Why has a negotiated settlement been possible in Northern Ireland and not the Basque conflict?

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Though the Northern Ireland and Basque Country conflicts are unique, the former has, barring dissident elements, essentially been resolved through years of sustained negotiation, whilst no such potentially long-lasting settlement has yet been reached in the latter. This essay will posit that these outcomes can be accredited to three conditions important to any negotiations:

- Recognition among actors of the need to negotiate
- Effective communication and mediation between actors
- The implementation of trust-building measures

These shall be analysed in the context of how their application, albeit through a long, occasionally faltering process, facilitated a negotiated settlement in Northern Ireland, and how failure to make adequate progress in each has contributed to the Basque issue remaining unresolved, although potentially notable developments have recently occurred. We shall begin by briefly exploring the historical contexts of each conflict.

Tensions between Protestant Unionist and Catholic Nationalist/Republican communities formed the foundations of Northern Ireland's Troubles. Post-war economic growth had improved general quality-of-life, and it was hoped that Catholic grievances concerning economic, housing and political inequality could be addressed through civil-rights campaigning (Loughlin 2004, p.46). However, with the British desire to maintain a hands-off approach, a Unionist-dominated Stormont parliament was essentially free to enact legislature conductive to Unionist political hegemony and Catholic discrimination (ibid, p.39). Such attitudes were incubated by long-held worries of Catholic encirclement and paranoia over securing Northern Ireland's constitutional connection to the United Kingdom (Hennessey 2000, p.2). The consequences of such concerns however, along with viewing concessions through a zero-sum lens and thus as unacceptable, bred resentment. Anti-Catholic violence encouraged the revival of the Provisional Irish Republican Army (PIRA) as traditional community defenders. Adding to this the emerging and established Loyalist paramilitaries, a spiral of violence and counter-violence ensued until British intervention in August 1969, with the prorogation of Stormont following in March 1972.

The key issue in Northern Ireland was the seemingly unsolvable problem of reconciling Republican and Nationalist desires to bring about a united Ireland – through force-of-arms or constitutional means respectively – with Unionist determination to safeguard the status quo. The number of actors involved, from the British and Irish governments to the province's communities, and even sub-factions within them, made negotiated settlement a vexing task.

The Basque conflict also features numerous factions, from the terror-group ETA (Basque Homeland and Freedom), to the banned radical nationalist political groups, namely Batasuna and Sortu, their mainstream peers like the PNV (Basque Nationalist Party), and Spain's national People's Party (PP) and the ruling Spanish Socialist Workers' Party

(PSOE). Ultimately though, it is a conflict between the Spanish state and ETA. Founded in 1959, by 1968 ETA advocated *lucha armada* (armed struggle) and *guerra revolucionaria* (revolutionary war), attempting to trigger a spiral of violence and repression until a general uprising would ensue, allowing Basques to seize the opportunity to secede (Clark 1990, p.8-9). Internal debate saw a split into military – ETA(m) – and political – ETA(p-m) – factions, with the latter disbanding in 1981 in return for amnesty, leaving the stage to the hardliners of ETA(m) which, though gradually softening hostility to compromise, would still pursue a strategy of violence to push the government into negotiations (ibid, p.10-11).

Culture, language, national identity and self-determination have been key factors, indeed ''the fluid nature of Basque nationalist cultural identity has allowed for the emergence… of political violence'' (Watson 2007, p.217). ETA was founded during the Franco era, which saw the Basque language banned, an inward migration of Spanish speakers to undermine native culture, and regional autonomy severely curtailed. Yet even new democracy, cultural enhancement, increased autonomy and economic development did not satisfy ETA nor radical nationalist parties like Herri Batasuna (Unity of the People), which largely morphed into Euskal Herritarrok (We Basque Citizens) before finally becoming Batasuna, which due to links with violence was banned in 2003, as was alleged 'Batasuna-in-all-but-name' Sortu in 2011 (The Economist 2011). Dedication to self-determination has characterised radical Basque nationalism, and despite the transition away from the dictatorship that incubated it, the majority of ETA killings have occurred during the democratic period (Beck 1999, p.109).

A vital factor in reaching a negotiated settlement is the recognition among actors that sustaining a conflict is no longer in their interests, thus the need to negotiate a solution (Berridge 2005, p.29-30). This is encouraged by the right circumstances 'on the ground', a will to commit to the process and to compromise, and acceptance of its value in the broader community. In Northern Ireland, the Sunningdale Agreement of December 1973 demonstrated how in the absence of these conditions even a viable settlement will flounder. Sunningdale sought to establish a new executive to address Catholic discrimination and enhance cooperation with Ireland, while reassuring Unionists of their constitutional security. However, such was the atmosphere of hostility that anti-agreement Unionists won a majority in the 1974 Westminster elections which, combined with an Ulster Workers Council strike, killed the agreement (Loughlin 2004, p.95-98).

Likewise, a 1982 effort to re-establish an assembly saw Republicans and Nationalists participate in elections but boycott the assembly itself. Such stalemate saw the British and Irish governments attempt to move the process forward themselves with the 1985 Anglo-Irish Agreement, allowing the latter an advisory role in Northern Ireland's government while securing the province's constitutional position (Cunningham 2001, p.49-52). Both Unionist and Nationalist/Republican communities were initially hostile to the AIA, though in the long-term it would gradually encourage compromise, principally via Unionist concerns over whether they would be further marginalised if they remained unengaged (Millar 2008, p.43). Perhaps the most important development was the stalemate reached between the PIRA and security forces. The PIRA's early position was that ''negotiation was defined merely in terms of arranging the facilities for British withdrawal'' (Loughlin 2004, p.89). However, the recognition of stalemate, and subsequent ceasefires, gave momentum to Sinn Fein's Gerry Adams and Martin McGuinness who, like Nationalist leader John Hume long before, had come to see the constitutional route as the preferred alternative. Indeed, embracing politics and negotiation was essential for SF to secure the credibility required to be included in the peace process and gradually convince the PIRA to compromise (Powell 2009, p.314).

Pro-negotiation sentiments were also growing 'on the street' as the public tired of violence. Even Unionists came to the recognition that the status quo could not continue, first with David Trimble of the Ulster Unionists rising ''above the natural fears and suspicions of his own people, even as he shared them,'' to engage with traditional opponents (Millar 2008, p.205) and later even the Democratic Unionists' Ian Paisley admitted ''the atmosphere had changed… The public wanted politicians to move on'' (Powell 2009, p.277). Leadership changes in some political parties, or changes in attitude towards compromise among veterans, in conjunction with rising public sentiment to end the Troubles and a British Labour government determined to advance peace, all facilitated the right conditions for negotiations cumulating in the 1998 Belfast Agreement, and again during discussions from 2004-2007 to restart the

assembly after suspension in 2002; conditions which did not exist during Sunningdale and for many years after.

Regarding the Basque conflict, for much of its existence ETA has been wary of compromise, as has the Spanish government, stances encouraged by mutual actions that bred mistrust and hostility. Yet the prospect of stalemate or even defeat has encouraged ETA to declare ceasefires and an interest in negotiation in 1998, 2006 and most recently in 2010, with declaration of a permanent ceasefire early in 2011.

For some time popular but concentrated support in the Basque Country sustained ETA and, before becoming Batasuna, the radical nationalist parties HB/EH, who Beck considered to be ETA's political wings due to their glorification of ''ETA members as patriots, freedom fighters, idealists'' and by putting ''imprisoned or ex-ETA members on [their] list of candidates'', as well as generally indulging ETA actions (1999, p.110). Even until the late-1990's, moderates like the PNV had an interest in, if not supporting violence, then at least wishing to avoid an ETA defeat since ''many activists feared that without ETA the party would become insignificant'' (Alonso 2004, p.705). However, support for violence has dramatically eroded over the years, not only due to public weariness but also over specific events that have alienated ETA from its base, even prior to it breaking popular ceasefires, such as the 1997 murder of a Basque councillor that encouraged popular demonstrations and internal dissent against continuing violence (ibid, p.705). While moderate nationalist parties remain popular, backing for ETA in the Basque Country has declined from 12% in 1981 to 3% in 2010 (Cala 2010a). Improved democracy, autonomy and social-conditions may not have satisfied ETA or alleged political affiliates but, as in Northern Ireland, it can be suggested that such improvements, coupled with broad weariness of violence, have encouraged an increasingly firm embrace of politics and constitutional nationalism over armed struggle (Reinares & Jaime-Jiménez 2000, p.140-142).

Yet if the key condition is both sides desiring peace, as anti-terror successes have mounted and support for radical nationalism has plummeted, the government has seen no need to negotiate, especially during José María Aznar's rule and his policy of ''within the law, but with all of the law'' (Woodworth 2004, p.175). Northern Ireland, featuring communities that harboured grievances or fears and had both political and paramilitary recourse in expressing those, meant that law-and-order policies could only go so far in the absence of a political program to address such issues through negotiation. Spanish opinion however is that law-and-order tactics will ultimately defeat ETA. Despite the current ceasefire, terrorism expert Ignacio Sánchez Cuenca believes it likely that "ETA will go back to killing, but its death is… irreversible. The question is whether the government speeds up the process" (Cala 2010a).

Dialogue, whether through front or back-channels (Pruitt 2008, p.38), and mediation are vital to negotiating a settlement, especially ''in bitter disputes… in which the parties have been engaged for long periods and… compromise [seems] impossible without major loss of face'' (Berridge 1994, p.13). In Northern Ireland, though the British government had back-channel ability with the PIRA since the 1970's (Powell 2009, p.67-68), what mattered most was communications between the province's political parties, as ultimately any settlement would involve them. Still, the British strategy of inclusion was to prove highly significant, bringing SF into the process and vicariously the PIRA with them, ensuring a Republican stake in a negotiated settlement, even if that meant increasing levels of flexibility and accommodation later in the process; ''Blair believed that, if he did not give them 'leg room', he would lose them, and the province would be plunged back into civil war. He was… aware of the risks… but felt he had to in order to make progress'' (Seldon et al. 2007, p.119).

Such communications were to prove essential, for during the 2004-2007 negotiations to restart Stormont it was the British government, often partnered with its Irish equivalent, which would provide effective mediation. Jonathan Powell, Blair's Chief of Staff, would mediate between SF and the DUP, constantly meeting their leaders, taking calls, passing notes back and forth, attempting to solicit compromises and finesse positions on the sticking points of decommissioning and policing (Powell 2009). Additionally it was discovered that SF and the DUP themselves had a direct, though not always effective back-channel via a journalist, highlighting the progress made in developing a dialogue (ibid, p.242).

Third-party involvement was equally important. America was a key mediator, with former US Senator George

Mitchell playing a major role as the neutral chair of the All-Party Talks leading up to the Belfast Agreement, where he strove to drive the process forward by setting a deadline to focus minds (Hennesey 2000, p.159). Likewise the involvement of Canadian General John de Chastelain and former Finnish leader Harri Holkeri in the international body tasked with looking into decommissioning (ibid, p.100) was another example of how neutral third-party involvement allowed the Northern Ireland factions to trust in the reports and recommendations that were to come. This was highlighted when de Chastelain's confirmation that PIRA weaponry had been put beyond use following their unilateral declaration of 2005 was met with general DUP acceptance (Powell 2009, p.273).

By contrast, refusal to advance dialogue and accept outside mediation has characterised the Basque conflict. Spain is reluctant to see the issue as a political conflict requiring political solutions, and when there have been efforts to facilitate a dialogue, mutual inflexibility has prevailed. Such was the case when the PNV, inspired by Northern Ireland, entered talks with ETA leading to a 1998 ceasefire and the Lizarra Pact, which was implicit in calling for self-determination for the Basque Country beyond its existing autonomy (Woodworth 2004, p.176). Such a demand could only alienate the government and so from the beginning, ''the scene was set for a dialogue of the deaf during the crucial ceasefire period. Neither the Madrid government nor ETA used the opportunity… for genuine dialogue'' (ibid. p.176).

Whereas in Northern Ireland actors steadily progressed largely with each other, the Basque conflict has often seen both sides fail to meet halfway, whether with a newly democratic Spain's dashed hopes that ETA violence would diminish instead of accelerate as it did (ibid, p.171), to more recently where ETA has declared a ceasefire yet the government is keen to press its advantage. At its core the conflict has been dominated by an intransigent ETA and radical political affiliates, and a government lacking a sustained, long-term political strategy. Even when the PSOE government was open to contacts, the PP opposition would cry foul, undermining political support and contributing to an unbalanced government position (Powell 2009, p.314). According to Sánchez Cuenca, "States have to combine carrots and sticks. But Spain has schizophrenic policies on ETA. There are sticks with short phases of carrots" (Cala 2010a).

Unlike Northern Ireland, such a stalemate has not benefitted from major third-party involvement nor serious mediation efforts beyond the symbolic, such as when in 2010 several international advisers who signed the Brussels Declaration, called for the kind of permanent, verifiable cease-fire ETA was later to declare (ibid). In any case the government is apathetic towards international involvement as Deputy Prime Minister Alfredo Pérez Rubalcaba ''dismissed the importance of international verification, saying the only verifying body that mattered was the Spanish authorities'' (Abend 2011).

Building trust during negotiations is essential to ''encouraging people to believe their cooperation will be reciprocated'' (Pruitt and Carnevale 1993, p.134). Such initiatives were protracted but eventually fruitful in Northern Ireland. As Powell writes, ''neither side wanted to go first because they doubted the other side would deliver the reciprocal gesture they had promised. Our job, as facilitator, was to break the process down into small steps'' (2009, p.315). Though ceasefire declarations, especially by the PIRA, provided momentum to negotiations, incremental trust-building measures included eventual agreement for releasing prisoners and implementing police reform. PIRA foot-dragging over decommissioning, plus involvement in robberies and accusations of SF espionage that precipitated Stormont's suspension in 2002 (Loughlin 2004, p.233-235), provided significant stumbling blocks that bred Unionist mistrust. However, once a unilateral PIRA declaration came in 2005 that its armed struggle had ceased, alongside de Chastelain's decommissioning confirmation as detailed above, plus positive reports from the Independent Monitoring Commission on paramilitary activity, pressure shifted to the DUP to make serious moves towards power-sharing with SF (Powell 2009, p.273-274).

These trust-building measures were as important for their symbolic value as much as their substance, highlighted when Ian Paisley and Gerry Adams sat with each other for the first time in May 2007 (ibid, p.305). Throughout the peace process political leaders had needed to keep their parties onboard lest any splits fatally undermine their authority, as was the case with David Trimble, who's critics ''feel that he took too many risks with his party'' (Miller

2008, p.215), exacerbating ‘‘internal battles to the point of exhaustion’’ (ibid, p.217). The cautious, gradual quid-quo-pros between SF and the DUP helped party memberships, politicians and any associated paramilitary elements accept the compromises without feeling they had sacrificed more to the other side, making for a stronger settlement.

In the Basque conflict, mistrust has undermined all other endeavours. For every progressive effort on the government's part, such as offering amnesty that succeeded with ETA(p-m), there has been ruthlessness. During the early democratic transition residual Francoist security elements, appeased by a new PSOE government, unleashed the GAL. During 1983-1987 these paramilitaries embarked on a campaign of indiscriminate violence to hit ETA hard, from murdering suspected operatives to shooting-up public places. Though ETA was impacted, such activities only encouraged a young Basque generation to believe that Spanish democracy was ‘‘merely a facade for the old Francoist repression, [and were] much more likely to see ETA as freedom fighters… than as terrorists’’ (Woodworth 2004, p.174). More civilised government measures such as banning Batasuna and Sortu for supporting violence, despite their appeals to the contrary (Abend 2011), has also done little to build trust, even if their popularity was declining.

For its part ETA sowed mistrust by accelerating violence into the democratic era and by repeatedly breaking ceasefires, only encouraging suspicion from the PSOE who, despite being cautiously open in the past, are now 'once-bitten-twice-shy' regarding ETA's latest ceasefire; according to Interior Minister Alfredo Pérez Rubalcaba, the possibility of negotiations "is dead because ETA made sure of that'' (Cala 2010b). Even political groups have been tarred with the brush-of-mistrust, as neither Batasuna's nor Sortu's calls to end violence has assuaged government cynicism that they and ETA have truly changed until their actions prove it (Abend 2011).

A case can be made that a negotiated settlement has been possible in Northern Ireland due to an inclusive political strategy and acceptance of compromise, whereas the Basque situation has not been conductive to a settlement due to the government pursuing an exclusionary position towards ETA and radical nationalist political groups, in addition to past reluctance on their part to reform, encouraging suspicions over how genuine their recent initiatives are. Keating effectively sums-up the principal lesson taken from these conflicts that reaching an effective settlement relies on ‘‘the need to negotiate, not with one's friend's, but with one's enemies’’ (2001, p.205).

Despite an exhaustive process, Northern Ireland achieved peace due to a broad desire to end conflict. This was accomplished by encouraging dialogue; by British, Irish and American government participation; their facilitation of mediation; and uneasy but fruitful trust-building measures between the regional actors. The Basque conflict however has, despite fleeting attempts, seen little inclination on either side to compromise, and given ETA's repeated breaking of ceasefires there is reluctance to engage with it or with banned political groups, with outside mediation undesired by a government who see ETA's defeat as achievable.

It seems therefore that peace in one form or another will be realised in these regions, but that one peace will have been achieved through negotiation, compromise and inclusiveness, while the other will be due to an uncompromising pursuit of law-and-order.

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