

**Urko Aiartza, Julen Zabalo**

# **The Basque Country**

**The Long Walk to a Democratic Scenario**

**7**

**Urko Aiartza and Julen Zabalo:**

The Basque Country: The Long Walk to a Democratic Scenario  
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**Berghof Transitions Series**  
**Resistance/Liberation Movements and**  
**Transition to Politics**

**Editors**

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## About this Publication Series

This case-study is one of a series produced by participants in an ongoing Berghof research program on *Resistance and Liberation Movements in Transition*. Our overall aim is to learn from the experience of those in resistance or liberation movements who have used violence in their struggle but have also engaged politically during the conflict and in any peace process. Recent experience around the world has demonstrated that reaching political settlement in protracted social conflict always eventually needs the involvement of such movements. Our aim here is to discover how, from a non-state perspective, such political development is handled, what is the relationship between political and military strategies and tactics, and to learn more about how such movements (often sweepingly and simplistically bundled under the label of *non-state armed groups*) contribute to the transformation of conflict and to peacemaking. We can then use that experiential knowledge (1) to offer support to other movements who might be considering such a shift of strategy, and (2) to help other actors (states and international) to understand more clearly how to engage meaningfully with such movements to bring about political progress and peaceful settlement.

Political violence is a tool of both state and non-state actors, and replacing it by political methods of conflict management is essential to making sustainable peace. With this research program we want to understand better how one side of that equation has been, or could be, achieved. Depending on the particular case, each study makes a strong argument for the necessary inclusion of the movement in any future settlement, or documents clearly how such a role was effectively executed.

We consciously asked participants to reflect on their experience from their own unique point of view. What we publish in this series is not presented as neutral or exclusively accurate commentary. All histories are biased histories, and there is no single truth in conflict or in peace. Rather, we believe these case-studies are significant because they reflect important voices which are usually excluded or devalued in the analysis of conflict. Increasing numbers of academics, for example, study “armed groups” from outside, but few actually engage directly with them to hear their own points of view, rationales, and understandings of their context. We are convinced that these opinions and perspectives urgently need to be heard in order to broaden our understanding of peacemaking. For exactly this reason, each case study has been produced with the very close co-operation of, and in some cases authored by, members of the movement concerned. As the results amply illustrate, these perspectives are sophisticated, intelligent, political and strategic.

The reader may or may not agree with the perspectives expressed. But, much more importantly, we hope that the reader will accept that these perspectives are valid in themselves and must be included in any attempt at comprehensive understanding of violent conflict and its transformation. We urgently need to understand in more depth the dynamics of organisations who make the transition between political violence and democratic politics, in order to improve our understanding of their role, and our practice, in making peace.

The views expressed are those of the authors and contributors, and do not necessarily reflect the opinions or views of Berghof Conflict Research or Berghof Peace Support.

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# Introduction

The objective of the present study is to analyse the evolution of the conflict between the Spanish state and the Basque Country, from the creation of *Euskadi Ta Askatasuna* (ETA - Basque Country and Freedom) in 1958 to the present, from the point of view of the pro-independence forces. We will start with a quick overview of the origins of the conflict, before presenting the formation and development of the so-called “abertzale left” (*Ezker Abertzalea*) – which could be translated, and will be at times referred to here, as the patriotic left, nationalist left or pro-independence left. We will also look at the various phases of the search for a solution to the conflict through dialogue and negotiation. Although we will mention the relationship between the northern territories of the Basque Country and France as part of the historical analysis, we will not be studying the development of the nationalist and identity movement in the north. Instead, we will focus here on the conflict between the Spanish state and the Basque Country (see map in Annex 4).

Diverse sources have been used to prepare the present work, from publications (books, documents, pamphlets, surveys and media coverage) to interviews with actors involved, including Arnaldo Otegi and Rafael Diez Usabiaga, who are currently in prison. Any mistake or misunderstanding is the sole responsibility of the authors (chapter one, Dr. Julen Zabalo, and chapters 2 to 6, Urko Aiertza). This work would not have been possible without the invaluable help of Berghof Conflict Research members Veronique Dudouet, Amy Hunter and Katrin Planta.

## 1. Origins of the Basque conflict<sup>1</sup>

There is no unanimous agreement when it comes to determining the reasons for the so-called Basque conflict. According to different sources, it is either a long conflict with historical roots, an instrument of Basque nationalist politics, an attempt to impose a privilege, or evidence of the state’s obstinacy. Whichever of these may be the case, an understanding of the historical relations between the Basque provinces and the Spanish and French states is indispensable in order to explain the present conflict.

### 1.1 Historical roots of the conflict

The emergence of Basque nationalism in the early 20th century goes back to historical divisions and the political-legal relations between the Basque provinces and the Castilian crown. Whereas Basque institutions established their origin in a remote past, pre-dating the Castilian crown, the latter declared that they derive from royal power.<sup>2</sup> The bloody conquest and annexation of the Navarre crown by the Castilian crown during the 16th century was followed by social riots that called the institutional power, and sometimes clearly the central power, into question. In the aftermath of the 1789 French Revolution the suppression of pre-revolution Basque institutions, and changes in local government regimes, were countered by Basque protest. In the peninsular Basque Country<sup>3</sup> throughout the 19th century the Carlist Wars pitted the nobility and urban bourgeoisie

<sup>1</sup> This chapter was written by Dr. Julen Zabalo.

<sup>2</sup> One prominent representative in this long-standing debate, on the pro-Castilian side, was J.A. Llorente; the answer came, above all, from Francisco Aranguren (see Fernández Pardo, 1990).

<sup>3</sup> The term ‘peninsular Basque Country’ refers to southern territories under Spanish sovereignty, whereas the term ‘continental Basque Country’ refers to northern provinces under French legislation.

against the peasants, and the liberalist model against traditional forms of government preferred by the peasants. The defeat of the Carlist party led to the creation of a wide movement for the restoration of the *fueros* (charters compiling local or regional public and private law), and their ultimate suppression is remembered in the literature as one of the saddest moments of Basque history. Finally, another decisive event which marked the history of the Basque political conflict was the military uprising of Franco, the subsequent war, repression and forty-year dictatorship. The public accusation of Biscay and Gipuzkoa as being ‘traitor provinces’ because of their pro-separatist positions was the clearest example of this heritage of confrontation between the state and the Basque Country.

Historically, we can thus assert that some major historical events have brought Basque institutions into conflict with Spanish (and French) institutions. Even though those conflicts, partly embedded in a European cycle of social unrest, do not follow a consistent nationalist logic, they remained in the Basque memory and became a direct breeding ground for the rise of nationalism later on.

## 1.2 The national conflict: historical and language confrontation

The emergence of Basque nationalism in the late 19th century, mainly in Biscay and Gipuzkoa, was based on a reinterpretation of history prominently put forward by Sabino Arana, who founded the Basque Nationalist Party (EAJ-PNV) in 1895 and was the father of Basque nationalism as a movement. This is not to suggest that his interpretation was unfounded in historical facts, but simply that – as with any growing nationalist movement, be it nation-state nationalism or a stateless nationalism – his ideas were presented with a certain slant. Basque nationalism built an epic of the Basque people on the basis of their military victories and defeats, historic institutions, popular revolts, etc. Everything was re-contextualised, with the purpose of showing a territorial unity in the past that must be continued into the future. Once this purpose had been stated, the annexation of Navarre by the Castilian crown, the social revolts of 17th, 18th and 19th centuries, the loss of Basque institutions after the French Revolution, the Carlist Wars, the loss of the *fueros* and the Spanish Civil War provided the material with which the Basque nationalist movement (like all nationalisms) made its interpretation of the conflict. Even though the nationalists themselves used several different interpretations of the historical facts, they were all pursuing the same aim: to stress historical arguments justifying the Basque people’s right to an independent state.<sup>4</sup>

Apart from historical arguments, Basque nationalism also had economic, social, political or territorial reasons to justify its need for an independent future without the Spanish and French states. Racial or anthropological factors have more recently been replaced by the language argument.<sup>5</sup> Today, the Basque language is in decline, and this is largely due to the assimilation policy developed by the Spanish and French states. In this context, total political sovereignty is seen as being the only way to assure the future of the Basque language, as any language maintenance

<sup>4</sup> The predominant version in the earlier wave of nationalism asserts that the Kingdom of Navarre and the other Basque territories had their own laws and, through different paths (convenience pacts, monarchic unions), were included in the kingdoms of Spain or France. More recently, another nationalist trend highlights that the union of Basque territories with Spain was a matter of conquest. In the first case, it is argued that Basque territories would have the full right to demand separation, if they wanted to, in order to go back to a situation they had previously been in, given that the union had been a matter of convenience and had taken place against a background of independence. In the second case, it is argued that the union with Spain has never been desired, but imposed by force, so it is justified that the defeated party should be able to recover their original institutions.

<sup>5</sup> The race factor was put forward by Arana (1980) and Ibero (1979). The theory of Federico Krutwig (Sarrailh de Ihartza, 1979) bridged the gap towards the current prevalence of the language factor.

policy developed by the autonomous or regional Basque governments would be undermined, or rendered far less effective, by the nation-state's efforts to promote the language which they have declared to be the official national one.<sup>6</sup>

Certainly, language and history are not the only arguments used by Basque nationalists. Together with these, there are other strong reasons for Basque nationalism, ranging from economic ones, such as preventing leakage of Basque wealth, to the feeling of being constantly oppressed in one's legitimate political aspirations, and to national or romantic reasons, such as having their own national sports teams or the desire to see all the Basque territories politically united. All of these help to explain the continuation of the conflict, as do the respective discourses of the Spanish and French states, to which we will now turn.

### 1.3 The Spanish and French states facing the Basque conflict: the theory of privilege

From the beginning, the position of both states was to completely deny the conflict, either by omission or by de-legitimising it, for instance by stating that Basque claims corresponded to privileges that the state could not accept under any circumstances. The controversy over the characterisation of Basque claims as being 'privileges' is one of the most highly debated themes in the literature on the Basque conflict. Proponents of Spanish and French nationalism have argued in one of two ways: either by denying the claim completely because the Basques have no right to specific privileges and it would be a comparative disadvantage for other regions; or by reducing the issue to a mere decentralisation claim, which should partly be valid for other regions as well, and later opposing the national nature of the claim, because that would mean a comparative disadvantage for other regions.

The first position has been the predominant one. Defenders of Castilian unity argued in their writings from the 17th to 19th centuries that the *fueros* of the Basque provinces were a reward from the king and therefore were subject to the royal will. Now that the middle ages and their territorial dispersion had been left behind, the new Castilian kingdom should be based on unity both in the territorial and political-legal spheres.

Following the French Revolution, any attempts to preserve the old institutions and customs against the uniformity movement were constantly accused of trying to maintain the privileges of the aristocracy. Since the sovereign was no longer the king but the people, legal-political privileges were considered an offence not to the royal desires, but to the equality of all the people. Under this principle, France denied the very existence of the Basque Country by denying it any way of forming its own institutions. The argument of a unitary state and the equality of all its citizens, which is still used nowadays, leaves little room for conflict resolution, since it makes two assertions difficult to resolve: firstly, that all French citizens are compulsorily French and all Spanish citizens are compulsorily Spanish; and secondly, that there cannot be legal differences between Spanish citizens or between French citizens.

The second idea regarding particular regional rights is more recent, and it is a variation of the first one. It is specially included in the current Spanish constitution (1978), where Spain is declared to be a state of autonomies. This means that all regions in Spain must belong to an autonomy, regardless of their size. A slight difference is accepted between the so-called 'historical autonomies' (four, among them the Basque Country) and the rest, but minimum requirements are established for all autonomies, and above all, there is an upper limit that no autonomy can

<sup>6</sup> The comparatively late development of Basque nationalism in the continental Basque Country is the main reason why its discourse is much more based on and preoccupied with language and culture than in the peninsular Basque Country, as the Basque language there is in a particular state of decline.

surpass: the sovereignty is based on the Spanish nation and it is indissoluble, so no one autonomy can claim more powers than those given by the state.<sup>7</sup> The state of autonomies, as it is constructed, would ensure harmony between the Spanish regions and every attempt by the historic autonomies to achieve greater power represents an attack on such harmony and, therefore, would be poorly received by the other autonomies, which would feel a comparative disadvantage.

Either way, the theory of privilege turns out to be very sterile, because who would accept the fact that one party may have some privileges that the others do not? Agreements may only be reached by overcoming this conception of territorial differences concerning legal-political matters, and the predominance of this way of understanding the conflict has only served to drag it out further.

#### 1.4 The search for an agreement

Even though more energy has been spent in fuelling the conflict by justifying each side's position than in searching for solutions, there have been some attempts to find an exit to the Basque conflict. In addition to these, we must mention the two extreme possibilities, neither of which have been achieved so far: non-agreed independence, or total victory by the states.

The idea of non-agreed independence has materialised, especially, in moments when other intermediate proposals were deemed impossible. For instance, nationalist messages gained particular strength in the early 20th century under the Spanish dictatorship of Primo de Rivera, and also between 1936 and 1937, when the war left the army – and great amounts of power – in the hands of the *Lehendakari* (president of the Basque Country's autonomous government), but only in the limited territories he controlled at that moment. Throughout those years, there were calls to proclaim independence, above all from the youth nationalist movement *Jagi-Jagi*. Finally, under Franco's dictatorship the pro-independence proclamations increased. They first arose from the EAJ-PNV political party circles, who hoped for an allied victory in World War II, which might bring with it the downfall of Franco. Later, they came from ETA, who for some time proclaimed that revolution was the only way to obtain independence of the Basque Country. On the other side, these claims were met with total denial from the Spanish state, while the French state maintained a more cautious position, until recently, because Basque nationalism is far weaker there.

In view of these extreme positions and the political character of the conflict affecting the Basque Country, Spain and France, agreement is not easy. It is a territorial dispute between three actors, divided on two fronts: according to the Basque perspective, fostered by Basque nationalism, the Basque Country should form an independent territorial structure; on the other hand, the French and Spanish states defend the position that the part of the Basque Country that currently belongs to them should remain under their sovereignty. Another difficulty is that Basque nationalism seeks the complete sovereignty of all its territory as a strategic point; in other words, it claims secession from Spain and France and the political reunification of its territory. This demand for reunification represents a blockage in the event of a possible negotiation, because on the one hand, each state warns the other not to compromise the other's sovereignty, and on the other hand, the possible solutions to be negotiated will always have a transitional character, unless Basque nationalism publicly denies its strategic objectives.

Despite these difficulties, there have been attempts to implement intermediate solutions, with varying degrees of success. The creation of a Basque *département* has been a historical vindication that started with the constitution of the departmental division system in France. In Spain, Basque nationalists were looking for ways of achieving administrative decentralisation

<sup>7</sup> A good example for this is the Spanish parliament's opposition to even discussing the New Autonomy Proposal approved in the Basque Autonomous Community Parliament, which was completely rejected on 1st February 2005.

during the 1910s and especially the 1930s, under the Second Spanish Republic. In fact, in October 1936, in the middle of the civil war, a statute of autonomy for the Basque Country was recognised. In the continental Basque Country, the claims for a *département* became stronger during the 1960s, together with autonomy claims and regional decentralisation proposals within the framework of the European Union (EU). Since the 1980s, autonomous governments for the provinces of Araba, Biscay and Gipuzkoa and another one for Navarre have been recognised by the Spanish state, while France has adopted decentralisation measures. In both cases, it is important to highlight that these reforms have not been specifically concerned with the Basque Country but extended to both states' whole territory; i.e. Spain became a state of autonomies, and France adopted a more decentralised administrative system. The idea is to scrupulously avoid any kind of privilege or national recognition.

Finally, in recent years an alternative approach has been making its way and may become the axis of any solution to the conflict: the right to decide, or the need of the Basque people to express their opinion in a referendum on the shape of territorial organisation they wish to acquire. The ongoing conflict and the inability of political actors to solve it has given rise to claims for greater popular consultation on the Basque future. There is a need for a framework which would accept the right of the Basque citizens to decide about their future. In the next chapters we will analyse the shift towards such a democratic scenario.

## 2. The creation of the new Basque resistance

The abertzale left mainly started off as a movement of resurrection and resistance during the 1950s. In order to understand its formation and its main characteristics, we must take into account the social and political situation which the Basque Country was facing in that period.

### 2.1. Historical background for the emergence of ETA

Despite the end of the Spanish Civil War in 1939,<sup>8</sup> in following years the Basque Country continued to face economic hardship, hunger, and brutal repression. Killings and executions continued,<sup>9</sup> properties were confiscated and businesses closed down. A regime was established that was completely opposed to any development or expression of the Basque culture, language and identity. People were not allowed to speak their language on the street, and were fined if they did so. At school Basque speakers were treated brutally and considered illiterate. The repression also affected the Basque Church, which opposed Francoism and stood for the Basque institutions.<sup>10</sup> There was a collective trauma and suffering, understood as a national suffering. Basques were stigmatised as Basques.

8 Around 25,000 people died in the war, 6,000 of whom were executed. The Basque Country was used as a laboratory for air raids against civilians, and general bombings of towns, villages and cities. The bombing of Gernika (a symbolic village for Basque liberties) represents a powerful illustration of the atrocities fascism was ready to commit.

9 Around 45,000 people were imprisoned after the fascist coup d'état, many of them serving long jail sentences. Moreover, there were between 100,000 and 150,000 exiles and thousands of disappeared: in Spain it is estimated that up to 30,000 bodies might have been buried in unknown ditches (Egaña et al., 2000).

10 Part of the church was very close to the EAJ-PNV and was involved in the resurgence of Basque language and culture. Because of that, more than four hundred priests were sent to prison and around sixteen were executed in the war.

Within this context, World War II created a scenario of expectation for the EAJ-PNV and the Basque government<sup>11</sup> in exile, which had supported the US and British secret services and were now hoping that the allies would help to end Franco's fascist regime by entering the peninsula and supporting Basque forces. But these expectations were not fulfilled, and the feeling of being abandoned grew further when the political isolation of the Spanish fascist regime ended due to the geo-strategic context of the early 1950s (Watson, 2007). Although the international community had initially shunned Franco, the international atmosphere of the emerging Cold War led the US to view Spain as a strategic bulwark against communism, and to this end sought closer cooperation with Franco. The US National Security Council took the decision to normalize US-Spanish relations in 1948, and Spain was accepted into the World Health Organisation, UNESCO, ILO, and as full member of the UN in December 1955, effectively ending the boycott promoted by different countries against the fascist regime. The USA established their main Europe-based air defence installation in Spain as a counterpart to its financial aid. In 1951 the Basque government in exile was removed from its premises in Paris, which were taken over by the Spanish embassy.

At the Basque Country level, these policies brought an end to the strategy formulated and developed by the Basque government in exile. The internal and exiled leadership of the EAJ-PNV did not come up with any alternative to this situation, and failed to fulfil the expectations of the younger generations arriving on the political scene: the connection with the old nationalist party was broken, and there was a sense of a failed strategy.

This was the background against which a group of young people started organising themselves in a movement called *Ekin* (action), with the aim to gather information and knowledge about Basque history, language, culture, nationalism and to give an action-orientated response to the current situation and the danger of disappearing as a nation. Those young people felt themselves to be Basques, members of a country that for centuries had been fighting for its independence and that had become completely forbidden, and they considered it a duty to resist the killing of Basque identity. The movement was rooted in the influence of existentialism, the ethnic idea of the Basque Country, the great need to save a language that was dying, as well as an interest in the new anti-colonial struggles.<sup>12</sup> They educated themselves about the beginning of Basque nationalism and its evolution, and found themselves very close to some sections of Basque nationalism which emerged during the 1930s such as the party Basque Nationalist Action (EAE-ANV), which was opposed to the EAJ-PNV's confessionalism and supported a socialist economic programme challenging the traditionalist EAJ-PNV stance. They were also close to the group *Jagi-Jagi*, formed from the EAJ-PNV as a very pro-independence and anti-imperialist group close to the Irish model of nationalist resurgence. *Ekin* defined itself as a "non-confessional patriotic movement".<sup>13</sup> One of the main characteristics of the patriotic left was, and would be, its activism.

Even though *Ekin* at first collaborated with the EAJ-PNV and its youth league EGI, by the end of the 1950s it was clear that there was no option for this generation to become part of the EAJ-PNV. The old party wanted to control them and was not ready to let this group lead a transformation. Mutual attacks cemented this position. There were some profound ideological and operational disagreements. As a result, *Ekin* and some members of EGI joined forces to found ETA in December 1958.

<sup>11</sup> The Provisional Basque Government was formed on October 7th 1936, once the Basque autonomy was recognized by the Spanish Republic. It was to be a semi-independent government, with its own army, police and international relations. Once the civil war was lost, this government went into exile.

<sup>12</sup> Particularly prominent were the Cypriot, Irish and Jewish rebellions against British occupation forces, the FLN liberation struggle against French colonialism, the Indochina war and the Cuban revolution.

<sup>13</sup> On the formation of *Ekin* and ETA, see Apalategi (1979), Casanova (2007), Clark (1979), Egaña et al. (2005), Garmendia (1980), Giacomucci (1992), Letamendia (1994), Nuñez et al. (1993), and Watson (2007).

## 2.2 Foundation and ideological evolution of ETA

ETA was formed as a clandestine group in 1958 and defined its objectives as “*Euskadi, a free Basque Country, through a Basque state like other states in the world, and Askatasuna (freedom), free people in the Basque Country*” (Garmendia, 1980). Organised around six branches (publications, study groups, Basque language group, mass actions, propaganda, and military actions), the movement initially concentrated its activities on propaganda (calls on patriots to join the struggle) and sabotage (murals, displays of Basque flags, leaflets, small explosive devices). From the movement’s inception, it was decided that violence was the only possible response to the Spanish occupation; there was no space for other methods of resistance.<sup>14</sup> Repression against the movement was severe,<sup>15</sup> and most of the leadership was forced into exile. Over the next few years, an ideological evolution took place inside the movement that clarified both its ideological position and the strategy to advance towards it.

ETA celebrated its first assembly in 1962, where it defined itself as the Basque Revolutionary Movement of National Liberation. Its objectives were national liberation, which meant an independent, united and Basque-speaking country, and social liberation, understood in a social democratic context. ETA condemned both communism and fascism as totalitarian regimes, supported a federalist Europe and considered itself a non-confessional party.

The movement’s strategic and ideological foundations were further clarified during the second and third assemblies. The leadership was greatly influenced by the writings of Frantz Fanon’s “*Les Damnés de la Terre*” and Basque writer Federico Krutwig’s “*Vasconia*”, as well as writings on the Algerian, Vietnamese and Cuban revolutions. At the end of 1963 the first theoretical underpinning came with the document “*Insurrection in the Basque Country*”, written by an ETA member. This book was a compendium of military theories and concrete revolutionary experiences to show the way to start revolutionary warfare.<sup>16</sup> At the fourth assembly (1965), there was a progressive shift towards more leftist positions, with ETA recognising socialism as well as national liberation as fundamental pillars. On tactical terms, there was a better understanding of the reality and a new document established the basis for future intervention. The document “*Theoretical Basis for Revolutionary Warfare*” was the first attempt to adapt the theory of armed struggle to fit the real situation of the country. It opted against an open confrontation scenario in the form of general guerrilla war. Instead, guerrilla warfare was understood in a more progressive way, as a political and military process with the objective of self-determination and making visible to the population the occupant character of the current system. ETA understood that there were no options for a general insurrection: an organised minority would have to start the struggle. It was to be a very progressive struggle for which ETA defined three basic steps: publicising ETA’s existence, preparing the conditions for open actions that could create casualties, and implementing the spiral methodology of “action-repression-action”.

All this process of theoretical evolution went hand in hand with an escalation of mass activities and sabotage in the Basque country, as well as increased Spanish repression against Basque militants and citizens.

<sup>14</sup> “*Violence is necessary. A contagious violence, destructive, which would help our struggle, the good struggle, the struggle that the Israelis, Congolese and Algerians have taught us*” (Garmendia, 1980).

<sup>15</sup> More than 200 people were arrested and tortured in 1961, following sabotage against a train transporting Spanish fascist volunteers to San Sebastian to celebrate the 1936 victory. Seven of those arrested were sentenced to prison sentences of 20 years by a martial military court.

<sup>16</sup> The type of revolutionary warfare advocated was based on the Vietnamese, Chinese or Algerian models, and thus far away from the Basque reality. So, even though it was established as a theoretical document which had a strong impact on the militants, it did not have any practical consequences: taking into account the geographical and political reality of the country, ETA continued to operate on a propaganda and sabotage model.

## 3. The Spanish transition

In the late 1960s and early 1970s, the centre of gravity of the Francoist regime shifted from the army to the central administration. The goal of these technocrats was to prepare a peaceful evolution following Franco's death by promoting minimal reforms and a continuation of the regime in a modernised fashion. After the end of Francoism, Spain faced a new political landscape where it had to adapt to the transformations of the global economy and the western democratic model.

Against a background of political reforms, ETA and the abertzale left struggled to promote a complete rupture with the Francoist regime, based on the recognition of basic democratic rights (such as freedom of speech, political participation, amnesty, etc.) and the right to self-determination of the nations under Spanish rule. This process was fraught with internal divisions, leading to ETA's split but also the creation of new political coalitions and alliances. Although the abertzale left failed to integrate its proposals into a new constitutional framework, eventually elaborated without its participation, the bases for continuing the struggle were established because a large segment of Basque society supported its political positions.

### 3.1 Reorganisation of ETA during the last years of Francoism

In the 1960s and 1970s, ETA faced internal re-structuring and a major debate on its mission, while experiencing increasing repression at the end of Franco's regime. The organisation had to confront sections that rejected the national question as a petit-bourgeois claim, trying to prioritise the class struggle and subsequent alliance with Spanish political forces and the submission to a state-wide political framework. It also had to choose new organisational models and decide on the extent of the military activities it was ready to use, taking into account that new spaces for conducting politics were being opened.

#### 3.1.1 From the Burgos trial to the last executions of Francoism

At the end of the 1960s, the action-repression-action spiral theorised by the pro-independence movement started to kick in. The so-called Burgos trial (1969), a showcase trial to judge and execute 16 ETA members (arrested after an attack that had killed superintendent Melitón Manzanás),<sup>17</sup> became a turning point in the struggle against the Francoist regime and marked the beginning of the end of the dictatorship. It provoked large demonstrations and protest, both at home and abroad,<sup>18</sup> and Franco was forced to commute the death penalties under international pressure. During the trial, the defendants denounced the national, ethnic and linguistic oppression suffered by the Basque people.<sup>19</sup>

This event led to a redefinition of the conflict between the sectors that called for changes and the ultra-conservative forces. Even though the Spanish government was willing to accept some changes, it was not prepared to discuss the national question, particularly in the Basque Country,

<sup>17</sup> Melitón Manzanás was a police inspector famous for his brutality with prisoners. During WWII he had had relations with the Nazi regime, and his sadism was well known. Recently he was recognised as a victim of terrorism by the Spanish government.

<sup>18</sup> There were worldwide demonstrations; some ambassadors were recalled from Spain, the Pope among others called for the commutation of the death sentences.

<sup>19</sup> They showed their support for revolutionary nationalism and internationalism and proclaimed the role of Basque workers in the liberation of the country. The trial ended with the convicted shouting "*Long live the free Basque Country!*" and singing the anthem of the Basque soldiers while they were forcefully taken out of the room.

but also in Catalonia and Galicia. The Spanish right-wing movements became more radical, and Franco and the state mobilised numerous pro-regime bases and organised demonstrations against the ‘red-separatist’ enemy. The only party permitted, the Fascist party, highlighted the Basque question as the most important problem facing the government in its report titled *“Defensa de la Unidad Nacional”* (Defence of the National Unity).<sup>20</sup> However, the only solutions suggested were strictly repressive.

Prime Minister Admiral Carrero Blanco, one of Franco’s closest collaborators, was in charge of conducting repressive policies and counter-insurgency by the regime, and thus seen as a key target by ETA. He was also the head of the intelligence service (SECED),<sup>21</sup> and responsible for implementing the frequent states of emergency, the lack of guarantees to trial, systematic use of torture, shoot-to-kill policies and death squads deployed against the patriotic movement. On 20th December 1973, ETA killed him in a military action in Madrid. The attack caused a big crisis in the plans of the regime, and accelerated its end. Without a charismatic leader, the conflicts among the progressive and conservative (the so-called ‘bunker’) wings increased.

The regime answered the attack with brutal severity. Over the following months, the Basque Country was in a constant state of emergency, and thousands of people were arrested. For instance, in 1975, 4,625 people were arrested in massive police raids,<sup>22</sup> and 628 prisoners were serving a total of 3,500-year sentences in Spanish prisons (Casanova, 2007). ETA increased its armed activity, and protests and strikes expanded. The government in turn promoted the activity of paramilitary and extreme right organisations, which started attacking Basque political refugees in the south of France. On 27th September 1975, in an ultimate attempt to express a message of strength to the opposition and to the Francoist sectors which questioned its continuity, the Spanish government executed ETA activists Txiki and Otaegi and other Spanish left-wing activists, despite numerous protests and diplomatic interventions. After the executions, protest activities intensified in the Basque Country, where a general strike was organised. Abroad, some European countries boycotted Spanish products and companies, and several Spanish diplomatic delegations were attacked. The European Common Market ended its commercial negotiations with Spain, and Mexico proposed a motion to expel Spain from the UN.

### 3.1.2 ETA’s split

Meanwhile, the Basque Country also underwent deep social changes in the 1960s and 1970s. As a consequence of industrial development, farmers started working in factories and urbanisation increased. Nationalists and young people of immigrant origin were jointly confronted with hard working conditions as well as national, cultural and linguistic oppression. They were the basis of the new Basque patriotic movement.

This changing political landscape, and the intensified Spanish repression, also affected ETA’s internal organisation. The movement’s fifth assembly (1972) was marked by a shift within the leadership, as the political section started moving towards more leftist positions, including a ‘workerism’ that denied the national nature of the struggle and focused on social/worker

<sup>20</sup> According to this report, the situation was serious in Gipuzkoa and Biscay and less serious in Araba, and it was extending to Navarre. The main factors which caused the situation were: a) numerous priests, b) the Basque citizens who emigrated from the farms to the cities, c) the sensation of cultural and economic oppression, among others. The report had an interesting comment on Spanish emigrants: *“many of them are not originally separatists, but can be the travelling companions of separatism”* (Letamendia, 1994).

<sup>21</sup> SECED also designed the transition period, with several covert operations to recruit opposition members and change the regime in an orderly fashion.

<sup>22</sup> On 8 May 1975, the bullring of Bilbao had to be adapted as a provisional accommodation centre for the 400 people arrested that night.

issues.<sup>23</sup> These developments provoked a further separation of the political section from two other tendencies: a minority group composed by a few founders of *Ekin* and ETA who were close to the cultural branch and were profoundly nationalist but not Marxist, and a majority made up of some founders and members of the new generation, highly influenced by the third world struggles. This last group defended revolutionary nationalism, and the idea of national and social liberation as two faces of the same coin, while understanding that in the Basque Country the national contradiction is the main one.<sup>24</sup> During the fifth assembly ETA's new strategy was formulated by this latter group, with the Basque workers as a leading force together with the nationalist petit bourgeoisie. The organisation reaffirmed action-repression-action as its chosen instrument to oppose the repressive regime and promote liberation. Based on the front model mentioned in the writings of the Vietnamese Truong Chinh's "*The Resistance Will Win*", ETA organised itself into four (military, cultural, political and worker) fronts. The objective was to activate the masses, to radicalise the struggle and to confront the state openly.

However, the context of severe repression faced by the militants affected this organisational structure, and the front model they had started faced some internal criticism as ETA faced some problems organising the masses properly. It was argued that while working with the masses was necessary for the political-cultural front and the workers' front, the military front needed secrecy and security. Thus, some members considered that the organisation had to be just military, so that the workers', political and cultural movements could organise themselves separately. In that way, the left-wing political organisations would not suffer oppression and the abertzale left could take part in the political space offered by the prospect of formal democracy. However, ETA did not believe that the democratic regime to come would recognise the national rights of the Basque people, and thus considered that the armed organisation had to continue fulfilling all its functions and objectives, in complete separation from future political and social organisations. Another wing of ETA considered that they had to create a political-military organisation. It would be organised in two autonomous branches (political and military) at the local level, but coordinated at the regional and national levels by one direction board.

As a consequence, military ETA (ETA-m) and political-military ETA (ETA-pm) split in 1974. Those backing ETA-pm ended up creating a political party of Basque workers (Party for Basque Revolution, EIA) and a political coalition called Basque Left (EE). Its objective was to work in the new democratic framework, with ETA (pm) acting as a rearguard for the masses in their struggle.<sup>25</sup>

Furthermore, several additional left-wing organisations were created on the Basque political scene during the 1970s. Most of them derived from extreme-left groups which did not accept the national nature of the liberation process and favoured a workerist perspective. They considered the class struggle as the main and only real contradiction within the Spanish state, and treated the national struggle as a 'petit bourgeois' question. The Communist Movement (MC) and the Revolutionary Communist League (LKI) were created respectively by splits in ETA's fifth and sixth assemblies. ETA's actions thus encouraged a lot of people to get involved in political activism. However, it could not take a decisive advantage of this radicalisation of the Basque society, because it could not offer any framework to those people who identified with its ideology

<sup>23</sup> This group was greatly influenced by some European leftist writers and movements (e.g. the so-called New European Left, Ernest Mandel, André Gorz) who also spoke about the need for a progressive transformation and the non-viability of armed struggle in the current scenario.

<sup>24</sup> They were strongly influenced by documents like "*Vasconia*" or "*Nacionalismo Revolucionario*", written by Federico Krutwig, based on the Vietnamese politician Truong Chinh's works.

<sup>25</sup> In 1982, a few members of this party negotiated its dissolution with the state and accepted the autonomy framework established by the new constitution. Some years later, some members of the coalition Basque Left (EE) agreed to join the Spanish Socialist Party's Basque branch (PSE), while the majority of ETA-pm decided to join ETA-m, the only remaining organisation linked to ETA.

but did not want to join the armed organisation.

Meanwhile, ETA started to understand that it was not possible to apply the principles of a people's war to the conditions of the Basque Country. Given the impossibility of defeating the enemy by military means, ETA started to talk about a possible war of attrition to force the rupture of the regime, rather than a mere transition.

### 3.2 From the Law for Political Reform to the Spanish Constitution

In the course of elaborating a new constitution after Franco's death, new political alliances were created and some of the opposition parties changed their position regarding the Basque Country to collaborate with the regime. As a result, Navarre was split from the Basque project and the abertzale left remained the only and thus isolated force opposed to the constitutional project. Its alternative proposal defended by the newly-created electoral coalition Herri Batasuna failed to impact on the new constitution, eventually reinforcing the continuity of the conflict.

#### 3.2.1 Spanish and Basque opposition forces

On 20th November 1975, Franco died. Juan Carlos I was appointed Head of State.<sup>26</sup> Together with the end of the Portuguese and Greek dictatorships, Franco's death indicated the end of totalitarian regimes in Western Europe. The Spanish state had thus to decide between three possible courses of action: to continue Francoism without Franco (a difficult option after the attack against Carrero Blanco); to modify the system without changing the dictatorship or the people in charge; or to establish a real democracy that would respect all the civil, political, social and cultural rights, solve the national problem by recognising national plurality, and accept the right of self-determination - a basic element for solving the Basque conflict. The second option, "change something, so that nothing changed", was the option which received most support among moderate Francoists. For their part, the progressive forces of the state, including the main Spanish parties - Socialist Party (PSOE) and Communist Party (PCE) - and the Basque EAJ-PNV, were opposed to a limited reform process.

In July 1976, Adolfo Suárez, the head of the National Movement (fascism's political body) and representative of its progressive wing, was appointed Prime Minister. He announced a referendum on the Law of Political Reform for December that year, which became the tool to guide the transition. He legalised some political parties, released a limited number of political prisoners (this hardly affected ETA, as the so-called common crimes were not included), and replaced some of the military and police leadership.

From that moment on, a dialogue was established with opposition forces that had joined in a democratic coordination body called *Platajunta*, named after the two main Spanish opposition forces in exile, the Democratic Assembly (*Junta Democrática*) and the Platform for Democratic Convergence (*Plataforma de Convergencia Democrática*) joined together. The former, created in July 1974, was comprised of the Spanish Communist Party (PCE), the Spanish Labour Party (PTE), the Popular Socialist Party (PSP), the Carlist Party and the monarchist sectors who supported Don Juan de Borbón (the father of Franco's successor). As part of its programme, it advocated the recognition of the Catalan, Basque and Galician peoples and the regional communities, under

<sup>26</sup> He had been appointed Franco's successor as Head of State in July 1969, following his father Don Juan de Borbón's abdication from the throne.

the unity of the Spanish state.<sup>27</sup> For its part, the Platform for Democratic Convergence was formed by the Spanish Socialist Party (PSOE), the Workers' Revolutionary Organisation (ORT), other progressive democratic forces and the EAJ-PNV.

Whereas the platform's ideology was primarily republican at first – defending a federal system and even the right to self-determination, the transition process directed by the progressive sectors of the regime managed to include all the parties in a reform process where they left their principles behind.<sup>28</sup> Even the aged leaders of the EAJ-PNV eventually agreed to enter the Platform for Democratic Convergence, for fear of being engulfed by the new nationalism represented by ETA.

By contrast, the abertzale left asserted that a simple reform process within the regime would not solve the basic confrontational elements of the main conflict, i.e. the Basque national question and the right to self-determination. It demanded the amnesty of all political prisoners and the return of all exiles, the dissolution of repressive forces, the legalisation of pro-independence parties and the establishment of a Basque self-governing body for all four provinces.

In August 1975, under the initiative of ETA-pm (and without the participation of ETA-m), several Basque political parties (including the Basque Socialist Party (EAS), the People's Socialist Party (HAS) and the Patriotic Workers' Committees (LAC) and labour committees created the Socialist Patriotic Coordinating Committee (KAS). It started off as a simple anti-repressive platform, but progressively turned into a platform of patriotic unity that tried to reach a consensus on the minimum conditions for the abertzale left to consider the reform process democratic.<sup>29</sup> These conditions were presented under the name of "KAS alternative" in 1976.

In this context, the state initiated a first negotiation attempt towards the armed organisations existing at that time (ETA-m and ETA-pm). State representatives called a meeting in Geneva, at the end of 1976, with the leaders of ETA-pm. The military spokesman said that the prisoners would be released, the exiles repatriated and the political parties legalised if they agreed to a three-month truce and later abandoned the armed struggle. ETA-m rejected the offer, and communicated to the state that it was an unacceptable offer for abandoning the armed struggle. They said that what they offered were only minimum democratic conditions before any negotiation.

### 3.2.2 The division of the Southern land

According to the then PSOE spokesman Txiki Benegas, *"in the months of 1977, there was a change in the strategy of all parties, including the communist party. The strategy of a democratic break, suggested as a sudden and radical change of the previous regime, turned into a negotiation process of pressure and tension, which was called an agreed democratic break"* (Casanova, 2007). Once the referendum regarding the Reform Law had been held, the Suárez government called for

<sup>27</sup> This represented a shift from the PCE's earlier position, as in 1970 the party's then president Dolores Ibarruri had declared herself in favour of the right to self-determination of the Spanish nations, in a report presented to the central commission of the party.

<sup>28</sup> For instance, the PSOE effected a 180-degree turn so that the political reform could be carried out. Whereas it had called at its 8th conference in 1974 for *"releasing all political prisoners, dissolving all repressive institutions, (...) and recognising the right to self-determination of all Iberian nationalities"*, it later shifted from defending self-determination to defending the unity of Spain, from supporting a republic to supporting the monarchy, from demanding total amnesty and the disappearance of police forces to accepting partial amnesty and no reform of state institutions.

<sup>29</sup> These were the conditions: 1. to establish democratic rights; 2. amnesty; 3. to adopt measures for improving the living conditions of popular masses and the working class; 4. to eliminate the repressive bodies; 5. to recognise the national sovereignty of the Basque Country, so that the Basque people can decide their future freely and create their own state; 6. to establish a provisional autonomy statute immediately, for Araba, Gipuzkoa, Biscay and Navarre; and 7. to create a provisional Basque government within the framework of the statute.

general elections in June 1977. The political forces that had accepted the reform (i.e. PSOE, PCE and EAJ-PNV) were legalised, and two new parties were also established representing the state's centre and right wing: the Union of the Democratic Centre (UCD) and the Popular Alliance (AP).

Ahead of the elections, the EAJ-PNV and the PSOE committed themselves to forming an Assembly of Basque Members of Parliament that would present a project of pre-autonomy to be discussed with the members of the central government. After the election, forty-two members of parliament gathered in Gernika, representing among others the EAJ-PNV, the Basque Socialist Party (PSE, Basque section of the PSOE), and some representatives of the UCD; the right-wing representatives of Araba and Navarre did not attend. At the meeting, some objectives were settled: amnesty, the legalisation of political parties and the setting up of a self-government regime for the four Basque provinces. It was also agreed that representatives from the regional assemblies in each of the four Basque provinces would meet in a confederate council to develop a statute of autonomy, to be negotiated with the central government. The main problem occurred with Navarre, where the regional government was controlled by ultra-conservative forces.<sup>30</sup>

The Spanish government's ambition to divide the Basque Country by splitting Navarre from the common project was confirmed in the next round of negotiations between the negotiating commission of the Assembly of Basque Members of Parliament and the representatives of the Spanish government. Thus, Xabier Arzalluz, president of the EAJ-PNV, recalled in 1987 that at that time, the forces in power thought that integrating Navarre into *Euskadi* (the name given to the Basque Autonomous Community) would have made that territory big enough and would have provided it with the necessary international borders to be able to form an independent Basque state in the future, a scenario the Spanish government wanted to prevent (Aioiz, 2005). The central government pressured PSOE leaders to change their party's historical position and to support the division of the four provinces, which they finally accepted as part of their attempt to become an alternative to the governing power. As a result, Navarre was split off from the common Basque project.

### 3.2.3 The patriotic front: Txiberta meetings and the failure of unity

In that context, only the forces around the abertzale left remained opposed to the reform process. They interpreted it as the result of a concession forced onto the regime by popular struggles for democratic rights, the return of exiles, the legalisation of political parties, the dissolution of the state's machinery of repression, as well as the right to self-determination and self-government. Hence, ETA decided to maintain its pressure on the state in order to obtain greater changes, while pursuing a strategic unification of Basque nationalist forces. Indeed, the idea of creating a single national front uniting all nationalist forces (moderate and progressive ones) in defence of the national and democratic interests of the country was central to ETA's philosophy of patriotic insurrectional warfare. It believed that having conversations with the state as a nation would be positive in breaking away from Francoism, and agreed to talk about the end of the armed struggle if there would be a nation-to-nation negotiation with the state on the settlement of a democratic framework. The meetings of the Basque nationalist forces held in Txiberta in the spring of 1977, promoted by Telésforo de Monzón, a prominent member of the EAJ-PNV and councillor of the Basque government during the Republic,<sup>31</sup> were attended by all the small political forces, including

<sup>30</sup> The Spanish right wing opposed integrating Navarre into the Basque statute, with the support of Navarre's right wing. Members of the UCD of Navarre refused to participate in the project. Disagreeing with that decision, 14 local parties, including the PSOE, sent a document to Adolfo Suárez to condemn the UCD's attitude and to clarify that those parties representing 60% of the votes considered such an attitude to be a threat to peace and coexistence in Navarre and the rest of the Basque Country.

<sup>31</sup> Later on, he became one of the main promoters of Herri Batasuna.

both wings of ETA and the so-called Assembly of Mayors.<sup>32</sup>

However, the meetings failed to establish a unified strategy among the patriotic forces with respect to the upcoming June elections. ETA-m and the KAS organisations (with the exception of ETA-pm), supported by ex-prisoners, decided to boycott them unless there was a total amnesty, and decided that the Basque people would not take part in the constitutional process if democratic freedom and total amnesty were not allowed. On the other side, EAJ-PNV and the EE coalition promoted by ETA-pm did want to participate in the elections, even though the state had not fulfilled any of the above-mentioned claims (not all the prisoners were released, the exiles did not come back and pro-independence parties were not legalised). As Judge Navarro said, *“the failure to create a single body that would bring together all Basque patriotic political forces was warmly welcomed in Madrid. It was a relief for Suárez’s government as the prospect of a Basque patriotic bloc including ETA did not make them very happy”* (Casanova, 2007).

### 3.2.4 The constitutional process and the creation of Herri Batasuna

After the elections of 1977, the forces of the patriotic left refused to participate in the process of building a new Spanish constitution, as they deemed it impossible that this could lead to an appropriate recognition of the nation. In particular, ETA rejected a series of constitutional proposals which it considered to have been imposed by the armed forces: the monarchist reform, the adoption of the capitalist system, the lack of freedom of opinion and expression, the continuation of Francoism without Franco, the denial of the right for the peaceful self-determination of nations, the anti-terrorist law, the division of Euskadi (Navarre and the Basque provinces), the mandatory nature of the Spanish language, the intention to make the Basque language disappear, and the general lack of national freedoms. Consequently, ETA decided to oppose the constitution with all its forces.

At the end of 1977, the political organisations created around KAS, and some independent ones (such as the Basque Socialist Convergence (ESB), EAE-ANV or EIA), formed what was called the *Altsasuko Mahaia* (Table of Alsasua), in order to face possible local elections and support the creation of a statute of autonomy for the four Basque provinces. It further committed itself to fight for a free, united and Basque-speaking Euskadi. In April 1978, the parties ESB, EAE-ANV, the Socialist Revolutionary Popular Party (HASI) and the Party for the Revolution of Patriotic Workers (LAIA), the majority of the independent mayors, and other independent people created the Herri Batasuna (HB) coalition. Its strategic objectives were to achieve the independence of the country from the left, and to implement the KAS alternative. A new version of the KAS alternative was published, enumerating five essential conditions to be negotiated in order for ETA to give up the armed struggle: amnesty for all Basque prisoners; the legalisation of pro-Basque-independence parties; the withdrawal of the Spanish police force from *Hegoalde* (the southern Basque country, formed by the Basque Autonomous Community and Navarre); Madrid’s acceptance of the right to self-determination and the inclusion of Navarre within the new autonomy statute; and an improvement of basic living conditions for the working classes. Within this framework, the abertzale left had thus created a consistent political body that united independence and socialism as a political project, with the new KAS alternative as a tactical claim and the fight against reform as a line of intervention.

When the constituent process was about to be concluded, there was some contact

<sup>32</sup> The Assembly of Mayors was formed by some mayors elected according to the Francoist system, but who were nationalist and longed for a national liberation process where city councils would play an important role. The first proposal for a statute of autonomy for the four Basque communities had been promoted by a city council movement at the beginning of the twentieth century.

between the government and ETA, but ETA did not consider this as real and serious negotiation proposals. Besides, those negotiations were not part of its plan: the KAS alternative was seen as a minimum condition that the state had to approve, in order for the transition to make a break with the previous regime. ETA considered that it was not a time for negotiation, but for total armed action and mass action. Moreover, it was clear for them that the objective of those contacts was not to solve the conflict, but solely to buy time in order for the constitution to be approved.

In April 1978, the Basque nationalist forces eventually rejected the new constitution as it denied national rights and defined the function of the armed forces as the defence of national unity.<sup>33</sup> Whereas Herri Batasuna<sup>34</sup> took position against it, the EAJ-PNV and other minority parties promoted active abstention. As a result, the referendum held on 6th December 1978 revealed that the constitution was only supported by 34.9 % of the electorate in the Basque Country; in none of the four provinces did the support reach 50%.<sup>35</sup> The Spanish constitution was supposed to be the basis of the new Spanish state, but it was not supported in the Basque Country.

### 3.3 Conclusions: unfinished business

The new model imposed by the state sought approval in Western Europe and was promoted as the key to Spain's definitive integration into the international community. But there was one main aspect that the reform did not solve: the Basque conflict. As the new constitution had been formed without the consensus of the Basque people, it did not have legitimacy and was disputed by Basque pro-independence forces.

History has shown that there were additional problems. The Spanish transition, which was seen as a model for some international actors (but is called the "Spanish impunity model" by human rights defenders), was in fact a compromise between a strong party (the fascist regime) and a weak opposition. The fascist regime's crimes against humanity were not investigated and criminals were not prosecuted, and an amnesty law wiped clean the slate of 40 years of criminal and fascist regime history. There was no investigation, nor truth, nor reparation and reconciliation process. Not a single change was effected in the main state powers like the army, police, secret services, justice, or media, all of which deeply affects the development of the Spanish democracy and its institutions, where the same people remained in charge. Thirty years after the end of the Francoist regime, the children and grandchildren of those who lost the civil war and suffered repression and harassment for years are asking for truth, justice, and reparation. A very strong movement in the Basque Country is demanding to know the truth about the civil war and the repression of Franco's years (e.g. by searching mass graves), as well as the truth about the transition and the compromises adopted (Lau Haizetara Gogoan, 2009).

<sup>33</sup> Article 2 of the constitution states that: "*La Constitución se fundamenta en la indisoluble unidad de la Nación Española...*" (The Constitution is based on the indissoluble unity of the Spanish Nation). Article 8 further states that: "*Las fuerzas armadas ...tienen como misión garantizar la soberanía e independencia de España, defender su integridad territorial y el ordenamiento constitucional*" (The mission of the armed forces ... is to guarantee the sovereignty and independence of Spain and to defend its territorial integrity and the constitutional order).

<sup>34</sup> At the following elections for the Spanish parliament, Herri Batasuna obtained 172,110 votes, and it decided not to participate in the parliament. It also obtained 211,000 votes at the local elections, becoming the second largest force in the country, with more than 280 councillors. The political and institutional will of the patriotic left had, thus, taken a concrete form.

<sup>35</sup> In Navarre, active abstention reached 33.42 % and 12.63% voted against the constitution. In Gipuzkoa, active abstention reached 56.55% and 12.15% voted against. In Bizkaia, active abstention reached 56.6% and 9.48% voted against, and in Araba, active abstention reached 40.7% and 11.37% voted against. By comparison, in the whole of Spain, 87.79% voted in favour and 7.91% opposed it, while abstention reached 32.33%.

The nationalist movement also learned about its limitations during that phase. It was not able to collect enough power to make the country's separation from the Spanish state inevitable. It was far from its theoretical objectives, and, above all, far from the revolutionary patriotism and its bid to lead a total confrontation with the state. It had failed to make the state accept the KAS alternative. In addition, as the EAJ-PNV did not want to take part in that initiative, the attempt to build a single representative of all Basque patriotic forces had failed, too. Still, ETA was convinced that it had enough military capacity and wide enough social support to reject that framework and back KAS's offer. In the following years, the confrontation between the state and the patriotic left got worse. Some people called those times of a war of attrition "the years of lead".

## 4. Negotiation attempts

On the basis of the new Spanish Constitution and with the approval of the Basque Autonomy Statute and the Navarre Autonomy Statute, the autonomy regime was established in the Basque Country, along with other nations and regions (seventeen in total) which also approved their autonomies. However, right-wing parties, the state apparatus, and centralist sections of left-wing Spanish parties considered the power attributed to these autonomies to be too high. The old regime forces promoted a coup d'état attempt in 1981, which, although not completely successful, created a setback for the decentralisation process, crystallised in the Organic Law for the Harmonisation of the Autonomy Process (LOAPA).

### 4.1. The extended war

The PSOE's arrival in government in 1982 did not bring any substantial changes with regards to the Basque conflict. On the contrary, in May 1982, before the general election, PSOE promoted "support for the Spanish democracy by recognising the need to intensify co-operation to fight terrorism" at the Socialist International meeting in Rome. In the PSOE Decalogue published two days after its electoral victory, it was stated that dialogue could only be used for surrender or repentance. From then on, the new government developed a triple intervention line in order to defeat ETA.

Firstly, police operations were reinforced, and the army started getting involved in the struggle against terrorism through the Rural Antiterrorist Groups (GAR) and the Quick Action Units (UAR).

Secondly, the state's counter-terrorism unit (called the Department of Information and Special Operations, *Gabinete de Información y Operaciones Especiales*) was reorganised. The government launched the ZEN Plan (Plan for the Special Northern Zone) as an element of its counterinsurgency struggle. It was based on international counterinsurgency handbooks, and lessons given to Spanish military experts at the School of the Americas. The appointed leaders of the antiterrorist struggle were well known for having been members of the Francoist regime. Shoot-to-kill policies and reported cases of torture increased.<sup>36</sup>

<sup>36</sup> The practice of torture has been constantly denounced for decades in the Basque Country. According to the foundation Euskal Memoria, in the period between 1959 and 2009, 50,000 people were arrested for politically motivated reasons. 10,000 of these have reported being tortured. The practice of torture has been identified by several international organisations. In his report following his visit to Spain in 2003 (UN Doc. E/CN.4/2004/56/Add.2), the UN Special Rapporteur on Torture Mr. Theo van Boven recognised that "torture or bad treatment are not systematic in Spain, but the system, as it is practiced, allows torture and bad treatment to take place, especially in the cases of people placed in incommunicado detention in relation to terrorist activities". He also expressed

Thirdly, the state also launched a dirty war against the Basque abertzale left. The death squads known as Antiterrorist Liberation Groups (GAL) were set up by officials of the highest bodies of the Spanish government and coordinated by the leaders of the counterinsurgency struggle.<sup>37</sup> GAL carried out operations to annihilate Basque refugees in Basque territories under French rule and significant political representatives of the abertzale left.<sup>38</sup> Para-police organisations and death squads were not new in the Basque conflict,<sup>39</sup> but GAL was a step forward in terms of organisation and operation. It had clear objectives, stable co-ordination and the order to disappear after fulfilling all of its functions. GAL's double objective was to punish the community of refugees and weaken the Basque patriotic left-wing activists, and force the French government to change its policy about Basque refugees and get more involved in the struggle against ETA. This latter aim was fulfilled after the French Home Ministry signed an agreement with their Spanish counterparts in June 1984 and started to extradite Basque activists.

Although such policies were aimed to defeat the Basque abertzale left politically and militarily, in fact they helped enhance internal cohesion within Herri Batasuna. They also failed to stop ETA's activity, and ETA responded to these policies by declaring that the PSOE had the choice to become either *"the guarantor of democratic liberties or, contrarily, the allied bridge of the so-called pro-coup reaction"*.<sup>40</sup>

In this repressive situation, the government started to send messages to ETA in July 1984, through the intermediary of Jesuit father José María Martín Patiño. In August, the Spanish Home Minister announced he was willing to negotiate peace directly with ETA wherever and whenever they wanted.<sup>41</sup> The same month, the French Ambassador in Madrid Pierre Guidoni met two leaders of Herri Batasuna and gave them an ultimatum for ETA: its leaders were invited to a meeting in Bordeaux, where they would need to declare a 60-day ceasefire, after which the Spanish government would appoint an official mediator, authorised to talk about political matters. If this condition were not fulfilled, the French government would start extraditing prisoners to Spain. ETA failed to attend this meeting because its leaders considered that there were not enough security guarantees and that the decision to start extraditions had already been made.<sup>42</sup> The next months and years were a tangle of contacts with the police, politicians and other concerned

concerns regarding *"the high level of silence which surrounds this issue and the refusal of the authorities to investigate allegations of torture"*. See also Reports A/59/324, Amnesty International annual reports, or the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) reports (e.g. the Report to the Spanish Government on the visit it carried out to Spain in July 2001), the recommendations of the Committee Against Torture (CAT/XXIX/Misc.3, 19 November 2002). More information can be found at [www.behatokia.info](http://www.behatokia.info).

<sup>37</sup> The Spanish government's involvement was proven when the former socialist Home Minister José Barrionuevo, the Secretary of State Rafael Vera, and members of the State Security Forces were sentenced to ten years in prison for kidnapping Segundo Marey, a French citizen, and for embezzlement of funds.

<sup>38</sup> In total, 29 assassinations committed between October 1983 and November 1989 were attributed to GAL. For instance, Dr. Santiago Brouard, president of HASI (People's Socialist Revolutionary Party), member of the National Board of Herri Batasuna, member of the Basque Parliament, and mediator in the talks held with the French Ambassador Pierre Guidoni, was assassinated in his own paediatric office. The last victim was Josu Muguruza, representative of Herri Batasuna in the Spanish Parliament, killed on the day before his speech in the parliament to present a new peace offer.

<sup>39</sup> Precedents included the Triple A, the Basque-Spanish Battalion, Spanish National Action, *AntiTerrorismo ETA* (ATE), etc.

<sup>40</sup> *Zuzen* (ETA's bulletin), No. 26. November 1982.

<sup>41</sup> At the same time, Eugenio Etxebeste, an alleged member of the executive committee of ETA, was arrested in France and deported to Ecuador.

<sup>42</sup> As *Le Monde* published on 24th August 1984, *"this operation shows that they [the government] are willing to talk, without having to give anything really, and at the same time, they maintain a big offensive to isolate ETA internationally"*.

parties. However, these contacts did not produce any results and the armed conflict worsened. ETA increased its armed action against the government and started using car bombs.

When the PSOE was re-elected by absolute majority in 1986, it reinforced its political and police collaboration with France, and the conflict became internationalised as more countries started to get involved with the Basque question; some of these were strongly in favour of a negotiated solution.<sup>43</sup> The government of the Basque Autonomous Community promoted a report drawn up by international experts (including US intelligence services), which insisted emphatically that negotiation should never be excluded as a political option.

For its part, ETA progressively developed the concept of a negotiated end to the conflict. Although its operative units had managed to reach a high level of intervention severely destabilising the state, the leadership was also aware that its military capabilities were unsustainable, that it could never obtain military victory, and that the correlation of forces with the Spanish and French states was out of proportion. As a result, it became aware of the limits of armed actions and the need to develop negotiation as a new fighting front in the national liberation process. It thus started engaging some reflections on ceasefire as a tool to promote a political initiative, the different phases of future negotiations (i.e. informal contacts, formal contacts, and political conversations - separating talks, negotiation and agreement), unilateral and bilateral goodwill attitudes, the possible participation of political parties, international intervention, etc. Thus, a base was established for the talk and negotiation process between ETA and the Spanish government which was due to take place in Algeria.

## 4.2 The Algiers process and its failure

The Algiers process had two phases: police or pseudo police contacts, and political talk, organised with formal delegations, mediators, an agenda and advisors.

In July 1986, one of the leaders of ETA, Txomin Iturbe, was arrested in France, transferred to Gabon, and then deported to Algeria, a country led by the National Liberation Front (FLN), which had had a fraternal relation with ETA since its creation. While in Algeria, Txomin Iturbe received several Spanish police representatives and started advocating for opening a negotiation front. After his accidental death in February 1987, another deported ETA representative, Eugenio Etxebeste ('Antton'), was moved from Ecuador to Algeria for the purpose of starting talks. Meanwhile, in Spain, PSOE promoted the idea of a "front for protecting democracy and peace", which was crystallised in the Madrid Agreement in November 1987 (which authorised the Spanish government to talk technically, but not politically, with ETA), and the Ajuria Enea Agreement<sup>44</sup> for the Normalisation and Pacification of Euskadi, in January 1988, signed by the Popular Alliance (AP, later known as PP), the Democratic and Social Centre (CDS), EAJ-PNV, EE, PSE and Basque Solidarity (EA, a splinter party from EAJ-PNV) in the Basque Autonomous Community, with the objective of promoting the isolation of the abertzale left.<sup>45</sup>

<sup>43</sup> A reflection of this was the meeting held by Felipe González (Prime Minister of Spain) and François Mitterrand in Latché (French Landes). They discussed the possibility of starting political talks with ETA, as Mitterrand questioned the efficiency of the dirty war, its unsustainable human and moral cost for the French state, the risk of turning the problem into an international issue and the hazards involved for the frail Spanish democracy itself.

<sup>44</sup> This agreement was named after the residence of the Basque Autonomous Government President.

<sup>45</sup> While talks started, all the fighting fronts were opened; in early October 1987, 210 people were arrested in a police operation (including 120 in French territories), and ETA attacked the Guardia Civil station in Zaragoza, killing 12 people. At the same time, the government started using a dispersion policy with Basque political prisoners, instead of the previous policy of detaining all suspected ETA members in the same prison. Since then, the dispersal policy has been promoted by all Spanish governments. The policy of dispersal implemented by the French and Spanish

On 28th January 1988, ETA published a statement accepting a two-month ceasefire if simultaneously and immediately a conference for political talks was formed in Algeria. Although the government did not accept the proposal, contact was established again in November 1988. Eugenio Etxebeste stated in a Spanish newspaper that *“we are willing to start negotiating even tomorrow. But we will not repent of anything or surrender, nor accept a weak negotiation. We are not asking the Government to surrender. Nobody is going to compel the other to go down on his knees”*.<sup>46</sup> The government met all the political parties in order to gather enough support to start talks with ETA.

In January 1989, ETA decreed a 15-day ceasefire, followed by a two-month ceasefire to enable talks to be held. It also gave a list of topics to be discussed in the following meetings, such as an evaluation of the political reform, the situation from 1975 to 1988, the political situation, and an end to arrests. From January to March, under the auspices of the Algerian government, representatives of ETA and the Spanish government as well as advisors of both parties held five meetings. The first three meetings were used for reviewing history. In the fourth encounter, they discussed specific subjects, such as the Europe of nations, constitutional reform, the role of the army and the right to self-determination. In the fifth meeting, which lasted 30 hours, the parties agreed to start a new phase through a three-month ‘bilateral goodwill stage’, and to publish mutual statements of commitments. It was agreed that ETA would announce the maintenance of the ceasefire, while the Spanish government would declare its willingness to *“achieve a negotiated political solution, in the framework of democratic principles and political parties”*. However, the government later replaced the content of the agreed text with *“achieve an agreed and definitive solution.”* This modification was not only formal, but also substantial: the government was attempting to empty the negotiation process of its political content. Relations were also worsened by other manoeuvres by the government, such as the promotion of a silent mass demonstration against ETA during the ceasefire. As it was impossible to advance further in the political negotiation, ETA could not specify the negotiation outline for other political agents to take part.<sup>47</sup> It gave two ultimatums for the government to correct its statement but after it refused to do so, the armed struggle was resumed.

Once the process was broken, ETA decided to force the Spanish government to come back to the negotiation table through a temporary increase of its armed activity, based on the political needs and challenges of the state in the coming years (in 1992 the Olympic Games and the World Exposition were to be held in Spain). The arrests of some ETA leaders by French police forces<sup>48</sup> showed the limits of this strategy and of the idea of the undefeatedness of the armed struggle. After the Spanish government put pressure on Algeria to expel the Basque representatives

states, whereby Basque prisoners are kept in jails far away from their country and prevented from having contact with each other, represents an additional punishment for the prisoners and their families, who have to travel hundreds of kilometres every week to visit their loved ones for no longer than 40 minutes. Friends and relatives of the more than 735 prisoners kept in 88 jails (of which only 7 are in jails located in the Basque Country) travel an average of 630 kilometres every week. Sixteen relatives have died in car accidents during such travels. During this period of dispersal policy, the economic cost of visits to relatives represents approximately 19,650 Euros for each family (see [www.etxerat.info/orokor.php?id\\_saila=14&lang=es](http://www.etxerat.info/orokor.php?id_saila=14&lang=es), the website of Basque prisoners’ relatives). This policy has been denounced by several international institutions. The UN Special Rapporteur on Torture, following his visit to Spain in October 2003, stated that *“the assignation of Basque prisoners must take into account the maintenance of social relations between the prisoners and their families, in the best interest of the family and the social rehabilitation of the prisoner”* (UN Doc. E/CN.4/2004/56/Add.2).

<sup>46</sup> *Diario* No. 16, December 21, 1988

<sup>47</sup> ETA had foreseen several phases of engagement. The first one included talks between ETA and the government. In a second phase, political parties (first the PSOE and HB, and then the remaining parties) and the international community (i.e. the UN) would be involved. Lastly, in a third phase, the citizens would have to ratify the agreements.

<sup>48</sup> On March 29th 1992, some members of the ETA leadership were arrested in Bidart (North Basque Country).

from the country, five ETA members were deported to the Dominican Republic, where they were placed under house arrest.<sup>49</sup> During the following years, they received messages and visits from representatives of the Spanish government, but none of these were fruitful. Between 1995 and 1997, there were also some mediation efforts by the Argentinean association *Justicia y Paz* (Justice and Peace) and its representative, Nobel Prize winner Adolfo Pérez Esquivel, as well as the Carter Foundation. When the PSOE lost power to the Popular Party, the five representatives were handed over to the Spanish authorities to be imprisoned in Spain, and these mediation attempts were discontinued.

### 4.3 Conclusion of the Algiers process

With hindsight, the Algiers process could be described as an attempt to unlock a protracted situation of armed confrontation that had acquired the characteristics of an infinite deadlock in the political-military strategies implemented by both sides. In fact, ETA's initiative was aimed at overcoming this deadlock, by trying to bring the confrontation to the political field, on the basis of the democratic framework proposed by the KAS alternative.

ETA undertook the responsibility of taking the first step towards such new dialectics, by supporting a *"negotiated political solution"*. This formulation, agreed by both parties with the decisive support of the Algerian mediation, contained the key essence of the negotiation and dialogue process, and it was precisely its rejection by the Spanish government which precipitated the breaking-up of the so-called political conversations in Algiers.

The state and the Basque Country engaged in the dialogue process with very different assumptions and expectations. On the one hand, the Spanish government went to Algiers in a favourable power position, as although it had failed to defeat ETA militarily, it had scored some decisive points by gaining French collaboration in its repressive policies and reaching political agreements to isolate the abertzale left (i.e. the Madrid and Ajuria Enea agreements). So the state's goal throughout the Algiers process was to 'finish' the 'ETA issue' once and for all, rather than searching for a democratic solution to the political conflict.

For its part, ETA considered that it came to Algiers having reached a situation of relative power parity on the military field, as it was able to significantly destabilise the state through sustained operations involving the use of middle-range weapons. However, its leaders also became aware that the fight was unsustainable from a purely military perspective (see above, section 4.1) and that they might have reached the limits of their armed uprising strategy. Faced with two possible options – a utopian pursuit of conventional military confrontation or a more progressive process of national liberation, they opted for political pragmatism, envisioning negotiations as a tool for conflict resolution by means of dialogue and a political agreement.

Two fundamental elements were present in Algiers that should guide any negotiation process. Firstly, both parties were recognised mutually and internationally, through the role of the Algerian host country and mediator, and sat at the table in order to discuss the political conflict in which they opposed each other. Secondly, a mutual *détente* scenario was generated by ETA offering a unilateral 15-day truce, and later through both parties agreeing on a two-month bilateral ceasefire, which enabled talks and the suspension of armed confrontation.

<sup>49</sup> The Algerian government tried hard to restart negotiations, without success. It indicated that both sides stopped talking according to their own interest, as both the Spanish government and ETA were blinded by their initial positions and had no intention of making concessions to solve the conflict; instead, they wanted to resume the meetings elsewhere, on different terms and principles. The mediating party therefore considered that its work had ended.

A third element, equally fundamental, failed to be achieved: namely, respect for the procedural rules and the parties' own responsibilities. The Spanish side failed to fulfil the commitments made at the table, and used diplomatic means to repress ETA delegates. It was clear that the Spanish state had not acknowledged that there was a political dispute at stake. As always, it tried to turn the problem into an internal issue among Basque people, so that the state could play the role of referee by choosing the field and the rules of the game to manage it. The Basque side, for its part, lacked the required patience for such dialogue and negotiation processes. It failed to understand the specificities of timing in diplomatic and political processes (as opposed to military ones), as well as the ways and methods that are useful to move such processes forward. It underestimated the capacity for diplomacy and good will of third parties in such crucial times, and it did not understand the limits of armed coercion.

Given the incompatibility of the two sides' approaches, the failed outcome of the process was probably unavoidable. However, despite its eventual failure to bring peace, the experience in Algiers represents a political and ideological milestone as it outlined mechanisms, methodologies, political objectives and purposes, and above all, a philosophy, a new way to approach conflict resolution by means of dialogue, negotiation and agreement.

## 5. Formation of a new paradigm: the democratic process

The shift towards a new paradigm started in 1993-94, as the patriotic left realised the need for a real debate on its achievements and its strategy to achieve independence and social justice. The Spanish government had managed to isolate it through the Antiterrorist Pact and by portraying the liberation process as an exclusively bipolar conflict between ETA and the state, excluding other actors and thereby distorting the political nature of the conflict. On the other hand, the limits of ETA's military strategy and its failure to force the Spanish government to engage in substantial political negotiations were seen in the Algerian talks. The debate was also influenced by a changing international context, especially with regards to independence processes in the former Soviet Union, and the peace processes in El Salvador, South Africa and Ireland.

### 5.1 From the Forum of Ireland to the Lizarra-Garazi Agreement

From the mid-1990s onwards, there were efforts to reach a stronger cohesion between the different forces of the broad nationalist movement, which were answered by massive state repression of political and social organisations linked to the Basque nationalism project. Despite this hostile environment, and inspired by the Irish case, the abertzale left proposed a dialogued end to the conflict through the so-called Lizarra-Garazi Agreement process.

#### 5.1.1 The Democratic Alternative

In the political arena, an important sector of the Basque society consolidated around the abertzale left started to realise that the option of breaking with Francoism had to be adapted to the new circumstances and situations, into a new democratic framework. One of the outcomes of such debate was the acknowledgement by Herri Batasuna (in its *Oldartzen* document) of the need for greater involvement in nation-building and social transformation, besides the promotion

of a negotiation process between ETA and the state. The party thus began to act as a revitalising and catalytic actor, advocating the need to move from a resistance model in which changes and transformations would follow an agreement between ETA and the state, to a model of struggle and transformation of everyday lives. This also implied a need to open new alliances with other social and political organisations.

Hence, in 1994, the trade unions Basque Labour Union (LAB) and Basque Workers' Solidarity (ELA)<sup>50</sup> agreed on a Basque labour relationships framework, and in 1995 they also agreed to join forces in the pursuit of the right to self-determination. As a consequence of these common work dynamics, on October 18th 1997, ELA organised an event in Gernika where it solemnly stated the death of the Statute of Autonomy.

Moreover, on April 26th 1995, a few days after an attack against the leader of the Popular Party José María Aznar (from which he miraculously escaped unharmed), ETA announced the so-called "Democratic Alternative" (as a replacement for the KAS alternative). The Democratic Alternative meant a tactical readjustment to the new approach suggested by the abertzale left.

Other political parties, such as EA and sectors of the EAJ-PNV, began to recognise the limits of the current framework,<sup>51</sup> and the national leadership of Herri Batasuna started a private dialogue channel with the EAJ-PNV, with the aim of reconciling their diverging points of view.

With the arrival of the Spanish right-wing Popular Party in power after the general elections in 1996, the confrontation between ETA and the state intensified, as well as the repression against the abertzale left movement. As Herri Batasuna tried to use the electoral framework to bring the Democratic Alternative into the public domain, its national executive committee was prosecuted under the charge of collaboration with an armed gang, and eventually, on December 1st 1997, Spain's Supreme Court sentenced 23 Herri Batasuna leaders to seven years' imprisonment.

Finally, other factors contributed to a radicalisation of the broad nationalist forces, such as the European integration process (decisions affecting autonomous powers were taken in the EU, where only the central state was represented), and the Spanish state's failure to transfer powers to the Basque Autonomous Community.

### 5.1.2 The Forum of Ireland

In preceding years, the patriotic left-wing had followed with great interest the dialogue and negotiation processes in El Salvador and South Africa, but the Irish peace process had a particularly profound impact on *Euskal Herria* (Basque Country). The patriotic left-wing held historical bonds with the republican movement and the two forces shared closely related views. Based on this, Herri Batasuna suggested to the various nationalist and democratic forces the setting-up of a debate forum to analyse the Irish process, called the "Forum of Ireland", to see what lessons could be useful for the Basque process.

This scenario was created amidst a severe offensive by the state and an increase of armed activities by ETA which reached sectors that had not been previously targeted. Political representatives supporting repressive policies such as the dispersion of political prisoners or attacks against Herri Batasuna became legitimate targets in the view of ETA.<sup>52</sup>

<sup>50</sup> The former was the trade union close to the abertzale left, while the latter was a trade union that had historically supported the autonomy model.

<sup>51</sup> At the end of 1996, the EAJ-PNV politician Juan Maria Ollora expressed in his work called "*Una Vía Hacia la Paz*" (A Way towards Peace) the need to pick up the self-determination concept with more strength, introducing this debate in the emerging globalisation process, and advocating the promotion of a content-related dialogue in Euskal Herria.

<sup>52</sup> An extreme illustration of such tactics came with the kidnapping and later assassination of the PP councillor Miguel Angel Blanco. Such proceedings had a profound impact within the Basque society in general, including the social bases of the abertzale left, and they led to intensified attacks against the abertzale left as well as pro-Spanish

The handing over to the Spanish state and subsequent imprisonment of the ETA negotiation team deported to Santo Domingo in September 1997 also showed the breaking-off of every negotiation option by the government of José María Aznar. This way, the contact route that had been held, with ups and downs, between ETA and the government since Algiers was closed off. In May 1998 the state extended its repression against social, political and media organisations, accusing them of being part of the ETA framework with the clear objective of hindering the leadership and the driving force of the process that was being carried out.<sup>53</sup>

The abertzale left understood that in view of these attacks against social and political organisations, it had to respond with more political proposals. The dynamics of collaboration between various nationalist and progressive forces started to be publicly seen within the field of defence of the rights of the political prisoners, and against the dispersion policy. This caused ETA to put an end to its so-called prison front, by which they acted against members of penitentiary institutions. On January 31, ETA issued a communiqué in which it pointed out that:

*ETA will support the meeting points that may be established in order to boost the national construction... ETA will never be ashamed of the initiatives it carries out in order to achieve peace and will not use those procedures to achieve a political return on them. If we achieved the guarantee that the word of the whole Euskal Herria be respected with no violence by the occupation forces, which are foreign in our land, the conflict with the Spanish state would have other connotations. Then the weapons would silence once and for all.*

During the summer of 1998, 18 political and social groups took part in the Forum of Ireland, among them the EAJ-PNV, EA, Herri Batasuna, ELA and LAB. At the same time, ETA, the EAJ-PNV and EA agreed in secret talks “to take effective steps to create a sole and sovereign institution that gather Araba, Biscay, Gipuzkoa, Labourd, Navarre and Zuberoa together”. In this context, the PNV-PSE government agreement was broken and the Ajuria Enea pact came to an end. EAJ-PNV and EA also affirmed, on the basis of their agreement with ETA, their withdrawal from “all the agreements with the forces whose objective is the destruction of Euskal Herria and the construction of Spain”.

On September 12, the forces that had taken part in the Forum of Ireland announced the Lizarra-Garazi Agreement.<sup>54</sup> Based on the Irish experience, it analysed the factors that had led to the Good Friday Agreement and how this model could be applied to the Basque situation. It proposed an initial phase “where dialogue and negotiation could be facilitated through multi-party talks without pre-conditions” and a “resolution phase” in which “negotiation towards the resolution of the conflict should take place during a permanent cessation of all expressions of violence.”

Four days later, ETA declared a unilateral and indefinite truce, which for the first time was not granted as a result of a relationship with the state and was not conditional on it. On October 24, they asserted in an interview with the BBC that their ceasefire decision was a “firm and serious decision and with a manifest will to settle the conflict”. On the contrary, for the government, this truce was a “trap truce” (Giacopucci, 2002).

The truce and the Lizarra-Garazi Agreement had clear effects on the Basque Autonomous Parliament elections of October 25, 1998, where the forces that supported the Lizarra-Garazi nationalist demonstrations directed against Basque nationalism in general.

<sup>53</sup> On May 28, ten people were arrested and some legal companies were closed, a process that would be extended in July with the arrest of the editorial board and the closure of the *Egin* newspaper and radio. The reports that the official headquarters of Herri Batasuna were being spied on systematically by the secret services with no judicial authorisation added to this total-war policy against the patriotic left.

<sup>54</sup> Initially just named the Lizarra Agreement, it later became known as Lizarra-Garazi, given that this second locality –Garazi– extended the pact to nationalist and progressive forces of the Basque provinces under French jurisdiction.

Agreement obtained 61% of the votes.<sup>55</sup> The new autonomous government was formed from an EAJ-PNV-EA minority, with the external support of the coalition *Euskal Herritarrok* representing the abertzale left. On February 6, 1999, more than 600 Basque elected candidates met in Iruñea to discuss the future setting-up of an Assembly of Basque Municipalities of the six Basque provinces, called *Udalbiltza*. The founding document pointed out that the objectives would be the following:

- To declare the existence of *Euskal Herria* as a nation.
- To contribute to the political structuring of *Euskal Herria*, bearing witness to its territoriality and hoping to embrace the representatives of the six Basque territories in a common framework.
- To boost the national construction of *Euskal Herria*, understood as a dynamic and democratic process based on the free participation and decision of every Basque citizen.

The Spanish government, taken aback at first, decided to opt for showing some demonstration of its goodwill by announcing its intention to meet “the environment of the National Liberation Basque Movement”. However, only one such meeting took place,<sup>56</sup> even though some contact channels were later kept open.

In local elections in June 1999, the EAJ-PNV-EA coalition lost some votes while Herri Batasuna increased its support to 276,000 votes. This result alarmed EAJ-PNV leaders, who began to think that the process of collaboration benefited mainly the abertzale left. Intra-party dissensions intensified, between supporters and opponents of the collaboration with the abertzale left. Consequently, the EAJ-PNV refused to break off completely its agreements with state forces, and to conclude some agreements with *Euskal Herritarrok* at the local and provincial level. As a result of this impasse between the three Basque forces (ETA, EAJ-PNV, EA) with regard to the creation of a common institutional structure, ETA announced in the summer of 1999 that it had suspended its ceasefire, and submitted a negotiation proposal with regards to the formation of a Basque national sovereign institution. According to ETA, no answer or counterproposal was offered by either the EAJ-PNV or EA.

### 5.1.3 Talk attempts

In May 1999, through the bishop Juan Maria Uriarte, ETA agreed to meet some government representatives in Geneva, where it advocated the need to respect the political process that had been started. However, the government was only ready to address the definitive end of the armed struggle and the issue of prisoners.

This was the only face-to-face meeting between the two sides. In October, the government responded to ETA’s missive by extending an invitation to a new meeting, in which it would be determined whether the Spanish government was prepared to “*respect the wishes and decisions expressed freely by the Basque Country as well as the formula and process behind these decisions*”. ETA asked that the meeting be held in a neutral country with a delegation specifically composed of incarcerated members. The response was the arrest, in France, of one of the participants in the first meeting. Furthermore, the government leaked the mediating role of Bishop Uriarte to the media.

The crisis reached its peak. On November 28 ETA ended the ceasefire, accusing the EAJ-PNV and EA of not giving continuity to the process initiated a year and a half earlier. In the

<sup>55</sup> Herri Batasuna, which ran under an electoral platform called *Euskal Herritarrok*, obtained 223,000 votes and 14 seats, among which were elected the political prisoners Josu Urrutikoetxea and Joxean Etxebarria.

<sup>56</sup> A meeting between government representatives and Herri Batasuna was held in Burgos, where the latter made it clear that it is not an interlocutor of ETA, and that if the government wishes to talk to ETA, the government should address it directly.

following months, the state strengthened its repressive methods with new arrests against social-political organisations. Youth organisations from the patriotic left-wing and solidarity movements with political prisoners were banned, as well as the political organization EKIN and the European association *Xaki*, whose objective was to put the Basque conflict and the need for its resolution onto the international agenda. Several members of those organisations were arrested, as well as members of the *Joxemi Zumalabe Foundation*, which supported the citizens' movement. During the year 2000, there were more than 700 political arrests, including 253 under the accusation of terrorism. The Aznar government took advantage of the international context created after the terrorist attacks on the twin towers on September 11th 2001 to develop further its repressive policies: Basque organisations were listed in US and EU anti-terrorist lists (which resulted in further obstacles for the resolution of the conflict), and Spain agreed to collaborate in US-led logistical and technological anti-terrorism schemes.

#### 5.1.4 Conclusion of the Lizarra-Garazi process

The process starting in 1993/4 exhausted the autonomous legal framework established by the state after the Spanish reform. The forces that had supported that framework for many years now considered it to be insufficient and in great need of reform. On the other hand, the antiterrorist Madrid Agreement and Ajuria Enea Agreements were cancelled and the marginalisation process of the patriotic left movement came to an end.

Faced with this, a social and political majority made up of progressive and nationalist forces determined, in a proper way, the key points of the conflict and its settlement. The Lizarra-Garazi Agreement helped to popularise the need for a process of dialogue and political negotiation, and highlighted the need to give the floor to the Basque people to decide their future.<sup>57</sup> Several positive consequences can be highlighted:

- the potential of the abertzale left could be seen crystal clear;
- there was an increase in the confrontation between *Euskal Herria* and the states;
- the necessity that *Euskal Herria* needed its own path was acknowledged by the wider society;
- the lack of validity of the political frame was obvious;
- an explanation of the basis of the conflict was given and the more intricate issues that needed to be solved were identified;
- the greatest ever support in favour of a democratic solution was obtained with the Lizarra-Garazi Agreement;
- there was an increasing need for political change.

Important steps in the construction and creation of national structures (*Udalbiltza*) were taken, and it became possible to draw the map of *Euskal Herria* over the existing divisions in a manner that had not been done before.

However, the process was not able to move the progressive and nationalist forces towards a new scene. The political, media, judicial and repressive pressures of the state were not only exerted on the abertzale left, but also on all the progressive and nationalist forces. The EAJ-PNV's lack of commitment to the change made it impossible to step into a democratic confrontation with

<sup>57</sup> Opinion polls indicated strong popular support for such measures. A comprehensive sociological investigation conducted in 1995 by the *Elkarri* organisation (social movement for dialogue and agreement) with assistance from teachers from the Public University of Navarre and the Public University of the Basque Country, showed that, for 90 % of Basque citizens, dialogue was seen as the proper way to achieve peace. In addition, only one out of ten citizens of the Basque Country were opposed to the recognition of the right to self-determination, and only one third were satisfied with the current degree of self-government.

the state. The conflict turned once again into an armed confrontation. The abertzale left did not prioritise challenging the EAJ-PNV's hegemony and directing the process towards other channels. The abertzale left considered that it paid the bill for this failure, while the EAJ-PNV profited from the situation by taking hold of the central space. In addition, there were also internal problems arising from the lack of a sufficiently unified interpretation about the initiatives to be followed - should the abertzale left advocate for a 'peace process', or a 'national building process'?

Finally, it is also important to stress two aspects of the role that armed activity played at that time, concerning the interpretation of the indefinite ceasefire (both in its starting point and its end), in relation to the route of the national liberation movement. Somehow, until then, the social base had believed that armed struggle would continue until some minimum rights were recognised.<sup>58</sup> Thus, to the eyes of the abertzale left, the beginning of the ceasefire somehow put the armed struggle in a different light, that is, as a choice, not an essential requirement. Finally, regarding the end of the ceasefire, it was considered that ETA's armed actions had generated a great shock, but did not have political complementarity. It became very difficult for the social base of the abertzale left to understand the strategic direction.

## 5.2 The Anoeta Proposal and the unfinished peace process

The opportunities created during the 1990s, and the widespread sentiment that the Basque Country was at a decisive crossroads, furthered Batasuna's total commitment to promoting a peace process in the country. Even after its banning, it continued to pursue the search for a peaceful and stable scenario for the country.

### 5.2.1 Batasuna's "Scenario for Peace"

The breakdown of the alliance created with the Lizarra-Garazi Agreement after the end of ETA's truce did not imply that the objective conditions that had enabled that scenario had vanished. They were still in force, as was the social conviction that the autonomy model introduced in the Spanish transition was exhausted. A social majority of the Basque Country was favouring a new scenario based on the Basque people's right to decide upon its future.

The EAJ-PNV was left with no other option but to come forward with a new initiative, which was based on the need to reach a new political statute that included the right to decide – but only for the three territories of the Basque Autonomous Community.<sup>59</sup> Meanwhile, a convergence and debate process called *Bateginez* and promoted by Herri Batasuna led to the establishment in 2001 of a new political organisation, Batasuna, which gained national status by bringing together pro-independence followers from the South and the North of the country (under French jurisdiction).

Even though the Lizarra-Garazi Agreement had been interrupted, the creation of the National Debate Forum by some nationalist organisations proved that there was a vast political, social, and union sector willing to build a strong social net and which included all these basic ideas. The repressive approach adopted by the Spanish government to try and paralyse the political driving force of social change – Batasuna and the rest of the political and social abertzale

<sup>58</sup> The possibility of a ceasefire aimed at joining forces with other nationalists had already been put on the table at the Xiberta talks in 1977, but this option had had no effect on future generations.

<sup>59</sup> In order to be passed by the Basque Autonomous Parliament, this proposal for a new political statute needed to be approved by the majority, including by several MPs of the abertzale left. The abertzale left decided to support it and at least three of its MPs gave a positive vote. Although it did not agree with the proclamation of a statute for only three provinces on the grounds that this would perpetuate partition, it welcomed the fact that the statute's preamble recognised the existence of the whole Basque Country, as well as the recognition of its right to decide.

left organisations – undoubtedly showed that the work had to continue within the framework of the political arena.

There was also a perception that the autonomy model designed by the state had also reached its ceiling – albeit for different reasons – in other parts of the Spanish state, like Catalonia. That is to say, it could be noticed that the state also needed a new autonomies framework, which could, in turn, favour the changes bound to take place in *Euskal Herria*.

Within this context, on January 12, 2002, the Batasuna National Assembly passed a peace proposal that was presented on January 26 under the name of “A Scenario for Peace” (see Annex 3). In this proposal, Batasuna pointed out that the root of the conflict was the failure to recognise *Euskal Herria*’s existence and, as a consequence, the violation of its entitled rights. It also set as a priority for the party, as its duty and responsibility, that “*our people get to know peace and justice, to build a future of freedom*”. It linked peace with rights, “*building peace is talking about rights and working in their favour. That is to say, creating a scenario that will enable the comprehensive and full exercise of the rights entitled to us as Basque citizens*”. It also pointed out that the peace scenario must be based on the whole of *Euskal Herria*’s citizens. Within that objective, Batasuna considered it necessary to differentiate between the individual political projects and the peace scenario to be built.

Thus, for Batasuna, talking about peace was talking about the right to free determination, understood not as an aggression instrument against anybody, but as a guarantee that should make political coexistence possible, as a peace instrument. As a democratic force, Batasuna expressed that it would not attempt to impose its political project, but believed instead in building a democratic model in *Euskal Herria* that guarantees the development of all political projects under equal conditions. Besides this, it highlighted that such a peace scenario had to be built on respect towards the Basque people’s diversity, understanding it as an enriching element. Giving assent to such rights would result in accepting *Euskal Herria* as a framework for peace, in which an agreement between *Euskal Herria* and the two states would definitely break the troubled trajectory of the last centuries. Besides, this would result in the release of all political prisoners, as well as the disappearance of all violent demonstrations, ever-present in political life. The country would also become a demilitarised zone in which everybody would relinquish the use of force.

Presented as reflecting its political position, Batasuna urged all political parties to discuss the document and started a round of contacts over the following months. While the nationalist and progressive forces of the country saw the document in a positive light, both the PSOE and PP publicly discredited the document. Along with the work carried out nation-wide, Batasuna also presented its work and established contacts internationally.<sup>60</sup>

As a confirmation of its determination to support a human rights framework, Batasuna also presented motions in all towns in support of respecting international human rights conventions. Similarly, in 2002 the Basque Local Councillors and Mayors Assembly *Udalbiltza* passed a resolution called “*Euskal Herria on the way towards peace and democracy*”. Among other aspects, this text announced its intention of passing a *Euskal Herria Charter of Rights*, to be elaborated based on wide social participation, and presented at an international conference to be held in December of the same year.<sup>61</sup>

<sup>60</sup> Some party leaders visited the European Parliament to meet MEPs. A delegation led by Arnaldo Otegi and Josu Urrutikoetxea gave a talk at the United Nations Office in Geneva, and met several foreign leaders, such as the former Italian head of state Francesco Cossiga. In March 2002, the US state of Idaho, which has a vast number of Basque diaspora residents, called for the cessation of violence in *Euskal Herria* and the beginning of a peace process, based on the Basque citizens’ right of self-determination.

<sup>61</sup> This charter aimed to take its inspiration in the ANC’s Freedom Charter, as well as a similar initiative promoted in the Irish peace process. Its objective was to promote instruments that may be useful for seeking basic rights that would enable a democratic scenario.

In response to these initiatives, in May 2003, ETA made public a document in which it stated its *“consent to start asking the Basque citizens about their future under equal conditions. It will inform that the reason of its struggle is getting the Basque citizens to be able to show their will in a pacific and democratic way, committing to always respect the will of such decisions. It will point out as a mistake closing the doors to a solution, and will once again express its will and commitment to give the necessary steps for a negotiated solution”*.

### 5.2.2 State repression and the banning of Batasuna

Since 2000, the Spanish government worked on a strategy to eliminate the pro-sovereignty dynamics by preventing the pro-independence left-wing from taking part in electoral politics. Based on a PP-PSOE *“Pact for the Liberties and against Terrorism”*, agreed in December 2001, the government set about banning Batasuna so as to prevent its participation in the June 2003 local elections and the autonomous parliament election in Navarre. Without any qualms, on February 24, 2002, the Minister of the Interior and Vice-president Mariano Rajoy stated that *“before the summer, the legal reforms that will promote the banning of Batasuna will be ready”*. In this way, the ad hoc and tailor-made character of the reform of the Political Parties Law passed on June 27th (*Ley Orgánica 6/02 de 27 de Junio de Partidos Políticos*) was clearly stated, whose exclusive objective was to leave the social sector represented by the patriotic left wing out of Basque political life.

In August 2002, a three-year suspension against Batasuna was imposed on the grounds that the party was part of the *“terrorist network”* of the armed separatist group ETA. This measure of suspension was taken through a criminal procedure (*Procedimiento Sumario 35/02 Juzgado de Instrucción Central num. 5 Audiencia Nacional*) and not by constitutional procedures established in the Political Parties Law. Spain’s right-wing government began seeking a permanent ban on the party in September, with the overwhelming support of the parliament in Madrid. Finally, the court approved the request to ban Batasuna according to the Political Parties Law in 2003 (*STS, Sala art. 61, de 27 de marzo 2003*) In addition, several lists of local candidates considered by the government to be Batasuna instruments to bypass its upcoming prohibition were banned from the local elections and the Navarre Regional Parliament election held on 26th June 2003.

It was the first time since the 1975 death of the dictator General Francisco Franco that a political party had been banned. Repression continued in following months. *Egunkaria*, the only newspaper written in the Basque language, was closed down in February 2003 and its editors and directors – who afterwards reported having been brutally tortured – were arrested. The Basque Assembly *Udalbiltza* was also banned for being considered part of the *“ETA complex”*, and a police operation against its members led to the arrest of several mayors and councillors of the country.

The abertzale left reacted to these policies by organising huge demonstrations, supported by most of the political and social forces of the country that opposed the repressive approach. Meanwhile, Batasuna had been keeping secret contact with representatives of the PSE since 2001, through which the parties agreed on the political character of the conflict, and set as an objective the setting up of a conflict resolution process.

In this context of extremely hard repression and secret contact with the PSE, a few days before the state’s general election, the terrible attacks of March 11th, 2004 took place against four lines of commuter trains in Madrid, resulting in hundreds of people killed. Although the patriotic left-wing reacted immediately to show its absolute *“rejection”* of such acts and ETA publicly denied any connection with the events the next day, and in contradiction with reports from several international intelligence agencies, the Spanish state officially put the blame on ETA, lying about

the kind of explosives that had been used, pressuring foreign embassies and the media into sticking to the official version, and even forcing the UN Security Council to condemn the attacks and ETA. The government continued to hold the same version until the day before the March 13th election, even though most of the population did not believe it, with the electoral consequences of its defeat and the PSOE's victory.<sup>62</sup>

### 5.2.3 Zapatero and the peace process

The PSOE victory in the general elections of 2004 opened a completely new scenario of possibilities. In its March 20th declaration, ETA addressed the new president Rodríguez Zapatero to ask him to adopt "*brave gestures towards Euskal Herria*", and stated that it was possible to reach peace "*by means of reason and good sense*". In August, ETA also submitted a letter offering the possibility of a dialogue. Finally, on November 14th, Batasuna launched a new political initiative called "*Now the People. Now the Peace*" – also called the *Anoeta Proposal* (see Annex 3).

For the patriotic left-wing, the overcoming of the Basque conflict required a multilateral dialogue process, developed with seriousness, without rush, and on a solid base. The objective of such a process was to overcome the armed and political conflict by putting into action, in an agreed way, a scenario that would enable the transition to a new political framework where all the rights of the Basque people would be guaranteed. The multilateral dialogue process had to go along with a series of commitments that guaranteed the clear and unequivocal will of the parties.<sup>63</sup>

To develop this process, Batasuna considered it necessary to establish two differentiated spaces of dialogue and agreement. A first negotiation forum among political, unions, and social agents would deal with the transition to a new framework in which the Basque people would be able to decide, under democratic conditions, what was the institutional status for our people, which would be endorsed by the citizens. The participants would then open a dialogue and negotiation process with the states to guarantee their compliance with the contents of the agreement. Secondly, a dialogue and negotiation space should be established between ETA and the state that deals with the demilitarisation of the conflict, the deported prisoners and refugees, as well as the treatment of the conflict's victims.

The proposal was presented in front of more than 15,000 people and obtained a positive answer from the EAJ-PNV and other small formations as well as the Basque unions. The PSE regarded the proposal as "a step, even if not the step we were waiting for".

On January 14th 2005, Batasuna submitted to President Rodríguez an open letter urging him to "*do everything in [his] hands to take the political and armed conflict to a definitive overcoming phase.*" On January 15th, Zapatero showed his willingness to talk "*if, once and for all, the blasting sound of bombs and guns stops*", while, at the same time, demanding that Batasuna be "*courageous enough to condemn ETA's violence*". On the same day, ETA expressed its willingness to support a process on the basis of the Anoeta Proposal, thus recognising that it was time to talk and to acknowledge that decisions regarding the future of the country are up to each citizen.

<sup>62</sup> Unfortunately, these imputations and the social alarm which had arisen caused the death in Iruñea of a patriotic left-wing follower shot by a plainclothes police officer, the beatings of several Basque political prisoners, and the death of a demonstrator in a police attack during a protest against the first death.

<sup>63</sup> Batasuna assumed the following commitments to be made by the parties: to address the roots of the conflict; to grant all citizens the right to be consulted and to respect their decision; to guarantee that such consulting is carried out under pacific and democratic conditions; to take into account the history, as well as the current reality and the support of the different sensitivities of the country; to resolve the controversies arising during the process in a pacific and democratic way; to make sure that the use of the exclusively political and democratic channels will enable, with no limits or restrictions, the materialisation of all the political projects; to include and regulate in the agreement the rights included in the UN's Universal Declaration of Human Rights, as well as the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

On February 1st, the Spanish Congress rejected the New Statute Proposal presented by the Basque Autonomous Community President in Madrid, despite its approval by the majority of the Basque Parliament. President Zapatero as well as the PP opposition refused to even debate the proposal, thus assuming for the Spanish Congress the capacity to decide for the Basque people, and denying the force of any decision taken by Basques democratically.

On March 5th, several parties, unions, and nationalist social forces promoted a way forward to solve the conflict by consulting the Basque citizens about an agreed process. However, the Spanish government continued on its repressive line, banning and repressing Batasuna's pacific marches. During the autonomous election in March, it banned a civic platform – *Aukera Guztiak* (“All the options”) – that advocated the presence of all political formations in the election.<sup>64</sup>

In this context, delegations from ETA and the government started a series of secret contacts to explore the possibility of opening a dialogue and negotiation process, supported by international facilitators, experts in conflict resolution, and protected by several European states.

In May, there was a rupture between the PP and the PSOE on the strategy to be followed with the Basque conflict. On May 17th, Zapatero obtained the endorsement of the Chamber of Deputies to “*support a dialogue process between the powers of the State and those who decide to abandon violence, always respecting the inalienable democratic principle that the political issues must be solved only through the legitimate representatives of popular will*” (Casanova, 2007), even though this endorsement was refused by the PP. On May 25th, the Batasuna spokesperson Arnaldo Otegi was summoned to the Spanish National Court and later imprisoned. Batasuna held Zapatero responsible for the arrest, while Gerry Adams and other international figures expressed their deep concern over this event. Otegi was released within a few days, and once again supported the patriotic left-wing proposal for a negotiated solution.

In June, ETA proceeded to stop the attacks against PP and PSOE political representatives. Secret contacts were initiated, and in July 2005, delegations from ETA and the government met secretly and agreed on the draft of a peace process-opening design called Point Zero, which had two main components: on the one hand, ETA committed to publicly decreeing a “permanent ceasefire”, while the Spanish government committed to making, within a maximum period of six months from the ceasefire declaration, a public declaration regarding their respect of the decisions that the Basque citizens would freely make about their future. Besides this, the agreement determined a series of mutual commitments that would establish a scenario of confidence-building measures to develop the process further.<sup>65</sup>

<sup>64</sup> The Communist Party of the Basque Territories, which took part in the election, pointed out its aim of becoming the voice of the voiceless, which is why the patriotic left wing called for its supporters to vote for the aforementioned party. It got nine seats in the Basque autonomous election, but was later banned in 2008.

<sup>65</sup> The statement to be issued by the president of the Spanish government included the following points:

- That the Spanish government would respect the decisions that the Basque citizens freely make about their future.
- That such decisions would be adopted without any violence or coercion, in compliance with norms and legal procedures, respecting democratic methods and the rights and liberties of the citizens.
- That it shall be the responsibility of the Basque political parties, as well as of the social, economic, and unions agents, within the forums they shall constitute, to reach the agreements and to establish negotiation mechanisms and their application. The agreements shall be adopted with the maximum possible consensus, bearing in mind the citizens' diversity and under equal conditions for all the political options.
- That in compliance with the resolution passed by the congress on May 17th, 2005, the government publicly stated that a dialogue process with ETA would be started, clearly pointing out the fact that political issues should only be solved through the legitimate representatives of popular will.

The agreement also stated that if the process developed within the terms agreed, ETA would show its strong will to go towards the definite secession of armed struggle. The statement to be made by President Rodríguez Zapatero was concisely written in the agreement, and was thus agreed that it shall be made public by him without changes. In turn, ETA undertook not to take action against any persons, public or private property or goods; and not to take part in actions concerning the supply of weapons or explosives, and/or material for their manufacturing.

The government, after the permanent ceasefire official statement declaration, undertook:

It was also stated that in case of crisis, the other party and the mediators would be informed, consulted, and met before any decision was taken; should a definitive rupture occur, each party would be freed from their commitments. A Verification Commission was formed to give testimony of the agreements, as well as the reason for an eventual breaking-off. It was also indicated that for the next phase of negotiations there would be official delegations of up to three negotiators and four advisers. The delegations' safety should also be guaranteed. This private agreement was fully confirmed in November, after a series of clarifications.

Thus, an agreement had been reached, which gave full validity to the resolution model designed in the Anoeta Proposal, and finally recognised what ETA had been demanding for a long time: that the Spanish government did not assume the representation of the Basque people, and that it was not the government's responsibility to handle the agreement's political contents to be endorsed by the Basque citizens. Moreover, both sides were committed to respecting the agreement should it be adopted by inclusive and democratic means.

The commonly adopted guarantees, which were not made public in order to prevent the process from being damaged by external participants, created the necessary environment for making progress in the political dialogue. Among them, the de facto acknowledgement of the abertzale left activity was essential, considering that it was otherwise impossible to start the political dialogue.

ETA's willingness to carry out this process was preceded by the longest period without fatalities since 1969, as no deathly attack had occurred in the preceding 1,028 days. In fact, it was important that arrests and repressive policies were stopped: since the permanent ceasefire was unilateral without compensations and the agreement was secret, the continuity of the repressive policy against the patriotic left wing would threaten and punish the abertzale left's leadership in front of its support base.<sup>66</sup>

On March 22, 2006, ETA published its permanent ceasefire declaration, which was strongly welcomed and supported by the abertzale left, the state and the international community. Through its declaration, ETA expressed the objective *"to foster a democratic process in Euskal Herria so that, through dialogue, negotiation, and agreement, the Basque people can reach the political change they need... At the end of the process, the Basque citizens shall have the word and decision of their futures, thus giving a democratic solution to the conflict"*. It also pointed out that it was the responsibility of all Basque agents to develop this process and to adopt the agreements regarding the future of Euskal Herria. ETA considered that the Spanish and French states *"must acknowledge the results of such democratic process without any kind of interference or limitations. The decision*

- To achieve a state pact that enables the declaration of the president of the government within 6 months.
- To tangibly reduce police presence – checkpoints etc. – as well as to stop police pressure regarding political activities of the patriotic left.
- To accept de facto that the patriotic left-wing organisations shall be able to carry out a political life under equal conditions with the rest of the political and social forces, with no limitations in their civil or political rights.
- Not to carry out detentions through the Civil Guard, the National Police, the police force of the Basque Country, or the French security forces.

A seven to ten day period had been agreed for the government to be able to implement such guarantees. In addition, it was pointed out that should any infringements take place, it would be attempted to solve them at the table.

<sup>66</sup> It should be noted that during the months preceding the ceasefire declaration and both parties' agreement on the Point Zero, the government continued to close down supposed Batasuna offices, opened judicial proceedings against political and social activists, sentenced members of the pro-independence Youth League to severe terms of imprisonment, and reinforced the penitentiary legislation (i.e. the Parot Doctrine, dictated by the Spanish Supreme Court, promulgated the application of life imprisonment sentences). Some of the political prisoners died in prison, either of illness or under strange circumstances. A few days before the ceasefire declaration, the Spanish National Court summoned six abertzale left leaders to declare having promoted demonstrations, and on March 13th, it imprisoned Juan Mario Olano, spokesman of the movement for amnesty, in response to the general strike called on March 9th against the prisoners' dispersal and in favour of solving the conflict. Even in this situation, the patriotic left wing stood firm, with serenity, asking its support base to remain calm.

*made by the Basque citizens about our future will have to be respected.*” It also expressed its desire and will of seeing the open process reach the end, and thus achieve a real democratic situation for *Euskal Herria*, overcoming the long-lasting conflict and building peace based on justice.

Several surveys carried out throughout the country showed that the declaration was massively supported throughout the Basque Country.<sup>67</sup> This was also seen at the demonstration of April 1st, in defence of a political agreement promoted by the Table for Dialogue and Political Agreement – formed by the Batasuna party, Aralar party, EA party, nationalist unions, and social forces – that gathered more than 80,000 people in Bilbao. Another indication of such support was offered by the declaration of the *Ahotsak* Women Group, which congregated women from almost all the political parties and defended “*allowing the development of all the political projects and respecting the Basque citizens’ decisions*”. In the months that followed, different international actors reinforced their support with several declarations.<sup>68</sup>

Unfortunately, be it due to pressures from the opposition, the media or political miscalculations, the government started breaking its agreed commitments from the very beginning of the ceasefire. It continued launching attacks against the abertzale left,<sup>69</sup> which showed that it had no genuine will to quickly start the multiparty talks. Thus, after a meeting with President Rodriguez Zapatero, the president of the EAJ-PNV Josu Jon Imaz stated under the formula “*first peace, then politics*” that before setting up multiparty talks, ETA had to enter the dissolution phase. This confirmed the government’s interest in taking the path of disarmament while holding back the political dialogue. There was also a clash between two different ways of approaching negotiations: while one party understood that it was necessary to build trust and a win/win model, the other one was outlining a positional negotiating process.

Hence, the process very soon entered into crisis. On May 14th, ETA declared that the process was unable to continue if attacks from the states persisted. On May 19th, the Spanish National Court once again summoned eight members of Batasuna leadership to testify. Batasuna decided to stand firm and communicated to the PSOE that unless there were guarantees that no actions would be taken against them and that a dialogue would be established between the PSOE and Batasuna after the court declarations, they would not come forward to the Court.

A common understanding was reached nevertheless on the need to formalise dialogue publicly, and to reach a decisive agreement by the end of July. Consequently, Zapatero publicly announced the start of a dialogue with ETA, and supported the search for a coexistence agreement among the parties, adding that the Basque citizens shall decide about their future under the law. The PSE announced that it would meet Batasuna. However, in the following weeks, arrests, police operations, and demonstrations against Batasuna continued. Due to the repeated failures to re-

<sup>67</sup> For instance, according to the Sociological Surveys Department of the Basque Autonomous Government, in April 2006, 75% of the population interpreted the ceasefire declaration as a first step towards the resolution of the conflict, and 64% considered ETA to be truly committed to peace. According to the Basque Country University’s Eurobarometer, in May 2006, 90% of the Basque people continued hoping that peace would be consolidated in the next few years. Moreover, most people surveyed linked peace with the Basque citizens’ right to freely decide: 88% agreed with the statement that “*in a peaceful scenario we must all respect the will of the Basque people’s majority*”, 87% considered that “*everything should be talked about without any limits*”, and 85% believed that “*no party should be excluded from the process*” (Basque Government Cabinet).

<sup>68</sup> For instance, the US state of Idaho acknowledged ETA’s decision as ‘historical’.

<sup>69</sup> On March 29th, Arnaldo Otegi was sent to prison by a judge from the Spanish National Court, and sentenced to stay there until he paid a €250,000 bail. J. Petrikorena was also imprisoned, the judge set for his and Juan Maria Olano’s release a €200,000 bail per person. On April 5th, the Spanish National Court banned the act in which Batasuna meant to announce its project to build the country from the left. Batasuna paid the bails set by the National Court so as not to let the process be blocked. But the dynamics continued. Mexico extradited six Basque refugees. On April 18th, the Civil Guard arrested Ibon Meñika, who afterwards reported having been tortured in the police station, while the police closed down premises in Zamudio. Some days afterwards, the Civil Guard continued with more arrests, and Arnaldo Otegi was sentenced to 15 months in prison.

spect the guarantees, ETA warned the government that if the guarantees were not complied with, the process would be stopped. On June 29th, the president publicly announced the negotiated declaration, albeit with some changes in the wording of the declaration which had not been agreed upon, and in July the first and only public meeting between the PSE and Batasuna's negotiating team took place.<sup>70</sup> In this meeting, the PSE opposed future public meetings until Batasuna was legalised. Within this context, it was impossible to reach an agreement by the end of July. In August, ETA published a statement in which it regarded the current crisis situation as a consequence of the parties' attitudes, mainly the EAJ-PNV and the PSOE.

In this context, Batasuna promoted in private the configuration of a dialogue process among the three main political forces – Batasuna, PSE, and EAJ-PNV – in order to reach a pre-agreement, or the basis for a decisive agreement. During October and November, the three political formations tried to reach a common position on the key elements of the conflict: the right to decide and the territorial configuration of the country with the end of the division. Although real progress was made, the parties could not agree on a precise formulation of a joint document which would avoid future misunderstandings, and Batasuna was not ready to accept any ambiguous document, given its complete lack of confidence in the willingness of the PSOE to fulfil any agreement. Seeing the lack of commitment from the socialist side, it asked for a precise timeline regarding the recognition of a clear formula for self-government of the four provinces. Given the total lack of trust between the parties, there was no room for constructive ambiguity.<sup>71</sup>

Meanwhile, there were also attempts to solve the crisis through international action. Prominent foreign figures such as Francesco Cossiga, Mário Soares, Cuauhtémoc Cárdenas, Gerry Adams, Kgalema Motlanthe, and Adolfo María Pérez Esquivel urged both parties to eradicate the causes of the conflict and seek democratic solutions; a declaration of the European Parliament also supported a negotiated solution. The Friendship Group, formed by members of the European Parliament from different parties and countries in favour of a peace process in the Basque Country, helped to raise support within the European Union.

However, the progress soon collapsed, caused by mutual violations of the agreed commitments.<sup>72</sup> The abertzale left also asserted that the government's main objective was to conduct "technical" negotiations only, limited to the delivery of weapons and the militants' situation, without opening political negotiations. In this context of total collapse, ETA made a bomb van explode in Barajas airport parking lot, after three warning calls on December 30th. The attack happened without an official declaration ending the ceasefire.

In view of this event, which claimed two victims, the Minister of the Interior Alfredo Pérez Rubalcaba announced that the process had been destroyed. Nevertheless, Batasuna's Negotiating Commission asked both parties to express their commitment towards rebuilding the process. ETA communicated that it would maintain the ceasefire even though it expressed its firm determination

<sup>70</sup> Weeks before, Batasuna had appointed and publicly announced the aforementioned team that fulfilled the man/woman parity and showed Batasuna's clear will to face the process.

<sup>71</sup> A full draft can be found in Murua (2010).

<sup>72</sup> Nine months after the truce declaration, 106 people had been arrested in *Euskal Herria*, of which 33 had been imprisoned and 2 reported having been subjected to torture. The Basque citizens' civil and political rights had been cut out, evidenced by the 45 summonses for organising political initiatives or by the 53 banned activities. Also during this period, 227 people had been judged in 75 trials conducted by the Spanish National Court and Section 14 of the Paris High Courts. Basque political prisoners saw the application of 'life imprisonment de facto' as a result of the application of the new 'Parot Doctrine', consisting in the practical disappearance of sentence reductions, already reaching 22 cases. In total, Basque citizens had to pay €1,493,000 in order to get their freedom back. The case of the political prisoner Iñaki de Juana Chaos provides a telling illustration of such a repressive environment. Just before he was supposed to be released after the completion of his 20-year sentence, the government opened two criminal files for articles written years earlier in a Basque newspaper. The public prosecutor asked for 96 years in prison, and Iñaki de Juana immediately went on a hunger strike. He was finally sentenced to 12 years. On the other hand, a theft of 300 pistols in France attributed to ETA by the French police also worsened the situation.

to respond if the aggression against *Euskal Herria* continued.

Batasuna also made a concrete public proposal regarding the issues that had to be treated within a dialogue and negotiation among the political forces. In February 2007, it outlined the basis for a shared agreement and embraced the creation of a new legal-political framework for the four provinces under Spanish tutelage, with an autonomous statute and with the power of decision over its future. This was an attempt to create a democratic transition framework that should open the door to all political projects, including the pro-independence one – currently illegal – and solve the armed dispute. Thus Batasuna, apart from demanding again that both parties reject acts of violence and respect their mutual conditions, set the democratic and real basis for solving the long-lasting political problem. Batasuna's proposal, arising from pro-independence convictions, suggested the creation of a democratic scenario that was based on existing realities and excluded any imposed models, be they annexationist or partitionist. In this model, it would be the popular will, freely and democratically expressed, that would decide upon the construction of a new subject within the current administrative limits. This new subject would include political autonomy for the four Basque territories that would, in turn, have the capacity to exercise the right to decide upon its future, through the agreed democratic path. By contrast to the current frameworks, this new framework would not be based on imposition but on consultation and respect for the will of citizens. Thus, only those who deny the mere existence of a subject such as the Basque People, or refuse to give voice to the citizens, could object to this proposal.

ETA, for its part, submitted a letter to the government representatives requesting a meeting, as well as the need to act with responsibility. The government agreed to hold a two-sided meeting – on the one hand, Batasuna/PSE, and on the other hand government/ETA – with international mediators by mid-May. During the meeting, ETA expressed its total commitment to “*deactivate the armed struggle and dismantle its military structures (...) within the framework of the definitive achievement of the political and technical objectives of the resolution process*” as well as its willingness to create an International Verification Commission of the commitments made by the Spanish government and ETA. However, there was a complete lack of trust between the two sides, both believing that the other was committed to destroying the process. The abertzale left and PSOE tried to agree on a roadmap to pass from the current institutional scenario to a new one where partition was ended. Attempts to reach an agreement took days, and in the end the facilitators suggested a roadmap proposal based on some comments made by PSOE representatives but with escaping windows for Spanish side. The abertzale left representatives considered this to be sufficient, while Spanish representatives opposed it. In the end, no agreement was reached.<sup>73</sup>

In view of this situation, ETA declared in front of the international observers that it was no longer bound by its commitments and that a resumption of the armed struggle would be inevitable. On June 5th 2007, it ended the ceasefire. In the following months, the government intensified its repressive measures with the help of an increasing collaboration with the French government, and arrested dozens of abertzale left political militants, including its spokesperson Arnaldo Otegi. The banning policy on the abertzale left movement was consolidated, as more political parties became banned (like ANV and the Communist Party of the Basque Territories – EHAK), after the European Court on Human Rights considered that the banning of Batasuna and local platforms was not a violation of the European Convention on Human Rights.<sup>74</sup> As a consequence of this policy, the PSE was able to remove the EAJ-PNV for the first time in nearly 30 years from the Basque Autonomous Government, based on an agreement with the right-wing PP.

<sup>73</sup> For more information on these events, see Murua (2010).

<sup>74</sup> European Court of Human Rights, *Affaire HERRI BATASUNA et BATASUNA v. Spain*, arrêts n<sup>o</sup> 25803/04 et 25817/04, June 30 2009.

#### 5.2.4 Conclusion of the Anoeta process

In its document “Clarifying the political phase and the strategy”, published in October 2009, the abertzale left analyses past negotiation attempts and its successes and failures in order to guide a redirection of its policy. It asserts that:

*The internal cohesion of the Abertzale left was not enough in the beginning [of the process]. There were again different points of view even with respect to the meaning of the process. For some, the ceasefire initiative was premature. The main element at the time of implementing the process was left in the air because there was no clarification of the path to be followed by political agents which would lead to a political agreement, which was left in the hands of the enemy. If that wasn't enough, the fact that from the first moment the Government did not fulfil its part of the agreement increased the distrust. For others, the cease-fire had to be definitive and was necessary to support the process, avoiding stalemate situations. According to this point of view, instead of sustaining the process in ETA and in the factual leadership of the armed struggle, it had to be sustained in the social initiative and in the leadership of Batasuna. Nevertheless, it is necessary to recognize that we did not take the steps necessary to activate all citizens.*

According to the current analysis:

*Having neutralized the attempt of assimilation on the part of the state, opening a negotiation process demanded a strategic analysis. We didn't do it. As a consequence, there were some erroneous interpretations which increased the instability of the process.*

There are nowadays, according to this analysis, positive consequences of this process:

- *The political character of the process. This was the main achievement that established the basis for an agreement between ETA and the Government, and where the nature of the debate of the successive conversations has been placed. (...) The political content of the conflict was identified and its resolution specified, also publicly through a political event organised in the Anaitasuna sports arena. This increased the necessity of a negotiated solution and a political exit to the conflict.*
- *The struggle in Euskal Herria was internationalized, which could be a future asset. (...)*
- *The responsibility of PNV was clarified after its alignment with the Spanish Government. Next, the failed attempt of Ibarretxe (to propose a popular consultation with some of the contents of the process) demonstrated once again their corrupt behaviour.*

There were also failures and mistakes recognized in the debate process:

- *The responsibility for the failure of the process, to a great extent, lay on the Spanish government in the first few months although as the time went by, this situation changed. In that sense, it is enough observing the results obtained by PSN and PSE in the last elections, to realize that the Basque society did not make them responsible for the end of the ceasefire.*
- *With respect to the end of the cease-fire, the idea that it was ended with the same speed that it was started has been going on in many people's heads.*

- *Thus, with conviction that conditions for a political change did not exist, the idea that the Abertzale left was condemned to a long phase of confrontation was taking hold. In a way, the democratic process could not be rebuilt or built again from scratch so Abertzale left was replicating the scheme that came out after the failure of the negotiations of Algiers. Apparently, we had not realised why and for what we had initiated the democratic process. We have not realised that it was more than continuing the advance and building the foundations for another time. We have not sufficiently internalised the fact that we are at time of making specific political changes, and it forces us to make some changes to our mental frame.*

According to this debate promoted during the last months of 2009:

*It would be a mistake to forget the work carried out during the last years, as well as to exclude references that should be unavoidable. We live times of hard confrontation, but we must realise that Abertzale left is also in the political phase in which we must achieve the political change and reach a democratic frame. In that sense; we must say that there are necessary conditions to generate a strategic accumulation of forces so later we will reach the Basque state. The necessary conditions exist to take a decisive step in the liberation process and to open a new cycle, although this implies the necessity to adapt the political and organizational tools. With all this, the national liberation struggle has reached to the phase of concretisation, and it would be an enormous lack of responsibility not face it in an adequate manner.*

## 6. Epilogue: current state of play and new strategy of the abertzale left

The Basque Country is living through a time when the old is dying but the new is still to be born. Since the failure of the autonomy model established at the beginning of the eighties, the Basque Country is at a crossroads, a crossroads which is taking too long. The crossroads is between a neo-autonomy model which would not solve the basic knots of the conflict (how to settle the right to decide and the territoriality) and a new democratic frame which would resolve these issues by transforming the conflict into a democratic one. Taking into account the last years of development, we would like to stress some concluding points:

- **We face a political conflict that must be provided with political solutions**

Even though the process started in this decade has not reached a satisfactory outcome, all the ingredients necessary for the solution are currently on the table. It is like a puzzle that needs shaping.

In this regard, the last negotiation process has helped to clarify which are the obstacles that must be overcome to succeed in the peace process. The issue is political, and refers to how to untie the Gordian knots of the right to decide and the territoriality of the country, and how to reach a political agreement among political forces on these issues.

Moreover, the willingness shown by ETA during the process to dismantle their military structures indicates that there are ways to overcome the military aspect of the conflict.

On the other hand, the political proposals of the abertzale left also show that there are options to transform the violent conflict in a democratic political debate.

The international involvement has also been higher than in previous stages, showing there is an interest in the international community, and notably in the European Union, to solve the last violent conflict in Western Europe.

- **There is a need for a positive environment and conditions for a normalisation process**

The last negotiation process showed that dialogue must necessarily be conducted in an environment that fulfils a series of minimum peaceful and democratic conditions, without which the process will not be able to progress. These include the cessation of armed activity and hostilities, legalisation of political activities, end of the violation of the rights of the Basque political prisoners, etc. Without such a change of environment, it is not possible to face a resolution process. This does not mean that all conditions must be reached to start a democratic process, but they will have to be dealt with during the process in order to ensure its success. Without confidence-building measures we have seen processes becoming very unstable.

- **In spite of the current blockage, there is a great opportunity**

As we have pointed out, we are living times of serious crisis and blockage. The political process is not progressing due to the lack of willingness or initiative from the Spanish government to unblock it and the persistence of armed activity. But there are great opportunities. Most of the Basque citizens believe in a dialogue and negotiation process among the Basque political forces. Whatever their ideology, they assume that the future of the Basque people, its internal and external articulation, must be decided by the Basque citizens.

In this state of affairs, the abertzale left offers a political and democratic solution model, based on the country's social reality and willingness. Its proposal is wholly consistent with the current European scenario and models to resolve political disputes, as has happened in Ireland and now in other terms in Scotland, Greenland, Faeroe Islands or Quebec. There is a chance to correct the shortcomings of the Spanish transition, through a democratic process in which Basque political representatives can address all key issues that are at the heart of the Basque conflict, without any external interference, through inclusive multiparty talks with an open agenda. It is the right of the Basques to decide, so that all political options can be not only supported but also materialised, including the right to the so-called territorial unity of the country. An agreement on these core issues will also pave the way for resolving all matters related to the consequences of the conflict.

- **The internal debate within the abertzale left shows its complete commitment not to leave the opportunities to fail and its readiness to take unilateral steps**

The abertzale left has been involved in a deep debate whose objective was to design an effective political line of action to accomplish the required political change, and to take a significant step in the liberation process. As articulated in the document "Clarifying the political phase and strategy", *"the challenge is to transfer this opportunity created after decades of struggle and to nail down the political change. There are sufficient conditions for this. The key to being successful is based on being able to shape those conditions in a union of forces capable of achieving political change, and starting the construction phase of the Basque state; on defining an effective strategy that shifts the key aspect of the confrontation to other parameters based on the dialectic Euskal Herria/States"*.

The key to political change is the democratic process, understood as *“a general political initiative that aims to build up strength for political change. Is the functional strategy that will allow to change the current ‘Rules of the game’ to place it in a context where the Abertzale Left will be more strong and effective. The democratic process must also put the future on our side. The state is using the time factor to wear down the Abertzale Left and close the conditions for change”*. Once the democratic process is launched, *“time will be our ally and we will manage it so that the eternal denial of the solution of the conflict will be untenable”*.

The democratic process must be based on the word and the decision of the Basque citizenship and therefore must be done *“without any violence or external interference”*. In this regard, *“it is essential to activate all forces that support the process and the democratic framework and to undermine the actions of the agents who want to deny the rights of the citizens of Euskal Herria”*. *“This is the fundamental guarantee of the process, given that we know that the State will put all the obstacles in its power to prevent it. In addition, like in any other process, democracy must also be gradual and dynamic, getting closer step by step to abertzale left goals”*. The four big steps of the process are the following:

- restructuring of abertzale left;
- policy of alliances: union of pro-independence forces;
- responding to repression by building the “people’s wall”;
- reconstruction of the negotiation process.

As a first step in this process, a document called *“Principles and Will of the Abertzale Left”* (see Annex 3) was launched in Altsasua and Venice on November 14th, 2009 by a hundred of the abertzale left’s well-known members. In this document, the movement shows *“without reservations its support for a peaceful, political and democratic process in order to achieve an inclusive democracy, where the Basque people freely and without any intimidation of any kind will be able to decide their future”*. Moreover, *“the democratic process must be developed in a complete absence of violence and without interference, by the use of exclusively political and democratic means”*. The abertzale left also reiterates *“its commitment to the Anoeta Proposal. According to this, there should be a process of multi-party dialogue, where all the forces in this country would participate under equal conditions. This process will take on board the achievement of a democratic framework through which the citizenship will be able to decide its future freely and democratically, without any other limit than the will of the people”*. *Abertzale left also understands that “this process has to be conducted in accordance with the Mitchell principles”*.<sup>75</sup> The document was welcomed by Basque political parties, including EA, Aralar and the United Left (IU), as well as trade unions such as ELA and LAB. It was also welcomed by international actors involved in the last peace process like Sinn Fein president Gerry Adams, South African facilitator Brian Currin, the European Parliament MEP’s Friendship Group, or the Gernika Network of elected representatives in favour of the right to self-determination of the Basque Country.

<sup>75</sup> The Mitchell principles were established during the Irish peace process as rules to be accepted by all members participating in the multiparty talks. All those involved in the negotiations had to affirm their commitment:

- to democratic and exclusively peaceful means of resolving political issues;
- to the total disarmament of all paramilitary organisations;
- to agree that such disarmament must be verifiable to the satisfaction of an independent commission;
- to renounce for themselves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations;
- to agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree; and,
- to urge that “punishment” killings and beatings stop and to take effective steps to prevent such actions.

The debate ended on February 2010 with the Resolution called “*Zutik Euskal Herria*” (“Stand up for Basque Country”, see Annex 3), where the elements of the debate and the Altsasua – Venice document were confirmed and stressed. This document was welcomed on March 29th 2010 through a joint declaration by prominent international actors, including among others Archbishop Desmond Tutu, President Mary Robinson, John Hume, Albert Reynolds, Frederick DeKlerk, the Nelson Mandela Foundation and Jonathan Powell, as well as peace mediators and experts, who also asked that ETA declare a permanent, fully verified ceasefire and that the Spanish government give a proper reply to this step.<sup>76</sup>

Today, like before, the abertzale left is becoming the driving force to create a new momentum and overcome the current blockade. The coming months will show if it will succeed or not, and whether or not we are closer to completely transforming the current paradigm. Let us hope that we will see this change happen.

<sup>76</sup> Statement by International Leaders in Conflict Resolution and Peace Processes: “*We, the undersigned, welcome and commend the proposed steps and new public commitment of the Basque Pro-independence (Abertzale Left) to “exclusively political and democratic” means and a “total absence of violence” to attain its political goals. Fully carried out, this commitment can be a major step in ending the last remaining conflict in Europe. We note the expectation that the coming months may present a situation where the commitment to peaceful, democratic and non-violent means becomes an irreversible reality. To that end, we appeal to ETA to support this commitment by declaring a permanent, fully verified ceasefire. Such a declaration appropriately responded to by [the Spanish] Government would permit new political and democratic efforts to advance, differences to be resolved and lasting peace attained.*” See [www.gara.net/agiriak/20100329\\_statem.pdf](http://www.gara.net/agiriak/20100329_statem.pdf).

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## Internet resources

- Basque Observatory of Human Rights: [www.behatokia.info](http://www.behatokia.info)
- Gara daily newspaper: [www.gara.net](http://www.gara.net)
- Berria daily newspaper: [www.berria.info](http://www.berria.info)
- Ezker abertzalea: [www.ezkerabertzalea.info](http://www.ezkerabertzalea.info)
- Etixerat (relatives of political prisoners): [www.etxerat.info](http://www.etxerat.info)
- Pro Amnesty Movement: [www.askatu.org](http://www.askatu.org)
- Euskal Herrria Watch: [www.ehwatch.org](http://www.ehwatch.org)

## Annex 1: Glossary

<i>Aralar</i>	Name of a party formed from a split during Bateginez debate process
<i>Askatasuna</i>	Freedom
AP	<i>Alianza Popular</i> (Popular Alliance, later known as PP)
<i>Aukera Guztiak</i>	All the Options, civic platform
<i>Bateginez</i>	Debate process promoted by Herri Batasuna
CDS	<i>Centro Democrático y Social</i> (Democratic and Social Centre)
EA	<i>Eusko Alkartasuna</i> (Basque Solidarity)
EAE-ANV	<i>Eusko Abertzale Ekintza – Acción Nacionalista Vasca</i> (Basque Nationalist Action)
EAJ-PNV	<i>Euzko Alderdi Jeltzalea – Partido Nacionalista Vasco</i> (Basque Nationalist Party)
EAS	<i>Eusko Alderdi Sozialista</i> (Basque Socialist Party)
EE	<i>Euskadiko Esquerra</i> (Basque Left)
EGI	<i>Eusko Gaztedi</i> (Basque Youth): youth league of the EAJ-PNV
<i>Egin</i>	Basque Country daily newspaper
<i>Egunkaria</i>	Basque daily newspaper
EHAk	<i>Euskal Herrialdeetako Alderdi Komunista</i> (Communist Party of the Basque Territories)
EIA	<i>Euskal Iraultzarako Alderdia</i> (Party for Basque Revolution)
<i>Ekin</i>	Action, patriotic movement
ELA	<i>Euskal Langileen Alkartasuna</i> (Basque Workers' Solidarity)
<i>Elkarri</i>	<i>Bakearen, elkarrizketaren eta akordioaren aldeko mugimendua</i> (Association for Peace, Dialogue and Agreement)
ESB	<i>Euskal Sozialista Biltzarrea</i> (Basque Socialist Convergence)
ETA	<i>Euskadi Ta Askatasuna</i> (Basque Country and Freedom)
ETA-m	<i>Euskadi Ta Askatasuna</i> - military
ETA-pm	<i>Euskadi Ta Askatasuna</i> - political-military
EU	European Union
<i>Euskadi</i>	Basque Country, also legal name given to the Basque Autonomous Community
<i>Euskal Herria</i>	Basque Country
<i>Euskal Herritarrok</i>	Basque Citizens, coalition promoted by Herri Batasuna
<i>Ezker Abertzalea</i>	<i>Abertzale</i> Left (can be translated as patriotic left, nationalist left or pro-independence left)
FLN	<i>Front de Libération Nationale</i> (National Liberation Front)
FSE	<i>Fuerzas de Seguridad del Estado</i> (Spanish State Security Forces)
<i>Fueros</i>	Charters compiling regional public and private laws
GAL	<i>Grupos Antiterroristas de Liberación</i> (Anti-terrorist Liberation Groups)
GAR	<i>Grupos Antiterroristas Rurales</i> (Rural Antiterrorist Groups)
HAS	<i>Herriko Alderdi Sozialista</i> (People's Socialist Party)
HASI	<i>Herriko Alderdi Sozialista Iraultzailea</i> (Socialist Revolutionary Popular Party)
HB	<i>Herri Batasuna</i> (People's Unity)
<i>Hegoalde</i>	Name given to the South of the Basque Country, formed by Araba, Bizkaia, Gipuzkoa and Nafarroa provinces.

<i>Iparralde</i>	Name given to the North Basque Country, formed by Behe Nafarroa, Lapurdi and Zuberoa.
ILO	International Labour Organisation
IRA	Irish Republican Army
IU	<i>Izquierda Unida</i> (United Left)
<i>Jagi-Jagi</i>	Radical pro-independence nationalist movement
KAS	<i>Koordinadora Abertzale Sozialista</i> (Socialist Patriotic Coordinating Committee)
LAB	<i>Langile Abertzaleen Batzordeak</i> (Basque Labour Union)
LAC	<i>Langile Abertzale Comiteak</i> (Patriotic Workers' Committee)
LAIA	<i>Langile Abertzaleen Iraultzarako Alderdia</i> (Party for the Revolution of Patriotic Workers)
LCR	<i>Liga Comunista Revolucionaria</i> (Revolutionary Communist League)
<i>Lehendakari</i>	President of the Basque Country's autonomous government
LKI	<i>Liga Komunista Iraultza</i> (Revolutionary Communist League)
LOAPA	<i>Ley Orgánica de Armonización del Proceso Autonómico</i> (Organic Law of Harmonisation of the Autonomy Process)
<i>Matxinada</i>	Peasantry rebellions
MC	<i>Movimiento Comunista</i> (Communist Movement)
MCE	<i>Movimiento Comunista de España</i> (Spanish Communist Movement)
NATO	North Atlantic Treaty Organisation
ORT	<i>Organización Revolucionaria de Trabajadores</i> (Revolutionary Organisation of Workers)
PCE	<i>Partido Comunista de España</i> (Spanish Communist Party)
PP	<i>Partido Popular</i> (Popular Party)
PSE	<i>Partido Socialista de Euskadi</i> (Basque Socialist Party): Basque section of the PSOE
PSOE	<i>Partido Socialista Obrero Español</i> (Spanish Socialist Workers Party)
PSP	<i>Partido Socialista Popular</i> (Socialist Popular Party)
PTE	<i>Partido del Trabajo de España</i> (Spanish Labour Party)
SECED	<i>Servicio Central de Documentación</i> : intelligence services under Franco
UAR	<i>Unidades de Acción Rápida</i> (Rapid Action Units)
UC	<i>Unidad Comunista</i> (Communist Union)
UCD	<i>Union de Centro Democrático</i> (Union of the Democratic Centre)
<i>Udalbiltza</i>	Assembly of Basque Municipalities
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organisation
USA	United States of America
<i>Xaki</i>	European Association to make the Basque reality public at the international level.
ZEN	<i>Zona Especial del Norte</i> (Plan for the Special Northern Zone)

## Annex 2: Chronology

- III - IV century: Christianity starts to penetrate the Basque Country.
- VII century: The Duchy of Vasconia is formed.
- IX century: The Kingdom of Pamplona is established, later to be known as the Kingdom of Navarre.
- XIII century: The Kingdom of Navarre loses the regions Gipuzkoa, Araba and Bizkaia to the Kingdom of Castile.
- 1512: Navarre is invaded by Castile. However, when Ferdinand II made peace with Louis XII in 1513, he kept the land by force and swore to respect its sovereignty, the Statutes of Navarre, under a Viceroy.
- 1837-1839: First Carlist War. When the Basque Carlists surrendered after the First Carlist War in 1839, they did so on the promise that their statutes would be respected. The promise was not kept, however.
- 1872-1876: Second Carlist War. The Basque Carlists also lost the Second Carlist War and this defeat meant the advent of the Law of Abolition of the Statutes (almost all that still remained of the sovereignty), proclaimed in July 1876.
- 1895: Foundation of the Basque Nationalist Party by Sabino de Arana y Goiri
- 1920: Primo de Rivera's dictatorship. The Basque Nationalist Party is banned.
- 1930: Foundation of Basque Nationalist Action
- 1931: The Second Spanish Republic is proclaimed
- 1936: Francisco Franco's *coup d'état* and Spanish Civil War. Basque Nationalist forces stood for the Republic.
- 1936: Declaration of Basque autonomy and Basque government under the leadership of President Jose Antonio Aguirre. The Basque army is formed.
- 1939: The Basque government and army surrender to Italian forces in Santoña. The Basque government goes into exile.
- 1952: Foundation of Ekin
- 1959: ETA is founded out of Ekin and EGI
- 1969: Killing of Txabi Etxebarrieta
- 1970: Burgos trial
- 1973: Killing of Carrero Blanco
- 1975: Execution of Txiki and Otaegi. Franco dies on 20th November.
- 1977: Txiberta talks
- 1975: KAS alternative launched
- 1978: Foundation of Herri Batasuna
- 1979: Spanish constitution referendum. In the Basque Country it is supported by only 35%.
- 1980: Basque autonomy is recognised for three provinces
- 1980: Navarra's autonomy is recognised
- 1981: Spanish army *coup d'état* attempt
- 1987- 1989: Algiers Talks between ETA and Spanish government representatives in Algiers city
- 1992: Bidart operation against ETA leadership
- 1995: Democratic Alternative is launched (see Annex 3)
- 1996: Arrest of Herri Batasuna's executive committee
- 1998: Ireland Forum and Lizarra-Garazi Agreement (see Annex 3) between Basque nationalist and progressive forces. At the same time a PNV-ETA-EA agreement is reached.

- 1998: October 24: ETA ceasefire
- 1999: Setting up of *Udalbiltza* (assembly of Basque municipalities of the six Basque provinces)
- 1999: November 28: ETA ends the ceasefire
- 2003: Banning of Batasuna and other organisations
- 2004: November 14: The document “Now the People Now the Peace” (Anoeta Proposal, see Annex 3) is launched
- 2006: March 22: ETA ceasefire is proclaimed
- 2007: June 5: End of ceasefire
- 2009: November 14: Altsasua –Venice Initiative
- 2010: February: *Zutik Euskal Herria* resolution (see Annex 3)
- 2010: March 29: Brussels Statement

## Annex 3: Key documents issued by the abertzale left since 1995

### Document 1: DEMOCRATIC ALTERNATIVE FOR THE BASQUE COUNTRY (Euskal Herria, 1995)

The “Democratic Alternative for the Basque Country”, a basic proposal of political negotiation which has arisen from the update of the “KAS Alternative” contains two different sets of negotiations: one between ETA and the Spanish State, and the other one among Basque People, by means of an open democratic process in which any options could be chosen.

To achieve the recognition of the Basque Country, which is essential for this process to be really democratic, is the aim of the political negotiation between ETA and the Spanish State. The final decisions, however, will be taken by the Basque society with no possible delegation.

This proposal of political negotiation put forward by ETA to overcome the present confrontation between the Basque Country and the Spanish State is a tool at the disposal of the Basque society.

As new conditions and democratic means have emerged, ETA will adjust its activity to the new situation of the conflict without giving up its final political aims, that is the independence of the Basque Country and to fight for a society based on social justice. The armed struggle between the Basque Country and the Spanish State will be overcome when this proposal is agreed upon and developed.

ETA’s Democratic Alternative for the Basque Country has two different frameworks for negotiations: one between ETA and the Spanish State, and another among all Basque citizens.

#### To be agreed upon by ETA and the Spanish State

Upon the Spanish State accepting the proposed plan to initiate a democratic process in the Basque Country, ETA will announce a ceasefire.

##### **a. The recognition of the Basque Country. The recognition of the right to self-determination and territorial unity.**

The right to self-determination is not a political position, but a democratic right that belongs to us as a people. Although the decision of when, how and to what purpose that right is to be developed belongs to Basque citizens, the recognition of that right must be secured. It is essential that the Basque Country can decide its future with total freedom.

The recognition of the Basque Country requires eliminating current territorial division, accepting its unity, and lifting the institutional borders. How this unity will be defined and structured is the supreme decision of the Basque Country.

##### **b. Respect of the results of the democratic process in the Basque Country.**

Limitations cannot be imposed upon the decisions voiced by the people. Therefore, the Spanish State must agree that it will respect the development of the democratic process and its results, whatever those results may be.

The minimum condition to develop such a democratic process, is to allow all citizens to participate in it without any pressures. Therefore, it is essential to grant a general amnesty that makes possible the release of all prisoners, and the return of all refugees.

Equally essential is reaching an agreement on measures which would prevent the Spanish Armed Forces from influencing this process.

## **To be debated among and agreed upon by Basque citizens**

The democratic process towards Basque self-determination must have the participation of labour unions, associations, social movements, political parties, institutions, that is, all society, to define options, discussion, frameworks, and suitable agreements.

Throughout this process, at least the following points will have to be solidified: the development of the right to self-determination (formulation, methodology, options, timetables...); the formulation and process of territorial unity; the relations among all Basque territories; the competencies of the new institutional organization that is going to be agreed upon, without any kind of limitations; plans for the teaching of the Basque language; the socio-economic model and plans; the demilitarization of the Basque Country (including the role of the Army and its withdrawal); and the composition and character of the police force; rights to education; democratic rights, etc.

## Document 2: LIZARRA-GARAZI AGREEMENT (Euskal Herria, September 12th, 1998)

### Factors that advanced the Peace Agreement in the north of Ireland

1. All parties to the conflict accepted the origins and its political nature and, consequently, that its resolution also should be political.
2. The British government and the IRA understood that one or the other could not be the military conqueror and, consequently, accepted that the conflict--if let as it was--could be endlessly prolonged.
3. Thanks to the reflection of all parties to the conflict, the confrontation yielded to a common effort (first to yield were those nearest the conflict; later on rivals; and finally, enemies), always attempting not to exclude anyone from these talks.
4. Among the variety of reflections made, it was highlighted as especially relevant that the previous conception of the Republican movement was to build and support a solution to the conflict that would include and respect all the existing traditions of the island. This helped to reduce resistance of those who previously promoted exclusive dialogue or politics of isolation.
5. Slowly, the dialogue and relaxation of tension that emerged from this network of relations became the main strategy and priority, which until then had incorporated the use of violent force and the politics of isolation. Gestures of relaxation of tension came from both sides without preconditions to begin dialogue.
6. The recognition of the right of the citizens of Ireland to self-determination brought depth to the content of democracy (creating new formulas of sovereignty) as well as the method (giving the citizens the last word). These political characteristics contained in the Peace Agreement appreciate the idea of negotiations, not with the intention to win but of solving the conflict, incorporating all the existing traditions of the island and placing all political projects as equals for achieving their political goals, without any limits other than the support of the democratic majority.
7. The presence of some international factors played a significant role: firm support by and direct participation of the government and the president of the United States in the resolution of the conflict; the support given by different institutions of the European Union (displayed by the promise of economic aid), the political support displayed and the advice offered by the government and the president of South Africa throughout the process.

### Potential application in Euskal Herria

In accordance with the characteristics with which the process and the Peace Agreement in Ireland have been produced, we think that the conflict affecting Euskal Herria can find channels of resolution if the following guidelines and actions are observed:

- **Identification**

The Basque confrontation is a historical conflict of political origins and nature, in which Spain and France see themselves implicated. Its resolution necessarily must be political.

The different existing conceptions about the root and permanence of the conflict: territoriality, who should make the decision, and political sovereignty, constitute the nucleus of the fundamental issues to be resolved.

- **Method**

A political solution can only be achieved through a process of open dialogue and negotiations, without excluding any of the implicated parties and with the participation of all Basque society.

- **Process**

- a. Preliminary phase*

The process of dialogue and negotiations can be facilitated with no conditions imposed on the parties before multilateral talks begin.

- b. Resolution phase*

The process of negotiations and resolution, with the good will and willingness to compromise when dealing with the causes of the conflict, would be carried out under the condition of the permanent absence of all expressions of violence.

- c. Character of negotiations*

Negotiations must be global in the treatment of and the response to all the issues which constitute the conflict, as well as its consequences. There are no limited agendas. In this sense, negotiations should not be understood as a process of separate gains, but as part of the attempt to resolve the conflict.

- d. Keys of resolution*

This means that negotiations for resolution bear no specific clauses; respect the plurality of Basque society; make the political projects equal; make democracy more profound in the sense that it gives the citizens of Euskal Herria the last word to decide the future, and the parties respect the decision. Euskal Herria must have the last word, and make the decision.

- e. Resulting scenario*

The resolution agreement will not contain closed scenarios or narrow specific conditions, but it will make possible an open framework where new formulas responding to the traditions and desires of the citizens of Euskal Herria to achieve sovereignty could have a place.

## Document 3: A SCENARIO FOR PEACE IN THE BASQUE COUNTRY (Iruñea, 21 January 2002)

### 1. Historical introduction

Speaking about peace in the Basque Country means speaking about something seldom seen in our country's history. Therefore, speaking about peace in the Basque Country needs a strict position in the analysis and in the proposals, as well as a great political responsibility.

It is starting from these points that Batasuna wants to make clear its point of view concerning a stable scenario of peace for our People. Speaking about peace means, according to us, as a previous need, to take a look at the latest history of the Basque Country, in order to build in a different way the future of our country. A future that we would like to begin from today on, with no more delays, and no more excuses.

Our People has been living more or less the last 200 years without enjoying peace, for proof: repressive consequences of the French Revolution, the *matxinadas*,<sup>77</sup> the consecutive Carlist wars, the two world wars, the fascist coup in 1936, labour and popular struggle against the Francoist dictatorship and finally the reality of the political conflict nowadays... which draw the actual overview in which we have been managing non-stop our political and social lives.

Therefore, since the XVIII century, every generation so far has suffered war, torture and prison. This reality is the one giving a historical, political and tragical aspect to the conflict we are living.

In this brand new century, violation of the rights is part of everyday reality in the Basque Country. This non-stop violation is the cause of the political conflict and of its consequences, such as deaths, arrests, torture, prisoners, refugees and outlawing of organizations.

In fact, this is the tragedy that our People are living: the denying of the Basque Country's mere existence, and as a result, the violation of its corresponding rights. This is what is actually the root of the conflict we are suffering in our Country: the French and Spanish States do not recognize us as a Country and therefore, do not recognize that we deserve the universal rights acknowledged to any other country in the world.

These are the circumstances that the Basque Country must change. This is our duty and responsibility. Over any other thing, our priority is that our People get to know peace and justice and build its future freely.

### 2. To build peace means to talk about rights

For Batasuna, building of peace means speaking of rights and working to defend these rights, that means, creating a scenario which allows the full and integral exercise of the rights we deserve as Basque citizens.

Peace means, according to us, the acceptance and the respect of all rights. Peace for Batasuna is based on the respect, and democratic and peaceful exertion of our rights.

Another basic thrust to develop an efficient dynamic in the search for peace is that one that considers that the peace scenario has to be based on the whole Basque Country's citizenship.

### 3. Differences must be made between peace and political agendas

In order to develop an efficient political action in favour of a peace scenario, Batasuna considers that it is essential to make the difference between everyone's political agenda and the peace scenario to be built.

<sup>77</sup> Peasantry revolts

This way, a previous condition is essential to allow an efficient dynamic for the construction of a stable and long term peace scenario for the Basque Country and it relies on the express renunciation of any imposed political agenda.

This is precisely what the Spanish and French States do not respect. The origin of the conflict that our country is suffering is no more than the freezing of the Spanish and French States in order to maintain a political strategy based on the non-recognition of the Basque Country, and both states are the ones imposing their political agenda on our people.

Batasuna, basing itself on its democratic position, states clearly that it has abandoned, abandons and will abandon the idea of imposing its own political agenda to build a peace scenario in the Basque Country. It argues for the necessity to create a democratic model in the Basque Country which will guarantee the development of all political agendas in equality of conditions. In fact, the Basque Country must have the last word and the decision-making power.

#### **4. To build peace means to talk about the right to self-determination**

For Batasuna, the Self-Determination Right's recognition is the keystone to build a peace scenario in the Basque Country.

The Self-Determination Right is the juridical, political and democratic tool that allows equal rights in the Basque Country.

The Spanish and French States' acceptance of this right is essential to start building a future in freedom and in peace for our People.

The actor of the Self-Determination Right is the Basque Country and it's up to all the Basque citizens to practice it.

The Self-Determination Right cannot be used as an aggressive tool against anybody, but as a guarantee to make possible our political coexistence, as we are talking about a tool for peace. That means that Self-Determination is the tool that guarantees the equality of rights.

#### **5. To build peace means to respect plurality**

The scenario for peace must be built from the respect for our People. Batasuna wants to declare clearly and strongly its deepest respect for the Basque Country's plurality, considering this as a determining factor of cultural and political enrichment.

When we talk about our country's diversity, the starting point is obviously the existence of the Basque Country, from the Ebro through to the Aturri river; taking into account the historical territories with their own particularities, different political parties and projects, and a community enriched by its diversity of perspectives and different levels of feelings towards their mother Nation. There is no doubt about our society's plurality.

We would like to assert from Batasuna that the denial of such a basic fundamental right as the Right to Self-Determination poses the greatest attack against the reality of plurality of the Basque Country. And with the same strength, we would like to affirm that the recognition of the Right to Self-Determination has to be considered as the issue that would bring peace and democracy to the above-mentioned plurality.

## **6. The claim for Self-Determination is a fundamental a Human Right.**

Fighting for this right means fighting for peace and freedom. And proclaiming this right means the recognition of the Basque Country as a political subject.

Self-Determination must be taken as a right suitable for all the Basque citizens, it has to be a heritage shared by all of us. The Right to Self-Determination cannot undermine anybody's rights and cannot be considered as a threat.

The acceptance of such a fundamental right would open doors to a steady and lasting peace, but also would bring a change of the nature of the conflict that opposes the Basque Country to the Spanish and French States.

The approval of the Right to Self- Determination would mean:

- **The Basque Country as a framework towards peace**

A political agreement between the Basque Country and the two states would definitively break the conflictive political path we have been going through these last two centuries; to the contrary, it would help to reach a scenario based on peace and mutual respect.

The Basque Country would earn its right to organise its own political, social, economic, linguistic and cultural future.

As a consequence, all kinds of violent demonstration that have been present in the political life of the Basque Country should disappear.

This reality would imply the release of prisoners of war on one hand, and the guarantee of the right to live freely in the Basque Country for all those refugees who are far away from their homes and beloved ones.

This scenario would allow a peace and freedom situation so much desired by the entire Basque People, being also the best heritage we could leave to the future generations.

- **The Basque Country, setting for a demilitarised scenario**

The Basque Country would have in its hands the real choice to build a dynamic scenario that allows the progressive demilitarisation of the conflict.

In this sense, the two states would renounce to the use of violence in order to keep by force the negation of our Country's rights and would start the withdrawal of their armed forces based in the Basque Country.

## **CONCLUSION**

This document reflects Batasuna's political position and must be understood as a contribution to the dynamic search for peace for our People. This way, we want to keep an open mind regarding all the reflections, proposals and contributions made for the peace process.

**Document 4: NOW THE PEOPLE NOW THE PEACE  
(Anoeta Proposal, Batasuna, November 14th, 2004)**

**BASQUE COUNTRY-DIALOGUE-AGREEMENT-CONSULTATION**

This political document seeks to bring to public attention the analyses and conclusions at which BATASUNA has arrived, at a juncture that is especially important for the present and the future of our people.

The present juncture cannot be understood without an understanding of what has happened in the last 25 years. That is why this document takes a good look at all of this period, while putting forward certain conclusions about the present situation.

From the analysis carried out, BATASUNA as a public and plural expression of the Basque Nationalist Left has set a political priority for the immediate present: the building of a peace process which would bring to an end, once and for all, the scenario of political and armed confrontation in our country.

BATASUNA accepts therefore its role as an agent committed to the search for, and the consolidation of, a process that would lead once and for all to a just scenario of stable and lasting peace for Euskal Herria.

**1. A POLITICAL STOCKTAKING (1977-2004)**

**1.1. Denial, imposition, division**

Euskal Herria has been throughout its history a country denied and divided in different political and administrative spheres.

Since the French Revolution the citizens of Lapurdi, Nafarroa Beherea and Zuberoa have demanded an institutional framework of their own for the three territories, but all this time the Jacobin State replied with denial and contempt.

In the other four territories, the heirs to Francoism set the transition in motion in order to continue to do the same as during Franco's time, by means of the Constitution and the Autonomy Framework. The Spanish Constitution was set in motion against the will of our people; the Improvement Statute was never voted on in Nafarroa; and the Statute of Autonomy started with minimum support and with the threat that "it's either this or nothing". The Basque Nationalist Left gave a resounding "no" to what was being imposed because, when all's said and done, it continued to deny and divide our people. We took the decision to work and struggle on a day-to-day basis in spite of the fact that all the other component parts were forecasting our political demise.

The early years of the Francoist reform were very hard. In spite of this, the Basque Nationalist Left managed to struggle and set in motion a strategy designed to put us on the right road to a democratic solution of the conflict, through the KAS Alternative. The KAS Alternative culminated in the negotiations in Algeria.

**1.2. The crisis of year 1992. The exhaustion of the negotiation strategy**

Ten years ago the Basque Nationalist Left was going through a period of crisis, caused fundamentally by the fact that its strategy of negotiating with the Spanish State came up against a brick wall. The break-up of the negotiations in Algeria led to a period of confusion which the State took advantage of to introduce all kinds of manoeuvres, which under the guise of attempts at negotiating only sought to facilitate the division and the political and organizational destruction of the Basque Nationalist Left.

Ten years ago the Spanish State, run by the PSOE government, could count upon the Basque Autonomous Government led by Ardanza for collaboration, advice, and the underwriting of its project, and under the facade of the Ajuria-Enea Pact, the Autonomous Government provided the comfort and the socio-political cover which the State needed for its counteroffensive by the state police forces.

Thus began the phase of the dispersal of prisoners, of the constant hounding of Herri Batasuna, of the media apartheid against them, of the operation in Bidart, etc. Any measure was OK just so long as it killed off the Basque Nationalist Left.

### **1.3. The Basque Nationalist Left's Strategic Reorganization. The basic decisions (1994)**

The strategists of the Spanish State and their collaborators in Sabin Etxea and Ajuria-Enea did not count on the Basque Nationalist Left's capacity for tactical and strategic reorganization.

In that period of uncertainty and the ruthless increase of the repression, the Basque Nationalist Left, as a whole, was capable of taking the time needed to debate, discuss and agree upon a profound renewal of its political strategy.

Conscious of the difficulties, but confident that with honesty and seriousness they had implanted among broad popular bases of the Basque population a left wing pro-independence project, they adapted their strategy to the new reality that existed in Euskal Herria and in the Spanish and French States.

- a. Rather than a strategy based on partition (first of Southern Euskal Herria and then of Northern Euskal Herria), a clear decision was taken to create a strategy that was national in character but which took into account the different situations and the component parts of our country.

As a result of that decision, the whole of the Basque Nationalist Left with its different organizations became, over time, organizations that were national in character with its militant structure being extended in practice to the whole of the territories of Euskal Herria.

- b. As opposed to a strategy which waited for a "D-day" after negotiation between ETA and the Spanish State, which would bring a sea-change in the situation, what was planned was a strategy of constantly building Euskal Herria. This strategy of nation building involved dedicated daily work in every strategically important sector of our nation which, on the one hand, would facilitate the lessening of the devastating effects of the policies of the two States (deindustrialization, Basque language, education...), and on the other hand, clarify for our people the juridical and political limits for the autonomy framework.

Getting beyond this framework was not a political whim, not merely a question of macro politics, for the very survival of Euskal Herria was at stake.

The Basque language, the economy, the education system, the media... all needed a new political framework. The aim was to demonstrate to the broad sectors of people who worked in those fields the need for a framework which overcame partition and the lack of sovereignty. This was the only way to guarantee our very survival as a culturally differentiated national community.

- c. From a strategy of negotiation only, we moved to a strategy of nation building; we moved from the KAS Alternative to the Democratic Alternative, in which we showed the need for a national democratic process, open to all the political, social and cultural sectors of our people, and we also revived the negotiation model.

This process would determine and channel the aspirations of our people, whose right it is to speak to the French and Spanish States, as one nation to another, as one sovereignty to another.

The role of the States should be limited to acceptance and respect for what the Basque people decide through a peaceful and democratic process. However, the Spanish State opted for

criminalising the peace proposal which the Democratic Alternative represented, and, as if that were not bad enough, they put the whole national executive of Herri Batasuna in jail. In no case would they succeed in changing the aforementioned important decisions which have borne such fruit with the passing of the years.

#### **1.4. 1998: The exhaustion of the system of autonomy. The success of the revised strategy**

The Lizarra-Garazi Process was nothing more than an attempt at setting in motion the Democratic Alternative.

That process produced political effects of a strategic type. It buried once and for all partition and autonomy as alternatives for overcoming our political, economic or cultural problems.

It showed that the work carried out in the area of national and social construction had brought together a critical mass of people in trade unionism (collaboration between the ELA and LAB trade unions), in the Basque language (the dynamism of Kontseilua, the coordinating body of Basque language organizations), and of Bai Euskarari (the “say yes to the Basque language” campaign) in education (Euskal Unibertsitatea - University in the Basque language) or in sport (ESAIT and the struggle to get Basque national teams).

It made people see, as never before, the map of Euskal Herria with its seven territories. The creation of Udalbiltza (the organization that brings together elected representatives from all seven territories) was the most important political element in that direction.

It made real the possibility of a dialogue with the States that would be national and democratic in character. The women and men who make up the Board of Lizarra-Garazi should be the trustees of the interests of the nation and of its people in the search for a negotiation process with the two States, based on the premise of respect for the word and the decision of Euskal Herria. In short, it contributed to sustaining and consolidating the reorganization of our strategy according to the parameters decided in 1994.

On the negative side we should underline that although both the PNV and EA bore maximum responsibility for the end of the truce, the Basque Nationalist Left paid dearly for the new situation and to the poor results of the elections to the Basque Autonomous Parliament in 2001, must be added the end of the Batasuna process, with the breakaway of Aralar and the AB group not joining as a whole. The Basque Nationalist Left entered an important period of crisis and their political ability to influence the political scenario was reduced for some time.

#### **1.5. The Spanish State's reply: repression and banning**

The process of 1998 set off all the alarms, though with different degrees of intensity, in the Spanish and French States. The Spanish State was conscious from the beginning that this process envisaged the definitive destruction of the design agreed during the transition period and was a serious threat to the project which they call “Spain”.

Once again, in the political-cultural debate of the State, the big question which has cropped up again and again over the last two centuries of Spanish political life became central, namely: “What is Spain?”

It was precisely the deepening of the crisis in the present political framework and, paradoxically the weakened state of the Basque Nationalist Left following of the breakdown of the Lizarra-Garazi Agreement, that led the Spanish State to put its foot on the accelerator, banning the organizations of the Basque Nationalist Left and introducing what really amounted to martial law and political apartheid for thousands of people in Euskal Herria.

The two years that have passed by since the banning allow us to say clearly, in spite of all the difficulties created by the political apartheid, that the Basque Nationalist Left has defeated that strategy and has managed to progress, opting for nation building, the development of

Udalbiltza, creating structures at national level, confronting the ban and also the siren songs of the autonomists around the Ibarretxe plan.

It is precisely the PNV who took advantage of this particular moment to introduce the Ibarretxe plan as a mechanism to abort the debate which has been opened up in the whole of the country about the framework, and with the further objective of causing damage to Batasuna at a time when the party has been banned.

The PNV is conscious that 25 years later it cannot continue claiming and boasting about the Statute of Autonomy and that is why it is presenting a new statutory dish, drawn up this time with a preamble which, generally speaking, includes the basic demands of the Basque Nationalist Left: Euskal Herria, self-determination, a referendum.

### **1.6. The reply of the French State: contempt**

The decision to build a national strategy coincides with the beginning of a social and political dynamism in Northern Euskal Herria which was unknown until then.

The claims being made for a Department of their own, for the Basque language being given official status, for a University and Agricultural Chamber of their own have caused the present status of Lapurdi, Nafarroa Beherea and Zuberoa to be called into question.

The need for an institutional structure of their own as well as the need for any future plan to have a tie-in with the whole of Euskal Herria are ideas which are growing stronger by the day.

It is for that reason that the French State has ceased to merely cooperate with the political repression of the Spanish government, and become instead an active agent in the repression of the Basque people as a whole.

Contempt for the wishes of the Basque women and men, permanently scoffing at their claims, is the French State's identifying mark as far as Euskal Herria is concerned.

## **2. ANALYSIS OF THE PRESENT SITUATION: TIME FOR POLITICAL CHANGE**

The present moment in Euskal Herria is determined by these three key factors:

### **2.1. Crisis of the present political statuses of Euskal Herria as a whole**

This crisis arose, with different levels of intensity, from the exhaustion of the present State models, both the Spanish and French models.

Today, in the Spanish State, the debate focuses on constitutional reform and on the State's model for autonomies in the future. There is only one fundamental reason for the opening of this debate: the failure of the model from the transition period and the opening of a process whereby Euskal Herria regained its voice. Other reasons can be put forward, ranging from a European one to royal succession, but these are only smoke screens that try to create the false impression that the aforementioned debate is a natural extension of the 1978 constitutional debate.

The great political victory of the Basque Nationalist Left and of the Basque people has to be hidden, manipulated, because as far as the real powers, those who run the State, are concerned, it sets a dangerous precedent.

Consequently, the Spanish State will try to ensure that the aforementioned reform is carried out with the least possible cost of their own project, an objective which they will not achieve if we in the Basque Nationalist Left are capable of persevering in our strategy, making it clear that the resolution of the conflict can only be built on the principle of the right to self-determination of the Basque people.

With regard to the French State, it is beyond doubt that the debate and the subsequent process of decentralisation, the Matignon Agreements with regard to Corsica, as well as the

endless claims and referenda which are taking place about the ex-colonies, have opened up a debate about the political framework in the whole of the State, although at a lower level than in the case of Spain. In any case, the demand for political change is, at the present time, a demand of the majority, in the territories under domination of the French State also.

## **2.2. The debate about the future of Euskal Herria: a proliferation of proposals**

Arising from the fact that not only the State but all the political forces are conscious of the inevitability of change in political status, we are witnessing a kind of auction of frameworks and proposals to bring us beyond the present political framework.

As opposed to a previous stage in our history, when only the Basque Nationalist Left pushed the need for radical change in the political framework, today those who used to brandish with the scornful pride of power, the flag of the Statute and of partition now hasten to get into step with the new situation created by the struggle of the Basque Nationalist Left.

Beyond any considerations of the contents of each proposal, the important thing is to see that even the PSOE is incapable of continuing to defend the present status as it is designed today. And not even those who feel that they are art and part of the French Republic can today defend the great power of a State against the claims being made from Euskal Herria.

This last fact alone should let the Basque Nationalist Left see the extent of their political victory.

## **2.3. The referendum as the core of political debate**

The acceptance by an ever greater majority of a referendum as the appropriate instrument to give legitimacy to present or future political frameworks is a key factor. This permanent historic demand of the Basque Nationalist Left is now taking a prominent place in the political debate, becoming a cornerstone of the immediate political future of Euskal Herria, as can be seen from the different political proposals presented.

It is the Basque people, and only the Basque people, who should decide their present and future by means of a direct consultation with the men and women who make up her citizenry.

## **3. PEACE IS NOW THE PRIORITY**

The present political situation (crisis of political statuses, new proposals, and direct consultation with the people) has created favourable conditions for initiating a process leading to the ending of the conflict in our country.

The opting for a process that would lead to the conflict being put behind us has, in advance, one undeniable advantage: any attempt in that direction can count on the overwhelming support of our people.

The party leaderships can throw every obstacle in the path of the process, but those who vote for every political grouping without exception are opting overwhelmingly for a process leading to a solution and to peace.

Since this is so, the Basque Nationalist Left have the responsibility to take the conflict out of the streets, here and now, and bring it to the negotiation table and to dialogue.

In order that this may happen, all sections must have the commitment to overcome all the obstacles which prevent this objective. BATASUNA reiterates here this commitment and will, therefore, use every means to ensure that the obstacles are overcome.

The old political statuses have shown more than enough capacity for regenerating the conflict and more than enough inability to solve it. On the other hand, a new status based on agreement and recognition of all rights, will bring with it political change and peace.

For that reason we must leave behind the prescriptions of the past and look for new formulae. And in order to try out new formulae the valid tool is dialogue.

An agreement based on dialogue between all those involved will bring a new political status. In order that such an agreement should work, Basque citizens must inevitably be consulted. And all parties to the agreement must guarantee that the results of the referendum (or of that consultation) will be respected.

BATASUNA wants to demonstrate its total readiness to participate in this process, understanding that such a process of negotiation and dialogue will demand of everyone sufficient flexibility to make the concessions needed in order to reach a satisfactory agreement.

#### **4. THE BASES FOR THE RESOLUTION OF THE CONFLICT: DIALOGUE AND AGREEMENT**

##### **4.1. Solving the conflict requires a process of dialogue**

BATASUNA envisages the resolution of the conflict as a process. It is not possible to resolve a conflict that has lasted for centuries overnight; there are no shortcuts. Building peace demands a global and multilateral process, developed with seriousness, without haste and on solid bases.

##### **4.2. The objective of the dialogue process**

The final objective of this process for overcoming political and armed conflict must be the building and the setting in motion, in an agreed way, of a scenario which makes possible the transition to a new political framework in which all the rights of the Basque people as a whole are guaranteed.

#### **5. BATASUNA'S COMMITMENTS WITH REGARD TO A PROCESS OF DIALOGUE FOR THE RESOLUTION OF THE CONFLICT**

BATASUNA believes that a process for overcoming the conflict demands the setting in motion of a process of multilateral political dialogue. The dialogue must be accompanied by a series of commitments which will be the guarantee of the clear and unequivocal determination of all participants to reach agreement.

BATASUNA accepts, and summons others to share, the following commitments:

1. A commitment to get to the roots of the conflict with the aim of seeking a democratic solution.
2. Every Basque citizen has a right to be consulted. Consequently, the present and future political statuses need the approval of the citizens. A commitment to respect the decision of the Basque citizens.
3. A commitment that such a consultation will be held under peaceful and democratic conditions, committing ourselves to take the necessary steps to achieve this end.
4. A commitment that the agreement will take into account both the history and the present reality of Euskal Herria. The agreement needs to have the support and respect of the different sensitivities among the Basque people.
5. A commitment to settle differences during the process in a peaceful and democratic way.
6. A commitment that as long as exclusively political and democratic methods are used, all political projects without any limits or restrictions can become a reality.
7. A commitment that the rights enshrined both in the Universal Declaration of Human Rights,

the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights of the UN will be included and adjusted in the agreement.

## **6. THE PROCESS FOR A RESOLUTION BASED ON TWO AGREEMENTS**

BATASUNA considers that there should be two distinct areas for dialogue and agreement:

### **6.1. Agreement between the component parts of Euskal Herria**

The contents of the agreement between the political, social and trade union components:

- They should be based on our present situation, on the political transition towards a new scenario in which the Basque people can decide under democratic conditions whatever political and institutional status they wish for their country.
- Inevitably the citizens of Euskal Herria should be consulted on the agreement by means of a referendum.
- In addition, those who sign the agreement should become the democratic representatives of our people, opening up a process of dialogue and negotiation with the States in order to ensure that the contents of the agreement are respected.

### **6.2. Agreement between ETA and the French and Spanish States**

The contents of the agreement between ETA and the French and Spanish States:

- Demilitarization of the conflict
- Prisoners, deportees and refugees
- Victims of the conflict.

## **Document 5: A FIRST STEP FOR THE DEMOCRATIC PROCESS: PRINCIPLES AND WILL OF THE ABERTZALE LEFT (Euskal Herria, November 14th, 2009)**

We are pro-independence men and women from different generations that have been working and continue to work in the construction and development of a project for national liberation. Our objective is the construction of our own state, since we believe it is the only way of fully guaranteeing the survival and full development of the Basque Country, in harmony and solidarity with the rest of people in Europe and the World. This is our legitimate political project which we are planning to achieve with the support of the majority of Basque Society.

The current legal and political framework, which divides our territory and limits the rights of its citizens, has been proven to perpetuate political and armed conflict. It does not allow Basque citizens to decide their own future without constraints. In this context, the situation of violence and armed confrontation has lasted much longer than anybody would have wished, with the associated human and political costs that everybody knows. Our priority is to overcome this scenario.

The last three decades of conflict have led us to another conclusion: we are a political movement which has been proven correct by the course of time. This is demonstrated by events such as the initial demand of a democratic break with Franco's regime, the rejection by the Basque People of the Spanish Constitution, NATO and the nuclear power station of Lemoiz. It is demonstrated by our efforts to avoid the consolidation of the trap implicit in the statute of autonomy. It is also demonstrated by our opposition to rogue capitalism.

It is not only in the fields of opposition and protest where the pro-independence movement has won political and ideological battles. The proposals for the future and for solutions recommended by the Abertzale Left have been accepted by significant social sectors, on occasion by the majority. The initiatives for a negotiated solution, the plans to achieve a new democratic framework and the dynamics of national construction, have allowed for unquestionable advances in the Basque political process.

In the last few years we have made progress in some questions which have made not only desirable but also possible the materialisation of a change of cycle for the whole citizenship; in the political debate of the last decade, which has clearly identified difficult problems which require a solution; in the tireless work and struggle of thousands of persons and social sectors that have permitted us to arrive at the door of the desired real political change; as well as to leave behind the undesirable consequences of this conflict.

This is a change of cycle that will replace the armed confrontation, blockade and lack of prospects with dialogue, agreement and a just, stable and lasting solution for our country. With correct decisions and with errors we have brought the liberation process to the phase of political change. Now, the issue is to make this change irreversible. Materialising this change also requires changes in ourselves. There was a need for a profound reflexion and self-criticism, and we are doing it.

The Abertzale Left understands that the issue is not so much knowing and waiting to see what the other actors are ready to do, but to what we need to do. This new phase needs new strategies, new political alliances and new tools.

Acknowledging that the objectives to reach in this new phase are the national recognition of Euskal Herria and the recognition of the right to Self-Determination, it is necessary to increase the accumulation of forces and to move the confrontation with the states to the field in which they are weaker. That is the political field. This is why mass institutional and ideological struggle, the change in existing balance of forces, as well as seeking international support have to be the fundamental pillars of the new strategy.

The basic instrument for the new political phase is the Democratic Process. Its activation is a unilateral decision of the Abertzale Left. Its activation will require us to look for bilateral or multilateral agreements; with Basque political actors, with the international community and with both states for the resolution of the conflict. Definitively, the Democratic Process is the strategic objective of the Abertzale Left in order to reach political and social change.

All these considerations are commonly shared in the Abertzale Left within the debate that is being held with responsibility. At the same time, through this debate, we are trying to reinforce and internalise in all of our social and activist base the following principles, which now we want to share with Basque citizens, political actors, trade unions and social actors of the country as well as with the international community:

1. The popular will expressed through peaceful and democratic means is the only reference for the process of arriving at a democratic solution. This will increase confidence in its establishment and optimal development as well as in the achievement of agreements that will have to be backed by the citizens. The Abertzale Left, as should also be done by the other agents, make the solemn commitment to respect in each phase of the process the decisions that could be freely and peacefully made by the Basque citizens.
2. The legal and political framework resulting at each moment shall be the consequence of the will of the people, and shall guarantee the rights of the whole of the Basque citizenship. The legal framework prevailing at any time cannot be an obstacle or impediment to the popular will, freely and democratically expressed, but a guarantee of its implementation.
3. The agreements to be obtained in the development of the democratic process shall respect and regulate the rights recognised by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. It must also recognise other international human rights treaties that may concern individual or collective rights.
4. Inclusive political dialogue and equal conditions should be the main tools to reach agreement between the different political sensitivities in the country. The Abertzale Left expresses a complete willingness to take part in this dialogue.
5. In the framework of the democratic process, dialogue between political forces should aim for a solution based on political agreement which will be subject to referendum. The resulting agreement should guarantee that all political projects could not only be defended with equal opportunities and without any pressure or external interference, but they could also be implemented if that was the desire of the majority of the Basque citizenship, expressed through the available legal procedures.
6. The democratic process must be developed in complete absence of violence and without interference, by the use of exclusively political and democratic means. We are convinced that this political strategy will make advances in the democratic process. South Africa and Ireland are good examples.
7. We reiterate our commitment to the Anoeta Proposal, “Now the People, Now the Peace”. According to this, there should be a process of multi-party dialogue, where all the forces in this country would participate under equal conditions. This process will take on board the achievement of a democratic framework through which the citizenship will be able to decide its future freely and democratically,

without any other limit than the will of the people. We understand that this process has to be conducted in accordance with the Mitchell principles.<sup>78</sup>

On the other hand, a process of negotiation has to be established between ETA and the Spanish government on questions regarding the demilitarisation of our country, the release of Basque political prisoners, the return of those exiled and a just and fair treatment for all the victims of the conflict.

For all this, we declare without reservations our support for a peaceful, political and democratic process in order to achieve an inclusive democracy, where the Basque people freely and without any intimidation of any kind will be able to decide their future.

<sup>78</sup> See footnote 76 in section 6.

## **Document 6: ZUTIK EUSKAL HERRIA. STAND UP EUSKAL HERRIA (Abertzale Left, Basque Country, February 2010).**

The Abertzale Left has examined the current situation and the Basque political process. It has debated. Not among few people or in a dark room. On the contrary, we have brought the debate to the assembly room of our supporters and social base. It has been a democratic exercise; a useful democratic exercise which will also serve to define our political strategy.

It has not just been a debate. In the meanwhile, the Abertzale Left has been active in and has influenced the political situation. We could not stay at home isolated waiting for problems to suddenly solve themselves. We had to be among the people and involved in the debate, we had to drive forward initiatives. In the end, in order to implement effective strategies, the Abertzale Left has had to clarify its political position and its activity. That's why since the very beginning of the current political period we started to define our political position with concrete proposals and actions. And we will continue working in that way over the coming months. We alone have the responsibility to face it.

Time needs to be understood in political terms. The challenges are established by the political and social conditions of the moment. Nowadays, the conditions to move forward exist, achieved after a huge effort. That is why we are moving forward now. The presentation of the document "Clarifying the political phase and the strategy" and the launching of the Declaration of Altsasua has been a response both to the internal reflection and a drive for steps to be made in the political process. Both documents have been reaffirmed with the very broad support of our social bases, taking into account that different opinions are part of the Popular Unity. The Abertzale Left believes that the discussion opened by the document "Clarifying the political phase and the strategy" and the Declaration of Altsasua has shown clearly the will of the Abertzale Left to achieve political change and to be part of the democratic process.

In fact, thanks to this debate, we have seen what we have to do, what we did correctly and also what mistakes we have made. Hereby, we confirm the political position and activity until now. But we have also made a deep self-criticism. With our mistakes and achievements, we have managed to bring the liberation process towards political change. Now, our challenge is to make real change irreversible. This political change also requires that we change ourselves.

### **The Basque Country and the Basque citizens, foundations of the liberation movement**

The Basque Country. Basque citizens. Basque women and men. Basque society. Those are the only points of reference in our approach to political action. The Abertzale Left commits itself to work among the people and citizens, to take their ideas and wishes as our reference, to respect the will of the Basque Country and ensure that is respected by others.

It is time for commitments. It is time to move forward. At this moment, the Abertzale Left is conscious that the key is not waiting to see what other political actors do, rather to act ourselves. In this sense, our strength and our arguments will create new situations, has the potential to condition the behaviour of others and, even more importantly, will more and more increase the support for a liberated Basque Country.

The current political challenge has been our decision because it is the effective way to move forward with the liberation process and it responds to the wish of our people. Our decisions must always be the result of our will and the people's wishes, not obliged by something else nor a result of the will of someone else.

The repression and injustice that the states have used will never be part of the political project of the pro-independence left. We are not like them, neither when we face savage repression

nor when we try to oppose to the assimilation of our people. We were never so and we will never be.

We give our word. We will not miss the opportunity, nor betray the hope and the conditions created over the years, to achieve a democratic situation. In that sense, the recent popular mobilisations have shown clearly that there is a critical mass in order to channel the democratic process by political means. Furthermore, the Abertzale Left can affirm that other political actors, in the Basque Country and at international level, are ready to travel this road together, each based on its own decisions. The whole Abertzale Left has to create conditions in order to make this process strong. We will not let our history down. We will not let our people down.

Starting today we have to win our future. The opportunity for independence is open. In Europe, states have been created and the debate is totally open in some places. The creation of new states is a realistic prospect as long as there is the capacity to define strong democratic majorities. The Basque Country is a well organized country, dynamic and prepared, with sufficient political maturity and with strong political, social and economic bases. More than anything else, we have total confidence in our people.

### **Political precedents, reasons to be confident**

50 years ago, the Basque Country was nearly dying and during this time, thanks to the struggle, we have managed to make possible the creation of a Basque state. Now, having overcome the political operation designed after the death of Franco – which had the assimilation of the Basque Country as its goal - we are in the first stage of achieving a democratic framework.

During decades, we have achieved many partial victories and have made steps forward. Moreover, responding to attacks from the states, we have managed to develop our political position. We have opposed the intention to destroy the pro-independence movement, and in the meanwhile we have been able to open and win debates and place concrete ideas and proposals at the heart of the political landscape.

It has not been an easy way. Suffering has been the horrible consequence of this long cycle of political conflict and armed confrontation. Even though some would like to deny it; the origin of this suffering is obvious: the denial of the rights of the Basque Country. This has created the political conflict, and the security response has encouraged it. Our priority is to overcome this situation.

These years, the Abertzale Left has done a huge amount of work. We have formulated the new political phase based on the confidence given by the path and political logic used in that work. Our history and our arguments are the grounds of our self confidence.

### **The political phase, the phase of change**

The political phase we are in is coming to the end, and that, obviously, gives our national and social project an historical opportunity. The situation in the Basque Country is defined by the opportunities for political and institutional change. These opportunities both in the south and north of the Basque Country are different in form and intensity.

It is true that the situation of political blockade is getting longer than we expected and that has happened mainly because the states have decided to prioritise the use of security measures. Therefore, and precisely in the south of the Basque Country, we continue to be at a crossroads between political cycles: Between a political cycle coming to an end and a new political cycle not yet fully defined. The current main political battle is on the direction and form of the new cycle which is opening.

The Abertzale Left is convinced that a deep political change is now possible, overcoming the existing cycle of autonomy. The opportunity for a democratic scenario is totally open.

Consequently, the challenge, now, is to use the opportunity opened following decades of struggle to achieve the political change. There are sufficient conditions to do it. The key issue is to benefit from these conditions and to establish an effective strategy to achieve this political change.

In the north of the Basque Country, Paris retains a total denial and maintains an aggressive approach. But popular mobilisations on institutional demands, defending the Basque language, national building or for social change have shown the will to live of this people and their determination to achieve its recognition.

The bases for the recognition of the territoriality of the Basque Country are well rooted in the societies of the provinces of Lapurdi, Behe Nafarroa and Zuberoa. Opposing Paris, through accumulations of forces, we must open a new phase to win the institutional recognition of the three provinces and respect the wishes and decisions of the Basque Country.

The political phase is the phase of political change. Indeed, the existence of conditions for change means that the change must be realised. Thus, the goal of this political phase is to achieve a political change; achieve a democratic scenario with sufficient bases for the establishment of a Basque state.

### **The democratic process, lever for a change of cycle**

The democratic process is the lever for the change of cycle and the basic tool of the political phase. This process has to be articulated based on negotiation, political agreement and People's participation. The correct development of such a process is the only way for a change of the political framework.

It is time to define the democratic process. And the democratic process has a very clear goal: Once the Gordian knots of the self determination and territoriality are untied, a democratic framework can be built. This democratic framework has to make it possible to realise all political projects, including the pro-independence project that we support. The political result to be achieved by the democratic process is a decisive political agreement among the different forces in the Basque Country which the states will be obliged to respect. On the other hand, the main actors to begin the process, to drive it forward, to ratify agreements and to take the final decisions concerning our internal structure and foreign relations are the Basque citizens and the Basque Country.

As the Declaration of Altsasua states, the activation of the democratic process is a unilateral decision of the Abertzale Left. Despite problems, the democratic process must be the challenge we will have to face without any way back. In order to develop it, bilateral, multilateral agreements; with Basque political actors and the international community have to be found. Agreements must also be found with the states in order to solve the on-going conflict.

Consequently, deliberately and with self confidence, together with other political forces and in opposition to powerful interests the Abertzale Left can already anticipate three stages in the activated democratic process concerning the south of the Basque Country. And in the north of the Basque Country we must build up a new political balance towards Paris with the support of the society. Those are the three stages:

- *Minimum democratic bases.* These are the democratic basics which will enable a development of the democratic process. Agreements and decisions concerning equal rights among the parties should be guaranteed and exceptional political measures ended.
- *Democratic agreement.* Agreement should be developed on the basis of the recent negotiation process. i.e.: recognition of the Basque nation, a guarantee that it is possible to realise all political projects and the definition of political/judicial ways to change the relation between the Basque territories – among them and with the state.

- *Democratic framework.* It should be based on the juridical and political implementation of the democratic agreement. It should be created by the willingness of the people and should guarantee the overcoming of the structural denial of the Basque Country. The efforts of the Abertzale Left to achieve the right to decide are based on the one hand on the “Anaitasuna proposal” for autonomy for the four provinces in the South of the Basque Country, and on the other hand the “Ustaritz proposal” towards the creation of autonomy for the three provinces in the North of the Basque Country.

### **New strategies and tools, the means to go forward**

We face a new phase and we require new strategies and tools. In order to achieve political change, it is absolutely necessary to channel an increasingly broader accumulation of forces and to drive the confrontation forward to where the states are weaker: to the political field.

The outcome of the debate has guided all forms of activity in favour of developing the challenge that the new political phase will bring; in favour of the accumulation of forces that the new cycle demands. Thus, the only tools of the democratic process, having as its goal the accumulation of forces, will be the mass, institutional and ideological struggle, the change in the balance of forces and the achievement of international support. Popular support will be the only guarantee and the popular movement the most effective tool.

The democratic process must be developed in the complete absence of violence and without interference. Dialogue and negotiation among the political forces should be governed by the principles of Senator Mitchell. No-one will use force or threaten the use of force in order to influence the course or result of the multiparty negotiations nor to try to modify any agreement which results from them.

The democratic process will have to bring greater popular support, struggle, accumulation of forces and organisation. Thanks to them, it will be possible to achieve partial goals and create initiatives: to achieve minimum democratic freedoms and to make steps to release the political prisoners, renew national construction and the national structure, strengthen the international political offensive and drive forward the political negotiation.

The strategy we are setting out has concrete areas of work. It is practical and opens the opportunities to take new steps. Gathering forces in favour of independence and sovereignty, speeding up dynamics for the political prisoners and democratic freedoms, channelling the tools and initiatives in order to develop the democratic process – and concretely to reinforce the field of negotiation - and strengthening the Abertzale Left are our main political tasks. Developing and defining them will be the practical and theoretical task of the coming months.

We believe national construction and the democratic process are linked. National construction has also a special importance in the current political phase. In fact, it will be the tool to accumulate forces and keep the process going in the correct direction. We have to place national construction in the change of cycle. Furthermore, the change of cycle has to facilitate the way to improve national construction together with the work in the popular movement and the institutions. National construction should also enter in a new phase.

The Abertzale Left wants to add social change to political change, because that is the way to guarantee them. Political change without social change will be incomplete and social change without political change is impossible. Therefore, and moreover confronting the injustices imposed by neo-liberalism, the left struggle we have to develop has to facilitate the political change taking the right direction and the accumulation of popular and worker forces. The work to be done by trade unions is fundamental.

The pro-independence left want a social change and its achievement requires the energy of the popular movement, feminist praxis, a new language policy, new education systems, the

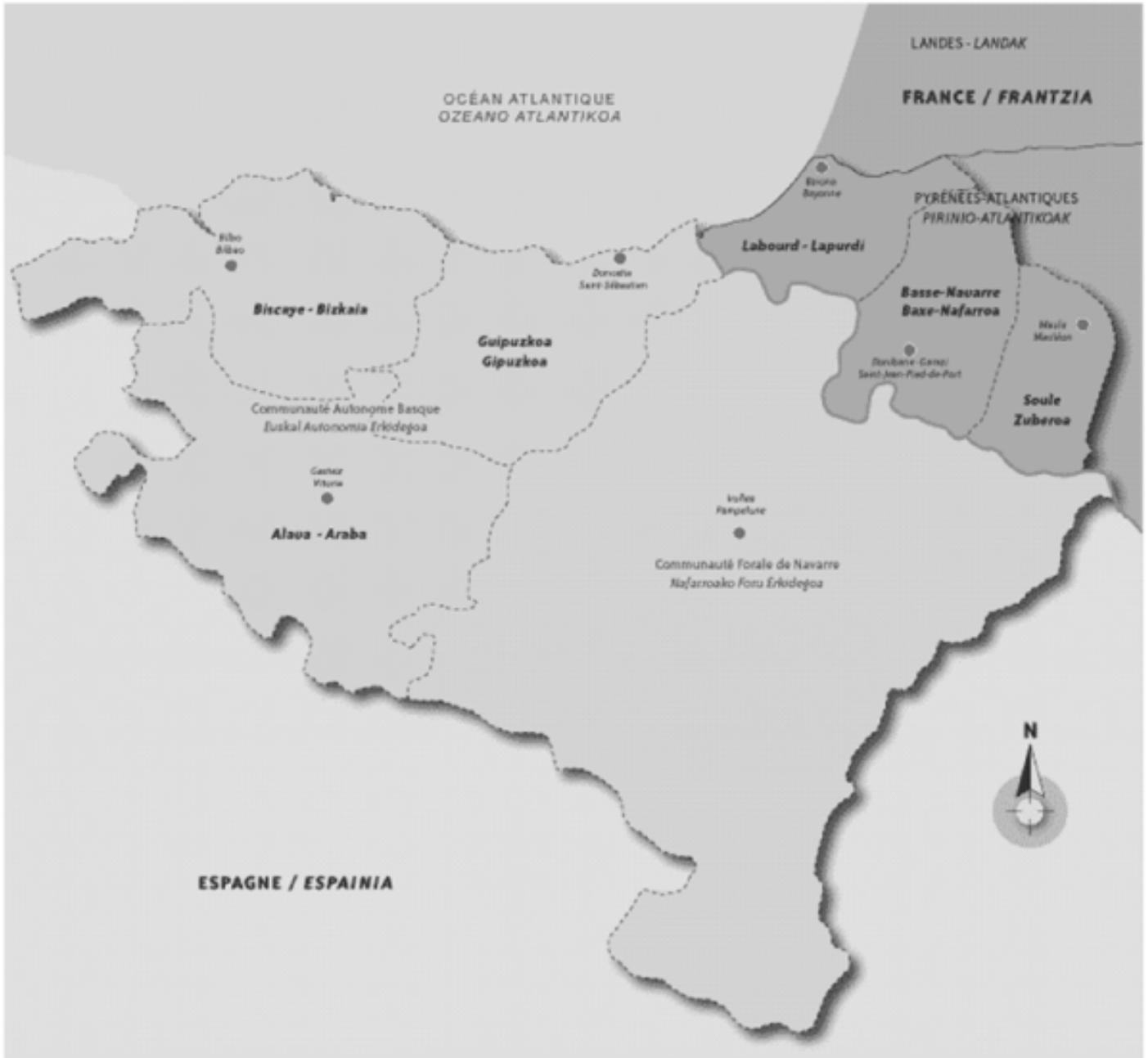
work of cultural actors and the strengthening of the youth movement.

In order to move forward in this political challenge, the Abertzale Left will need a legal political party to work at a political and institutional level as well as to be part of the political parties' negotiation table for a definitive resolution of the conflict.

Therefore, and independently of the name and legal structure it will have, the Popular Unity will be the reference for all socialist and pro-independence people in all the Basque Country in the coming political activity, to develop the democratic process, in mass-mobilisation, ideologically and at the institutional level.

## Annex 4: Maps of the Basque Country [www.eke.org]





## About the Authors

**Urko Aiartza** (Donostia, 1970), author of Chapters 2 to 6 of this study, is a lawyer in practice. He is a founder of the *Basque Speakers' Lawyers' Union* (AES), a member of the Basque Democratic Lawyer Association, *Eskubideak of the European Democrat Lawyers* (AED-EDL), and has been working as lawyer for different human rights groups such as the *Observatory of Linguistic Rights*, the *Observatory of Human Rights* in the Basque Country, as well as various Basque language support groups. He is also a member of the team of lawyers currently appealing to the *European Court on Human Rights* on the banning of Herri Batasuna/Batasuna, the EAE-ANV parties and other candidate lists. He is also currently working with Basque NGOs on the Francoist regime's crimes against humanity and the need for transitional justice. He holds a Master in Law from the University of the Basque Country EHU-UPV and a postgraduate degree in Language Planning.

**Dr. Julen Zabalo** (Basauri, 1957) is the author of Chapter 1, which he wrote as part of a research programme on territorial conflict in the European Union, relating to the Basque conflict. He is Professor at the University of the Basque Country EHU-UPV, and author of several articles and books on nationalism, including *Euskal Nazionalismoa eta Nazio lurraldea* (Bilbao UEU, 1996) and *Abertzaleak eta Ezkertiarak* (Donostia: Elkar, 1998). He was imprisoned in 1987 and released in 2000. He holds a Master in Political Science and a PhD in Geography.