

Reality Before Judgement

Rajoy, Sánchez and the Onopticism of the Judicial-Media-Digital Threshold of Recognition in Spain

A Conceptual Research Note

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“My paradigm is not a paradigm of the Truth; it is a paradigm of Reality.”

Abstract

This article uses Hakkı Tan’s **Reality Paradigm** and the concept of the **Onopticon** to examine how political legitimacy in Spain is increasingly processed through judicial, media and digital infrastructures before formal legal judgement is reached. It does not claim that Spain is a total Onopticon. Its narrower and testable claim is that political actors are increasingly shaped through a **judicial-media-digital threshold of recognition**, where suspicion, legitimacy and delegitimation circulate prior to final adjudication.

The article develops this argument by comparing Mariano Rajoy’s fall after the Gürtel ruling with Pedro Sánchez’s exposure to investigations involving his family, party networks and former associates. In Rajoy’s case, judicial judgement preceded the collapse of political legitimacy. In Sánchez’s case, suspicion circulates before judgement through complaints, media framing, digital amplification and counter-frames such as *lawfare* and *máquina del fango*. The article argues that this difference reveals a specific form of Onopticism: legal judgement no longer merely produces political reality after the fact; in certain cases, the process itself produces political reality before judgement.

The article’s central formula is: **In Rajoy’s case, judgement produced reality. In Sánchez’s case, process produces reality. The Digital Onopticon accelerates, multiplies and preserves that process.**

Keywords: Reality Paradigm; Onopticon; Pedro Sánchez; Mariano Rajoy; Gürtel; lawfare; máquina del fango; Frankenstein coalition; accelerated suspicion regime; political legitimacy; Spain.

1. Introduction: beyond corruption, towards pre-judicial reality production

The political crisis surrounding Pedro Sánchez is usually framed as a question of corruption, influence-peddling, party ethics and the rule of law. Investigations involving Sánchez's wife, Begoña Gómez, his brother, David Sánchez, former ministers, party officials and figures linked to the Socialist Party have placed serious pressure on the government. Reuters reports that Sánchez himself has not been formally named in legal proceedings, while investigations surrounding his wife, brother and Socialist Party networks have intensified political pressure on his government. Reuters has also reported that documents and electronic files were collected from Socialist Party headquarters under judicial order in connection with an investigation into possible illegal financing.

This article does not ask whether Sánchez is guilty. That is a legal question. It asks a prior question:

Within what field of reality does a political actor become visible before judicial judgement is reached?

This question is made possible by Hakkı Tan's Reality Paradigm. In this framework, the crucial issue is not only what is true, but under what imposed conditions subjects encounter what is presented as reality. The Onopticon is not simply a digital continuation of the Panopticon. It names a deeper infrastructural regime in which subjects are made recognisable, contestable, governable or delegitimised within a pre-structured field of reality.

In that sense, the judiciary, the media and digital platforms should not be treated as separate channels that merely report events. When they operate together, they may produce political reality before formal judgement. A case may remain legally unresolved, while the political actor concerned has already been processed as corrupt, besieged, illegitimate, a victim of *lawfare*, or a leader holding the state hostage.

2. Theoretical framework: the judicial-media-digital threshold of recognition

In Tan's formulation of environmental sovereignty, the Onopticon concerns not merely surveillance but **pre-processed life**. The issue is not only who is watched, but who can pass through which institutional gate, under what classification, in what order of priority and under what regime of recognition.

This article extends that framework into the field of political legitimacy and proposes the concept of the:

Judicial-media-digital threshold of recognition

This threshold refers to the process through which a leader or party is recognised not only through elections, but also through the combined circulation of legal complaints, media frames, judicial timetables, parliamentary speech, journalistic commentary, televised debate, digital repetition and algorithmic visibility.

The Onoptic claim is therefore this:

Before the judiciary delivers judgement, the judicial-media-digital field may already prepare the reality within which that judgement will later be received.

In legal terms, this means that a public field of guilt, suspicion, siege or victimhood may be produced before a court has decided. Modern political crises must therefore be analysed not only through judgement itself, but through the reality generated on the way to judgement.

3. Methodological note: a narrow comparative conceptual case analysis

This is not a completed empirical content analysis. It is a **conceptual research note**. Its aim is to compare the Rajoy and Sánchez cases in order to show how the judicial-media-digital threshold of recognition can be investigated.

Case	Defining feature
Rajoy / Gürtel	Collapse of legitimacy after judicial judgement
Sánchez / <i>lawfare</i> controversy	Production of suspicion before judgement

If this research were developed empirically, media archives such as *El País*, *El Mundo*, *ABC*, *La Vanguardia*, *La Razón* and *elDiario.es* should be coded for terms such as *Frankenstein*, *lawfare*, *máquina del fango*, *higiene democrática* and *corrupción*. Digital platforms such as X, Telegram, YouTube and TikTok should also be analysed for the temporal circulation of those terms.

This article does not claim to have collected that dataset. It therefore offers not a final empirical finding, but a testable conceptual hypothesis.

4. Rajoy and Gürtel: legitimacy collapse after judgement

Mariano Rajoy’s fall more closely resembles a classical rule-of-law sequence. The Gürtel case involved a long investigation into corruption networks surrounding the People’s Party, followed by a judicial ruling and then political consequences. Reuters reported that Sánchez became prime minister in 2018 after Rajoy was removed through a no-confidence vote triggered by a long-running corruption case. *The Guardian* similarly reported that the Socialist no-confidence motion followed the Gürtel ruling, which found that the People’s Party had benefited from an illegal kickbacks-for-contracts scheme.

The sequence in the Rajoy case may be schematised as follows: a prolonged corruption investigation; a judicial ruling; media translation of that ruling into a language of democratic cleansing and institutional hygiene; and finally, a parliamentary no-confidence motion.

In this model, the collapse of political legitimacy occurred **after judgement**. Media processes mattered, but the decisive legitimacy rupture came after the court ruling.

The Rajoy sequence may therefore be rendered as:

Legal judgement media framing political consequence.

This is a more classical and more limited form of Onopticism. Political reality is shaped largely after legal judgement has been delivered.

5. Sánchez: the production of suspicion before judgement

The Sánchez case follows a different rhythm. It is not structured around one final ruling, but around multiple dossiers, complaints, press reports, family-linked allegations, party figures and competing media frames.

In the Begoña Gómez case, Spanish prosecutors requested the dismissal of the corruption case in 2024. Reuters reported that the case stemmed from allegations by Manos Limpias and involved claims of influence-peddling and business corruption. Al Jazeera further reported that Manos Limpias could not vouch for the accuracy of the media reports on which the complaint was based. Reuters later reported that Gómez was summoned by a Madrid court over corruption allegations. These details matter because they raise the possibility that media reports may enter the judicial process before legal judgement has been reached.

By 2026, the number of cases had increased. Reuters reported that Sánchez's wife, brother and key party figures were under investigation, while Sánchez himself had not been formally named in legal proceedings. Supporters of Sánchez have described the proceedings as politically motivated attacks.

The Sánchez sequence is therefore different: media reports and complaints circulate; some complaints enter judicial procedure; suspicion expands before judgement; opposition actors frame this as ethical decay and governmental exhaustion; Sánchez and his supporters frame it as *lawfare* or *máquina del fango*; political cost arises before final legal resolution.

The Sánchez sequence may therefore be rendered as:

***Media-judicial-digital circulation field of suspicion political cost
unresolved legal process.***

Here, Onopticism is more visible, because political reality is produced **before judgement**.

6. Máquina del fango: lawfare as a counter-frame

Sánchez's 2024 *carta a la ciudadanía* became the moment in which the judicial-media threshold was explicitly named politically. *El País* reported that Sánchez connected the Begoña Gómez case with the complaint by Manos Limpias and accused right-wing and far-right media-political actors of operating a *máquina del fango*, a "mud machine".

The term *lawfare* must be used carefully. This article does not claim that *lawfare* has been legally proven. Its narrower claim is this:

***Lawfare is the counter-frame through which Sánchez and sympathetic
media-political actors respond to a field of suspicion produced before
judgement.***

In this sense, *lawfare* is not treated here as a legal truth claim, but as a counter-recognition frame. One side frames the process as ethical decay; the other frames it as judicial-political siege. Both sides produce a field of political recognition.

elDiario.es provides a useful example of this counter-frame. It reported that Spain's Supreme Court rejected an attempt by Manos Limpias to open a broad case against the government, stating that the complaint relied on press clippings and links.

The point is not that one frame is automatically true and the other false. The point is that both are reality-producing operations.

7. The accelerated suspicion regime: Digital Onopticon and pre-judicial reality

The difference between Rajoy and Sánchez is not only the content of the legal files. It is also the **speed of circulation** through which judicial-media reality now operates.

In Rajoy’s case, corruption allegations became a legitimacy crisis through a long legal process culminating in judgement. In Sánchez’s case, judicial suspicion circulates through digital infra-structures before judgement is reached. The *máquina del fango* is therefore not only a classical press polemic. It is also a platformised circulation of suspicion.

This article proposes the concept of the:

Accelerated suspicion regime

The accelerated suspicion regime is the process through which legally unresolved allegations are rapidly circulated by digital platforms, media frames and political actors, producing political reality before judicial judgement.

This is not an independent theory separate from the Onopticon. It is a specific modality of Onopticon in the judicial-media-digital field. The basic movements of the Onopticon — recognition, classification, narrowing of possibility and weakening of contestability — are intensified through digital speed, viral repetition, algorithmic visibility and archival persistence.

The key asymmetry is simple:

The judiciary moves slowly; digital suspicion circulates instantly.

This analysis does not require the assumption that digital platforms are intentional political actors targeting Sánchez or any other specific actor. Their Onoptic effect often operates through infra-structural consequences rather than direct intention. Algorithmic visibility, engagement economies, viral repetition and content persistence can allow legally unresolved allegations to acquire political reality quickly. At the same time, parties, journalists, media outlets, anonymous accounts and organised networks may consciously exploit that architecture.

Digital mechanism	Political effect
Algorithmic promotion	More accusatory or affectively charged material becomes more visible
Viral repetition	The same allegation acquires reality through recurrence
Context collapse	Legal nuance is displaced by slogan and affect
Speed	Suspicion settles before legal response arrives
Personalisation	Cases become emotionally anchored in spouse, sibling or inner circle
Archival persistence	Even dismissed or weakened claims remain searchable and recyclable

Spain’s debate over social media regulation shows that this digital field is not merely technical. Reuters reported that Sánchez’s proposed restrictions on under-16s’ social media use and platform responsibility for harmful or hateful content drew strong criticism from Telegram founder Pavel Durov, who warned of censorship and increased data collection. Reuters also reported Sánchez’s response that “tech oligarchs” would not sway the government.

The Onopticisation of the judicial-media threshold therefore cannot be separated from digital speed. Onopticisation here is not only classification; it is **the acceleration of classification**. Before judgement arrives, the world in which judgement will be interpreted has already been prepared.

The accelerated suspicion regime is not presented here as an empirically proven finding. It is a conceptual hypothesis requiring digital media data: hashtag analysis, platform circulation, network mapping and time-series comparison between allegation, legal response and public repetition.

8. The “Frankenstein coalition”: body metaphor as Onoptic classification

One of the most revealing classifications applied to Sánchez is the phrase *Gobierno Frankenstein* or “Frankenstein government”. It circulates as a description of Sánchez’s broad and heterogeneous support bloc. *El País* reported that Ciudadanos leader Inés Arrimadas used the phrase in 2019 to describe Sánchez’s possible governmental arrangement.

In right and centre-right discourse, the label does not merely describe coalition complexity. It codes the coalition as a pathological and illegitimate political body. *La Razón* used the phrase in the 2023 election context to suggest that Sánchez could recreate a “Frankenstein government”. Ramón Tamames, Vox’s candidate in the 2023 no-confidence motion, also accused Sánchez of presiding over a “Gobierno Frankenstein”, as reported by RTVE and *elDiario.es*.

This is an Onoptic classification. The Frankenstein metaphor presents parliamentary plurality not as democratic representation, but as a pathological body. Catalan, Basque, left-wing and regional actors become not coalition partners, but stitched fragments. Sánchez becomes not a prime minister assembling a parliamentary majority, but the operator of an unnatural political creature.

The link between classification and narrowing of possibility must be stated clearly. The label “Frankenstein coalition” removes Sánchez’s coalition-building capacity from the field of democratic plurality and relocates it inside a metaphor of pathology and illegitimacy. His room for parliamentary negotiation is thereby pre-classified as unnatural, dangerous and destructive of the state. This is the passage from classification to possibility-closure within the Onopticon.

Digital circulation accelerates this classification. On platforms, the term “Frankenstein” travels more easily than a complex analysis of parliamentary arithmetic. Through memes, short videos, repeated quotations and hashtags, a complicated coalition structure can be compressed into a single image of political monstrosity. Digital space therefore does not merely transmit the metaphor; it turns it into an accelerated recognition label.

The examples used here are illustrative rather than systematic. A full analysis would require coding the frequency and context of the term across *El País*, *El Mundo*, *ABC*, *La Razón*, *elDiario.es* and social media archives.

9. Rajoy and Sánchez: two regimes of political reality

Dimension	Rajoy / Gürtel	Sánchez / lawfare controversy
Centre of crisis	Institutional corruption within the PP	Family, party, judicial-media-digital circulation
Timing	Legitimacy collapse after judgement	Suspicion production before judgement
Media frame	Democratic hygiene	Ethical decay / lawfare / máquina del fango
Legal-media relation	Court ruling translated into political consequence	Process produces political reality before judgement
Digital role	More secondary and indirect	Infrastructure that accelerates, multiplies and preserves suspicion
Political consequence	No-confidence vote and government change	Legislative blockage, election pressure, legitimacy erosion
Onoptic hypothesis	More limited	More clearly researchable

This table is not a quantitative measurement. It is a qualitative comparative scheme.

The core thesis is therefore:

In the Rajoy case, law produced political reality after judgement. In the Sánchez case, the judicial-media-digital process produces political reality before judgement.

10. Contribution

This research note makes four contributions.

First, it extends the Reality Paradigm from classical infrastructural domains such as credit, welfare, migration or platforms into the field of **political legitimacy**. In contemporary democracies, leaders survive not only through elections, but also through judicial-media-digital thresholds of recognition.

Second, the Rajoy-Sánchez comparison shows how two corruption-related crises in the same country may belong to different regimes of reality. In Rajoy's case, legitimacy collapsed after judgement. In Sánchez's case, political cost emerges while judgement remains pending.

Third, the article treats terms such as *Frankenstein coalition* and *máquina del fango* not as mere polemic, but as classificatory reality operations. One codes coalition-building as political monstrosity; the other names the production of mud as a delegitimising machine.

Fourth, it brings digital infrastructure into the centre of the analysis. Pre-judicial reality production can no longer be explained through the relation between newspapers and courts alone. Digital speed, viral repetition, context collapse and algorithmic visibility transform legal suspicion into political reality.

11. Limits

Five limits must be stated.

First, the article does not claim that all allegations surrounding Sánchez are fabricated. Some may be serious. This article does not adjudicate guilt or innocence.

Second, *lawfare* is treated as a political-media counter-frame, not as an established legal fact.

Third, the examples of the “Frankenstein coalition” label are illustrative, not systematic. A full content analysis remains necessary.

Fourth, the accelerated suspicion regime is an analytical hypothesis. Without social media data, hashtag analysis, platform mapping and time-series measurement, it cannot be presented as a final empirical finding.

Fifth, the concept of the Onopticon must not be stretched into a loose metaphor for any media frame. Onopticism requires classification, narrowing of possibility, compulsory inclusion and weakened contestability to be considered together.

12. Conclusion

This article has argued that political legitimacy in Spain is increasingly produced at a judicial-media-digital threshold of recognition. Law does not merely judge; together with media and digital platforms, it may also participate in the production of political reality before judgement.

In Rajoy’s case, judicial judgement was translated by media and parliament into political consequence. In Sánchez’s case, media-judicial-digital processes produce suspicion and legitimacy erosion before final judgement. That difference marks the core of Onopticism in the field of political legitimacy.

The final formula is:

In Rajoy’s case, judgement produced reality. In Sánchez’s case, process produces reality. The Digital Onopticon determines the speed, reach and persistence of that process. Onopticism begins precisely here: before the decision arrives, the world in which the decision will be understood has already been prepared.

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