news section.

32 Italics have been used in quotations to refer to concepts that appeared in inverted commas in the newspaper.

...using the recurring characters of fairy-tales and plays, the “witch hunt” that the libertarian movement has suffered over the past few years, with police set-ups such as “Operation Pandora”. The play features a witch who represents people with a bad public name and who finds herself having to confront the four powers governing society, namely, ownership, religion, state power and law (communiqué reproduced by *Cadena Ser*, 6 February 2016).³³

Neither the description of the plot nor the context in which the play had been performed was covered on TVE-1 as part of the reference framework. Moreover, the public television broadcaster also ignored the ideological leanings of one of the puppeteers. However, *ABC* did mention this information explicitly, using it as part of its criminalization strategy. Violating the presumption of innocence, the newspaper’s headline of 6 February described the puppeteers as “two people arrested for glorifying terrorism,” adding in the strapline that they were “two anarchists with a criminal record for robbery with violence.” The notion of public “danger” and the irresponsibility of those who had booked them could be gleaned from the passage of the text in which the actors’ criminal record was revealed: “Títeres desde abajo” is linked to “anti-system, anarchist and squatters’ movements.” The Molotov cocktail, prepared with epithets habitually employed by *ABC* to discredit any critical attitude, was primed by confirming the suspicions of its potential readership.³⁴ At the end of the text and under the subhead “Squatter meetings”, it was stressed that “this group has participated at meetings on *squats* and they normally use the premises of the CNT to hold libertarian sessions against the *Gag Rule*.”

This smear strategy was also applied to Carmena. At the end of the first paragraph of the aforementioned article, the play on words of the placard used by the puppet resembling a policeman was explained in simplistic terms: “Al Qaida” is related to “alkatea” in the Basque language, “according to *ABC*’s sources.” Lastly, was everything reduced to the glorification of ETA’s terrorist activities? Was the intention to lay the blame on the Mayoress of Madrid? It should be recalled that in the plot the play on words recreates the name of a fictitious criminal organization.

Pointed exchange between politicians

There was no reference to the case on TVE-1’s TD1 of 7 February. According to the February-March 2016 report issued by the Consejo de Informativos, informing the Board of Directors about cases of news manipulation and malpractice at the public corporation, it was on the TD2 where the case of the puppeteers was mentioned with the purpose of announcing that the PP of Madrid had decided to report Mayer, the councillor responsible for culture and sports, for being an alleged accessory to the crime of glorifying terrorism, insofar as she had allowed the performance to form part of the activity programme of

33 The article is available at: http://cadenaser.com/emisora/2016/02/08/radio_madrid/1454918713_927617.html [accessed 5 June 2017].

34 This strategy is nothing new, insofar as the newspaper had already implemented a similar one to discredit the young people participating in the 15-M Movement, also described as “radicals”, “squatters”, “anti-system”, and promoters of acts similar to those of the Basque *kale borroka*. The information criminalizing the demonstrators was published in the Madrid edition of *ABC* on 7 February 2016. Available online at: http://www.abc.es/espana/madrid/abc-radicales-antisistema-boicotean-pregon-carnaval-grito-titiretos-libertad-201602062059_noticia.html [accessed 6 June 2017].

the children's carnival (2016: 23-24). Thus, TVE-1 used the case of the puppeteers as an excuse to convert the activities of the PP into "news".

As to its coverage of Monday, 8 February, the Consejo de Informativos judged that the TD1 had "gone overboard" in this respect. The issue was given

more than five minutes versus the 58 seconds dedicated to the Nóos Case, the 57 seconds devoted to Operation Taula affecting the PP in Valencia, or the minute allotted to information on the stock exchange which had suffered important losses (2016: 24).³⁵

It was on this news programme that it was admitted for the first time that the placard's slogan did not only include "long live ETA", but also a play on words consisting of "Gora ALKA-ETA", alluding to an invented terrorist group. Mention was made, also for the first time, to the plot of the satirical play. In a second story, the journalist Cristina Blach broached the subject of the appeal submitted by the actors' lawyers against their remand in custody, in which it was argued that a "review of films and works of universal literature, from Dostoyevsky, Shakespeare and Lorca to *Rambo* and *Nightmare on Elm Street* [...], the inclusion of scenes of violence in a work is not a sufficient condition for the commission of a criminal offence..." Blach did not only quote from the appeal, but also used an image of the document which was contrasted with the court order of Judge Ismael Moreno.

Nonetheless, the use of political statements was yet again an essential feature: the first story included the testimony of Carmena in which she apologized for the controversy and announced the opening of an investigation for holding accountable those responsible. This was followed by the announcement that the Association of Victims of Terrorism (AVT) had filed a suit against Carmena, Mayer, those responsible for the programme, and the puppeteers; and that the political opposition en bloc had demanded Mayer's resignation. This petition was underpinned by the statements of Cristina Cifuentes (PP), the president of the community of Madrid, who spoke about "a huge [...] blunder," not only for "indoctrinating children" but also for "the criminal offences" that had allegedly been committed. Pedro Sánchez, the secretary general of the PSOE, then followed suit by asking the councillor for culture to accept her responsibilities and stand down; and those of Begoña Villacís, spokeswoman for Ciudadanos at Madrid City Council, requesting much the same. The story ended with the statements of the acting Minister of Justice Rafael Catalá, who also asked for Mayer's resignation.

It can be observed how in the five minutes and 23 seconds that the news story lasted, more importance was given to the statements of politicians than to the context of the play. And the accounts of people belonging to the imprisoned actors' circle, such as the statements of their lawyers, were still conspicuous by their absence. This violated the principle of political, social, and ideological pluralism, all central to the corporation's public service remit; that of proportionality and the right to access to information in order to foster citizen participation (Art. 3(a) and (d), Act 17/2006), since people, groups, or collectives that had nothing to do with the country's political establishment were not represented in the reconstruction of reality, not even when they were the main actors. This case became a struggle to impose a sole version,

35 The TD1 broadcast on Monday, 8 February, can be seen at: <http://www.rtve.es/alacarta/videos/telediario/telediario-15-horas-080216-1500/3479159/> [accessed 5 June 2017; from 00:11:30 to 00:16:53].

that of the political establishment, against a train of thought that was unacceptable for being offensive, in defence of public order.

Equidistance vs. Blame

On Tuesday, 9 February, there was no news on TVE-1 about the case of the puppeteers. The following day, the TD1 began by announcing that Judge Ismael Moreno had ordered the release of Lázaro and García. There was live coverage from the Madrid prison of Soto del Real in search of the "latest news" about the case and the actors' release from prison. According to the reporter, the judge had based his decision on the public prosecutor's change in criterion, which did not now envisage any risk of absconding, although precautionary measures, such as the actors' daily appearance at the nearest court or police station and the confiscation of their passports, had indeed been requested. The story then continued with a statement made by Carmena for whom the judge's decision was "excellent news": "we all feel that they should not be held in remand." It was also stressed that the Mayoress of Madrid was still reviewing the facts to establish responsibilities.

Afterwards, mention was made of the initiative of the platform "HazteOír", which had submitted a document signed by 33,000 people requesting Mayer's resignation. One of the most noteworthy characteristics of this information was that it alluded to the context, stressing that the actors had been imprisoned in Soto del Real for five nights for the alleged crime of glorifying terrorism and incitement to hatred for having used a placard bearing the slogan "Gora ALKA-ETA" during the performance of a satirical play. Additionally, it was stressed that this had occurred in the context of a scene featuring a corrupt policeman and a witch, insisting that the play was not suitable for children. However, the official version was sustained, assuming that Carmena had still failed to act, without compensating this with other testimonies.

Coverage of the actors Lázaro and García leaving the prison, surrounded by friends and family, was included on TVE-1's TD2. Surprised by the ruckus created by the case and the presence of the media, the puppeteers declined to make statements and to be filmed, thence their seriousness and their attempts to cover their faces with the hoods of their sweatshirts. On the contrary, these gestures were used by some newspapers, including *La Razón* (front page of 11 February), among others, to extend the idea that the actors did not want to face the music. *ABC* published a photograph in its "Enfoque" section, similar to that of *La Razón*. Under the caption "The puppets' strings", the newspaper availed itself of the puppeteers' release from prison to proclaim that, even though the festive carnival was over, "the political carnival continues." The smear campaign against Carmena did not appear to have ended, to the extent that the text accompanying the photo-news item read "the party in the most ludic sense of the word is now over, the carnival continues at the city council which is still [...] the centre of controversy."³⁶ And at the end of the article, readers were referred to the "Spain" section for exclusive information. The strapline read as follows: "*ABC* has had access to the judicial declarations of the carnival actors...." Their release was yet again relegated to a second place, the main news being the purported "political crisis" at the city council. The text reinforced the hypothesis put forward in the edition of 6 February, highlighting three ideas that

36 The photographs and text appeared on pages 6 and 7 of the Madrid edition of 11 February 2016.

could be gleaned from the actors' declarations: the puppeteers had been booked by Madrid Destino, a company under the aegis of the department of culture and sports run by Mayer; the advertising of the carnival had been promoted by the city council; and the actors had warned those in charge of the programme that the play was unsuitable for children.

Therefore, there was only one guilty party: Carmena, the Mayoress of Madrid. Even despite reducing the actors to their status as "radicals", an attempt was made to exonerate them, since they had not tried to conceal the nature of the play, as can be read on the website of their company, not even from the person responsible for designing the carnival programme, according to their judicial declarations. In this same edition, the controversy was covered in the newspaper's "Madrid" section which offered information about the "Internal rebellion against Carmena,"³⁷ thus underscoring that her "lack of courage" had meant that, as the citizens' ticket of *Ahora Madrid*, a "fusion between Podemos and Ganemos Madrid" and "the fractious members of the United Left political coalition", plus others, some councillors felt that she was collaborating "with a repressive attitude" through her inaction. This article was supplemented by a sidebar asking Mayer resignation to stand down. The headline of the sidebar, "The opposition and 35,000 people are calling for Celia Mayer's resignation," gave the same importance to the statements of the political opposition as to the initiative launched by the platform "Hazte Oír", although this last piece of information was only mentioned in the last paragraph of the text. Therefore, its eagerness to the point the figure at Carmena as the "guilty" party, led the newspaper to defend indirectly the puppeteers as "collateral victims" of her misgovernment.

In short, throughout the analysis of TVE-1's news programmes it has been possible to observe a lack of professional diligence when verifying sources, since partial information also coming from self-serving official sources, such as politicians, was taken at face value, without it having been contrasted with the testimonies of the lawyers or professional colleagues of the puppeteers. Nor were legal experts consulted in order to assess the limits of freedom of expression. In the case of *ABC*, in the information that it published on 6 February priority was given to the testimonies of the families who had watched the performance, followed by a number of political statements. On 11 February, the newspaper published the judicial declarations of the actors, but neither was mention made to how this information had been obtained nor was it contrasted with the opinions of legal or police experts.

By the same token, both TVE-1 and *ABC* avoided, with few exceptions, describing the context of the play and the hard facts, the interpretive framework being the statements of political representatives in the case of TVE-1, or those of the families in that of *ABC*. As to the former, the politicians issued statements on the case of the puppeteers with the intention of attacking the political opposition and, in the case of the PP, to convey a judgemental message. And as regards the latter, and bearing in mind the newspaper's conservative bent, it can be observed how the case was used to discredit Carmena and the political management of her team. Likewise, the puppeteers became an easy target for criminalizing dissenting voices by implementing the strategy of reducing them to their "anti-system" status.

With respect to the coverage of TVE-1, it is important to note the abuse of official and unofficial sources as an expression of equidistance, which involved converting the journalistic account into a meta-narrative originating from political skirmishing that had nothing to do with the facts themselves. The Consejo de Informativos argued that the coverage of the case of puppeteers

37 This piece appeared on pages 76 and 77 of the Madrid edition of 11 February 2016.

has been approached from a political, rather than journalistic, perspective: for instance, neither are there opinions defending the puppeteers' right to freedom of expression, nor testimonies that reflect the concern of some or other parent, if indeed there was any (2016: 34).

So the scant differences between TVE-1's and *ABC*'s news coverage converted the public corporation into a medium for reproducing the official version of the events, thus contributing to criminalizing whoever publically voiced any criticism or blew the whistle on the authoritarian reactions of the country's political establishment to satire. And all this by taking an equidistant stance. As a result, the lack of independence of the public service broadcaster and the use of a politicized approach, under the guise of news, do not only undermine democracy by stifling public debate, but also the legitimacy of journalism as an account of daily events that allows the Spaniards access to truthful information.

Conclusions

The media coverage of the case of the puppeteers on TVE-1's new programmes of the 6, 8, and 10 February 2016 are relevant indicators of the public corporation's participation in the official reaction to any type of criticism, embodied in this case by *La bruja y don Cristóbal* and its creators the actors Lázaro and García, whose right to freedom of expression was curbed. Based on a calculated equidistance, TVE-1 developed a communication strategy focusing primarily on the pointed exchange between representatives of the government and the opposition, which were neither compensated by the testimonies of people close to the puppeteers, such as their lawyers, nor by those of legal experts. To this must be added the dearth of information on the play's plot and the circumstances in which the events transpired. This case was therefore used by official or unofficial sources as an opportunity to continue the war of attrition against their political opponents, but not to vindicate the virtualities of satire as a vehicle for countering intolerance or freely expressing different opinions that should enrich the political debate in democratic systems such as that of Spain.

Compared with *ABC*'s coverage of the case, a clear difference in approach can be observed. While TVE-1 opted for a politicized interpretation, the conservative newspaper did not conceal its ideological bias and chose to criminalize the political "enemy", seeking to ridicule Carmena by identifying anarchism with the transgression inherent to carnival, although for *ABC* that was tantamount to misgovernment and glorifying ETA. Thus, the case of the puppeteers was used to discredit the political rivals of the government in power, specifically Carmena, the Mayoress of Madrid.

That said, given that the main objective here has been to assess the coverage of the public corporation versus a media ecosystem inclined to restrict discursive pluralism, TVE-1's reproduction of the official version led to a loss of credibility for public service journalism and, for that matter, hindered access to truthful information. Thus, journalism was revealed before the eyes of the public as a scarcely believable but nonetheless necessary fiction for the formation, at least, of an informed public opinion. From the analysis of the case of the puppeteers it can be concluded that the battle to name reality is being waged in the field of representing the world. And when that representation is revealed as an object of power that

wants to be controlled by the establishment, satire is obliged to appear as a radical practice of freedom of expression or as a legitimate form of criticism. In the case analysed here, the legal and media onslaught against the puppeteers has been revealed as a way of shaping an opinion in favour of the defence of public order in a context of institutional crisis.

On the other hand, the legal offensive (the reform of the Criminal Code and the Law on Public Security), which imposes limits on civil rights, has been supplemented in the discursive sphere by the equidistant stance of public television, insofar as official voices, approaches, and ideas are not contrasted with others. It can thus be understood that public service broadcasting in Spain is no longer accomplishing its social mission; namely to act as a public watchdog, a role that all public media should assumedly play in Western democratic societies, and to provide truthful information in order to shape an informed and critical public opinion, a fundamental pillar of democracy that guarantees the exercise of civic rights. It can be observed, therefore, that the economic crisis has been used to protect the – national and European – financial elites versus the political potential of the citizen body, if it were indeed allowed to exercise its rights, such as those of organization and freedom of speech. The political use of Spanish public television forms part of a global strategy to restrict the freedom of expression and thought of citizens in order to demobilize them in the face of the financial, media, and political powers that are limiting what is rightfully theirs. And the legal and media onslaught is just one of the methods employed by the ruling elites to “defend their interests” against the citizenry so that nothing may be transformed into a global context of general crisis. With its transgressive potential, the practice of satire thus becomes not only a way of radically exercising civic rights and duties, but also as a space for democratizing critical communication, inasmuch as it actively engages the audience-spectator in the perceptive freedom of seeing beyond official solemnity or whatever it is trying to conceal. In short, the lack of political will to foster democratic values and protect independence and pluralism has converted the public corporation into a pro-government medium without a public service remit. After the masks have fallen, it is necessary to allow the deliberative potential of satire to replace coercion through discussion.

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