Euskadi Ta Askatasuna*

- Reasons for Existence

A Case Study in the Basque Country
Abstract

Växjö University, School of Social Sciences

Euskadi Ta Askatasuna – Reasons for Existence. A Case Study in the Basque Country

Author: Kimia Raha Avazpour

Supervisor: Anders Nilsson
Examiner: Göran Palm
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In this case study I explore why the conflict of the Basque country which involves Euskadi Ta Askatasuna (ETA) persists. The purpose is to gain an understanding of the existence of ETA. Working somewhat as an ethnographer the method has been to observe Basque society and through semi-structured interviews gain an understanding of ETAs existence. As exemplified with the hermeneutic circle, this case study starts out with a preunderstanding of the reasons for the existence of ETA, a preunderstanding which alters many times during my visit to the Basque country. Keys to understanding the continued existence of ETA is that historical “injustices” are perceived to still exist in the Basque country. Perceptions which question the legitimacy of the Spanish state in the Basque country. Further the social base of ETA, as exemplified in election support for Herri Batasuna (HB), still remains rather strong despite the party”s illegalization and finally, the perceived lack of a functioning democracy in Spain and the lack of legitimacy of the Spanish state in the Basque country are among the reasons for the continued existence of ETA.

Key words: Basque conflict, Euskadi Ta Askatasuna (ETA), radical nationalism, hermeneutic circle

*Euskadi Ta Askatasuna (ETA) means Basque homeland and freedom.
I would like to extend my gratitude...

....to all the people in the Basque country who took their time and patiently answered all my questions and inquiries,

...to my supervisor Anders Nilsson for giving me feedback and assistance throughout the course of the study,

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Thank you, Eskerrik asko.

Kimia Avazpour,
Växjö, June 2009
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1. Problem

It has been argued that in democratic societies there often exists a favorable context in which the state is willing to cooperate with the domestic opposition which can mobilize openly and use already existing political channels to express itself. This context creates a rational strategy for groups to participate in political processes such as elections, and methods of violence will supposedly lose value. If however the state is an autocracy, or is perceived as such, illegal methods will be considered the only way to operate for the oppositional groups. It has been proven that violence is a method which is frequently used in repressive contexts, for even if the dominating political establishment can mute national claims from minority groups by criminalizing them, they can also contribute in giving populist leaders new weapons in mobilizing the people.¹

After the parliamentary democratization of Spain in 1975 Euskadi (The Basque Country) was granted far reaching competencies in many fields due to the new Status of Autonomy. ² However, with the return to democracy, Spain inevitably took on some of the problems that had not been solved during the preceding forty years of Franco’s dictatorship, where one of the most persistent problems has been the precarious relationship between the central government in the capital, Madrid, and the regions that strive for self-government.³

Even still, in this wealthy region of Spain with one of the highest levels of self-government in Europe⁴, more than 50 years after its creation, Euskadi Ta Askatasuna (ETA) is still an active terrorist organization which has contributed to the death of over 800 people over the last 41 years.⁵ And strange enough the new status of “Autonomous Community” for Euskadi did not result in a decrease of political violence, on the contrary ETAs work became even more intensified.⁶

Thereby, paradoxically, in the modern individualistic world we still have violent nationalist sentiments that are seemingly built upon solidarity of a common culture and origin.⁷ It is interesting and important for peace research to see what it is in this democratic society that still feeds ETA. To see how this protracted conflict is kept alive and why even though political channels exist, this group has resorted to acts of violence to convey their message. Thus the central question is: why does ETA exist? And with this question in mind I went to the Basque country in search of the answer.

¹ Canovan 2002:160
² Mansvelt 1997
³ Espiau Idoyaga 2002
⁴ Elkarri:4, Espiau Idoyaga 2002
⁵ Elkarri:5-6
⁶ Mansvelt 1997
⁷ Eriksen 1998:126
1.1 Purpose

Thus, the purpose of this study is to gain an understanding of why in a democratic country such as Spain, the so called terror organization of ETA can still exist. My intention is not to justify or judge any side of the conflict. This paper solely looks to gain an understanding of why ETA exists.

1.2 Limitations

Given the purpose, surely the best source of information would have been interviews with not only ordinary people in Basque society but also members of ETA. Nonetheless, given as ETA uses illegal methods it is difficult to get in touch with them. Therefore focus has been on the whole society at large to be able to answer my question.

My work has been limited to the Basque country in Spain, thus neither Navarra nor Iparralde have been taken into consideration. Therefore my interviewees have been from this region only. The reason for this has been lack of resources and time to cover all the so called Basque lands.

1.3 Disposition

In chapter two an account of the methodological approach will be given. In the following chapter I will make a short introduction to the territorial setting and political and economical settlement of the Basque country. Chapter four provides for the complexity of the case of identity in the Basque country and the political parties that these identities have given rise to. In this chapter the main actors of the political conflict will be presented in the form of political parties.

Throughout the paper I will present the political and historical context in conjunction with the results I have obtained from the interviews, which have been exemplified by the use of quotations. The disposition of chapters five and six have been the result of the main themes that have been emphasized during the interviews. Therefore, chapter five introduces historical key facts and chapter six gives an account of the Spanish politics against ETA and its consequences which are presented in the end of this chapter in the form of different cases. The demands of the Basque community will also be presented in this chapter as well as the perceived effects of the Spanish politics against ETA. Finally, in the concluding chapter I make an account of the answers that were found during my visit to the Basque country and the new understanding that I gained of the conflict as a whole.
2. Method

In this chapter an account of the methodological approach will be given. Starting first with the hermeneutic circle as to demonstrate how I have been thinking throughout the research.

2.1 The Hermeneutic Circle

Hermeneutics implies the science of reading and interpretation. Interpretation is here understood as obtaining an understanding for the relationship between a studied text, and the question that is sought to be answered. The text is neither the data nor facts, but rather it can be seen as consisting of written or spoken words. It is considered that within this line of thinking, facts emerge from the text via a process of interpretation. Part of the text is thus being seen as meaningful signs of, for instance social acts. These parts are then seen with a deeper and richer meaning in light of the overarching pattern of interpretation, which consists of the coherent whole of partial interpretations. The parts, in turn, influence the pattern of interpretation, enriching it and modifying it during the hermeneutic process. Thus, what is conceived as facts, are affected and altered during the process of the research and it is considered that new facts will emerge and old ones will disappear. Consequently, the meaning of these parts can only be understood if it is related to the whole.

Within the hermeneutic thinking, understanding is seen as a basic way of existing for every human being, since it is believed that we must continually keep orientating ourselves in our situation simply in order to stay alive. Given this view, it is considered that all sciences, be they natural, social or cultural, are marked by interpretations all the way down to the level of data. For example to see is to see something, thus the interpretation relationship is inevitable.

Within the hermeneutic line of thinking, a researcher begins with a preunderstanding of the part that is being studied which leads to the gaining of an understanding of the whole. As seen in figure 2.1, as the research moves on, one gains another preunderstanding thus shedding new light on the research and altering the previous understanding, and so the circle moves on. The researcher is not only expected to study a text (or spoken words, as is the case here) rather the researcher is expected to be in dialogue with the studied text. This implies the procedure of asking questions to the text, listening to it and being in relation to the text, in a dialogic way. The questions which originate from preunderstandings will also be developed and transformed during the process of interpretation. During the course of the previously mentioned process, we also repeatedly formulate sub-interpretations which alter during the

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8 Esaiasson 2007:249
9 Alvesson & Sköldberg 2000:61
10 Andersson 1982:57
11 Alvesson & Sköldberg 2000: 57
process of interpretation.\textsuperscript{12} The researcher in this sense becomes the most important research instrument with his/her interpretations and understandings of what is being observed and studied.

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{hermeneutic-circle.png}
\caption{The Hermeneutic Circle\textsuperscript{13}}
\end{figure}

\subsection*{2.1.1 Disadvantages and Advantages}

The disadvantages that exist within the hermeneutic approach are considered to be its inability to contribute to neutral and so called universal knowledge; ideals which are normally attributes of the positivistic world. Positivism has a research ideal that is conformity to law, that is, the aim is to find universal laws that provides answers for scientific purposes.\textsuperscript{14} Within social sciences however, not everything can be explained by using the positivistic benchmarks and ideals. Every society is considered to have its own features and should therefore be studied and understood on its own and not by using general laws. There is thus an emphasis on the peculiarities and the distinctive characters of the individual case which is being studied.\textsuperscript{15}

Hermeneutics draws a line between physical phenomena studied and social, psychological and cultural ones. For instance, a poem is a physical phenomenon, consisting of words. But the words also provide the reader with a meaning, if the poem is not understood however it does not provide that meaning, and it becomes merely a physical phenomenon. Within hermeneutics, the physical phenomenon can

\textsuperscript{12} Alvesson \& Sköldberg 2000:62-63
\textsuperscript{13} Adapted from Alvesson \& Sköldberg 2000:66
\textsuperscript{14} Andersson 1982:14-15
\textsuperscript{15} Ibid.
express different social phenomena, that is; meaning. It is also this way of thinking that produces one of the advantages of the hermeneutic approach, that is, its ability to explain and understand phenomena which are not physical phenomena. So, whilst positivism makes no distinction between social and physical phenomena and works with the appliance of standardized questionnaires, so called survey investigations with identical questions and answering alternatives, the hermeneutic approach would rather apply the use of in-depth and semi-structured questions as a way to integrate and pick up the social aspect as well. Thus, within hermeneutics, understanding is key. The causality principle is an unfamiliar principle and explanations are seen as belonging to the world of natural sciences since they seek to reduce social phenomena to physical ones.

2.1.2 My Preunderstanding
I went to the Basque country with a preunderstanding about why ETA exists. For me it was rather strange that even after the democratization process, the activities of ETA had not ceased, on the contrary these activities increased during the immediate years after the democratization. It was intriguing; as it appeared that the democratization of Spain and the political institutions that came with it, had not managed to put a lid on the violence of ETA. Despite the existence of political channels, it seemed that the democratization had encouraged the conflict rather by lifting the lid, a lid which had been highly sealed during the forty years of Franquismo. The lid was lifted for the feelings and sentiments of the oppressed Basques and it seemed that rather than becoming the alternative and the substitute for the reasoning of violence it appeared as if it had become the contrary. What I did not comprehend was why.

My view was that there was a people who wanted to be free, who wanted independence but who were denied this claim. The democratic political channels in Spain were not permitting this, causing frustration which leads to anger and giving space for violence in the organizational form of ETA. Thus, my view was that the independence movement in the Basque country was represented by ETA. My intention was to observe and listen in the region to gain an understanding of why ETA exists. My perceptions of the existence of ETA were thus based on the view that some parts of the Basque society had had enough, that they were frustrated since their claims for independence were not being heard.

2.2 Interviews
Seeing as I have observed the Basque society, I have also worked somewhat as an ethnographer. Ethnography is a method that contains several different techniques of which the most significant ones are participating observations over a long period of time and the use of interviews. The researcher is supposed to rely on the stories that are told and the observations that are made in the society that is

16 Andersson 1982:24-25
17 Ibid. 31
being studied. But also, other materials such as documents and books can also be applied.\textsuperscript{18} Since the possibility of coming close to and creating a dialogue with the Basque society has been sought for, the techniques of ethnography have been applied. The interviews have also been combined with literature studies.

Interviews or informal and more spontaneous conversations between the researcher and the interviewee are important complements to the ethnographical method. Interviews are thought to contribute in richer results, since the researcher, as time passes, is thought to gain an improved understanding and can ask better questions and obtain a better contact with the interviewees.\textsuperscript{19} This is something that I experienced; new insights came into light after each interview which contributed to altering my preunderstanding and contributing in my increased understanding.

For the interviews I have followed an interview guide approach, where issues have been specified in advance in an outlined form. I have decided the sequence of the questions in the course of the interview so as to make the interviews remain fairly conversational and situational. This has been made deliberately to enable the possibility of relating the interviews to particular individuals and to increase the naturalness and the relevance of questions and answers. The weaknesses of this method are that the flexibility of sequencing can result in different responses from different perspectives and reducing the comparability of the responses.\textsuperscript{20} This has been encountered during the interviews; many different perspectives have been brought into light, which led to long interviews and contributing in making the interview material extensive. Nevertheless the use of the interview guide approach and the existence of previously outlined questions made the interviews structured enough so that the comparison remained fairly uncomplicated.

Semi-structured interviews have been applied with relatively open-ended interview questions. Some of the questions were deliberately formulated in a very specific and guided way, and required a yes or no answer; this was done since a direct answer to the question was wanted. In other instances emotional words have been used, also deliberately as to receive a truthful answer.\textsuperscript{21} Due to the open-ended character of most of the questions, the interviewees were able to formulate with their own words their thoughts and experiences. They were also able to express themselves relatively freely and the sequencing of the interviews was in the hands of the interviewee. They could also choose to dig deeper

\textsuperscript{18} Alvesson & Deetz 2000: 87-88
\textsuperscript{19} Ibid.
\textsuperscript{20} Mikkelsen 2005: 171
\textsuperscript{21} Ibid. 89, 175
in alternative aspects of the interviews which opened up new perspectives. Due to the semi-structured interview technique some of the questions were formulated during the interviews.

The interviews varied in length, depth and contents. They were all conducted in different towns and cities of the Basque Autonomous Country. Bilbao, Leioa, San Sebastian, Oiartzun, Zarautz, Hondarribia, Legorreta, Tolosa and Arantzazu were the places where the interviews were conducted. I spent six weeks in the Basque country from the end of March until beginning of May 2009. During my time there I interviewed 23 people for a duration of 28 hours. All of the interviews were recorded, and due to my lack of knowledge in both Spanish and Basque, the interviews were conducted in English. The use of an interpreter was necessary on three occasions. I had the chance of going back to the interpreter with the recordings so as to make clear anything that was unclear in the first instance of the translation. I am aware that the use of an interpreter might have affected the result and I cannot with certainty claim that my interpreter translated everything word by word. However, I am assuming that my material is as close as possible to the statements made by the interviewees.

2.3 Sampling Process

Since the purpose of this study is to gain an understanding of why in a modern and democratic country such as Spain, the so called terror organization of ETA can exist, the selection of people for the interviews have been based on a very loose criterion. I wanted to examine the society in which this organization exists, to thereby get an understanding for their existence. One could argue that since Herri Batasuna is considered to be the political wing of ETA that this party and its voters would be of special importance for this paper. However to fully gain an understanding for the existence of ETA in the Basque society, I could not only look at one side of the society. Thus people from all kinds of levels in the Basque society have been seen as eligible for the interviews; men, women, young, old, moderates, radicals and conservatives. The opinions of all kinds of people living in the Basque country mattered for me. I was able to interview, politicians, journalists, priests, workers, unemployed, university professors, and spokespersons for different NGOs, just to mention a few.

For the sampling process the so called snowball selection has been the dominating method used. This method implies that the researcher uses the field to identify cases that are of interest for the research. It is considered that this method is suitable when the researcher has difficulties finding cases for the research or when specific “knowledge” is sought for. The snowball selection is a technique where the informants that the researcher can get hold of, assists the researcher in finding new informants. Considering my limited network of contacts in the Basque country I relied much on the contacts that

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23 Mikkelsen 2005:169
24 Aspers 2007:91
25 Esaiasson 2007:216
could be given to me by the people that I interviewed. I was aware that this method handed over the decision of who I will interview to other people, thereby having the consequence of taking control over the sampling process. Something that could result in that my material might reflect values and opinions within a network of friends and acquaintances. Nevertheless, this was not a problem for me, since opinions and values of people was something that I was interested in.

This paper includes the opinions and perceptions of the Basque conflict from various different points of views. In strict sense, however, my material only says something about the interviewees who participated in the research. Therefore I tried to use people from different contexts to reach a wide as possible reflection of attitudes and experiences; voters from all of the political parties represented in the Basque parliament except voters from Partido Popular (PP), have been interviewed. Unfortunately, I did not succeed in persuading voters of PP to participate in this research. The snowball method was not the only method used for the sampling process, on several occasions I randomly asked people on the streets if they wanted to participate in my project, many times I received a positive answer. This also contributed in making the variation of the participants bigger.

Finally, considering that this research involves questions regarding a sensitive topic, that of ideas and opinions about ETA, anonymity was offered to all of the interviewees. Most of the interviewees demanded to be anonymous therefore quotes made by the interviewee subjects have been referred to by their political affiliation.

2.4 Analysis of the Material

The purpose of this study is to get an understanding of why ETA exists; I was interested in seeing what it is in this society that still feeds ETA. By interviewing people I obtained an insight in peoples’ views and experiences regarding violence as a strategy in the Basque conflict and with the interviewees’ stories as the basis I have tried to gain an understanding of why ETA exists. For that reason, the intention of my analysis has been to interpret underlying social structures, context and social patterns and in that way gain access to the individual’s imaginary world. What is fundamental for my analysis of the material is the understanding of stories as symbolic representations of the reality and not as reality.

It is considered that it is important for a better outcome of the interview to have access to opinions, experiences and thoughts of the interviewee. Access to this is many times dependent on the level of trust and agreement between the interviewee and the interviewer. In order to try to approach this but

26 Trost 2005:119
27 Wallén 1996:34
28 Merriam 1994:84
29 Krag Jacobsen 1993:75
at the same time try to avoid what is evidently agreed upon in the answers, I have tried to get closer to the interviewees’ statements by asking follow-up questions and thereby attempting to find out the underlying line of thinking. In the meeting with my interviewees I tried to create an interaction between proximity, that is, familiarity and involvement and a more distanced approach with a methodological awareness.\textsuperscript{30} Nevertheless, the researcher is both the primary instrument for the gathering and analysis of the material and just as the researcher is limited by being a human being, that is, that the researcher lets his/her personal values color the material and commits mistakes and misses possible aspects, so is this the case for me.\textsuperscript{31} So, despite my attempts of critical self-awareness, I am, as the researcher always present in my study, through the questions I ask and my interview guide approach. Through my interviews and the interpretation of the outcome, I am as the researcher involved in creating the reality I am trying to analyze. This is the case although I have tried to reduce my influence in the interviews by trying to listen as much as possible and abstain from telling the interviewees my personal opinions and experiences.

Given the hermeneutic style applied in this paper, positivistic benchmarks have a limited value in this qualitative study. Concepts such as objectivity, representativeness and validity are not per se useable in their direct positivistic implications. Nevertheless, in qualitatively done studies the concepts of reliability and validity are applied in a different manner. In studies like this the concepts concern the ability of describing the way data has been collected and that the data has been processed in a systematic and honorable way.\textsuperscript{32} As a way of achieving internal validity the researcher is supposed to provide a description of his/her preunderstanding of what is being studied. The researcher’s ability to communicate how the research process has affected the research’s soundness is considered to be of high importance for the validity criterion. Further a detailed description of the method for gathering information, the sampling process and the analysis process should be provided for as to make the internal validity as high as possible. The appliance of the concept triangulation is also another way to make possible a higher level of internal validity. This can be done by observing the problem from different angles and perspectives. For instance by interviewing people that have different relations to the problem.\textsuperscript{33}

The external validity, the so called transferability of the results is in a qualitative study defined by the reader and not the researcher. Just as I am not objective in the interpretations that I make from the interviews, neither can I state that my interviewees represent the wider beliefs and opinions within the Basque society. Nonetheless, to be able to understand social phenomena, I am, as the researcher required to participate in the research field. This commitment requirement is seen as a condition for the

\textsuperscript{30} Wallén 1996:75
\textsuperscript{31} Merriam 1994:50
\textsuperscript{32} Gunnarson 2002
\textsuperscript{33} Ibid.
researcher’s ability to be able to understand the studied social phenomena. The more disengaged the researcher is, the more the social phenomena turns into a physical phenomena.34 To study another world, is thus never per se an unaffected action, on the contrary it involves the inclusion of the researcher’s own world.35

In the same manner, the reliability criterion concerns the dependability of the measuring instruments used to gather information. Instruments such as technical equipment used and the people that are participating in the research must fulfill their duty in a reliable manner. The more accurate the use of the measuring instruments is, the higher is the reliability of the research. Emphasis is put on the researcher as the most important research instrument, and again the importance of giving an account of the researcher’s preunderstanding is of great significance for the reliability of the research.36

In the analysis of the interviews I have sought to obtain the overall picture of what has been said, something I have declared in this study and exemplified by using quotations. Since my intention never was to investigate the exact wordings of the interviewees, some of the quotations have been grammatically adjusted and the colloquial speech has been modified.37

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34 Andersson 1982:76
35 Ibid.
36 Esaiasson 2007:70
37 Wallén 1996:76
3. Introduction

This short introductory chapter presents some basic facts about the Basque country. Territorial whereabouts and a short introduction to the self-government system of the Basque Autonomous Community will be presented.

3.1 Territorial setting

The Basques have occupied the coast of the Bay of Biscay and the northern and southern slopes of the western Pyrenees that separate Spain and France for at least 2000 years, and they are considered to be the remnant of a great migration from the Caucasus to North Africa. Allegedly, they are the people who have spent more time in one place than most other European people.38

_Euskal Herria_39, _Euskadi_, or _País Vasco_: These are the local and Spanish terms that are normally used to refer to the land and its people who live there. Depending on who you ask, you are bound to get different answers on the geographical whereabouts of the Basque lands. One of the answers is Euskal Herria; which refers to the seven „historical” provinces, with four in Spain and three on the French side and with a total population of about 3 million people. The four Spanish provinces which inhabit 2 700 000 people are known as the South, or Hegoalde to the Basques. These southern provinces consist of Bizkaia, Guipuzkoa, Araba and Navarra and the first three comprise the Basque Autonomous Community, which is Euskadi to the Basques and País Vasco in Spanish.40 The northern parts in France41 are for the Basques known as Iparralde.42

![Figure 3.1 Map of Euskal Herria and the BAC](http://basque.unr.edu/dance/images/eh_map.jpg)

The Basques make up a great majority of the population of the BAC, this is however not the case neither in Navarra nor in Iparralde.44 The Basque language, Euskera, which is known by 42% of the

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38 Woodworth 2001:3
39 Euskal Herria literally means: the land of Euskera speakers, Kurlansky 2000:165
40 Eriksson 1997:170
41 Lapurdi, Nafarroa behera and Zuberoa
42 Eriksson 1997,171
43 [http://basque.unr.edu/dance/images/eh_map.jpg](http://basque.unr.edu/dance/images/eh_map.jpg)
BACs population, is probably the oldest and considered the most enigmatic language in Europe.\textsuperscript{45} It cannot even be classified Indo-European. “Ez” means “No, “Bai” means “Yes” and double consonants such as “tx” and “tz” seem to appear in every sentence.

3.2 Self-government

In 1979 the Statute of Autonomy for the Basque country was signed\textsuperscript{46}, with this statute the official status of the Basque and Spanish languages was established in the region and the Basque Autonomous Community (BAC) was officially created. With this came the establishment of powers and institutions such as the Parliament with its 75 seats, the Government and its President (Lehendakari) and the so called Foral system.

Due to historical reasons, which will be explained later, the Foral system gives the BAC significant autonomy.\textsuperscript{47} The region has wide-ranging flexible powers to set tax bases and rates, managing and collecting all taxes, except for customs duties and some excise taxes.\textsuperscript{48} The Basque country basically retains all tax revenues collected within their jurisdiction. There is an agreement between the central government in Madrid and the BAC to regulate the BAC’s contribution to the State Treasury after collecting the main taxes directly.\textsuperscript{49} Thereby, some of the revenues are shared and the BAC pays the central government for the few public services it provides in the Basque country.\textsuperscript{50} As shown by figure 3.2 on the following page, the Statute of Autonomy also transfers competences to the BAC such as: the Autonomous Police Force, Ertzaintza, the setting of the Basque Radio and TV station, Euskal Irrati Telebista (EITB), and autonomous education and health systems.\textsuperscript{51} Thus, the BAC has one of the highest levels of self-government in Europe and the region is one of the richest in Spain with per capita incomes being among the highest in the entire country.\textsuperscript{52} However, there are still some 30

\textsuperscript{44} Eriksson 1997:171
\textsuperscript{45} Woodworth 2001:3, Medem 2003 La Pelota Vasca
\textsuperscript{46} In Navarra this agreement is referred to as the Ley de Mejoramiento Foral. Elkarri:4
\textsuperscript{47} And Navarra as well.
\textsuperscript{48} Value Added Tax, VAT, is set by the central government but collected by the administration of the Basque country
\textsuperscript{49} The agreement is called „Concierto Económico” Elkarri:4
\textsuperscript{50} Shared revenues are for example for companies operating both in the Basque country or Navarra and in another region or for VAT. OECD Economic surveys: Spain, 2005:118. The so called cupo paid by the BAC to the central government mainly covers foreign affairs and defense, as well as debt amortization. This level of contribution is defined by the ratio of the BAC’s GDP to the national GDP. OECD Economic surveys: Spain, 2005:118
\textsuperscript{51} Euskal Irrati Telebista, EITB, is the name of Basque Country’s public broadcast service. Elkarri:4
\textsuperscript{52} On the other hand, the BAC is a relatively small region (it accounted for 6.4% of Spain’s GDP in 2003). The GDP/capita in 2000 for the BAC was number eight compared to other countries in Europe, seven years later in 2007 the BAC was third after Luxemburg and Ireland. HDI = 0.964. Third in the world, with Spain on number 14. Gobierno Vasco a country on the move 2009:1, 26, OECD economics surveys: Spain 2005:118
competences that allegedly need to be transferred to the BAC, one of the main areas being within the administration of the social security system.53

**How state powers are distributed**54

<table>
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<th>Spanish State</th>
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<td>Labor and Insurance</td>
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<td>Water</td>
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*Figure 3.2 Distribution of powers*

53 Elkarri:4  
54 Gobierno Vasco, *a country on the move*, 2009:5
4. Identity and Party Politics

To be able to understand a conflict, one need to have an understanding for how the society in which this conflict occurs looks like. In the case of the Basque country, the conflict is often perceived as one between ethnic Basques and ethnic Spaniards. A closer observation however, proves otherwise. In this section I intend to show the different dividing lines in the Basque society that has given rise to different identities and thereby contributing to the complexity of the conflict.

In order to understand the Basque country today one must bear in mind the economical and social transformations that occurred in late 19th century. Before the Franco dictatorship (1939-1975), parts of the Basque country became industrialized\(^55\) which led to migration from the non-Basque areas of Spain to the region at the end of the 19th century.\(^56\) The Basque population which had had little previous experience with large numbers of immigrants from other parts of Spain experienced in the second wave of immigration in the years between 1955 and 1975 a population growth of 60%. Simultaneously, there was considerable internal migration from the Basque countryside to the cities, a scenario which eventually created two new social classes; the Basque industrial elite and the non-Basque urban proletariat.\(^57\)

The intense rhythm of industrialization seemed to threaten the rural based economic and cultural value system to which many Basques were deeply attached.\(^58\) And as industrialization, Spanish immigration and socialism spread throughout the Basque country, Basque nationalism evolved with it at the same time with Sabino de Arana.\(^59\) It emerged as an ultraconservative, deeply Catholic and racially exclusive doctrine. It was based on a glorification of traditional, religious, Basque rural society and claimed a primitive dislike of capitalist industrialization and all things Spanish, which was viewed as the source of everything corrupt and immoral. Its main ideological aim was independence from Spain and its supporters were urbanities who had little knowledge of rural society or its language, Euskera. The society of that time was thus divided in Basque nationalists, so called anti-Basques consisting of Spanish immigrants (maketos) and the Basque financial elite. The emergence of new identities of

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\(^{55}\) The industrialization rapidly transformed the Basque economy from one based on commerce and agriculture to one based on mining, heavy industry, shipbuilding and banking. At that time Basque iron ore comprised around 20% of the world’s annual output. The Industrialization which dates back to late 19th century, only concerned the provinces of Bizkaia and Guipuzkoa, the industrialization for the whole region started in 1950s. The Spanish speaking laborers largely came from Andalucía and Galicia. Woodworth 2001:4, Scotoni 1986:19, 66, Eriksson 1997:179, Heiberg 2007:21

\(^{56}\) Pérez-Agote 2006:38

\(^{57}\) Scotoni 1986:19, 66, Eriksson 1997:179

\(^{58}\) Woodworth 2001:4, Zirakzadeh 2000:207

\(^{59}\) More information provided below
Spanish, Basque or Spanish-Basque contributed to making the definition of who is Basque subject to fluctuation and change.\textsuperscript{60}

Given this, the question of who is actually Basque depends a lot on the criteria that are set and is a fairly complicated question to answer. If we applied the language criterion, Spaniards would outnumber the Basques four or five times, depending on whether language command or practice was the yardstick.\textsuperscript{61} If one applies the self-perceived Basqueness, close to half of the population (46%) view themselves as Basques, or more Basques than Spanish. However close to 40% of the population also view themselves as Spanish-Basque, that is, a mixed identification.\textsuperscript{62} If one would want to portray the internal pattern of separation on a map – the so called political heartland where people speak Basque, feel Basque and vote Basque – it would be situated in Guipuzkoa, part of Bizkaia and the northwestern fringe of Navarra\textsuperscript{63} Thereby, to get a definition on who is Basque depends much on who the respondent is. For several of the interviewees the question of who is Basque was dependent on having Basque surnames, for others it was a question of knowing Eusker, for others it was a question determined by territory and citizenship, that is, living in the Basque country and therefore having a Spanish citizenship. My experience was that the more the interviewee was leaning towards Basque nationalism; the narrower did the definition of Basque identity become.

The three most important social cleavages in Basque society today separate 1) the rural population from urbanities, 2) those of Basque descent from those who have emigrated from other areas of Spain and, finally, 3) euskaldunak (Basque speakers) from Spanish speakers.\textsuperscript{64} However, the most essential political divide is the one that separates a political community between the Basque nationalists (abertzales) from the rest of the resident population, Spanish nationalists (españolistas). Both these groups contain people from both rural as well as urban dwellers, and they are neither limited to Basque descent or Spanish descent, nor limited to Basque or Spanish speakers.\textsuperscript{65}

\textbf{4.1 Divisions and Definitions}

In this paper people who consider that Euskal Herria is their historic homeland and that they have the right to political self-determination within this region, have been named Basque nationalists. For the sake of clarity, the words Basque nationalists have in this paper been used as an umbrella term to include conceptions like that. The idea is that one can more clearly see the different fractions in the Basque country that exist between different varieties of Basque nationalism, especially between “independentism” and regionalism and terrorism and pacifism.

\textsuperscript{60} Pérez-Agote 2006:38, Heiberg 2007:22
\textsuperscript{61} Mansvelt 2008:71-72
\textsuperscript{62} Euskobarómetro 2008:31
\textsuperscript{63} Mansvelt 2008:72, Picure in Annex 2
\textsuperscript{64} Heiberg 2007:20
\textsuperscript{65} Ibid.
Independentists want their own Basque state, and this group is divided into two groups; radicals and pacifists. Radicals consider that this aim is only reachable through the use of violence. Pacifists, on the other hand, which defend the same goal of an independent Basque state, deny the violence and favor a political way of reaching that aim. Basque regionalists are however content with a regional Basque self-governing system within Spain, and the issue is more about increasing this self-government rather than getting complete independence. But it should also be remembered that both independentism and regionalism are expressions for aspirations for self-determination, that is, the right to decide their own future.

People who do not identify with these sentiments have been named Spanish nationalists. However, one should remember that the word Spanish does not refer to the ethnicity of people, rather the term has been used as to signify that these people do not want more self-government or independence. They feel fine with preserving status quo. Of course, people who vote for the Spanish nationalist parties might want more autonomy as well, however officially this is what these parties promote.

4.1.2 Divisions represented by political parties
The involvement of these differing identities and loyalties has thus given rise to conflicting political projects in the form of political parties. According to one of the interviewees the problem is that what people “...defend are completely different” and that thereby people “are at two ends of a thread”.


![Figure 4.1 Party Polarization in the BAC](image)

66. The figure visualizes the major political parties with a seat in the Basque parliament. Adapted from Ibarra 2004.
As figure 3.2 indicates, party-politics in the BAC is more concerned with if a party is Spanish nationalist or Basque nationalist rather than the typical left-right wing differences, and it has been considered to be that way for the last ten years. That is why the figure has portrayed the left-right wing politics on a vertical line, rather than the typical horizontal one. Three of the parties represented in the figure above are Spanish parties, so called Madrid-based parties, represented in the Basque parliament and also in the rest of Spain.67 These are the conservatives represented by Partido Popular (PP), the socialists Partido Socialista de Euskadi – Euskadiko Ezkerra (PSE-EE) and the left socialist/federalist party Ezker Batua (EB).68 PP and PSE-EE are classified in this paper as Spanish nationalist parties and EB represents the united left. There is also another party UPD (Unión Progreso y Democracia), which is a Basque party that supports the preservation of status quo just as PP and PSE-EE. The fragmentation that seems to exist between parties is however not a clear dividing line between what Basque nationalist parties require and what the Spanish nationalist parties demand. On the contrary, within the Basque nationalist parties, there exists even further dividing lines and different point of views; the conservative center-right regionalists represented by the PNV (Partido Nacionalista Vasco), progressivisms, social democracy and independence represented by Eusko Alkartasuna (Basque Solidarity, EA), the illegalized radical independence seeking nationalistic left: Herri Batasuna (Popular Unity, HB) which doesn’t condemn ETAs violence and the nationalist left pacifist Aralar which ideologically defends the same things as HB, but which condemns the violence of ETA.69

It is considered that the political party closest to ETA is the illegalized party of HB. Although active support of ETA is difficult to gauge, HB has regularly received electoral support ranging from 9 to 18 percent of the votes. The party which has never officially criticized any action of ETA supports, in broad terms, the independence of a unified Spanish and French Basque country, i.e. Euskal Herria. Consequently, considering their silence regarding ETAs violent methods, one could conclude that they accept violence as a means of achieving this goal.70 In fact in a radio interview from EITB with Arnaldo Otegi, the spokesperson of HB, Otegi is specifically asked if now after 11 years of legalization and 15 months in prison for “praising terrorism”, it is time for the party to clearly take a stance against violence. The response is that he does not share the opinion of those who continuously say that there should be a cease of the armed fight for the solution of the Basque conflict. The solution to the armed confrontation is accordingly in the process of negotiations.71 Having this said, it would be misleading to conclude that all supporters of HB are also supporters of ETA.

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67 Woodworth 2001:9
68 PSE-EE is PSOE in the rest of Spain, and Ezker Batua (EB) is Izquierda Unida (IU).
69 Ibarra 2004
71 Euskal Irrati Telebista, EITB, is the name of Basque Country’s public broadcast service. EITB 30/08/2008, EITB “Entrevista a Arnaldo Otegi – 14/04”
What divides the Basque nationalist parties is thus not only where they stand on the left-right political scale but also which methods (violence/nonviolence) that should be used to reach a certain goal, but it is also the goal that sets them apart (independence/increased autonomy). In short the Basque conflict does not only involve ethnicity and identity, strictly defined. Instead it centers on a clash between differing political identities and loyalties and the conflicting political projects to which these identities and loyalties have given rise, besides this, there is the military conflict of ETA.
5. Living History

With an understanding of the different identities in the Basque country, we will now move on to the historical incidents that for some people in the region are still as important as the present. In fact, it has been considered that for a few people in the world can the origins of their earliest history be of such direct and contemporary importance as it is for the Basques.72

Although the Basques have never had their own state, during some periods greater parts of current Basque Provinces were part of the Kingdom of Navarre which was established in 834. It is noteworthy to mention that this Kingdom existed before the existence of what became two of the earliest sovereign states in the world – Spain and France.73 The seven provinces of what is today known as Euskal Herria were united in the beginning of the year 1000 for 36 years and these 36 years are in Basque mythology known as the “Golden Age.”74

In early 16th century a major part of Navarra was lost to the Castilians, and later the rest of Navarra became incorporated in France. However since Spain and France at that time were not sovereign states Navarra remained transborder autonomy until the 17th century.75 However, the Treaty of the Pyrenees of 1659 divided the Basques in two parts and settled the border between France and Spain, the partition was apparently perceived to be an injustice by many Basques. Nevertheless, the Basque regions still enjoyed a relatively big autonomy. This relation with Spain and France was referred to as the fueros, or the foral system, and this is still something that Basque nationalists today see as a natural right.76 The fueros established custom lines inside the Basque country, rather than along the coast, and constituted a system of political and economic self-government that assured the influence of traditional Basque agrarian elites.

After the end of the Carlist wars77 in the end of the 19th century, the central power in Spain, which was becoming more centralized, confiscated the fueros and the Basques lost a great deal of their autonomy.

72 Woodworth 2001:3
73 Eriksson 1997:172
74 Ibid.
75 Ibid.
76 The word fueros comes from the Latin word forum which means court. Under the protection of these laws which every newly crowned Castilian (and later Spanish) monarch had to pledge an oath to respect, the Basques experienced a great amount of rights and privileges. It is also interesting to note that while Catalonia lost these rights in the early 18th century the Basques retained most of them until end of 19th century. This system was not unique to the Basque country or to Spain, but was common throughout medieval Europe before state centralization. Scotoni 1986:38, Woodworth 2001:4, Heiberg 2007:430
77 The dynastic war between Isabelline liberalism and Carlist was a savage civil war between urban liberalism and rural traditionalism. The poorly paid and poorly equipped regular army of the liberal governments, supporting Isabella, and the semi-guerrilla forces of the Carlists. The Carlist strength lay in the north, especially in the Basque provinces and Navarra where there was a strong support for the fueros against liberal centralism and for the traditional Roman Catholic order represented by the religious bigotry of Don Carlos and his circle. Britannica 2009. Spain history
With the defeat of the Carlists a latent but potent seed of modern Basque nationalism was fertilized which eventually led to the creation of the modern Basque nationalist movement.  

5.1 The Father of Basque Nationalism and the First Basque Party

Basque nationalism was born in the early twentieth century. The area, which already had had a long tradition of administrative and mental autonomy, had however never experienced a real nationalistic sociopolitical movement until then. Having lost a great deal of their autonomy in the Carlist wars the mobilization that had started during late 19th century created the prelude for the nationalism that Sabino de Arana developed.

In accordance with many nationalistic movements across the world the early Basque nationalism portrayed Basques as the “chosen people” and as a “superior race” especially in comparison with the Spaniards and the French. In attempts to describe who is Basque Arana declared that their four grandparents must all have been born in Euskadi and have Euskera names. And if married true Basques must have spouses of similar “purity”. Today this racism has been abandoned; nevertheless it is still not uncommon to hear in the nationalistic rhetoric about the Basques as a “unique ethnic group”. Even though purity and ethnicity was of great value for Arana, Basque nationalism managed to attract even Spanish immigrants who spoke no Euskera. In fact, one of Basque nationalism's most revered martyrs, Juan Paredes Manot, who allegedly cried “Gora Euskadi Askatuta” (long live free Euskadi) as Franco”s police executed him, was a Spanish immigrant without any knowledge of Euskera.

Almost everything in the Basque nationalism of today, from the ideology to the name Euskadi is the creation of Sabino de Arana (1865-1903). Arana had one single idea: that the Basques are a nation and thereby should have a country. One of his arguments was that the abolition of the fueros had marked the beginning of Basques” existence as a Spanish colony. He fought for the unification of the

79 Eriksson 1998:6
81 Heiberg 2007:20
82 Even the Basque national anthem Gora ta Gora, the Basque National Day, Aberri Eguna, the Basque flag, Ikurriña, which today has an official status, were all creations by Arana. Literally Aberri Eguna means Day of the Homeland. Celebrated on Easter Sunday it is considered that it was on this day that Arana at the age of 18 became a nationalist. The first Aberri Eguna was celebrated in Bilbao in 1932. According to Arana, the red background of the ikurriña symbolized the people, the green x stood for the ancient laws (fueros) and the white cross superimposed over it symbolized the purity of Christ. Center for Basque Studies 2008, Scotoni 1986:46, 53, Kurlansky 2000:167 Eriksson 1998:5, Scotoni 1986:45, Kurlansky 2000:166
83 Kurlansky 2000:165
84 Heiberg 2007:24
seven Basque Provinces in Spain and France, which came to be known as Euskadi\textsuperscript{85} and in 1895 he created the Basque nationalist party, \textit{Partido Nacionalista Vasco} (PNV).\textsuperscript{86}

In the 1930s, under the leadership of Aguirre, PNV started negotiations with the Spanish state in order to receive autonomy for the Basque regions. In 1936 this autonomy was officially approved by the Spanish government and Aguirre was sworn in as the \textit{Lehendakari} (president) under the holy oak of Guernica.\textsuperscript{87}

\section*{5.2 Era of Franquismo (1939-1975) and Beginning of ETA}

Basque nationalism was still growing when the Spanish Civil War broke out in 1936.\textsuperscript{88} The autonomous government of that time fought against the coup d'\textit{état} of the fascist army led by General Francisco Franco.\textsuperscript{89} One of the most famous incidents of the Civil War was the bombing of Guernica – the symbol of Basque independence – in 1937.\textsuperscript{90} With the help of Germany Franco staged the first historian terror bombing of a civilian target and soon with the victory of the fascist rebels the dictatorship regime of Franco started.\textsuperscript{91} The civil war ended in 1939 with the victory of the Fascist rebels, and a dictatorship regime characterized by strong anti-communism, centralism and strongly Catholic conservatism was put in place that was to last for forty years.\textsuperscript{92}

The bombing of Guernica soon proved that if the purpose is to break down the resistance movement the method is counterproductive.\textsuperscript{93} Eventually the political persecution of Basque culture and language under Franco’s regime led to the radicalization of Basque nationalist consciousness, not only supporting separatism and independence, but also legitimizing the armed violence of the organization Euskadi Ta Askatasuna (ETA – Basque homeland and freedom), created at the very end of the 1950s. One addendum filled out this framework and this was the spiral of action-repression-action. The aim of ETA was to attack the Franco regime in a manner that would encourage the full force of state repression to fall randomly over the Basque people igniting, according to theory, a popular reaction that would become massive and revolutionary. This aim worked as Franco often kept the entire

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{85} This name was considered to have a greater political meaning than the culturally emphasized word Euskal Herria, however today Euskadi is mostly used as to signify the BAC. Eriksson 1998:4
\item \textsuperscript{86} The party’s Basque name is \textit{Eusko Alderdi Jeltzalea} (EAJ). Scotoni 1986:48, Eriksson 1997:175
\item \textsuperscript{87} It is considered "Holy"because it was at this three that the Spanish kings once used to swear the fundamental rights of the Basques. Scotoni 1986:54-55, Zum \textit{Guernica – art against war.}
\item \textsuperscript{88} Espiau 2002
\item \textsuperscript{89} However not all Basque provinces were united against Franco; Alava and Navarra were in fact fighting side by side the General. Eriksson 1998:7, Eriksson 1997:178
\item \textsuperscript{90} This event was later illustrated by Pablo Picasso in his famous painting \textit{Guernica}. Eriksson 1997:177
\item \textsuperscript{91} Eriksson 1998:7, Eriksson 1997:177
\item \textsuperscript{92} The repression differed depending on which side the Basque Provinces had supported during the Civil War. For instance Navarra and Araba retained some of their provincial autonomy whereas Guipozkoa and Bizkaia lost it completely. Eriksson 1997:179, Espiau 2002, Engene 2004:126
\item \textsuperscript{93} Eriksson 1997:178
\end{itemize}
\end{footnotesize}
Basque country under a virtual state of blockade for months on end after ETA attacks and by the end of 1960s ETA had formed the justification for its military actions. The Spanish state might thus at this time have held a monopoly on physical coercion, but it did not manage to establish its clear legitimacy as reflected in its general acceptance.

At the end of 1960s the nationalistic message of among others Arana had become a family affair transmitted from one generation to the other. Apart from this, there was also another carrier of the nationalist message which came to be of critical importance for the formation of ETA, namely the Catholic Church. The priests began to reawaken nationalist activism among small groups of Basque youth. And the message was that of early nationalism, the cultural, ethnic, and moral repression of the Basques stemming from an illegitimate Spanish domination. Thereby, Basque independence was seen as a moral necessity required for cultural, political and spiritual salvation.

This message attracted two groups in particular. One of these groups was made up of intellectuals (many of whom had in fact been priests) who were from well-off professional or industrial families. The other group recruited people from the more rural, less industrialized areas of the Basque country, and consisted of people who had experienced a more vocational training rather than an academic one. The first group came to be known as the political leadership of ETA-pm (ETA político-militar) and the other became the militant, operative base of ETA-m (ETA-militar). These two groups merged in 1959 and ETA was born.

5.2.1 ETAs Ideology

ETA, which was influenced by the extreme left movements of Cuba and Vietnam, began to argue that Basque nationalism belonged to the revolutionary nationalism of the Third world. The relevance of this model to the Basque case was most clearly stated in Federico Krutwig’s book Vasconia (1962), a book that is considered to have had great influence on the ideology of ETA.

In this book the original Basque society has been portrayed as the ideal society free from oppression and social indifferences. Accordingly, this society has been destroyed by the medieval Spanish invasion and turned the Basque society to a class society with hatred towards everything that is Basque. Thus the social and national oppression of the Basques stemmed from colonial subjugation, which meant that Basque nationalism belonged to the revolutionary nationalism of the Third World.

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95 Le Bot 2006, Eriksson 1997:180
96 Heiberg 2007:23
The political message of Krutwig was that the harmonic and happy condition of the so called pre-Spanish invasion could be restored only if the Basques would with violence cast off the Spanish yoke. Krutwig argued that the so called gradual penetration of Spanish and French capitalism had drained Euskal Herria of her resources, and produced the struggle between the oppressed and the oppressors. It was considered that the social and national oppression came from the same reality – colonial subjugation. The so called “colonialist model” has been considered the model that gave ETA its ideological framework, military justification, and social program.

Like Sabino de Arana, Krutwig saw a fundamental opposition between Spain and the Basque country, what differed was the terms of the opposition. According to Krutwig Euskal Herria, or Vasconia, arose as an independent Basque state with the fall of the Roman Empire and the defining element of this state lay in its language, Euskera. Thus even though only about 25% of the resident population and few of ETAs leaders spoke Euskera, ETA abandoned race as the defining concept of Basqueness and chose Euskera instead.

However, the combination of nationalism and socialism in ETAs ideology did not fit with the economic conditions of Basque life, where capital was largely in Basque hands and the vast majority of the urban working class was of Spanish immigrant origin. Over the years this contradiction as well as the role of armed struggle eventually led to the disappearing of ETAs politically minded members and ETAs military wing managed to retain the ETA name as well as the legitimacy. Thus, all people who questioned the absolute primacy of independence through the use of violence soon vanished from ETA.

In the beginning, the aim of ETA was to arouse political identification with the homeland and mobilize Basque militancy. The spread of propaganda and clandestine education in Euskera with the development of Ikastolas (Basque language schools which still exist) were their main achievements. After a decade ETA managed to carry out its first deadly attack and at the end of 1960s ETAs violence escalated which led to the famous Burgos trial in 1970. Sixteen etarras (ETA military activists) were accused of terrorism, and some received the death penalty. ETA obtained international attention

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100 Heiberg 2007:25
102 Heiberg 2007:23-24
103 Ibid.
104 As ETA became more militant, a similar organization, Iparretarrak, IK (meaning „those of ETA from the north”) was also established in Iparralde. Iparralde was mainly used for protection, reorganization, training and planning and since France and Spain did not have an extradition agreement, ETA members were “safe” there., the extradition agreement was however signed between the two countries in 1984. Eriksson 1997:180-181, Urgell 2007:32, Eriksson 1998:7-8, Engene 2004:124
and its popular legitimacy grew strong among the Basques both inside and outside of Spain, and the organization managed to attract new members, especially young people.\textsuperscript{105} As Franco was getting old it was obvious from late 1972 that the regime of the General was drawing to a close. However it was ETAs killing of Franco’s successor, the Spanish Prime Minister Admiral Luis Carrero Blanco that became the symbol of the dictator regime’s lack of future.\textsuperscript{106} In 1975 Franco died and King Juan Carlos took the oath as king of Spain.

\textbf{5.3 Democratization Process}

Seeing as Franco had hand-picked Juan Carlos and overseen his education, there was little reason to foresee that this king would be the architect of a democratic transition.\textsuperscript{107} Shortly after, Adolfo Suarez was to the surprise and disappointment of many chosen as Prime Minister of Spain. Suarez, having served under Franco and who had been designated secretary general of Franco’s political party, the National Movement, made it appear unlikely that he would promote major evolutionary change in Spain. However, Juan Carlos with the help of Suarez managed to transform Spain from one of the most centralized regimes in Western Europe into a quasi-federal monarchy.\textsuperscript{108}

In the democratic transition the leadership of PNV, which had been into exile during the dictatorship, reappeared in the Basque political arena and in 1978 they required a counterpart named Herri Batasuna, HB (United people). The radical independentist, HB, has ever since its creation been regarded the political wing of ETA, since it is considered that they defend the same ideology: independence and socialism.\textsuperscript{109} Soon other political parties that had been banned during the reign of Franco started to reappear on the political stage, and the political parties that were present for the first democratic elections for the region were; PNV, HB, PSOE, PP, EB, UCD and EE.\textsuperscript{110}

\textsuperscript{105} Eriksson 1997:181, Eriksson 1998:8, Conversi 2002:225
\textsuperscript{106} The murder of Luis Carrero Blanco immediately made ETA known worldwide and also drew attention to the dictatorship of Franco. Eriksson 1997:181, Woodworth 2001:5, Engene 2004:128
\textsuperscript{107} Country Studies US: The post Franco Era
\textsuperscript{110} PSOE and EE merged into one party in 1993 and thereby the party’s name was changed to PSE-EE-PSOE, due to the length of this name, only PSE-EE will be used from now on. UCD has ceased to exist. Gobierno Vasco, Referendum Constitucional 1978
5.3.1 The Breathing History

“The one who remembers history is condemned to suffer, like me.” – Voter of HB

From my interviews with people from the world of the Basque nationalist left (izquierda abertzale)\textsuperscript{111} I soon began to realize the importance of history for these people. Several times people mentioned that it is significant to understand history to be able to start understanding the conflict of today. People spoke very passionately in their ways of describing a past that for them obviously is still very much in the minds of people. Many times the authoritarian political regime of Franco was brought up to discussion. A regime which was a tough period for many people in Spain, as freedom of expression and other democratic rights were nonexistent. For the Basques, however, this period meant a strong repression against any Basque-identifying sentiment; language, culture, symbols and self-government.\textsuperscript{112} The „cultural genocide“ was carried out fervently and systematically; Basque tomb names were either covered or chipped off,\textsuperscript{113} prisons were filled with political prisoners, executions and tortures were a fact, children were forced to become members of the fascist youth organizations, the Basque language was forbidden and Basque town names were replaced by Spanish ones. Franco explicitly announced that the Basque culture should be suppressed, and everything associated with it was condemned as illegal and „separatist.“\textsuperscript{114} The lingual oppression eventually made a lot of people forget Euskera and start speaking Spanish instead. Something that one of the interviewees referred to as „a genocide.“

What has been considered a historical injustice against the Basques is thus still breathing for the izquierda abertzales and the memory of Franco is still in the minds of people. It was not difficult to sense the passion in which people, mostly from the world of HB but not only limited to this world, were describing history. In how they passionately wanted to persuade and to convey their message; a message that clearly stated that there was repression at the time of Franco, and that there still is.

“There is a past; we are not starting from a clean sheet. We need time to overcome those 40 years.”
– Voter of Aralar

Even though this person himself did not live during that time, the way he expressed himself made one think that he had. So the memory of Franco is not only alive in the minds of people who lived during

\textsuperscript{111} Abertzale is a Basque word meaning nationalistic or patriotic, nowadays izquierda abertzale (nationalist left) is closely connected with supporters of Herri Batasuna. Iberianature 2009.
\textsuperscript{112} The repression differed depending on which side the Basque Provinces had supported during the Civil War. For instance Navarra and Araba retained some of their provincial autonomy whereas Guipuzkoa and Bizkaia lost it completely. Eriksson 1997:179, Espiau 2002, Engene 2004:126
\textsuperscript{113} Scotoni 1986:61
that time, on the contrary, many of the interviewees who expressed anger and frustration from the period of Franco were many times born after 1975:

“My grandfather knew that his father was fighting in the civil war that started the Franco government, they have felt how they were suppressed because the government didn’t let them speak Basque. A lot of harm has been done to the Basques, and people will not forget it.” – Voter of HB

In the radical nationalist community, but not only limited to the radicals, it seems that the memory of Franco is being passed from one generation to the other. Although the dictatorship of Franco ended over 30 years ago, it seems as though the ghost of Franco still haunts part of the Basque society.

5.3.2 A “Non-valid Democracy”

In 1978 a constitutional referendum\textsuperscript{115} was held in Spain which was widely approved all over Spain and went into effect immediately. With the Constitution a process of devolution of power to regions was started and transformed Spain into a de facto federation.\textsuperscript{116} However, although the Constitution recognizes regions and nationalities, it was in no way meant to divide Spain into sovereign states that were independent of one another. On the contrary, it specifies that Spain is one nation, one state and one people.\textsuperscript{117} Due to this, Basque nationalist parties insisted on abstaining from the referendum, arguing that the clause concerning “the indissoluble unity of the Spanish nation”\textsuperscript{118} denied the Basque country its sovereign historical rights regarding self-determination.\textsuperscript{119} About half of the Basque electorate abstained, ETA and HB adhered to a “no” vote and PNV advised its members to abstain. In conjunction with the referendum ETA unleashed a major offensive that cost the lives of 66 people. And when the votes were counted 55% had abstained, 11% voted no and only 31% voted in favor. This was clearly an act from the Basque nationalist community to demonstrate that they had not accepted the Constitution\textsuperscript{120} and the Basque Country became the only region in Spain where the majority of the electorate did not support the Spanish Constitution.

One year later the Statute of Autonomy, which stipulates the level and rules regarding the self-government for the Basque country, was approved in a referendum, yet again against the will of both HB and ETA, since the right of self-determination was denied and also since Navarra was not included

\textsuperscript{115} The first free election was held in 1977 in Spain for political reform. 94% approved and 74% of the electorate participated. Country Studies US “The Post Franco Era”, Engene 2004:127
\textsuperscript{116} Mansvelt 2008:69
\textsuperscript{117} Bilbao 1983
\textsuperscript{118} Spanish Constitution
\textsuperscript{119} Heiberg 2007:27
\textsuperscript{120} Gobierno Vasco, 55% of the census abstained, 31% voted yes, 11% voted no and rest of the 3% either voted null or blank. Gobierno Vasco, “Referéndum Constitucional 1978”
in the BAC. The Statute which contributed in making the three Basque provinces; Alava, Guipozkoa and Bizkaia part of the BAC also made Navarra chose to become a separate autonomy on its own. PNV successfully managed to force the central government to grant more concessions than initially contended by linking the cessation of ETAs attacks to the government’s acceptance of Basque nationalist demands. The statute was approved by 94% of the voters, with an abstention that was over 40%.

For the voters of the Basque nationalist parties, many times the Constitution is mentioned as non-valid since it was not supported by a majority of the people. The democratic transition is therefore not seen as a success story especially by people from the radical parties; rather it is seen as a chance for the “Spaniards” to impose their wishes on the Basque people. The Statue of Autonomy is also mentioned, as something that the radical Basques are not content with. Many of the interviewees contended that the Statute was only approved because “we were afraid we wouldn’t get anything else”. The Constitution and the Statute are thus both dismissed by people from the world of HB as they argue that the revindications of Basque rights could never occur within the institutional framework of Spanish democracy. This is a common view held by people in the world of HB and especially ETA which dismiss the entire Spanish democracy as non-valid.

“They [the Spaniards] made a constitution that was not agreed here. So that is why the conflict continues.”

The smooth transition to democracy implied a gradual replacement of old authoritarian institutions with democratic ones. During the democratic transition, the military was pretty much the same as during the time of Franco and many of the ministers that served during Franco still retained their positions. The parallel process of liberalization, democratization and regionalization took place in a situation characterized by a high degree of political mobilization. The increased violent measures of, among others, ETA during this time is thus closely associated with the problems of continuity and integration created by Spain’s long Francoist dictatorship.

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122 ”Nafarroa Euskadi da” (Navarra is Euskadi) has always been a central nationalist and in particular ETA slogan. It refers to the medieval Kingdom of Navarra, which nationalists argue was the original Basque state although Euskera was the language of neither the administration nor the court. The original draft of the Basque autonomy statute left open the possible incorporation of Navarra into the BAC. However, the provincial parliament of Navarra opted for a separate uni-provincial autonomy, the only Spanish province to do so. Heiberg 2007:430
123 Ibid. 37
124 Gobierno Vasco Referéndum Estatuto Autonomía 1979
125 Heiberg 2007:38
126 Engene 2004:134
From interviews with people from the Basque nationalist parties, the memory of the smooth transition to democracy is still alive. The problem with the democratization process according to my interviewees is the fact that it was a smooth transition;

“The military was never brought into court, the police remained the same, they kept the same ways. It wasn’t a real change it didn’t happen as in Argentina, where people were brought to court. This never happened here; they remained in power and had total control over the power.” – Voter of HB

For some of the interviewed people from the world of HB, the period after the democratization is perceived as even more dangerous than the Franco time since it is considered that the repression continues under the disguise of democracy. When asked if there is a difference from the repression under the reign of Franco and today, one person answered: “Yes, there is a difference, now it is more dangerous”. Another voter of HB argues that:

“The word democracy is used too easily I think. The problem is that Franco wasn’t defeated because of a revolution; he died because he was old, so things are different. It wasn’t that the government was pushed away by people, that people were against Franco, no. He died because he was old, in bed. And suddenly everybody who supported him changed into a democracy and in this democracy we are! That’s maybe the problem.”

The fact that the democratization process was a smooth transition rather than a rupture is still agitating people who believe that the fascism did not disappear with the democratization, and that in fact it lives on in the political channels of democracy, one of these being PP. Nevertheless, it is true that today within PP there are politicians who served as ministers during the reign of Franco, and the party can certainly count a number of the children of men who served the Franco regime in its ranks, but the party dismisses any accusations that it yearns for a return to the days of Franco. The view that the Franco regime lives on in PP is held by many people that I interviewed within the world of HB and it can also be viewed in the posters that are put up in the more “HB-friendly” towns which declare that PSOE=PP=fascism.

“For me, they [the Spaniards] have a mentality that is still fascist. I think that the biggest problem for the Basque country is that Spain is near us and they already have a mentality that is very dangerous.” - Voter of HB

127 It is considered that many people in Spain are doubtful regarding where the party stands on the question of Franco. Tax money was for instance used by the previous central government of Aznar (PP) to give a grant to the Franco Foundation – which is chaired by Franco’s daughter. Recently a proposal was put forward by the government of Zapatero aimed at ridding Spain of monuments to Franco and honoring the memory of those who were oppressed during his rule. The proposal was met with criticism from the oppositional party, PP which claimed that this would undermine the spirit of democratic consensus that has taken root in Spain since the death of Franco in 1975, Adler 2003. Mclean 2006

128 PSE-EE is PSOE in the rest of Spain. See annex for pictures.
“PP has changed their jackets, they were the repressors before, the fascist ones, and now they got a tie and say we are the democrats.” – Voter of HB

“Not everyone in the PP is Francoist, but all the Francoists are in the PP.”

Thus in the view of the Basque radical nationalists, the Spanish state is illegitimate in the Basque country, since “their” Constitution was never agreed upon. The Statute of Autonomy, likewise, was something people only accepted out of fear for what the alternative could entail. Finally the Spanish state is allegedly illegitimate since it is considered that Francoist people are still active inside the democratic channels.

5.4 ETA in the Transition

Due to ETAs strong disapproval of the democratic transition, the year following the referendum on the Statue of Autonomy produced the highest fatality rate in ETAs history; 92 people became the victims of ETAs fight in one year. The killings of ETA continued as a response to the consolidation of Spain’s democracy. The organization explained that until the constitutional changes it deemed necessary were made, unarmed bystanders would pay the price.\(^129\)

Economically ETA was dependent on three main sources for financing its activities; bank robbing, kidnapping and the third and by far the most important continues to be “revolutionary taxing”\(^130\). From 1984 onwards ETA started using car bombs killing passersby as well as intended victims.\(^131\) ETA has also assassinated Basque regionalists whom it felt collaborated too closely with the Spanish government. Most significantly however, has been the new strategy adopted by ETA in 1994, with the slogan “Socialize the Suffering”. Instead of confining its killings mainly to the security forces, ETA began targeting an ever-widening circle of civilians; journalists, local politicians, lawyers, judges and academics. The new strategy adopted in 1994 also sparked a new phenomenon in the Basque country called Kale borroka (street violence)\(^132\). In what almost was a daily ritual, gangs of hooded youth allegedly sympathizers of radical nationalism, vandalized the property of “anti-Basque traitors”\(^133\). It has been considered that the hooded teenagers provided ETA with a recruiting ground, however one

\[^{129}\text{Heiberg 2007:34}\]
\[^{130}\text{Basque businessmen, bars and small businesses throughout the Basque country are demanded to pay a sum of money to ETA. These people are aware that if payment is not made serious consequences will follow. Bank robbing has from the 1980s ceased due to better security systems at banks and kidnapping has also stopped. Ibid. 34, 28}\]
\[^{131}\text{In 1986 a car bomb killed 12 Civil Guards, the following year another one killed 21 and injured 45. Heiberg 2007:28}\]
\[^{132}\text{It has been considered that organizations that prepare kale borroka attacks usually are organized by nationalist youth groups such as HAIKA, which is widely regarded as being the youth organization of ETA. Heiberg2007:36}\]
\[^{133}\text{Ibid. 29}\]
should not go as far to say that everybody who participates in *kale borroka* are supporting the acts of ETA.\footnote{Heiberg 2007:29} The street violence together with ETA managed to paralyze the so called democratic process in the Basque country, whose targets often were the alleged pillars of democracy. An intense climate of fear was thus created in the Basque country.\footnote{Heiberg 2007:29, UN General Assembly Report 2008:8}
6. Spanish Politics and Basque Demands

Now that the historical parts of the conflict have been provided for we will move on to a more current presentation of various policies that have been used to combat ETA. Given the purpose of this study; to gain an understanding for the existence of ETA, the consequences of these policies and their perceived effects will also be presented. Before that however, the relationship between the two dominating expressions of nationalism in the Basque country will be given.

6.1 Moderate Regionalists and Radical Nationalists

The Basque nationalist community has had two political expressions almost ever since its inception at the end of the 19th century; the moderate centered on the PNV and the radical, today with ETA at its core.

Before 1980s PNV often used ETAs violence as a means to strengthen its bargaining position vis-à-vis Madrid and the party was often hesitant in condemning the violence of ETA. Often the condemnation that was offered was conditional and linked to Madrid’s alleged failure to respect Basque rights. The violence of ETA was seen as regrettable but understandable in the light of the central government’s misplaced policies. Nevertheless, a shift in PNVs attitude started to occur in late 1980s when the party together with all other parties, except the radical nationalist ones, in the Basque country signed two important antiterrorist agreements, the Madrid Agreement of 1987 and the Ajuria Enea Pact. The combined effect of these two and the most important message was that negotiations or dialogue with ETA or HB would be rejected until violence had been abandoned. ETA started attacking PNV offices and officials as a way to force the moderates to realign their position. The organization wanted the moderates to break with all the Spanish parties and abandon support for the Statute of Autonomy. PNV which was interested in gaining more autonomy faced a critical situation since the Spanish nationalist parties were not interested in any renegotiations of the Statute. At this moment the combined electoral support of PP and PSE-EE surpassed PNV and on the other end, HBs support had been increasing. PNV thus saw further collaboration with the Spanish nationalist parties as one leading to a dead end and a possible stagnation of the party itself. The moderates and EA thus signed an agreement with ETA, which declared a ceasefire, and in 1998 the Basque nationalist parties signed the Lizarra Agreement. This was the first time that all organizations within the independence movement

136 The first agreement denied any legitimacy to ETA and reaffirmed the autonomy statute as the arena to resolve the political problems confronting the Basque country. The second agreement, formally called Agreement on the Normalization and Pacification of Euskadi, stated that no dialogue with ETA was possible until violence had been abandoned. Heiberg 2007:431, Espiau: 2002
137 Heiberg 2007:39
were united and the agreement that was signed put forward the formulas for national self-determination.\textsuperscript{138}

That HB and ETA wanted full independence for the Basque country was nothing new. What caused dismay in Madrid was that the moderate nationalists of the PNV were now openly calling for self-determination as well. The Basque elections that followed in 1998 proved to be an opinion poll for the Lizarra agreement with a collective election result of around 60% for the Basque nationalist parties.\textsuperscript{139}

\textbf{6.2 Spain’s Campaign Against ETA}

The years following Franco’s death until 1981 were characterized by several civilian deaths in conjunction with demonstrations and strikes often met with brutal police action.\textsuperscript{140} One of the main reasons for this was people’s rejection of both the Constitution and the Statute of Autonomy.\textsuperscript{141} As a result these years were not marked by an improvement in Spain’s human rights records.\textsuperscript{142}

As mentioned before, the transition to democracy in Spain was a gradual process under which old and new institutions and elites coexisted for a long time. The smooth democratization process failed to remove police with notorious records for rights abuses from top positions.\textsuperscript{143} The political mobilization and high level of political activity did not easily fit with the repressive traditions of the authorities which began using unconstitutional counter-forces to fight ETA.\textsuperscript{144} One of the most important of these counter-forces was GAL, Grupos Antiterroristas de Liberacion. GAL was active in Spain and southern France throughout the 1980s. The organization, which caused a great scandal in Spain when it became known that it was sponsored by the Interior Ministry of Spain, was responsible for the death of 27 people during its activities. Its aim was to counter members of ETA, however many of those being killed and arrested had no involvement in terrorist activities.\textsuperscript{145}

In order to lower the cost of exit from terrorism the central government introduced social reinsertion based on individual pardons in 1982. As a result of this, by 1990, 250 former militants and collaborators in ETA had requested and benefited from these social reinsertion measures. As this was

\begin{itemize}
\item Castaños 2001
\item The Pact was signed by 22 nationalist organizations and EB. Mansvelt 2008:76, Woodworth 2001:9, Castaños 2001
\item Other important reasons for the failure of the democratic transition to bring peace in Euskadi were that the amnesty that was given after the dictatorship excluded the Basque political prisoners, since they were considered terrorists. Further police violence and torture and the Franquismo ultra right terror activities continued as before in Euskadi. Scotoni 1986:80
\item Heiberg 2007:41
\item Woodworth 2001:7
\item GAL (Grupos Antiterroristas de Liberacion), Batallón Vasco Español and AAA (Alianza Apostólico Anticommunista) are a few examples of such forces Engene 2004:127, Woodworth 2001:5
\item Engene 2004:180,130. Heiberg 2007:409
\end{itemize}
negatively affecting the maintenance of ETA, the organization threatened all those militants and collaborators who opted for reinsertion and the threat was made credible as two ETA gunmen killed a former female member of the organization. 146 Therefore, in 1989, the authorities in Spain introduced penitentiary provisions aimed at dispersing imprisoned members of terrorist organizations in general which affected the nearly 500 members or collaborators of ETA across the country. The aim of this was considered to make it more difficult for the underground leaders to exert strict control over the inmates and their relatives. 147

In 1997 ETA started its campaign against the right conservative government of the Popular Party, PP. 148 In December the same year, 23 leaders from HB were sent to prison where the court claimed that the party had tried to show a video featuring armed and masked ETA guerillas during general election campaign. 149 Consequently HB was banned for three years after the elections of 1998. New parties of a similar political brand were created under different names; however most of them were subsequently banned. 150 Immediately after the signing of the Lizarra agreement (1998) ETA called for a ceasefire. The ceasefire was followed by a meeting between ETA and the government of José María Aznar, a meeting, however, which gave no results and led to the imprisonment of two of the ETA representatives at the meeting. 151

After the re-election of the PP government of Aznar in Madrid (2000), the fight against ETA was made a prime domestic priority. In the same year ETA broke the ceasefire and intensified their violent campaign and the Spanish government’s response was reforms and broadening of the antiterrorist legislation. 152 The impact of these legal changes on Basque violence has been considered extensive. Minors who participated in Kale borroka were now being prosecuted under antiterrorism laws resulting in heavy fines and stiff prison sentences. 153 Additionally, families were made economically responsible for the damages committed by their children and police procedures were improved. These measures led to the decrease of street violence. As a part of this broadened antiterrorist law, HB became permanently illegalized by Judge Baltasar Garzón in Spain (2001). The illegalization of HB was possible with the Law of the Parties (Ley Orgánica de Partidos Políticos) which prohibited all

146 Reinares 2003:60
147 Ibid.
148 ETA kidnaps and kills Basque councilor Miguel Angel Blanco sparking widespread outrage and bringing millions of Spaniards onto the streets. Heiberg 2007:47
149 BBC.co.uk 1998
150 The party has existed under names such as: Euskal Herritarrok (1998-2003), Batasuna (2001-02), Euskal Herrialdeetako Alderdi Kommunista (2005) and many others as a way to escape banning. Mansvelt 2008.70. However to avoid confusion, only the name HB will be used throughout this paper. Mansvelt 2008:70
151 Previous meetings had been held between ETA and the central government, in 1988 and 1992, both proving ineffectual. Elkarri:7, Reinares 2003:60, Heiberg 2007:43
152 More information on this will follow.
153 The new laws allowed youth accused of terrorist acts to be tried in adult courts. Heiberg 2007:44
parties that condoned or glorified anti-democratic, in particular terrorist, activities. Garzón claimed that ETA and HB were in essence the same and his findings were confirmed by both the Spanish Constitutional Court and the Supreme Court. The leaders of HB however, staunchly deny any relation to ETA.

![2009 Elections in the BAC](image)

**Table 6.1 2009 Elections in the BAC**

In the elections of 2009, the coalition of PSE-EE and PP put an end to the 30 year-old reign of PNV in government.

With the legalization of HB the Spanish nationalist parties, PP and PSE-EE managed to take the power in the 2009 elections in the Basque country. HB which in the 2005 elections also was illegalized, urged its supporters at that time to vote for the communist EHAK party, and thereby maintaining power of the Basque parliament in the hands of the Basque nationalist parties. However in the 2009 elections, people were urged to still vote for HB, even though they were illegal and even though Aralar existed. Aralar, which was a newly created party by people who had broken out from HB, supported the same things as HB in broad terms, but they accepted to play by the rules of the game. That is, their legal position was based on their condemnation of ETA and they obeyed. The emergence of this party has been considered a relief for the Basque independentists who defend the idea of a unified Euskal Herria and independence, but who disapprove the methods of ETA. In their first participation in the Basque parliamentary elections of 2005, Aralar only managed to receive 2.3% of the votes, nevertheless, four years later their support increased to 6.3% of the votes. In the same election however, 100 939 votes, around 9% of the votes, were counted as null. The high percentage

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154 In France however the party is still legal and active. Mansvelt 2008:70, Heiberg 2007:44
155 Heiberg 2007:35
156 Euskobarometro ”Total Elecciones País Vasco”
of null votes, which usually has been around 0.5%, meant that some 8% of the votes did not have any legal force due to the encouragement of HB that its voters should still vote for the party.\textsuperscript{158} Most importantly, however, this means that hundreds of thousands of people still have an understanding for the existence of ETA. It should also be noted that 8% is the lowest “election result” for the party since their establishment.\textsuperscript{159}

“The Spanish government is playing a double game; the new political scenario in the Basque country where PP and PSE-EE have reached an agreement, this was because of this law [\textit{Ley de Partidos}]. Without this law they wouldn’t have reached this scenario. Somehow the Spanish government knew what would happen. They knew that it would be effective to reach their political objective here.” – Voter of EA

And this political objective has been seen as wanting to take over the power from the Basque nationalist parties in the BAC. I interviewed many people whom had chosen to vote for HB and thereby contributing in giving the government seats to the coalition government of PSE-EE and PP. The interviewees on the other hand had a different way of viewing the situation:

“It was a kind of a message that I don’t play with these rules. If we all had had the same chance, surely I wouldn’t vote to HB”

“[My vote] and the vote of another 100 000 Basques has made them remember, the vote I have given is showing that there is still me and many others in a very disappointment after 30-35 years of the establishment, I prefer voting a non-useful vote but just to show that there is a big crowd that does not accept this.”

When asked why their votes had not gone to the pacifist independence seeking party of Aralar, the party with the same ideological view as HB, the most common answer I received was:

“Because Aralar accepts the top; the top that is their [the Spaniards] Constitution, a top that we don’t accept.”

“For me the main reason [for not voting Aralar] is that Aralar accepts the games that have been imposed by force in the Constitution and Batasuna [HB] does not accept that.”

Further, in the campaign against ETA, in addition to HB, seven other organizations as well as a range of commercial enterprises were also made illegal, due to claims of connections with ETA, in a case

\textsuperscript{158} Gobierno Vasco “Elecciones Parlamento Vasco 2005”
\textsuperscript{159} Gobierno Vasco “Elecciones Parlamento Vasco 2009”. Percentage of null votes from 1980-2005 have been: 1.0.6, 0.6, 0.5, 0.6, 0.5, 0.4 and 0.3, thus the mean value of this is 0.5% for the 8 years.
that has become known as Case 18/98.\textsuperscript{160} As a result, none of these groups can organize public events, bank accounts have been frozen, premises have been closed and the allegedly flows of funds between these organizations to ETA have been curtailed. These changes, including the police cooperation between Spain and France have been credited with what has been considered a notable decrease in ETA activities.\textsuperscript{161}

A decrease in violence is however not the same thing as a definite stop and ETA is still capable of carrying out serious attacks.\textsuperscript{162} The political isolation of HB and the anti-terrorist measures enforced by the PP administration and followed up by the PSOE government had not worked to stop ETA and the organization has managed to kill 53 people since the beginning of the century.\textsuperscript{163} Despite few tries to negotiate with ETA, the Spanish governments’ policy against ETA has been characterized by the so called vicious circle of police action and terrorist reaction, which has marked the last three decades in the Basque country.\textsuperscript{164}

\begin{center}
\begin{figure}
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\includegraphics[width=\textwidth]{Victims_of_ETA_1968-2008.png}
\caption{Victims of ETA 1968-2008}
\end{figure}
\end{center}

\textit{Table 6.2 Victims of ETA}

If one observes table 6.2, it is clear that ETAs activities have during the last couple of years decreased, especially if compared to the years right after the democratization process. Nevertheless, right after the

\textsuperscript{160} These include organizations charged with making the Basque cause known abroad, mass media outlets, an organization involved in teaching the Basque language, pro-amnesty organizations, youth organizations, as well as the entire network of herriko tabernak (bars of the people, some 120 in all). The illegalized organizations are KAS, Xaki, EKIN, Jarrai, Haika, Segi, Gestoras Proamnistia, Batasuna, all accused of “depending on and implementing directions given by ETA. Heiberg 2007:431Heiberg 2007:35-36\textsuperscript{161} More and more suspected ETA members have been arrested. For further information; EITB Mears 22-04-2009, EITB 19-04-2009, EITB 11-04-2009\textsuperscript{162} Burke 14-12-2008\textsuperscript{163} Mansvelt 2008:77, Gobierno de España 2008. “Víctimas de ETA”\textsuperscript{164} Mansvelt 1997, Woodworth 2001:6\textsuperscript{165} Data from: Gobierno de España 2008. “Víctimas de ETA”
breakup of the 1998 ceasefire ETA managed to kill almost 40 people in two years, indicating that the organization still has the capacity of carrying out attacks if the will is there.

6.2.1 Perceived Effects

The opinions of my interviewees of whether the actions taken against ETA are being effective differed. None of the people from the radical left believed however that ETA will disappear with these measures. Nevertheless they all contended that there is a problem with the existence of ETA, since the organization manages to shift away focus from the political claims of the Basque nationalist community.

“In the end they [ETA] are fighting for some goals for the society. And no terror organization that doesn’t have a part of the society supporting them can survive. That support from the society is decreasing and that’s why ETA is about to disappear, even if they have that little support from the society, the other part of the society is so against them and that’s a big force against them.” – Voter of EA

“They [Spanish government] are in the move of follow and try to end with ETA by military ways. And the story of the Basque is, they might end with ETA, even though I don’t think so, but let’s suppose they do, the sickness, talking like a doctor, there is a sickness in the body that creates a big spot on your skin, you can end with the spot, but if you have cancer in your body, after a certain time it will come up somewhere else. And that will happen.” – Voter of HB

“In political terms it has been much more effective than people thought before, because all of these actions are deviating people from these kinds of organizations to Aralar for instance.” – Voter of PSE-EE

“Maybe it [ETA] is getting more closed and radical. If the government is putting in jail the political wings or ways of that people, of course their people become more radical and closed in their way of thinking.” – Voter of HB

When I asked this last interviewee if he was one of those people, the answer I received was: “I am standing with one foot on one side and with another foot on the other side; the future will tell what I will do.”

Many times people mentioned that these measures might be effective in the sense that they will make it more difficult for the organization to carry out attacks, however it was often considered that it might not be able to contribute to a definite stop of ETA. The reason for this is thought to be that the so called “ideology” of ETA, of fighting for the independence with violence, is an ideology spread within the families. It is believed that ETA sympathizers isolate themselves to the confined political, cultural and social environment created by radical nationalism and it is this isolation that allegedly permits
them to perceive the wider surrounding environment one-dimensionally, immune to realities and opinions that do not fit their own. Accordingly, it is within this one-dimensional social construction of reality that ETA resides and recruits. In this light, in the interviews, the police measures and law enforcements of various Spanish governments were often discredited:

“They get it through the parents, through the family, because they fancy this kind of approach, this kind of ideology. The child that is growing up in this family has nothing to do with the political chat in the government; this child is growing up with that ideology, with that hate. How then can that child avoid ending up with ETA?”

And this so called “hate” or dislike is visible in the Basque country, especially in the smaller towns where radical nationalism has its stronghold. In these towns, radical nationalism has marked public places by destroying symbols of “Spanishness”. Road signs with the names of Basque town-names in Spanish have been crossed over and the more seemingly appropriate names in Basque are left untouched. “It is not a dislike for the Spanish” one of the interviewees from the world of HB assured me; “it is preserving and protecting Basqueness.” Whatever the real intention, for me it resembled a reminder, yet another silent protest that for some people, the Basque country is not Spain. Further, the Ikurrina or its red, white and green colors can be observed almost everywhere, the Spanish flag, very seldom. In some towns even the support for ETA is marked on the walls, even though not particularly artistically. All in all, it becomes rather easy for the unaccustomed eye to realize if the majority population of a town is pro-Basque independence or not.

The impacts of the Aznar government’s antiterrorism legislation are varied, more important however, the measures which aimed on the entire Basque nationalist community are considered to have succeeded in radicalizing even moderate nationalists such as supporters of PNV. In fact, many moderates and others from the Basque nationalist community argued that Aznar attempted to discredit all nationalists with ETA. Many times people expressed a frustration and anger when speaking about ETA. All of the interviewees, no matter political affiliation, contended that ETA must disappear because in the eyes of the “Spaniards” everything connected with Basque nationalism is connected to ETA.

“The Spanish government often link ETA with the actual political problem. It is a good way to make the political problem look worse, to make the actors who are defending the political problem look as if they were the same as terrorists. They link nationalism and terrorism, so in the end the bad view that people have about terrorism, in the end goes to a bad view of the Basque nationalism in general.” – Voter of PNV

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166 Heiberg 2007:30
167 Pérez-Agote 2006:6-7
168 Heiberg 2007:45
“Some people don’t want to see that not everybody who supports the independence is a killer. There are still people who don’t understand that.” – Voter of UPD

People from the Basque nationalist community, especially the Basque radicals, viewed the Ley de Partidos as another step in wanting to connect everything within Basque nationalism to ETA. Often they referred to the law as “undemocratic” and contended that if individuals have links with ETA they should be arrested and put to trial, but that such individual links do not warrant the legalization of an entire party.

Even so, most of the Spanish electorate welcomed the confrontation strategy of the Aznar administration against ETA, which since PPs defeat in the 2004 parliamentary elections, was transformed into an electoral strategy, used as a way to gain votes. In 2006 ETA declared another ceasefire and the Socialist government of Zapatero was under constant pressure from the PP which strongly discouraged from negotiations with ETA. Yet, negotiations started; nevertheless the negotiations were ineffective, ETA broke the peace process in 2007 by carrying out a number of attacks.

From the interviews, most of the people from the Basque nationalist community maintained that ETA is not the real problem, and that it has become a separate conflict on its own, a conflict which is solely between the Spanish state and ETA. The real problem is accordingly that the Basque people’s right of self-determination is not being responded to. For most people, except for the radicals, the conflict of ETA was not even seen as a consequence of the political conflict. ETA was often seen as an obstacle for many of the interviewees, rather than anything else. People from the world of HB, on the other hand, were mostly talking about the perceived injustices carried out by the Spanish government and that ETA is mainly a consequence of the political conflict, “a consequence which has its roots much deeper in society”. People from the other end of the political scale however, (mainly PSE-EE and UPD) were not even talking about a conflict, rather a problem, a problem which mainly is signified by the violence of ETA. One of the interviewees, a voter of PSE-EE strongly insisted that there is no such thing as a conflict in the Basque country, “I don’t think that we have a conflict” when asked why, the

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169 In the 2004 Madrid bombings carried out by al-Qaeda, PP sought to put the blame on ETA, it has been considered that it was due to this that PP lost the government seats to PSOE. Heiberg 2007:424, Mansvelt 2008:75, 78

170 PPs slogan during the last truce of ETA was that ”no political price” could be paid to ETA such as for instance a return of HB to politics, this entrapped the socialists because any peace process implies negotiations that by definition have a political price. Mansvelt 2008:75

171 UN General Assembly Report 2008:5
response was: “because to have that you need two parts. Two parts with violence, and in this problem – this is a problem not a conflict – only one part [ETA] is using violence.”

“I think there are plenty of things that show that self-government is working. That’s why many people say we haven’t got a national conflict the conflict is that some people in this country are shooting for fighting, when they could do it in political ways. – Voter of PSE-EE

“Saying that there exists a Basque conflict it is an idea very related with the Basque nationalism. But bit by bit there are people who are saying: conflict? We haven’t got a conflict.” – Voter of PSE-EE

This view was however not shared by people from the Basque nationalist parties who believed that the conflict is there with or without ETA. The gap that existed between different ways of looking at the same problem was astonishing. Hence, it is not only the definition of who is Basque that is very subjective but also the definition and reasons for the current situation in the Basque country are subject to fluctuation and as it appeared, dependent on a person”s political affiliation.

6.3 Demands for Self-determination and Conspiracies

People from the Basque nationalist community have argued that since Basques are a people with their own cultural, historical and linguistic background, they should at least be given the right to decide their own future. This desire, that allegedly is not being listened to was according to the interviewees the core of the conflict of today. Interesting enough none of the interviewees, not even voters of the Spanish nationalist parties, were against the idea of having a referendum to decide the future of the BAC, the question was rather when to have such a referendum.

“I don”t really know what people think. I know what my friends think. I can see my near environment, but you never get to know the view of all the society, without having a referendum. Especially in something like this where people don’t really show how they think and feel, cause you can have problems depending on what you say and where you say it.” – Voter of UPD

“I don’t understand why they [“people from Madrid”] are so afraid that we can have a referendum about our autonomy. I don’t understand. One thing is to have a referendum another thing to be independent.” – Voter of PNV

“Aren’t you a democratic country? Then respect my will. I am not asking for independence, just for the right to decide. And afterwards what people say must be respected. It’s so easy from a democratic point of view” – Voter of EA

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172 It should be noted that this person considers himself/herself a Basque, he/she has 8 Basque surnames, speaks Basque fluently and has always lived in the Basque country.
Why this desire has not been listened to is according to the interviewees from the Basque nationalist parties due to the Spanish Constitution. The Constitution states that “Political decisions of special importance may be submitted for a consultative referendum of all the citizens.”173 Thereby implying that all the citizens of Spain have to vote on the matter, therefore this is not solely a matter for the BAC to vote on. Successive Spanish governments have also all rejected any demands for self-determination as something that would violate the clause in the Spanish Constitution concerning “the indissoluble unity of the Spanish nation”.174 Further, there is also the question of equality in front of the law. If one region gets to decide their future, then other regions who also claim for independence, such as Cataluña, should also be given this right. Then the question of the “indissoluble unity of the Spanish nation” might be under threat. According to the statements, the so-called legitimate demands of some part of the Basque population are being conditioned as to whatever ETA sets out.

“They [the Spanish government] want to put the conflict with ETA; they want to shift the conflict in that way. They are denying the political conflict. They only see ETA and say when it disappears everything will be ok and in my opinion they are denying reality. Here we are a lot of people who feel that our rights are not recognized, so the problem is there with or without ETA.” – Voter of Aralar

“What happens is that if I say I want my rights to be respected; I want independence, I want the right to decide…there is always someone who says „ok you are saying the same things as ETA. So that’s impossible.” ETA is like a justification for those people who do not want to recognize these rights.” – Voter of Aralar

“ETA gives to the French perhaps more to the Spanish state, the excuses for going against our revendications, our democratic revendications. And when we say we defend the independence they say „no no we can’t permit the independence because ETA defends that”” – Voter of EA

According to Euskobarometro, if there was a referendum on the kind of political system wanted for the Basque country, only 33% would vote for preserving the status quo, whereas 60% would want to change the political system with either federalism (35%) or independence (25%). People who would want more centralism account for 4%.175 There have been political tries to have a referendum on the matter. In 2003, the former Basque lehendakari Ibarretxe introduced a new political agreement in the

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173 Spanish Constitution
174 Ibid.
175 1% did not want to give their opinion and 2% did not know. Euskobarometro 2008:26. Euskobarometro is the name of a research team at the University of the Basque country, consisting of a team of teachers and researchers, with a priority on the study of political behavior and public opinion of the Basques. They make two surveys each year, which are presented online and in printed form. Their data is from 1977. Euskobarometro “Presentación” 2009
Basque parliament known as the Ibarretxe Plan.\textsuperscript{176} This agreement set out to develop a new Political Statute which would recognize the Basques as a people with their own identity who have the right to decide their own future.\textsuperscript{177} The idea was that if this Plan is approved by the Basque Parliament, but refused by the Spanish government the PNV government wanted to submit the Plan to a referendum in the BAC. The Plan which was accepted by the Basque parliament was defended by Ibarretxe as an attempt to force ETA to abandon violence.\textsuperscript{178} Nevertheless, it was considered un-debatable for PP in the Spanish Parliament and as a response, the central government of Aznar made a new clause in the Spanish Penal Code making such referendums illegal and punishable by a three- to five-year prison term.\textsuperscript{179}

The so called continued resistance of the Spanish government to recognize, what has been referred as “the rights of the Basques” has led to some people suspecting that this is being done intentionally. Accordingly, this would be a good way for some parties that allegedly want to delay the solution of the conflict by prolonging ETAs existence and therefore prevent any nationalistic claims. This view also often – but not always – led to the conclusion that the Spanish government has no interest in solving the problem of ETA, an idea mostly –but not only – shared by radical nationalists.

“From a political strategic point of view, they [ETA] are the better excuse for the […] Spanish state to answer with another injustice.” – Voter of EA

“ETA is not the main problem, but they give the Spanish government an excuse to not deal with the political problem. ETA is helpful for the Spanish government, something they use to cover other problems.” – Voter of HB

“If ETA disappeared a lot of police men who work only for ETA also need to disappear. A lot of money that the government give to all these policemen all these departments, everything will disappear, so it is sad to think like this, but I think there are a lot of interest, egoist interest, that ETA continues because this generates resources for some people.” – Voter of PNV

“The Spanish government wants to have a weak ETA, that is not going to harm much, but so they have something to blame on and to have an excuse for not giving attention to the political problems.” – Voter of HB

\textsuperscript{176} Proposal for Coexistence in the Basque Country, it has also become known as the Ibarretxe Plan. Introduced in Parliament 2003. For further information: The Ibarretxe Plan 2003
\textsuperscript{177} The Ibarretxe Plan: Proposal for Coexistence in the Basque Country
\textsuperscript{178} Heiberg 2007:41
\textsuperscript{179} Heiberg 2007:45, Mansvelt 2008:77
6.4 Organizations, Media and Freedom of Speech

“The repression has changed its face, now it is not Francoist repression, it is not as wide, but yes it still remains in many ways. It is very direct against the Basque left. The torture remains, the prisoners, the dispersion, the repression against political freedoms – as you know HB is banned just because they say ETA and Batasuna [HB] are the same.” – Voter of HB

6.4.1 The Case of the Prisoners

One of the objectives for ETA to keep on the fight, other than the independence, has been considered the case of the Basque prisoners which have been dispersed ever since the end of 1980s. The reason for the dispersion, as stated above, is considered to be the removal of those ETA prisoners who are willing to abandon terrorist activities from the control of the organization and thereby assist in their resocialization. As a result, approximately 700 ETA prisoners are dispersed over more than 50 prisons at an average distance of 600 km from the Basque country and it is estimated that 11 000 people have been arrested in the pursuit of finding ETAs members or people who in some way are considered to be collaborators of ETA.180

The dispersal policy has been a debated issue in the Basque country.181 And as it appeared from my time there, a great amount of people in the Basque country seemed to be against this policy. In many towns, cities, bars and apartments the “Euskal Presoak – Euskal Herrira” (basically bring the prisoners back home) sign is clearly visible. The sign which pictures a black map of Euskal Herria with red arrows pointing back to the map, is in the Basque country a very common sight for the eye. Basically one cannot miss to see this silent protest against the dispersion. Further, in many towns and cities, once a week people gather in silence holding pictures of their relatives and/or friends who have been sent off to prisons far away in Spain. Allegedly, in the town of Oiartzun, this happens every night. During my interviews a great amount of people showed a dislike for the dispersal policy claiming that if the aim is resocialization the method might be counterproductive:

“Everyone who is in the prison has friends and family. Imagine that you have always known your uncle in prison, and you do not agree with the politics of Spain so you say that this is not democracy and I think that I have to do something, so they might role into ETA.” – Voter of HB

Many times the interviewees contended that this is a double punishment seeing as it constitutes a risk and an economic burden for the people who have to travel several miles in order to visit their relatives or friends. One of the interviewees argued that the dispersion law is “a kind of punishment added to the rest. It is punishment for the friends and families who have to travel a lot” and that “there have

180 The system is also applied to persons charged with or convicted of international terrorism. UN General Assembly Report 2008:1, Heiberg 2007:30, Elkarri: 6
181 The UN Special Rapporteurs and Human Rights Watch both criticized the dispersal policy.
been many families that have died by car crashes.” The law has also been considered a practical obstacle for the preparation of the defense in cases where pretrial inmates are imprisoned long distances away from their lawyers.\textsuperscript{182} The dispersal policy has also been used as an understanding for the existence of ETA:

“I understand ETA, because imagine that these 700 people that are in prison, they gave their lives for this objective so it would be leaving them alone.” – Voter of HB

6.4.2 The Case of the Urban Struggle

In the aftermath of September 11 the climate that was created by the international campaign of “the war on terror” provided the Spanish authorities with a further pretext to deal with ETA and the supporters of the pro-independence movement. As mentioned before, different legislations and judicial convictions were the result of this.

The anti-terror legislation that was introduced by the Aznar government permits the use of incommunicado detention for as long as 13 days, secret legal proceedings and pre-trial detention for up to four years for individuals detained on suspicion of certain categories of crimes.\textsuperscript{183} As part of these changes, the case of the “urban struggle”, the \textit{kale borroka} or street violence, has also been criminalized as acts of terrorism. The \textit{kale borroka} which usually is violence committed by young Basques, directed against physical objects and not individuals, is considered by the Spanish authorities to be the informal support of ETA. Thereby acts such as the burning of an ATM machine in the Basque country are interpreted as terrorist offences and sentenced with prison sentences of up to 10 years, including for minors. Simultaneously, the same acts committed outside the Basque country are in practice treated differently, that is, not as acts of terror and thereby leading to a considerably lower punishment.\textsuperscript{184}

“The punishment for that [kale borroka] is 10 years prison, so youngsters think: „if I am getting caught and will risk 10 years prison I will rather join ETA and maybe they catch me, maybe they don’t.” Because if throwing a rock might get you 10 years in prison, you would say I am going to roll into ETA instead.”

The question remains whether these law enforcements in the long run are making youths deviate from participating in \textit{kale borroka} or if it is actually giving them the reasons for taking participation in ETA.

\textsuperscript{182} The Basque government used to provides grants for families to be able to visit their incarcerate relatives, however the newly elected government of PSE-EE has removed this governmental fund.

\textsuperscript{183} Certain categories of crimes are defined in the UN report as: “including membership in or relation with an armed group, terrorists or rebels.” UN Economic and Social Council 2004:7, UN General Assembly report 2008:9

\textsuperscript{184} UN General Assembly report 2008:8
6.4.3 The Case of Tortures

“Police tortures in all countries. I don’t think the police take a lot of people and torture them. Maybe with terrorists they make psychologist tortures but I think that is normal in all the countries. Only to know more information, they want to know more names.” – Voter of PSE-EE

This rather tolerant view on the existence of torture was nevertheless not shared by the people from the Basque nationalist community. According to one of the interviewees, there is violence not only from ETA but also from the so called “Spanish side” in the form of for instance tortures. The violence of ETA is thus understood by referring to the violence from the “Spanish side”. Allegedly according to one of the voters of HB, it is due to this that the party does not condemn the violence of ETA:

“There has been so much suffering from our side that if we condemn, it seems like there has only been suffering from the Spanish side. We are apologizing because we have done something bad and you don’t apologize so that means that you haven’t done anything bad to me. So we are not going to condemn the violence if you, the Spanish side, do not condemn the violence from the Spanish.”

During my stay in the region I received information from non-governmental sources, including personal testimonies that torture or other cruel and inhuman treatment is considered to occur in Spain.\(^{185}\) According to the testimonies it is the law of incommunicado which prevents prisoners to have contact with a third party for at least five days which could facilitate the perpetration of torture. The UN’s Commission on Human Rights and Human Rights Watch have both criticized Spain for these anti-terrorist laws.\(^{186}\)

In 2003, due to the work and coordination of social movements, the creation of the Coordinadora para la Prevención de la Tortura (CPT) [Spanish Committee for the Prevention of Torture], was set up with the “aim of joining all the necessary forces to fight against the occurrence of torture in Spain.”\(^{187}\) A report that was released by the CPT states that there were 100 torture accusations in the Basque country in 2004. CPT writes that the juridical and public denounce of torture has often been answered through the denouncer’s disqualification and criminalization. The report also states that on the few times that the officials have been sentenced, these sentences have in fact been revoked by the

\(^{185}\) Spain has signed and ratified international covenants and conventions against torture; UN International Covenant on Civil and Political Rights, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the European Convention on Human Rights and the European Convention for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and has also ratified the mechanisms of the European Committee for the prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and, more recently, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Report Behatokia 2007


politically responsible persons which sometime have given “prizes” to the sentenced officials.\textsuperscript{188} As an example it is mentioned that the chief of the Spanish government appointed an officer as the Tenerife Provincial Police Chief, even though this officer had been sentenced for having tortured Joseba Arregui who later died of the injuries caused by the torture. The report argues that poor judicial investigations which often end in favor of the accused officer are not so uncommon.\textsuperscript{189} This last remark is also supported by the UN Special Rapporteur on Torture.

According to the interviewees, many times allegations of torture have been seen by authorities as false or inflated allegations that only has the purpose of being used for political reasons. They have contended that even though this might occur, it does not mean that torture does not take place. It is believed that the authorities do not take torture accusations seriously and that required investigation to verify the facts has not taken place, a critique that the UN Special Rapporteurs also have agreed upon.\textsuperscript{190} The Special Rapporteur on Torture has considered that torture and ill-treatment is not systematic in Spain, but that the system as it is practiced allows torture or ill-treatment to occur, particularly in conjunction with persons detained incommunicado in connections with terrorist-related activities.\textsuperscript{191}

Certainly these reports are among the things that have not helped in improving the already damaged legitimacy of the Spanish state in the Basque country; rather they have contributed to its deterioration. The mentioning of these reports was frequent in conversations with the Basque nationalists.

“I don’t have a state that helps me; it is always on the contrary. There is no democracy for the Basques.” – Voter of HB

“The police take people that are in favor of the independence of the Basque country, who give out leaflets and go to manifestations; they take them to jail, and torture them. Why is it possible for torture to exist in Spain? Because the laws allow it.” – Voter of Aralar

\textsuperscript{188} Report - Spanish Committee for the Prevention of Torture 2006
\textsuperscript{189} Ibid.
\textsuperscript{190} Report - Human Rights Watch 2003, Report - UN Economic and social council 2004
\textsuperscript{191} Report - UN Economic and social council 2004:2
6.4.4 Case 18/98: Egunkaria, Egin and Gestoras Pro Amnistía

A set of cases where several organizations, associations, political parties and media enterprises have been closed due to alleged connections with ETA have been referred to as the Case 18/98.\textsuperscript{192} The case which started in 1998 involves, among others, the closing down of Haika, Gestoras Pro Amnistía, Segi, Egin, Herri Batasuna, Egunkaria and Udabiltza.\textsuperscript{193} The reasoning for the banning of these cases has been the same; collaboration with ETA, therefore only a few of the cases will be briefly brought into light in this study.

During my stay in the Basque country, I heard a lot of people speak of the newspaper Egunkaria. This was a daily newspaper founded in 1990 and it was the only newspaper solely printed in Basque. According to the court”s judgement, ETA has many legal organizations and tools which it uses to achieve its aim, and this newspaper was allegedly among these tools. As a result Egunkaria was closed in 2003 and the case was taken to \textit{Audencia Nacional}, which is a court where all terrorist crimes are dealt with.\textsuperscript{194} The case is still ongoing and as of today there is no judicial decision to the substance of the matter. This is the only case which all the interviewees, no matter political affiliation, contended to be a highly insecure case. The overall opinion was that Egunkaria did not serve as a collaborator of ETA.

The case of Egin resembles the case of Egunkaria, with the exception that recently the court came out with a sentence. The sentence which has come 11 years after the closure of the newspaper states that there is no evidence against the newspaper of collaboration with ETA.\textsuperscript{195} During these 11 years the newspaper has been held closed by the authorities.

\begin{quote}
\textit{“They closed Egin some years ago, without any proof. And it was proven later that they didn’t have any proof. Here in order to illegalize something, it is enough to say, not to prove, but to say that they are related to ETA.”} – Votar of Aralar
\end{quote}

Gestoras Pro Amnistía is a Non-governmental Organization (NGO) working for the rights of arrested or imprisoned Basque citizens that have been arrested due to accusations of taking part in or collaborating with ETA.\textsuperscript{196} \textit{Audencia Nacional} convicted the 21 defendants to 8 and 10 years in prison due to relations with ETA.\textsuperscript{197} “We were not doing anything related to ETA, this is an absolutely absurd

\begin{footnotesize}\begin{enumerate}
\item Egunkaria is mentioned as an example of one of the media enterprises, however the daily newspaper Egin and the radio station Egin Irratia Egin and Egin Irratia, have also been included and closed.
\item More organizations, associations and media enterprises have been part of the case 18/98; Egin, Egin Irratia, AEK, Xaki, Pepe Rei, Ekin, Segi, Haika-Jarrai, Gestoras Pro Amnistia, Batasuna, Egunkaria, Udabiltza. A full analysis of case 18/98 is impossible within the limits of this paper thereby only a few of the cases that people have spoken more about will be brought up. Euskal Herria Watch “Sumario 18/98”
\item Euskal Herria Watch “Main Piece: Businesses and media; Egin and Egin Irratia”
\item GARA “Rubalcaba intenta contrarrestar el impacto de la sentencia del 18/98“
\item Arzuaga 2008
\item Euskal Herria Watch “Latest News”
\end{enumerate}\end{footnotesize}
“You have nothing to win in this. If you involve in political matters, you will have a lot of problems, even in organizations. For some people it is a kind of repression, a silent repression. They don’t hit you and you can continue living your ordinary life but you are always afraid of being stopped here or there”

The case of the prisoners, the torture cases and the 18/98 case have made people argue that there exists political repression towards one part of Basque society, namely the Basque independentists. The interviewees from the world of HB all claimed that they wanted ETA to disappear; nevertheless, due to the so called political repression and lack of democratic means, they understood why it did not.

“They are fighting because minimum democratic rights are not available” – Voter of HB

“The person who has been tortured, and the persons who are not allowed to give out newspapers or have their radio, these people have friends and relatives, so how is it possible that they [ETA] continue recruiting people? Because there are always more and more people that are under the violence of the government. That is why they always have more people, and that is why this conflict will never end with more police.” – Voter of Aralar

On several occasions the passionate descriptions on people”s perceived “unjust” situation was astonishingly visible – an unjust that on a few occasions was compared to the unjust suffered by the Palestinian people. In fact the Palestinian flag and graffiti paintings with the message “Gora Palestina”198 were not so uncommon in the more Basque independentist friendly towns. In some of these towns, outside the wall of the city hall, one could see pictures of Basque political prisoners raised up high on the wall, alongside which flew the red, white and green Ikurriña and on a few occasions also the Palestinian flag. The empathy shown for the Palestinian people was evident and the pictures of the prisoners raised outside of the city hall resembled more pictures of heroes rather than anything else.

International organizations such as Amnesty International and the UN Committee Against Torture have both questioned the legal procedures taken by the Spanish judicial system to combat ETA.199 The Commissioner of the Human Rights Council has argued that Spain’s anti-terrorist laws are too vague in their definitions of who is a terrorist and how it is defined. Accordingly, “the vague defined crime of collaboration runs the risk of being extended to include behavior that does not relate to any kind of

198 Basque for: Long live Palestine
violent activity.” And it is recommended that these regulations are reformulated.\textsuperscript{200} Human Rights Watch have also raised concerns regarding the antiterrorist legislations, claiming that they give rise to serious concerns that Spain might be breaching the rights of freedom of association and expression.\textsuperscript{201} Nonetheless, it should also be mentioned that around 1000 people in the Basque country require 24-hour security protection due to threats posed by ETA and Reporters Without Boundaries has described the position of journalists in the Basque country as “intolerable”. Thereby, freedom of expression is not only thought to be limited for the Basque nationalist left but also for people who have opinions that do not coincide with ETAs.\textsuperscript{202}

\textsuperscript{200} Report - UN General Assembly report 2008:7
\textsuperscript{202} Ibid.
7. The Continued Existence of Violence

In this concluding section, the first four subchapters will discuss the results of the study and my understanding to why there is a continued existence of violence in the Basque country. My new understanding of the conflict per se will also be presented.

I went to the Basque country in search of the answer for the sole question of this paper, why does ETA exist? Answers were found; nevertheless, in addition I gained a deeper understanding of the whole conflict and its complexity. What at first sight appeared to be a clear white and black painting, soon commuted into a painting of black and white and a field of greys.

7.1 Non-functioning Democracy

One key to understanding ETAs continued appeal to violence lies in the response of the Spanish state. The spiral of “action-repression-action” which was obvious during the dictatorship of Franco is still perceived to exist towards the Basques, especially towards the Basque radical nationalists. With law enforcements and more police the hope of the Spanish state to cease with ETA has not yet become reality. The exclusion of HB in the political sphere and the closing down of organizations and media enterprises has contributed to a damaged view of a functioning democracy in the Basque country. It has given renewed life to the perceived repression inherited from the period of Franco and has managed to also include others in the Basque nationalist community in feeling the same way. Nonetheless, political exclusion of Basque radicalism poses the moral dilemma between protecting the state’s violence monopoly and democracy on the one hand, and the collective perception of a democratic deficit on the other.

And deficits it is considered to have. The image of the Spanish state and the functioning of democracy is one viewed upon with skepticism by the Basque nationalist community, a skepticism that seems to have been strengthened with the broadened anti-terror measures introduced by the Aznar government. Measures that were not irrelevant as they take place in a time in which many governments all over the world have used the international consensus on the priority of combating terrorism to justify ancient measures, laws and practices and develop new ones. These measures, often based on security theories, in rhetoric of emergency or the safeguard of the public order are in many countries in the world considered to be in contraposition with the enjoyment of the more basic human rights and democratic freedoms, and Spain is no exception. In the Basque country, these measures might have resulted in radicalizing people even more. The criticism from international and domestic organizations concerning the occurrence of torture in Spain is considered to be one of the consequences of these measures. As contended by some of the interviewees, the measures have legitimized, even symbolically, the violence of ETA with the purpose of, among other things; questioning the Spanish state’s authority in the Basque country.
The Spanish state is perceived as giving the reasons for the existence of ETA, due to its “unjust” treatments of the Basques; tortures, the dispersal policy, closing down associations and media enterprises, measures which have been perceived as connecting the entire Basque nationalist community and their claims with ETA. A connection which, among other things, seems to have created a fear in the Basque society; a fear of expressing yourself freely, a fear of getting involved in associations and a fear of talking about the conflict even with your closest friends or relatives. As long as the perception of the unjust treatments is reality for some people in Basque society and as long as fear exists, ETA will be able to find its recruits, finance its activities and remain legitimate in some parts of the Basque country. The Basque conflict is thus unlikely to be resolved by judicial and police measures alone.

A constitutional settlement of the Basque question was proposed by the Basque moderates, in the form of the Ibarretxe Plan, in which Basque lands would freely associate with Spain after a referendum that explicitly recognized a Basque right to self-determination had taken place. Nonetheless, to date Spain’s major party leaders, PP and PSOE firmly stand by the Constitution which is incompatible with this plan. I am not contending that ETA will cease to exist if the Ibarretxe Plan is implemented, but surely it can be argued that the current Spanish Constitution blocks any tests of its merits. Democratic values should be of more fundamental value for the Spanish Constitution than territorial unity. In regions with conflicting national identities, democracy also means that people should be given the option of expressing the type of relation they wish to have with the central state. Referendums have in other states with separatist movements, such as Canada, been used as a way to deal with the independence claims. Nevertheless, it is questionable if a referendum in the Basque country should be implemented as long as ETA does not cease its activities. The Spanish state most likely does not want to give ETA reasons to think that the organization’s methods are being effective in the sense that they are getting them what they want. Thus, as long as the violence of ETA has not been brought to a definite and permanent cease, the option of referendum should be off the table.

7.2 Breathing History

The law enforcements imposed by the Aznar government has contributed in people experiencing that the Basques are being treated in an “unjust” way; an unjust that accordingly is creating suffering, a suffering which brings to life and keeps alive the period of Franco and the post Franco period where the organization of GAL came into light. This state funded terrorist organization inflicted a high cost on Spanish democracy, and for the generation of Basques that were growing up during this period the picture of the newly established democracy became damaged.

Thus, in the world of HB the collective memory of the worst period of Francoist repression is still perceived as being alive, and perceptions can sometimes be as important as reality. It is the survival of
this memory, among other things, that for these people give meaning to the existence of ETA. In talks with HB voters, one could sometimes get the impression that repression is still as harsh as during the worst period of the Franco dictatorship, and sometimes it was even perceived as worse. Considering that the Spanish Constitution was not voted for by a majority of the Basques, it is dismissed as non-valid. The Statue of Autonomy, on the other hand, which was approved by a majority and which has provided the Basque country with one of the highest levels of self-government in Europe, is seen as something that only out of fear was accepted by the people. These historical incidents are still alive in the minds of people contributing to the perceived lack of legitimacy of the Spanish state in the Basque country. ETAs struggle which continued even after the democratization of Spain was nevertheless due to the rejection of the Spanish state regardless of whether it is authoritarian or democratically governed. In the world of radical nationalism it is perceived that fascism did not end with the death of Franco, rather it is perceived as living on under the disguise of democracy.

Thus, the democratization process, which allegedly succeeded in dismantling the repressive political institutions of the Franco period, failed however in dismantling the memory of them which still lives on in the minds and hearts of some people in the Basque country.

7.3 Social Support
A third key in understanding ETAs survival is its sustained level of implicit or explicit support as measured by the percentage of votes given to HB. The party, despite legalization, continues to have the support of thousands of people as seen during the last elections, which, among other things was an indication that there still exists an understanding in some parts of the Basque society for ETA.

In the beginning of this study I argued that it is the perception of the state that is among the things that shapes the methods applied by the oppositional groups and that it is considered that in autocracies illegal methods will be seen as the only method available for the oppositional group. The Spanish state might not be seen as an autocracy by the Basque nationalist community, however most of the time the existence of a democratic state was seen with a lot of skepticism. Nevertheless, from an outsider perspective, it was bewildering to see that thousands of people are able to vote for a political party that cannot take clear distance from violence in what has been considered a democratic state. However, as has been shown, HB supporters do not recognize the existence of such a democracy. In the same sense, neither is the Spanish Constitution nor the establishment of the Basque Autonomous Community seen as valid. Thus, the understanding of ETAs violence and continuous voting for its so called political wing, HB, becomes easier when the perception of the existence of a functioning democracy is lacking or is perceived to be highly damaged.

As a means to eliminate the radical adversary the prohibition of parties and alleged sister organizations might not work because its support base continues to hold the same views and organize itself through
existing and alternative institutions. Assuming that it is true that the “ideology” of ETA is within the families and passed on from generation to generation, then closing down the meeting place of so-called ETA collaborators does not prohibit the meeting from occurring. For example, the closure of \textit{herriko tabernas}, radical bars allegedly combining the function of party office and social club, might not suppress their function, as radicals can meet in less “official” bars. The recreational networks are not simply the organizations that are being closed down. The social base, the support that is there for ETA exists with or without the existence of these organizations. There will be another generation wanting to fight for the same things as their relatives or friends fought for as long as the historic and current perceived “injustices” live on. Because, as I argued in the beginning of this study, even if the dominating political establishment can mute national claims from minority groups by criminalizing them, they can also contribute in giving populist leaders new weapons in mobilizing the people.

\textbf{7.4 Further Complexities}

The existence of differing identities in the Basque country has further contributed to the complexity of the conflict and the gulf between two, in broad terms, conceptions of sovereignty seems unbridgeable; for one side peace equals the cease of violence, whilst for the other side peace equals independence, or at least the right of self-determination. Nevertheless, a majority of the Basques are not pleased with the current political form of the Spanish state and the establishment of the Autonomous Community, but within this majority there is no clear consensus on what that political form should look like or the methods that should be used to reach this.

In a democratic state where freedom of expression is thought to exist, it is of my opinion that all arguments or points of views should be able to be represented. If the arguments are considered to be incompatible with the principles of democracy, they should be dismantled by the use of words and not by the forces of law. Dialogue and debates should be used as a method to reach some kind of solution and not only constitute the end result. Nonetheless, even if I do not favor the gagging of political parties I believe that the future of the Basque radical nationalists lies in the pacifist political party of Aralar.

It will be interesting to see what the new Basque government, made up of the Spanish nationalist parties PP and PSE-EE, will manage to do within the next four years they are in power. It is believed that the policies they will introduce will not be in favor of the Basque nationalists, that what the Basque nationalist community has worked for to gain during the years after democratization will diminish within the next four years. But maybe this is what the Basque nationalists need, an opposition in order to become united and hopefully reach some sort of consensus that might constitute the first step in solving this protracted conflict.
7.5 My New Understanding

My preunderstanding before going to the Basque country was a rather simple one, that people are frustrated and that they therefore had chosen to resort to violence. As indicated by the results, this was the case and now I have gained an understanding of why. Many perceptions that I had of the conflict before starting my journey were modified and I gained a richer and deeper understanding of the complexity of the conflict. My conclusions might not be the end of the circle, but it is certainly a richer circle than when I first set out to the Basque country.

As the poorly informed researcher I was, before going to the Basque country I believed that when the discussion is about the Basque conflict, the dominating part in the discussion is ETAs struggle against the Spanish state. It did not take long before this preunderstanding was challenged and led to various different understandings. The methods of ETA are obviously remarkable in the sense that they are among the last struggling organizations in Europe; nevertheless I soon began to realize that there is more to the Basque conflict than just ETA.

I began to see that Basque nationalism is not a united movement that is mostly represented by ETA and their use of violence. A more observant look soon revealed that Basque nationalism is rather a deeply shattered multitudinous movement, dominated by pacifist, independentist and regionalist forces. Thus the Basque conflict cannot be minimized and limited to only include the case of ETA. Further I also realized that the conflict cannot be considered an ethnic conflict with ethnic Basques in opposition to ethnic Spaniards. Being an ethnic Basque, signified by language and/or surname, is not equivalent of being Basque independentist, moderate or pacifist. Thus I understood that the critical cleavages separating the residents of the Basque country are various and often overlapping and a person’s political identity is not always identified by their ethnicity.

Basque politics is therefore not solely dominated by terrorism; rather it is dominated by the separation between terrorism and pacifism. At the same time the problem is not one univocal conflict between Spain and the Basque Country, but it is a conflict where several different, disunited and partly overlapping territories are involved. A deeply broad conclusion of the conflict would be that the Basques are a divided people just as their country is.

As concluding words I would like to add that many times in conflicts it is often the differences between people that are highlighted. The differences are usually fewer than what the people have in common, but unfortunately the differences take the role of the protagonist. The Spanish, Basque and the French too, I am sure, have more in common than is usually perceived or shown. An increased understanding of this in the Basque and Spanish societies would hardly contribute in worsening the situation. The more complicated task would be how to increase that understanding. Unfortunately however, I experienced that the conflict has had dividing consequences between people in Basque
society. People do not talk about the conflict in between them, especially people of different political affiliations. Moreover as an increased understanding between people implies the necessity for people to talk with each other this process of reconciliation might be somewhat difficult, albeit not impossible.

7.6 For Future Studies
During my time in the region I noticed that Spanish is indisputably the dominant language used in Basque streets and unfortunately Euskera does not seem to be able to compete with this dominance. Considering that the preservation of Euskera many times was considered to be the most essential part of Basqueness, it would be interesting to make a study regarding how to make Euskera a more prominent language in the Basque country. A comparison could be done with Quebec for instance to see what policies have been enforced in order to make Quebecois as the dominating language in the province.
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Annex 1; Interview Guide

1. What do you think the conflict is about?

2. Who is Basque?

3. What do you think are ETAs objectives?

4. Who do you think is usually attracted by ETAs objectives?

5. How much support (in percentage) do you think there is still within the society for ETA? (Even if not openly)

6. Would you like ETA to quit fighting?

7. Do you think ETA could reach its goals through other means?
   if yes: what means? Why doesn’t ETA resort to those means?
   if no: how come?

8. Do you think that the use of violence, on either side (ETA and the Spanish government), is justified (right) and leading to something (effective)?

9. Do you think that violence on either side is understandable?

10. The Spanish government has used different methods (mostly law enforcement and coercive measures) in order to reach some sort of solution in the military conflict. What methods would you prefer?

11. How do you think this conflict will be solved?

12. With regard to the Basque conflict, how do you think democracy is working in Spain?

13. Do you think that political repression exists in the politics of the Spanish government towards the Basque?

14. Do you vote in the elections for the Basque parliament?

15. Are you involved in any NGOs that are working to improve the conflict in the Basque Country?

16. Are you optimistic regarding the future outcome of the conflict?
Annex 2; The Political Heartland

203 Mansvelt 2008:73
Annex 3, PSOE & PP = Fascism Poster

Picture taken in Oiartzun 18-04-2009. Also on the top right, the "Euskal Presoak" sign is visible.