4

Deliberation and Democracy at the End of Armed Conflict: Postconflict Opportunities in the Basque Country

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On October 20, 2011, the paramilitary Basque separatist group *Euskadi ta Askatasuna* (ETA; Basque Homeland and Freedom) declared a 'definitive cessation to armed activity' and called for 'open dialogue' with the Spanish government. The right-leaning *Partido Popular* (PP, Popular Party), which assumed control of the Spanish executive the following month, has unequivocally rejected ETA's request for negotiations. It contends that discussions with ETA have been unproductive in the past because the group is not interested in genuine peace, only in using the lull in security operations to regroup for more violence.

While there remains only a small minority of Basques who believe violence is a necessary means to an end, a significant percentage of the population expresses sympathy for ETA's purported goal of an independent socialist Basque state (*Euskobarómetro*, 2012). These sentiments were confirmed in the 2012 regional election, because the new *izquierda abertzale* (patriotic left), or 'radical' coalition of parties under the *Euskal Herria Bildu* (EHB, Basque Country Gather) label, had a strong showing. In this chapter, we will argue that historical legacies and the complexity of the cleavages are responsible for the poor record of deliberative democracy in the Basque Country, but that the postconflict situation opens a new window of opportunity for the use of deliberative practices. With the threat of violence all but gone, political actors can no longer justify intransigence by references to old prejudices that do not reflect the reality on the ground. Public opinion surveys indicate that the Basque public is less divided on certain key issues than are the main

political parties, which suggests that a more deliberative society could have positive results.

The complexity of the political conflict within the Basque Country has undoubtedly posed a serious threat to direct negotiations; groups that have specific claims, such as the families of victims and prisoners, business associations and trade unions, have often felt excluded from the process. Moreover, the elitist structure of these negotiations gave rise to a context where deliberation was of the 'strategic bargaining' type (Steiner, 2012). Each side maneuvered solely with a view to arriving at an outcome that was as close as possible to its own preferences. In this earlier context, however, ETA was the clear and undisputed leader of the *izquierda abertzale* network of organizations. As the democratic and autonomic processes have deepened, the constellation of forces that make up ETA's support network have become more independent in their viewpoints and thus more likely to yield to the force of the better argument: an ideal situation for the praxis of deliberative democracy. Consequently, there is reason to hope that those who remain in the constitutionalist and moderate camps will recognize these changes and seize the opportunity to soften their maximalist positions and engage in deliberation, in order to achieve a genuine rupture with the past.

The way in which deliberation theory has interacted with claims for recognition and diversity highlights two potential obstacles to it being implemented in the Basque Country. Critics of deliberation theory argue that too much emphasis is placed on agreement, as if diversity were something to be 'overcome', rather than be for 'the sake of enhancing and articulating diversity' (Chambers, 2003, p. 321). A second concern voiced by critics is the assumption of equality that is implicit in deliberative theory; barriers to authentic deliberation where all parties are on an equal footing are ignored. In the following analysis, we acknowledge that these issues have plagued past attempts to make Basque society more deliberative. Above all, the various restructurings of cleavages within the main political institutions and society always excluded an important segment of the Basque populace from voicing their concerns. This is precisely the reason why a more deliberative Basque society is a good idea in both the short and the long term: violence and protracted conflict have in many ways been a direct result of elitism and the lack of public participation channels.

The genesis of a divided society: nationalism and authoritarianism

A Basque nationalist movement took shape well before the emergence of its so-called radical stream, which until recently had the violent

paramilitary organization ETA at its apex. Sabino Arana, the founder of Basque nationalism, developed an identity centered on the preservation of the Basque race and independence from Spain. Arana formed *Partido Nacionalista Vasco* (PNV, Basque Nationalist Party) in 1895, and it has been the primary political voice of moderate Basque nationalism ever since; the party has oscillated more recently between an autonomist and an independence agenda (de Pablo and Mees, 2005).

The rise of PNV coincided with a period of rapid industrialization in the Basque provinces which brought many Spanish migrants to the region. Inter-group contact sharpened tensions between PNV nationalists and Spaniards in Basque urban centers. Arana exploited the demographic changes to formulate a Basque nationalist doctrine based on virulent anti-Spanishness. Support for PNV grew quickly, but after the victory of Franco's forces in the Spanish Civil War, the authoritarian regime attempted to eliminate Basque nationalism and expressions of Basque culture. Inadvertently, it was Franco's success in weakening PNV that led a group of frustrated youths to form ETA in 1959. ETA adopted some of Arana's original doctrine, in particular his hatred of the Spanish state. It nevertheless rejected autonomist options and advocated outright independence for *Euskal Herria*.[1]

In the 1960s, ETA's decision to resort to violence as a means of achieving its goal did not deprive it of popular support; ETA was perceived as the vanguard of the anti-Franco movement and 'morally justified in using violent methods against an oppressive regime' (Muro, 2008, p. 113). There was no opportunity under an authoritarian regime to promote deliberative democracy. Basques who were dissatisfied with the repression of their culture and state centralization could either retreat into clandestine cultural groups or support (or take part in) ETA violence.

Democracy and autonomy: conflict 'curse' or 'cure'?

As the Spanish transition to democracy began, Basque nationalism was, to some extent, a unified political force with ETA at its forefront. The institutional changes that followed Franco's death, however, divided Basque nationalists into two broad categories: the moderates, associated with PNV, and the *abertzales* who supported ETA and its political arm, *Herri Batasuna* (HB, Popular Unity). Moreover, the previously 'silent' minority – those who supported the 1978 Constitution and did not consider themselves Basque nationalists at all – began to express their opinions and vote for the Basque branch of PP and Partido Socialista de Euskadi, Euskadi Socialist Party (PSE).[2] On one hand, democratization and Basque autonomy succeeded in undercutting support for violence,

although on the other hand, the new autonomic institutions generated political dynamics conducive to strategic bargaining and the exclusion of certain parties to the conflict, depending on the composition of parliament.

During the transition period, ETA was responsible for a flurry of killings: 240 between 1977 and 1980 (Mees, 2003, p. 35). Most of the dead were members of the security forces, but some civilians also died. This gave PNV an edge in negotiations, because it argued that ceding to its moderate demands for political autonomy would allow the democratic Spanish state to gain legitimacy for a majority of Basques. The reluctant compromise by Spanish right-wing forces to recognize Spain as a 'state of autonomies' with multiple 'historic nationalities' in the new Spanish constitution revealed a fear among central elites that ETA violence could seriously disrupt or end the transition process.

The referendums on the Spanish constitution and the autonomy statute in the Basque Country were volatile affairs which highlighted tensions between moderate and radical nationalists (Lecours, 2007, pp. 88–89). With the return of democracy now certain, PNV expected to regain its mantle of sole political voice of Basque nationalism. PNV seemed ready to accept less than full independence, but wanted a constitutional right to self-determination, resulting in its request that Basques abstain in the constitution referendum. In spite of this, PNV was eager for Basques to support the autonomy statute, which tempered many of the party's primary demands. ETA-HB adopted a harder stance against the constitution, and advocated abstention in the autonomy statute referendum. In their view, neither document met any of their demands, such as the right to self-determination and inclusion of the French Basque territories and Nafarroa within the Basque Country. The results in both referendums confirmed that popular opinion had swung in favor of moderate PNV nationalism: there was a high abstention rate in the constitution referendum in the Basque Country, but this did not prevent the 'yes' camp from winning an easy victory throughout Spain. In the referendum on the autonomy statute, 90 percent of voters approved it, albeit with a very high abstention rate of 40 percent, largely attributable to the *izquierda abertzale* opposition.

The return to democracy in the Basque Country (and Spain) also revealed that the constitutionalists were a strong political and social force. PSE presented itself as a party that was distinct from its central leadership, thus enabling it to be sensitive to Basque issues while working within the limits of the autonomy statute and the Spanish constitution. PP was initially fairly unpopular because of its links to the old Franco

regime, but this obstacle has dissipated over the course of time. PP has maintained its base of Spanish nationalists, and has periodically courted voters frustrated with violence and the never-ending political conflict.

The literature is divided on the question of whether autonomy quells or exacerbates conflict. According to the optimists, autonomy reduces conflict by increasing the ability of minority groups to preserve the characteristics of their distinct identity (Bermeo, 2002; Hechter, 2000). Other scholars contend that autonomic and federal institutions provide extra resources so that separatists can continue to fight for secession (Bunce, 1999; Roeder, 2007). These arguments assume, however, that the population in the territory of the minority is united in its position, and that the center-periphery conflict is paramount. In the Basque Country, political autonomy has diminished the legitimacy of ETA but sharpened the division among radicals, moderates and constitutionalists. Two major episodes in Basque politics demonstrate the challenges created by an autonomous parliament with a strong executive, in terms of fostering deliberative democracy.

Ajuria-Enea Pact

It had become clear that the first step towards ending ETA violence was to isolate the organization by undermining its support network and its legitimacy among the population. HB won 18 percent of the vote in the 1986 Basque parliamentary elections, and ETA had carried out devastating attacks in the preceding years.

With the aim of highlighting ETA's legitimacy gap with the Basque public, the main constitutionalist parties (PSE and PP) and PNV broke with past practices. All political parties with a seat in the Basque parliament, with the exception of HB, signed what came to be known as the Ajuria-Enea Pact. The main goal of this, as stated in the preamble, was to undermine ETA's influence on Basque politics and prioritize the role of the Basque government and parliament in ending violence and resolving the broader Basque conflict over self-determination (Muro, 2008, p. 145).

By signing the pact, PNV sent out a clear signal to the radical network that it was willing to work with the 'enemy' – Spanish constitutionalist parties – if this meant an end to violence. The text of the pact also called on Basque civil society to isolate groups with connections to ETA or an ambiguous position towards the use of violence. The result was a new framework of understanding among moderate nationalist and constitutionalist political parties, as well as societal groups that had previously been unable to find any common ground.

HB condemned the pact as illegitimate, and ETA continued its terrorist activities. Perhaps sensing that their bargaining position was slipping, ETA agreed to negotiations with the Spanish state. For the first time in its history, ETA said in 1989 that it was willing to cease violence on condition that the Spanish government agreed to discuss its political goals. However, as Clark (1990) has argued persuasively, any such truce was doomed to failure, for while the Spanish state was willing to discuss non-political issues, such as amnesty for political prisoners, it refused to discuss ETA's political goals like the Basque right to self-determination. The Spanish government claimed that by doing so, it would undermine the exclusive right of political parties that worked through democratic institutions to act as the voice of the people. The breakdown of negotiations and the resumption of violence stemmed from the fact that neither side was willing to cede any ground during negotiations. The Spanish state did not deviate from the 'rationalist' position that tangible concessions, such as amnesty and funds for reintegration, should be sufficient, and never took the 'non-rational' claim of national sovereignty seriously (Clark, 1990, pp. 503–7).

The coalition between moderate and radical nationalists had begun to show signs that it was breaking down by the mid-1990s. ETA had entered a period of military decline, due to increased cooperation between the Spanish and French security forces. To compensate, the ETA support network of civil society groups, known as *Movimiento de Liberación Nacional Vasco* (MNLV, Basque National Liberation Movement), launched a campaign to involve Basque people more directly in the struggle for sovereignty. The main consequence of this was an upsurge in *kale borroka* (street violence) by young radical nationalists; the idea was to bring the conflict into the lives of ordinary Basques, thus forcing every single Basque person to side with either the nationalists or the constitutionalists (Muro, 2008, p. 156). ETA also expanded its range of acceptable targets to include low-level members of the constitutionalist parties. The kidnapping and eventual killing of PP town councilor Miguel Angel Blanco Garrido in 1997 resulted in significant anti-ETA mobilizations right across the Basque Country, and the formation of civic organizations that reignited the traditional aversion among constitutionalists to both moderate and radical nationalists (Funes, 1998). While some of the so-called peace organizations were pluralistic in their viewpoints, others strongly reasserted the view that all Basque nationalist forces, including PNV, were to blame for violence. Moreover, many within MLNV started to question the usefulness of violence, and called for a distancing of the network from ETA.

Lizarra Pact

In the aftermath of the Blanco killing, the 'spiral of silence' was broken and constitutionalist and Spanish nationalist forces gained legitimacy and strength. Public opinion had turned against potential negotiations with ETA, and civic organizations asserted the legitimacy of the Spanish constitution. Under these circumstances, PNV decided that continued participation in the 'democratic coalition' threatened the party's election prospects, and HB-ETA realized it needed to end its isolation.

The Lizarra Pact became official on September 12, 1998, when an assortment of nationalist civil society organizations and political parties agreed to its terms, including a reconstituted HB, now called *Euskal Herritarok* (EH, Basque Citizens), PNV and the MNLV network. The constitutionalist parties refused to participate in what they called a 'pact with terrorists', while PNV contended that violence would never be brought to an end by isolating the radical nationalists. While the constitutionalist parties had legitimate reasons, both normative and practical, to be skeptical of recognizing the legitimacy of EH and ETA, the fact remained that the party still enjoyed the support of a significant portion of the Basque population. In the 1998 Basque parliamentary elections, EH won three more seats than HB had done in the previous election, and won 18 percent of the total vote.

The Lizarra Pact immediately led to ETA declaring a unilateral and indefinite ceasefire. With the benefit of hindsight, one might hypothesize that the moderate nationalists were attempting to create an environment that was more conducive to deliberation. Bringing violence to an end and including the political voice of the *izquierda abertzale* community could have led to more inclusive negotiations and a final settlement of the conflict. However, the moderate nationalists made two crucial mistakes. First, the Lizarra Pact hinged on ETA's unrealistic demands of total sovereignty for a united *Euskal Herria*. PNV and EA had effectively allowed the radicals to use the threat of a resumption of violence to control the coalition; genuine deliberation, where each party was willing to cede to the logic of a good argument, could never take place. Second, the nationalist coalition made the same mistake the democratic coalition did under the terms of the Ajuria-Enea Pact, namely, excluding a significant portion of Basque society from negotiations. Under the terms of the Lizarra Pact, the moderates agreed to the condition of non-cooperation with the Spanish constitutionalist parties favored by the radicals. By doing so, the nationalists inadvertently strengthened the resolve of constitutionalist parties and their supporters to block the process (Mees, 2001). Spain's PP president at the

time, José María Aznar, voiced his rejection of any political negotiations that would legitimize terrorists, and continued to press on with his version of 'hard' Spanish nationalism and adherence to the constitution (Muro and Quiroga, 2005). At the societal level, the street protests by anti-violence organizations continued, and many expressed opinions criticizing the Lizarra Pact and the fact that it virtually excluded anyone in the Basque Country who did not have a Basque nationalist identity.

The transition to democracy brought Franco's repression of Spain's multinational reality to an end and empowered Basques with a degree of self-government. The normative ideal underlying this arrangement is akin to deliberative democracy: Basques and Spaniards would focus on communication and compromise as the way to manage pluralism within one state. This interpretation, however, neglected the reality of internal divisions within Basque society, and failed to foresee that autonomous parliamentary institutions could exacerbate these cleavages. Instead of engaging in deliberation, the moderate nationalists and constitutionalists treated the Basque parliament as a venue 'in which fixed preferences and interests compete via fair mechanisms of aggregation' (Chambers, 2003, p. 308). The radicals, meanwhile, wavered between trying to subvert democracy completely and competing within the system to pursue their fixed interests of an independent *Euskal Herria*. The narrative of a conflict between the Basque Country and Spain as two distinct territorial entities is therefore somewhat misleading.

Missed and new opportunities for deliberation

The five-year period following the end of the ceasefire in 1999 was one of intense confrontation between the Spanish state and its regional nationalisms. PP had become the second strongest party in the Basque Country, and won an absolute majority in the Spanish parliamentary elections in 2000. For political and ideological reasons, PP stressed its attachment to a Spanish nationalism and the rejection of any challenges to the constitution. In doing so, it made ample use of parliamentary and judicial institutions to isolate the forces of radical nationalism.

With the support of the two constitutionalist parties, the government passed the Political Parties Organic Law in June 2002, which effectively barred *Batasuna* (the renamed EH) from participating in any formal elections. The PNV speaker in the Basque parliament, Juan María Atutxa, made the controversial decision to ignore the law and allow the *Batasuna* parliamentarians to remain in their seats. The argument

advanced by politicians and civil organizations, mostly nationalists, was that banning *Batasuna* was hypocritical, as it undermined the democratic rights of its voters.

During this tense period, PNV, *Eusko Alkartasuna*[3] (EA, Basque Solidarity) and a wide range of sympathetic civil groups and unions contributed to a proposal that many felt was an adequate 'third way', one lying between stasis and independence that would appease an overwhelming majority of Basques. Named after PNV *lehendakari* (Basque president) Juan José Ibarretxe, the Ibarretxe Plan proposed a 'free association' with Spain that would devolve many new responsibilities to the Basque government and provide the French Basque territories and Nafarroa with a path to membership. The language used in the document also had significant symbolic implications, since it stated that any future change in the relationship between the Basque Country and Spain would be determined by the will of the Basque people. Importantly, however, the plan reserved certain powers for the Spanish state, such as defense and criminal justice, thereby stopping well short of independence.

The response from all political fronts was predictable: PP and PSE rejected the proposal, albeit with different degrees of venom – PP called it 'anti-Spanish', and while PSE condemned it, the party suggested that a reform of the autonomy statute was necessary and should begin by recognizing 'Euskadi (Basque Country) as a national community within a pluri-national Spain' (Keating and Bray, 2006, p. 355). PNV, EA and *Izquierda Unida* (IU, United Left), a leftist party with nationalist sympathies, were three seats short of being able to get the plan passed without the support of *Batasuna*. With six seats in the Basque parliament, the radicals were faced with a difficult decision, because while the Ibarretxe Plan did not establish a clear path to an independent *Euskal Herria*, it could potentially lead to a referendum on sovereignty. By offering three votes in favor and three against, *Batasuna* expressed its disapproval while still allowing the Ibarretxe Plan to be passed in the Basque parliament, only to be soundly rejected in the Spanish Congress of Deputies.

Ethnographic research undertaken by Keating and Bray (2006) sheds light on how, to some degree, the partisan conflict between parties over the Ibarretxe Plan was mirrored at society level. Supporters of the plan said that it 'would clarify things' and 'allow us [Basques] to develop more freely'. Critics, on the other hand, pointed to the dominance of the nationalists and their desire to create a homogeneous Basque society. One respondent remarked that 'it only involves half of

society', while another expressed concern that the nationalist parties in the Basque parliament were using their majority to exclude competing opinions: 'so, every time the majority changes, will we have another plan?'

A closer look at opinion polls reveals that the failure of the Ibarretxe Plan was, at least in part, another missed opportunity for genuine deliberation. Two of the main features of the plan lay in the emphasis that was placed on the right of the Basque people to 'decide their own fate' and on the fact that nobody should be excluded from Basque citizenship, irrespective of their political orientation. A poll conducted by the Basque government in 2002 'showed overwhelming support for the underlying principles of the plan' (Keating and Bray, 2006, p. 358). Around 90 percent of those polled agreed with the idea that it should be Basques themselves who approve or reject a new version of sovereignty, rather than the Spanish government. Moreover, large majorities were in favor of greater powers for the Basque government, as well as the right to hold a referendum. The results changed, however, after the bitter political debates surrounding the Ibarretxe Plan. Polls conducted by *Euskobarómetro* in which the Ibarretxe Plan was introduced by name found that opinions were neatly divided on the matter, corresponding closely to the division between nationalists and non-nationalists (Keating and Bray, 2006, p. 359).

What is regrettable about the caliber and tenor of the political debate surrounding the Ibarretxe Plan was the lack of flexibility and openness demonstrated by the main actors, even though public opinion early on in the process indicated that some sort of middle ground was desirable for a majority of Basques. Right from the outset in 2002, Prime Minister Aznar refused to meet with *lehendakari* Ibarretxe, and suggested that anyone responsible for organizing a sovereignty referendum in the Basque Country would receive a stiff jail term. The *Partido Socialista Obrero Español* (PSOE, Spanish Socialist Workers' Party) victory in the 2004 Spanish parliamentary elections improved the working relationship between Ibarretxe and the central executive, but Prime Minster José Luis Rodríguez Zapatero refused to yield on the idea of popular consultation, telling Ibarretxe through the press: 'You have gotten the country, continent, and century wrong' (Vazquez, 2010, p. 196).

Discussions were indeed held between the PNV and *Batasuna* leaders, the aim being to include the opinions of the *izquierda abertzale* within a revised Ibarretxe Plan. Despite severe criticism from PP and victims' associations, past and present PNV leaders urged Basque citizens to engage in dialogue with *Batasuna* leaders and radical nationalists. Unfortunately,

little came of these efforts, because the December 2006 bomb blast in Madrid's Barajas airport brought to an end another ETA ceasefire and made it impossible for PNV to continue to engage with *Batasuna*. All in all, political debates and deliberation relating to the Ibarretxe Plan had a net negative effect, for they heightened distrust, polarized Basque society and more devastatingly, exacerbated misunderstandings between the various segments of society.

In 2007, the PNV-led Basque government embarked on an initiative called *Konpondu*, a word in *Euskara* that roughly translates as 'resolution', aimed at fostering citizen participation in the peace process. Why did PNV try something new? PNV was genuinely interested in exploring new avenues with regard to the peace process, but it probably also feared a public backlash after 'confessing' that its leaders had met with *Batasuna* leaders at secret talks during the 2006 ceasefire. The *Konpondu* initiative saw more than 1,500 people taking part in municipal, university and youth forums, with more than 20,000 opinions registered on its website. It was a significant part of the healing process, since the climate of fear engulfing Basque society had made people unaccustomed and reluctant to discuss political and social issues openly, something which had, in turn, allowed elites to ignore public opinion. A remarkable number of municipal forums were held, with thousands of participants. A report by the Columbia University Center for International Conflict Resolution defined the process as an unusual and widespread 'exercise in participatory democracy' (CICR, 2009).

Another potentially important factor was the influence exerted by PNV president Josu Jon Imaz.[4] In the course of internal debates on the future of the Ibarretxe Plan, Imaz presented his idea of transversality, a 'buzzword for reaching consensual agreement rather than obtaining a simple majority in the Basque parliament, to be followed by negotiation with the Spanish government' (Vazquez, 2010, p. 196). Many within the party favored this approach over pushing forward with Ibarretxe's proposal, which stood virtually no chance of effecting real reform. Amidst disagreements with Ibarretxe, Imaz decided not to stand as candidate for party president in 2007, and distanced himself from the concept of transversality. Notwithstanding Imaz's departure from PNV, it was the idea of transversality that was behind a realization by PNV leaders that the party needed to garner support from a broader swath of the population and find common ground with other parties and their supporters.

More than 20,000 opinions were registered on the official *Konpondu* website, and many ordinary people participated in round-table

discussions about the peace process and post-violence scenarios for the Basque Country. The website described it in the following terms:

> The institutions and political parties that represent Basque society continue to be committed to constructing a setting for peace and finding a solution to the Basque conflict. The opinions of our own society, of people like you, are fundamental complements to this task. This initiative represents a chance to collect contributions by society, and these will be passed on directly to the political parties and Basque institutions.

In practical terms, this meant arranging forums with invited guests and volunteer participants that reflected mixed political affiliations and varied demographics. Most forums were organized at the municipal level, with the mayor being responsible for assembling a small staff who sent out invitations and made the necessary logistical arrangements. Reviewers were responsible for coding the sessions, in order to highlight points of dissention and agreement, and for coming up with new ideas based on the respective dialogue.

To the surprise of many participants and observers alike, the views of Basque people of various political leanings often coincided, and were broadly supportive of initiatives such as dialogue with ETA and the legalization of *izquierda abertzale* political parties. The expression of these views appears to have established conditions which favored the promotion of deliberative democracy at both citizen and institutional levels.

Most importantly, analysis of the transcripts indicates that there is more common ground between those expressing Basque nationalist (radical and moderate) and constitutionalist positions than previously assumed. The vast majority of participants called on ETA to abandon violence, but also agreed that the government should legalize *Batasuna* and engage in negotiations with ETA over issues such as amnesty and the relocation of prisoners, matters previously resisted by victims' associations and PP. Importantly, *Konpondu*'s results revealed a greater willingness among non-nationalists to allow negotiations with ETA, as long as the threat of violence was eliminated.

A further interesting common ground that resulted from discussions was that people were eager for clearer statements on issues of sovereignty and the autonomy statute (CICR, 2007). The rhetoric of the radical nationalists centered on the idea that the autonomy statute was a tool of the Spanish state that was used to repress the natural right to

sovereignty of the Basque people, yet it is hard to extrapolate from their discourse why self-governance is not possible within the framework of autonomy. Strongly constitutionalist politicians, meanwhile, often contended that any deviation from the autonomy statute (or reforms thereof) would be an affront to the Spanish constitution and threaten state integrity. Finally, PNV was deliberately vague about its intentions, so as to appease the different societal factions that supported the party. Ordinary people lamented the fact that they did not understand the positions adopted by the parties on Basque sovereignty, and expressed the belief that party proclamations had more to do with winning elections than trying to find common ground.

What has happened since this major commitment by the Basque government to involve ordinary people in the quest for peace? Any intentions PNV might have had of integrating the views expressed through the *Konpondu* initiative into its agenda were hindered by the fact that the party lost control of the regional executive in the 2009 election. The non-nationalist PSE and PP coalition was able to claim the executive due to a confluence of complex factors rather than a decline in support for nationalist positions (de le Calle and Sánchez-Cuenca, 2009). Making a clear assessment of the impact of the dialogues is, therefore, a difficult task, but the message highlighted in the media and public debates that followed was that the Basque people desired, above all else, a violence-free context in which to interact and find new ways to live and prosper together.

To what extent, then, do Basques agree that violence is irreprehensible, irrespective of one's political orientation or goals? The *Euskobarómetro* survey provides different measurements of Basque public opinion, including views on ETA and the use of violence. There has been an unequivocal and significant change over time in public sentiments towards ETA, one that points to a growing anti-violence consensus. In 1981, only 23 percent of Basques 'totally rejected' ETA, but by 2012 this had risen to 64 percent (Figure 4.1). In addition, only 2 percent believed that violence was 'critically justified', while a mere 1 percent gave their 'total support' to ETA. Also of note is the significant increase in the percentage willing to express their opinion about ETA. The Basque Country is now a place where a climate of fear no longer prevails and people are willing to discuss sensitive political matters openly, and this in itself is a good reason to be optimistic about the prospects for a more deliberative Basque society.

Conscious of the force of shifting public opinion, many rank-and-file supporters, civic organizations and politicians within MNLV began to

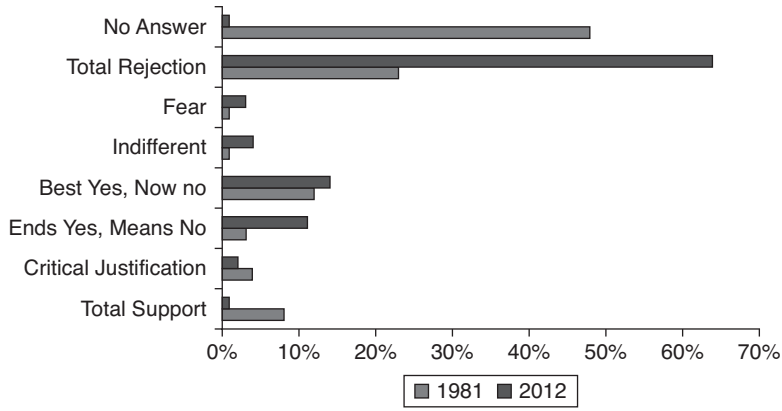

Figure 4.1 Evolution of attitudes towards ETA in the Basque Country
Source: *Euskobarómetro* (2012).

openly question the usefulness of violence. In late 2010, ETA declared a ceasefire that was poorly received by the constitutionalist parties, victims' rights groups and peace movements because of ETA's unwillingness to hand over its arms. Amid mounting pressure from both constitutionalists and those within its former support network, ETA declared a definitive ceasefire on October 20, 2011, one that was 'permanent, general, and verifiable', and this was followed in late 2012 by an announcement that it was willing to negotiate a 'definitive end to its operations' and disband completely.

For many within MNLV, ETA's demise provided an opportunity to free themselves from the accusation of being implicitly involved in use of violence, which had been used by PP and other parties throughout Spain to delegitimize MNLV's political objectives. The result was the birth of a new party, *Sortu*, which defines itself as an independence-seeking party that hopes, 'through exclusively political means, to advance toward a constitution for a Basque state within the framework of the European Union'. Many of *Sortu*'s members were formerly in *Batasuna*, which raised concerns about the legality of *Sortu*, under the terms of the Political Parties Law. The party submitted its application to the Spanish Interior Ministry, and this was initially rejected on account of its alleged links to ETA, but the decision was overturned in June 2012. After the initial March 2011 Supreme Court ruling banning *Sortu*, a party called *Bildu*, which included EA and a splinter group of IU, was formed in response. *Bildu* and *Sortu* were among the *izquierda abertzale* parties that formed

the EHB coalition, which won 25 percent of the vote and 21 of 75 seats in the 2012 Basque parliamentary elections.

In this new, post-violence situation, a few pertinent examples of deliberation at citizen and institutional levels can be found, and these give us reasons to be both hopeful and skeptical as far as opportunities for deliberation in the Basque Country in the future are concerned. One prominent organization that is promoting normalization and reconciliation through increased public participation is *Lokarri*. This is an independent, non-profit organization with a diverse membership of around 2,000 and a wider community of supporters approaching 30,000. Its initial goal, under the moniker *Elkarri*, of achieving a broad public consensus that 'a solution involving dialogue will become a determining force in reaching peace', was thought to have been achieved in 2006.[5] And this achievement provided the necessary impetus for the organization to adopt a new name, *Lokarri*, and to reconfigure key areas of action: (1) *facilitating dialogue* and *communication* among Basque political parties; and (2) the promotion of direct *citizen participation*.

When ETA announced that it was abandoning the use of violence, *Lokarri* and like-minded civic organizations recognized that this marked the beginning of a new era in the Basque peace process, one where 'political normalization' and the 'improvement of social coexistence' would be possible. *Lokarri*'s aim of having Basque citizens as active players in the peace process has resulted in unique initiatives like social forums. In the spring and summer of 2013, 'citizen meetings' were held in Bilbao and Pamplona. The methodology that was employed for acquiring input from ordinary people was to set up a number of discussion groups consisting of a varying number (between 12 and 20) of participants. Each group was assigned five major themes for debate, such as ETA disarmament, integration into society of former prisoners, dispersal policy for current ETA prisoners and politicians' commitment to the normalization of society. Based on the transcripts of all the conversations, 12 major recommendations were endorsed by *Lokarri* and presented to the citizen participants and political parties in attendance.

The social forums were successful to the extent that many specific recommendations arose from the discussions. In particular, participants were keen that the Spanish government should modify aspects of its penitentiary policy that are said to violate human rights, including an end to the controversial dispersal policy which has resulted in prisoners being detained in remote parts of Spain, well away from their family and friends. Another recommendation was to create a publicly available, official database of all victims of violence and human rights violations,

so as to preserve the memory of what happened, 'before it becomes lost or blurred'.

Of course, the only way that citizen participation can translate into action in a representative democracy is with the cooperation of political elites. The social forums were attended by parliamentarians from PNV, EHB and IU, but there were no representatives from PP, PSE or *Unión Progreso y Democracia* (UPyD, Union, Progress, and Democracy). In response to those notable absences, *Lokarri* coordinator Paúl Ríos mentioned that 'anyone who wished to participate' had been invited, because the social forums were 'open to all' (EITB, 2013). On a positive note, many people who did not identify themselves as 'nationalist' participated, as did victims of ETA violence, even though the civic organizations representing these interests did not. Above all else, the capacity for open dialogue on sensitive issues without fear of repercussions and stigma is a step forward in the Basque peace process.

At official level, PNV has attempted to initiate dialogue between the parties from its minority government position. Shortly after the November 2012 Basque elections, PNV acknowledged the remarkable and historic opportunity the party had been presented with. Everyone under the age of 50 in the Basque Country had lived their entire lives in the shadow of ETA; the definitive end to ETA's acts of violence was therefore a moment that had to be exploited in order to improve social and political relationships. With that in mind, PNV set up an institution called the General Secretariat of Peace and Coexistence, which reports directly to the office of the *lehendakari*. The overriding responsibility of this Secretariat is to draw up a peace plan with a 'human face'.

The 2013–16 Peace and Coexistence Plan, released in mid-2013, is an extensive 74-page document that is organized around three principal responsibilities: 'clarification of the past', 'normalization of the present' and 'reconciliation for the future'. Completion of these tasks will lead to the end goal of a 'shared society' in which different viewpoints are heard and respected. The novelty of the plan lies in the fact that it establishes a framework for extensive participation and input: all political parties, civil society organizations and ordinary people can voice their opinions, with a view to achieving a broad consensus about future policies and procedures. During the drafting stage of the plan, Secretary General for Peace and Coexistence Jonan Fernández remarked that PNV wanted 'everything that is done' with regard to the peace process 'to be based on consensus', rather than a cobbling together of sufficient majorities in the legislature (*El País*, 2013).

Seven short-term objectives are laid out in the plan and are to be achieved by 2016. While there has been a broad consensus on the first objective, namely, total ETA disarmament and disbandment, PSE and PP have expressed disagreement over other aspects of the plan, particularly the objectives relating to cataloguing human rights abuses in the past and 'remembering' victims of terrorism. According to PSE, the language in the document shifts the blame for violence away from ETA and the *izquierda abertzale* network. PP went even further, reprimanding PNV for presenting a 'lopsided' report of human rights abuses that follows the *izquierda abertzale* discourse, which attempts to justify ETA violence as the result of a 'cause-effect-reaction' cycle started by the Spanish state (Europa Press, 2013).

Beyond the combative discourse at official level, a recent public opinion poll gives us more reason to be skeptical of whether Basque society has rid itself of old prejudices. Since the ceasefire in 2011, *Euskobarómetro* has been tracking opinions regarding the peace process and ETA. The percentage of those who question the commitment of ETA and its support network to ending violence has been consistently rising, and reached 41 percent in June 2013. In addition, Basques remain divided over the granting of pardons to ETA members who committed acts of terrorism. Only 38 percent agree that 'terrorists' who have repented their crimes and give assurances that they will never take up arms again should benefit from society reintegration programs, which is a key aspect of the Peace and Coexistence Plan (Gastaca, 2013).

On the other hand, certain figures suggest that Basques have reached an important consensus over the path to reconciliation. A large majority (85 percent) favor direct discussions between ETA and the Spanish government, although only 40 percent believe such talks should be unconditional, while the remainder hold the view that contact should only occur once it has been confirmed that ETA has disposed of all its weapons. Finally, 79 percent appreciate that there must be 'justice for the victims on both sides', which means that a solid majority of Basques accept that offenses have been committed by both ETA and the Spanish state over the course of the last 50 years.

The opportunities for deliberation, which may bring Basques closer to reconciliation and peaceful coexistence, are greater now than ever before. All the evidence points to ETA having no intention of resuming violence, and the main political parties have adapted to this new reality, where discussing subjects that were previously taboo is now acceptable. Consensus on how to manage the peace process will not be easily

achieved, but there is an appetite among the Basque public for reasoned dialogue that takes all points of view on board.

Conclusion

What lessons can be learned from the poor record on deliberative democracy in the Basque case? First, elite negotiations are destined to fail when the parties involved are bound to maximalist positions. In a summary of the empirical literature, Dryzek (2009) mentions 'ideological conformity' as a factor that does not favor deliberation. Until recently, the main actors with a stake in the Basque conflict remained steadfast in their positions on how peace would be achieved, even if these were not in line with public opinion.

Dryzek (2009) also mentions that 'allowing the expression of more than one preference' in the electoral system is a condition that favors deliberation. Unfortunately, autonomic institutions were designed to mitigate conflict between the central state and the Basque Country; the executive-driven Basque parliament has promoted majoritarian politics which exclude segments of society from the democratic process. The historical record reviewed here has not shown public officials in the Basque Country to have had a persistent propensity for open-ended dialogue and respect for the claims of others.

One of the principal arguments put forward in this chapter is nevertheless that the possibilities for deliberative democracy in the Basque Country are greater now than they have ever been. The important question, then, is what the main features of a Basque deliberative democracy should be. The recent experiments by the Basque government in the form of *Konpondu* and the social forums organized by *Lokarri* hold real potential for improving the connection between public officials and ordinary people; their focus on social participation was an innovative strategy that could potentially be applied in other peace processes. As survey evidence has shown, a consensus has formed among Basques on numerous pertinent issues that could form the basis of agreements at the official level. Looking to the future, the use of social forums to find out public opinion and make this available to political parties is a realistic proposal that is likely to bear fruit. It will be important to ensure that all parties send representatives to, listen to and participate in the discussions that transpire. This has proven difficult thus far, but participation by family members of ETA victims and representatives of the *izquierda abertzale* is indicative of just how much things have changed. Although it is still too early to tell whether violence is truly a thing of

the past in the Basque Country, the current context is, without a doubt, more promising than it has been in over 50 years.

Notes

1. *Euskal Herria* would include *Nafarroa*, the Basque Country, and the French Basque territories.
2. PSE is the regional affiliate of *Partido Socialista Obrero Español* (PSOE).
3. *Eusko Alkartasuna* or EA is a nationalist party that came about due to a schism in PNV in 1986.
4. Imaz became PNV president in 2003 after a surprise win over Xabier Arzalluz's handpicked successor, Joseba Egibar.
5. See the *Lokarri* website, http://www.lokarri.org/index.php/es/acerca-de-lokarri/que-es/que-es-lokarri/, date accessed May 23, 2013.

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