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The Peace Processes in the Basque Country and Northern Ireland (1994-2006): a Comparative Approach

Gorka Espiau Idoiaga

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ABSTRACT

The peace process in Northern Ireland demonstrates that new sovereignty formulas need to be explored in order to meet the demands of the populations and territories in conflict. The profound transformation of the classic symbolic elements of the nation-state within the context of the European Union has greatly contributed to the prospects for a resolution of this old conflict. Today's discussions are focused on the search for instruments of shared sovereignty that are adapted to a complex and plural social reality.

This new approach for finding a solution to the Irish conflict is particularly relevant to the Basque debate about formulating creative and modern solutions to similar conflicts over identity and sovereignty. The notion of shared sovereignty implemented in Northern Ireland –a formula for complex interdependent relations– is of significant relevance to the broader international community and is likely to become an increasingly potent and transcendent model for conflict resolution and peace building.

Keywords: Conflict transformation, conflict resolution, sovereignty, Basque conflict, Northern Ireland peace process.

RESUM

El procés de pau a Irlanda del Nord mostra que cal explorar noves fórmules de sobirania que tinguin en consideració les demandes dels pobles i territoris en conflicte. La profunda transformació dels elements simbòlics clàssics de l'estat-nació en el context de la Unió Europea ha contribuït a les perspectives per a la resolució d'aquest vell conflicte. Les discussions actuals es centren en el cercar nous instruments adaptats a una realitat social complexa i plural. Aquest nou enfocament és particularment rellevant per al debat basc sobre la formulació de solucions creatives i modernes a problemes similars d'identitat i sobirania. És probable que la noció de sobirania compartida implementada a Irlanda del Nord es converteixi en un model cada vegada més potent i transcendent per a la resolució de conflictes i la construcció de la pau.

Paraules clau: Transformació de conflictes, resolució de conflictes, sobirania, conflicte basc, procés de pau d'Irlanda del Nord.

RESUMEN

El proceso de paz en Irlanda del Norte muestra que hace falta explorar nuevas fórmulas de soberanía que tengan en cuenta las demandas de los pueblos y territorios en conflicto. La profunda transformación de los elementos simbólicos clásicos del estado-nación en el contexto de la Unión Europea ha contribuido a las perspectivas para la resolución de este viejo conflicto. Las discusiones actuales se centran en la búsqueda de instrumentos adaptados a una realidad social compleja y plural. Este nuevo enfoque es particularmente relevante para el debate vasco sobre la formulación de soluciones creativas y modernas a problemas similares de identidad y soberanía. Es probable que la noción de soberanía compartida implementada en Irlanda del Norte es probable se convierta en un modelo cada vez más potente y trascendente para la resolución de conflictos y la construcción de la paz.

Palabras clave: Transformación de conflictos, resolución de conflictos, soberanía, conflicto vasco, proceso de paz de Irlanda del Norte.

CONTENTS

INTRODUCTION	7
THE DIFFERENCES	8
1. SELF GOVERNMENT	8
2. THE METHODOLOGY FOR DIALOGUE	9
3. TWO DIFFERENT REVOLUTIONARY MOVEMENTS	11
4. THE CONTRIBUTION OF THE RULING PARTY	12
5. THE ROLE PLAYED BY THE OPPOSITION AND THE CIVIL SOCIETY	13
6. PRISONERS	14
7. INTERNATIONAL INTERVENTION	15
THE SIMILARITIES	16
1. TWO VIOLENT CONFLICTS ON SOVEREIGNTY	16
2. TWO CONFLICTS WITHIN THE EUROPEAN UNION	17
3. DIALOGUE	18
4. A SOLUTION BASED ON SHARED SOVEREIGNTY	19
5. CROSS-BORDER INSTITUTIONS	19
6. SYMBOLISM	20
7. POPULAR CONSULTATION	21
CONCLUSIONS	23
REFERENCES	25

INTRODUCTION

The Irish peace process has caused a great impact on Basque society over the last decade (Gurrutxaga, 1998). More significant than academic analysis or spin doctors' interpretations, it is the level of interest generated in the population as a whole which is truly exceptional. Difficult as it may seem to believe, John Hume, Gerry Adams, Mo Mowlan, Ian Paisley, Albert Reynolds and Senator Mitchell are familiar names for Basques. In practical terms, Father Alec Reid and Brian Currin represent the connection between the two conflicts. They were key mediators between the British and the Irish Governments with the IRA, and their assistance was requested by peace activists and political forces in the Basque area.

On the contrary, in Belfast practically nobody knows the name of the Basque President, or the main political leaders. Nor do people really understand what ETA is fighting for when the Basque Government enjoys a great level of self government and wealth, rules its own police, collects all the taxes, and has complete control over educational or health system.

The response to this imbalanced relationship is relatively simple. Whilst Basques have always looked to Ireland for inspiration, the Irish were travelling to Washington and Brussels. Their situation was objectively more complicated to be transformed than ours, but tons of political creativity was invested in order to transform the situation. After more than a decade of conversations and agreements, not all the difficulties involved in this process have been ironed out, but it is clear that there is no going back. The future will be difficult to manage, but the same levels of violence and confrontation will rarely be seen again.

In the meantime, the Basque Country has ended up wasting a new opportunity to close a long and painful cycle of violent conflict. Bases for a solution were built in 2006, which the main players in the process considered to be solid, but they fell apart in less than 12 months.

Madrid is still reluctant to get involved in comparative analysis, but the Irish peace process has been studied as an inspiring model for other violent conflicts that were probably even more different than the Basque case. There are obvious differences between all the conflicts in the world, but lessons can be learned and adapted to our particular context. Even those most belligerently against establishing parallelisms between the two situations end up highlighting the aspects of the Irish process which suit them best in order to strengthen their arguments.

THE DIFFERENCES

1. SELF GOVERNMENT

Northern Ireland is experiencing a high level of self government after decades of being ruled from London. It is a new autonomous system emanated from the Good Friday Agreement that needs to be developed and strengthened over the time. There is a great potential for self-government but the cross-community governing system still has to prove its capacity for dealing with daily challenges after decades of violent confrontation. It is a unique governing system that condemns rival parties to work together (Farry, 2006).

In the Basque area, there is a consolidated tradition of quality self government (Castells and Jauregui, 1996). After the end of General Franco's dictatorship, the democratically elected Spanish government negotiated a substantial level of autonomy to the Autonomous Community of the Basque Country with the moderate nationalists. The region was given a high degree of fiscal autonomy and the ability to collect and regulate its own tax contribution to the state treasury. Additionally, the agreement allowed for the creation of an autonomous Basque police force, and autonomous education and health systems. In practice, the statute allowed for the highest level of self-governance of any subnational entity in Europe.

In 2004, the Basque Parliament supported a proposal for a new statute based on “free association” or “shared sovereignty” with Spain. The political impact of this proposal would have allowed the Basque Parliament the right to define any potential changes in the current relationship between Spain and the Basque Autonomous Community. The Spanish Parliament, however, arguing that the proposal exceeded the state’s current constitutional limits for regional autonomy, rejected it.

Apart from the quantity and quality of the powers controlled by these two European regions, the main difference between them has to do with the legitimacy of the nationalist demands. The Government of the United Kingdom has always expressed that the constitutional future of Northern Ireland will be determined by the majority of their citizens. London will respect any modification of the current statute if supported by the majority in the region, including the reunification of Ireland. Spain, on the contrary, considers that the Basque area is a fundamental part of the Spanish state and therefore, the majority of the Spanish Parliament will have to agree with any hypothetical modification to the political framework.

The Basque area enjoys a greater self-government at the moment but it could disappear in the future if the Spanish Parliament decides so. Paradoxically, Northern Ireland has a more timid framework but with greater potential if local politics work in that direction.

2. THE METHODOLOGY FOR DIALOGUE

Another great difference between the two situations is the methodology with which the governments and political actors have approached the conflict transformation process (Espiau, 2006). Whilst in the Basque Country it has still not been possible to set up all party talks, in Ireland they invested almost a decade to agreeing on the methodology, the agenda and the calendar for the conversations. The “talks-about-talks” discussion phase took longer time than the official negotiations because the methodology and agenda of these processes substantially influences the final outcome of the dialogue.

In the Basque case, a broad consensus on the rules of the game has never been achieved before the public phase of the conversations. During the last attempt in 2006, the parties involved were not able to agree on decision-making mechanisms in order to preclude procedural disagreements in the negotiations.

Basque leaders blame a lack of political will to address the problem. They use this argument against each other knowing that it is impossible to measure the level of political will objectively. It does not matter what one side does, it is always interpreted as a manoeuvre with hidden interests. A good example of this poor methodology has been the above mentioned 2006 negotiations. The self proclaimed “Basque Liberation Movement” that includes ETA, Batasuna and many other pro-independence organizations proposed a route map for the peace process which established very similar rules to the Irish. This route map known as “Anoeta’s proposal” gave the rest of the political forces hope that we were at the start of a new era. Basically, for the first time in their history, they were accepting that the political issues had to be dealt with between the parties and that ETA should only be involved in matters relating to demilitarising the conflict.

Unfortunately, and once again repeating the unsuccessful history of other negotiation processes (Zallo, 1997), ETA was not capable of leaving the process leadership in the hands of their political representatives. The main political parties (including Batasuna) agreed on a draft that could have facilitated all party talks but ETA rejected it. Each side has a different interpretation of the story, but it seems clear that once again ETA was not ready to fully accept a democratic methodology and the risks of a multi-party negotiation process not decided beforehand. As confirmed by their own sources, ETA demanded an agreement which implicated territorial and constitutional changes concerning Navarre before the acceptance of all party talks. It is well known that the majority of the population of Navarre is currently opposed to modifying their status in the terms proposed by the Basque nationalists, so once again, unrealistic demands made the opportunity to collapse.

The Irish experience shows us that the only way of getting over this lack of basic trust is by means of negotiating some basic rules to drive

the peace process. The “Mitchell Principles”, for example, could be a good starting point for opening this discussion in the Basque region taking into consideration that the illegal “Batasuna” has publicly expressed their commitment to them.

3. TWO DIFFERENT REVOLUTIONARY MOVEMENTS

Although the Republican movement and the Basque separatists have had a long tradition of political ties and collaboration, their paths have taken very different courses. Sinn Fein is a modern and sophisticated party nowadays, with highly qualified leaders. They are no strangers to Washington, London or Brussels. They have been able to establish long term relations with governments and institutions which openly criticize their goals. This lobbying has even made possible an influential international network with direct access to the leading figures of the global community.

It could be argued that this exclusive participation in international politics has been fuelled by their association with violence, but this should also be the case for the “Basque Liberation Movement”, and they do not enjoy such an influential group of friends.

Today, talking about sovereignty or independence with Sinn Fein is no longer solely a debate on principles and aspirations, it means tackling controversial situations that need to be managed positively on a daily basis. Their constituency demands a firm commitment on the historic aspirations of the Republican Movement but they want to see results on the short term as well.

The Basque Liberation Movement, on the contrary, has shown very little capacity for advocacy at the international level. Their goals are formulated in an intelligible language for those same actors that are used to deal with the Irish. Until a recent proposal for accepting autonomy in both sides of the border, there was little room for discussing alternatives to an independent Basque nation-state formed by the Basque territories in Spain and France (Ibarra and Ahedo, 2004). ETA’s attacks against local politicians, academics and journalists contributed greatly to make this task impossible. Today, the Republican

Movement is a growing political force in Ireland, north and south of the border. In the Basque region, their political activities are not legal anymore and the European Court of Human Rights has supported the controversial sentences of the Spanish Supreme Court regarding this issue.

4. THE CONTRIBUTION OF THE RULING PARTY

A balanced interpretation of the last failed attempt at dialogue cannot ignore a critical review of the role played by the Spanish government for decades. A social and political transformation project focusing on such a challenging goal requires inspired leadership, political courage and political action. The current Spanish Premier, José Luís Rodríguez Zapatero, took the first step which led people to think it would be a “long, hard and difficult” process, but he was not able to resist the difficulties of it. Beyond the public discourse, he did not set up any type of initiative which ETA could present to its constituency as the positive outcome of the new non violent strategy. Not only this, to strengthen his position in terms of Spanish public opinion, he boasted that he had done nothing further than the previous conservative administration.

For the first time since the country’s transition to democracy, his administration had proposed federalist reforms to the autonomous territorial system created in 1978. The most controversial issues concerned the definition of nationalities and regions within Spain, new economic and fiscal agreements between the autonomous communities and the central government, and the decentralization of the judiciary system. This first constitutional reform process affected the autonomous communities of Catalonia, Valencia, and Andalusia, among others. There was broad sense of having a historic political opportunity for new agreements, not likely to be repeated for decades.

The Zapatero Administration rejected any possibility of dialogue about the proposal for a new political agreement supported by the majority of the Basque Parliament, continued the strategy of illegalization against the Basque Liberation Movement and opposed any change regarding the situation of ETA’s prisoners.

The British governments' contribution to the process was slightly different. Even in the most difficult times, Margaret Thatcher's government never went so far as to illegalise Sinn Fein. Their leaders had to be dubbed on television, but British law never let the political door close. Albert Reynolds and John Major, as well as establishing flows of communication with the Republican movement, also signed the "Downing Street Declaration" and developed it in the "Framework Documents." Years later, Tony Blair dealt with the implementation of the Good Friday Agreement.

The Basque Government's contribution to this opportunity can also be analysed critically. Both ETA and the Spanish government decided that the leadership of the process was not going to be shared with the democratically elected institutions of the Basque region. Publicly and privately, the Basque Government decided to respect the wish for bilateral dialogue expressed by ETA and Madrid. Today, after suffering the limitations of this strategy, the comment made by Andrea Bartoli Director of the International Conflict Resolution Centre at Columbia University in November 2006, resonates: "there is no chance for success if this process is based on a dialogue that excludes the highest institutional representation of the Basque society".

5. THE ROLE PLAYED BY THE OPPOSITION AND THE CIVIL SOCIETY

It is certain that the successive British and Irish governments would not have been able to reach the current situation if they had to contend with the belligerent opposition policy as has been played out by the Partido Popular in Spain. Their leader, Mariano Rajoy, even publicly qualified President Zapatero as "allied" to the terrorists and "responsible" for breaking up Spain.

In the past, the Spanish opposition had supported the ruling party in all the decisions related to this issue. The same thing happened in Ireland and the UK. In Spain, the Partido Popular made criticising the government in anti-terrorist policies their main campaign argument to win the general elections in 2008. Taking into account the narrow

margin between both candidates, it does not seem very likely that the socialists will be able to implement new attempts at dialogue for a long time to come.

This anti-dialogue strategy has been supported by the most representative Spanish associations of victims. Some of these entities, transformed into highly influential political actors, demonstrated repeatedly in Madrid with the Popular Party against any type of dialogue with ETA, accusing the Government of insulting the memory of the victims. Due to this verbal escalation, and for the first time in recent history, victims also became part of the political confrontation.

This is another substantial difference related to civil society, Spanish and Basque grass rooted entities have played a much more active role in the process. In Northern Ireland, there is a tendency of fragmentation. Victims groups and peace initiatives are oriented towards local communities while in the Basque area and Spain, these are large and extremely active political players (Paez and Beristain, 2000).

6. PRISONERS

After the hunger strikes at the start of the 1980s (which caused the death of Bobby Sands and another ten members of the IRA), most of the prisoners related to the “troubles” were grouped together in prisons in Northern Ireland. In the years of key political negotiation, the most important prisoners were in the Maze prison, only a few kilometres from Belfast. Mo Mowlan used to highlight the relevance of this collective in supporting political progress. Instead of making dialogue more difficult, they participated in the negotiation process and finally supported the agreements which were being reached. The “Maze University”, as the prison outside Belfast became known, was the place where many Republican militants made their personal transition towards new political times.

In practical terms, the existence of two large groups of prisoners from opposing sides (nationalists and unionists) balanced out the sit-

uation and made it easier to implement early releasing measures. The Catholics were not happy about Loyalist paramilitaries being released and vice versa but they opted not to oppose it knowing that this was the price to be paid for their own people to receive the same benefits. Ironically, those who did not identify with either side found it more difficult to accept.

There are more than 700 ETA prisoners spread throughout prisons in Spain and France, and several more in other EU countries or America. It is a policy created for punishing them and avoiding organization within the prison. As well as unjustly punishing their families, this situation makes debate between them impossible. The personal evolution which all the experts consider necessary (Hamber, 2009) is torpedoed by the penitentiary institutions. As a consequence of this situation, their opinions are normally linked to what is decided by the military leadership of the organisation.

Even in the context of the end of the ceasefire, the situation of ETA prisoners must be addressed. Current Spanish treatment of ETA prisoners not only violates the humanitarian rights of the prisoners to be allocated near their families but also impedes an internal dialogue within ETA over whether to commit to a completely unarmed political strategy. Northern Ireland demonstrates us that even ETA prisoners themselves could play a positive role in a peace process if given the opportunity.

7. INTERNATIONAL INTERVENTION

Presidents Clinton, Bush, and the previous American administration's active implication in the Irish peace process are well known. Even in the most difficult phases of the negotiations, the Americans never left the dialogue unattended. Senator George Mitchell, but also Nancy Soderberg and others played a facilitating role that almost every single protagonist of the agreements evaluated positively.

The Basques do not have a Diaspora of 40 million citizens in USA. There is a small community in the West of the United States but it does not have great political influence outside the States of Nevada

and Idaho. Therefore, international attempts to resolve the Basque conflict have been limited. In 1993-94, the Carter Centre explored with the parties to the conflict the possibility of serving as an external mediator and in 1999 the Swiss government facilitated the only official meeting between Spanish officials and ETA at that time. According to all the sources, the Swiss and the British Government were also involved in the 2006 process.

Other international players, as the EU, have also contributed more intensively to the Irish peace process. Jacques Delors promoted the currently ongoing “Peace” program supported by the Commission but the same institutions consider the Basque conflict a purely internal affair of the Spanish Government. In 2007, a formal declaration of the European Parliament supporting the Spanish Government’s peace efforts was passed but after the collapse of that process, nobody expects that European institutions to pay proactive attention to the situation in the area.

Due to the resistance of the international bodies directly affected by the conflict—such as the relevant institutions of the European Union and the Organization for Security and Cooperation in Europe—to make a significant contribution to the process, it is necessary to create an active network of international entities to facilitate new political talks.

THE SIMILARITIES

1. TWO VIOLENT CONFLICTS ON SOVEREIGNTY

In both situations there is confrontation on nationality and sovereignty. The boundaries of self-government within the nation state are a deeply controversial element. Both areas need to find a better deal about the constitutional future of their territory. It is also a search for a constructive way to manage majority-minority power relations.

This conflict could be a positive one, but in both cases, a significant part of the population has also supported, understood, justified or legitimised violence to defend their political goals. In both cases there has also been counter-insurgent paramilitary violence: GAL in Spain and different paramilitary groups supported or tolerated by the British forces in Ireland.

Violence shares many commonalities all over the world. Motivation for acting with violence can be different, but the impact and the strategies to transform it are similar. The consequences of conflict and suffering affect the daily life of the whole population: murders, bombs, kidnapping, arrests, abuse and tortures. Each sociological and political world perceives and lives the conflict and the actual situation from different, and in many cases antagonistic perspectives, but nobody can deny the common suffering.

Repairing the damage caused, as far as possible, honouring their memory and accompanying their suffering are common objectives in both situations. Each case is unique and must be considered as such, but the justice, repair and memorial processes provide common examples for all victims of violence and terrorism.

2. TWO CONFLICTS WITHIN THE EUROPEAN UNION

Although the current Basque problem sprang from Franco's dictatorship, in both cases this is a matter of resolving violent conflicts in consolidated democracies. Democracy as a political system has displayed fissures, deficiencies and dysfunctions in both cases. Fundamental rights have been damaged and legal action has often crossed constitutional limits, but there are democratic channels to change the situation. Many other violent conflict zones in the world have to face more complicated situations without political structures that allow a democratic discussion.

These conflicts are also taking place within the European Union, where there is a necessity to manage its own problems positively. Both conflicts affect stability and peace in the region and they are a show case for rest of the world. The European Union wants to export peace

and stability in a different way and it can only be done if the same philosophy applies for the member states.

On the surface, the Parliament and the Commission do not normally comment on these situations but it is a different scenario behind close doors. The United Kingdom, Ireland, Spain and France are no longer dancing alone. They pretend, but nobody can handle these challenges without considering the implications for the rest of the Union.

3. DIALOGUE

Peace making initiatives have generated permanent tension between armed and non violent political strategies and between political and repressive means. In both cases, dialogue has been neutralized periodically. Surprising as it may seem, the epithets, accusations and disqualifications of one side against another were very similar in both situations. However, in both cases, when dialogue processes have been activated, it has also been possible to bring the most ardent enemies together.

As Father Alec Reid has often explained quoting his conversations with Gerry Adams, there are three types of dialogue involved in peace making: the negotiations with the “enemy”, the conversations with your own constituency and dialogue with yourself. All of them are equally important for providing a good result. Basque politicians have also entered into this personal and collective journey, but results are not satisfactory in both cases.

Father Alec Reid also points out that there is a lack of culture for dialogue in the Basque area and Spain. The concept of compromise has even negative connotations in local politics. As a consequence of this limitation, the three types of dialogue face serious problems to be developed.

Despite of all these limitations, the vast majority of Basque society clearly rejects violence and it is prepared for a negotiation process. According to the latest sociological surveys, even the majority of ETA’s constituency share this view. Sooner or later, there is no alternative to a dialogue process.

4. A SOLUTION BASED ON SHARED SOVEREIGNTY

The concept of sovereignty is evolving at the start of the 21st century. New political formulas are explored and developed leading to modalities which were unimaginable a short time ago. The main symbols of the classic nation state: border, currency and army, are transformed and are diluted into other newly configured entities. Self-rule, self-government or independence adopts very diverse forms depending on where they are implemented (Keating, 2001). This tendency opens up a wide range of possibilities for conflictive situations.

In the case of Ireland, the governments and political parties involved have found an innovative formula. The majority of the population will decide the future of the area but a new positive solution for both communities might emerge as an alternative to a zero sum game scenario. In a territory where two opposing communities claim sovereignty, both receiving wide social backing, it is necessary to strike up new relations which allow all sides to express their identity and share political power in a non violent way.

The Basque conflict will also have to find a creative solution that interprets sovereignty in a different way. The aspirations of the majority will have to be respected by the Spanish Government, but the new framework will have to accommodate the minority adequately (Eguiguren, 2003). As the discussions in Quebec demonstrate, there is an obligation for permanent negotiations between all the traditions involved.

5. CROSS-BORDER INSTITUTIONS

The philosophy underneath the Good Friday Agreement points to a new trend in exercising sovereignty. The classic nation-state is no longer the only one possibility for organizing a territory within the European Union. Cross-border institutions express a further step into territorial cooperation and moves beyond classic interpretations. Recognising that the future of a community is exclusively in their hands is a democratic principle, but its development and complex implemen-

tation, when adapted to the local circumstances, can open the door to innovative political thinking.

In the Basque case, there is no alternative to a similar agreement on the territory's sovereignty which is adapted to our identity-based complexity. Many possibilities have been tried but none of them have worked because they were based on a classic reading of sovereignty.

Our Good Friday Agreement could be much shorter, due to the high level of self-government which we already enjoy, but it should propose imaginative formulas for cooperation making the current administrative borders a softer barrier within the territory.

The territorial relations between the Basque Autonomous Community, Navarre, and the Basque provinces in France could be normalized without traumatic changes reading the existing political framework creatively. As a starting point, the creation of a Euroregion, could significantly improve the political, economic, social, and cultural relations among the Basque territories in Spain and France—provided, of course, that majorities in each of the territories desired such a development. Concurrently, the Spanish and French Constitutions could also build on substantial, preexisting cooperative initiatives among regions and provinces on matters of common interest, such as infrastructure development, security, cultural heritage preservation, and tourism.

6. SYMBOLISM

Northern Ireland is a laboratory for symbolic elements related to identity for other conflictive areas in the world. Nationalists can have an Irish passport but a British social welfare system. Unionists are still part of the United Kingdom but they can also benefit economically from the “Celtic Tiger”. Tangible and symbolic elements are interrelated. This approach could be understood as the real innovative lesson to be learned because the emotional dimension tends to be forgotten in Western policy making. In conflictive zones, the name of the country registered in the passport might mean more to a community than the institution in charge of collecting taxes.

A peace proposal for the Basque area also needs the symbolic dimension. Today, it is almost impossible to imagine that the Spanish Government will ever accept the Basques to carry a different passport, even if it only changes the cover, but something similar could be explored in the context of the European Union. It is not such a revolutionary proposal to discuss about the possibility of European citizens opting for the name of their region instead of the country in their EU passport. Two citizens of the same city could hold different passports, as it is the case in Northern Ireland at the moment.

The possibility of having a Basque national team competing in international competitions, as Northern Ireland, Scotland and Wales do normally, it is also another option to facilitate an exposure for the Basque identity to the world. Each individual could opt for the Spanish or the Basque team according to their political will.

Pedagogy needs to be done in this field. Nowadays, the Spanish public opinion can hardly accept a normal discussion on these terms. It would be understood as a defeat of Spanish identity.

7. POPULAR CONSULTATION

The peace agreements in Northern Ireland are based on the democratic principle that a decision supported by the majority of the population will always be respected. The decision to reform the current political framework adopted after the Good Friday Agreements and a hypothetical reunification of Ireland need to be consulted to the people of the area. It is on the hands of the British Government to decide when this referendum needs to be called, but there is a clear will for consulting the population if demography or political affiliations change.

The 1978 Constitution also regulates that only the Spanish Parliament with the support of the King can call for referenda. In this case, the Spanish Government totally opposes the possibility of consulting the Basque population even if the majority clearly demands it. The Economist has described this position of a “pathological hostility to

any such idea¹”. As a consequence, Basque nationalists felt that their democratic voice can not be heard even if supported by the majority in the area.

The Basque Country needs a new agreement about how to understand this democratic principle in similar terms to the interpretation made by the British and Irish governments. If doing so, it is not even necessary to change the Spanish Constitution. The real challenge consists on agreeing on a formula for organizing popular consultations, even in the formula of non-binding referendums. This problem could be legally overcome if the Spanish Government was to grant the Basque Parliament and the Navarre Parliament the authority to engage in popular consultations—that is, if the majority of the political parties in the Basque territories actively solicited this power.

The nationalists would interpret the authority to hold popular consultations as a profound change in the dynamics of the conflict because Basque society would have a concrete and tangible instrument with which to exercise its right to decide its future. At the same time, the Spanish government could argue that a broad agreement on the mechanisms through which to consult the population does not imply a fundamental modification of the current legal framework. From this point of view, such an agreement would introduce a mechanism for strengthening democratic principles and civil society participation in the Spanish state.

Theoretical support for such an interpretation comes from legal analyses conducted by informed experts and authors of the current Spanish Constitution, notably Miguel Herrero de Miñón (Herrero, 1998) and Ernest Lluch, the former Spanish minister of health who was killed by ETA in 2000. A process of all-party talks will need to decide on the desired mechanisms and necessary political consensus to regulate this agreement.

1. “There are, however, two other differences with Northern Ireland that the politicians in Madrid should reflect upon and learn from. One is that British governments seem less exercised about any threat that a part of their country might one day break away. If a clear majority in Northern Ireland—or in Scotland, for that matter—voted for independence, most politicians in London would accept the result. In contrast, **all governments in Madrid remain pathologically hostile to any such idea** anywhere in Spain.” *The Economist*. June 2007.

CONCLUSIONS

The Irish peace process represents the most constructive and positive experience for the Basque conflict to learn from. Differences and similarities have been presented but both are a unique opportunity to reflect on. All peace making processes are different, but they can adapt the lessons learned in other parts of the world to their own situation.

Northern Ireland proves that even the most complex situations can be transformed through dialogue and negotiation. In the eyes of the public opinion, a violent political conflict on the sovereignty of a European territory, more distressing and complicated than the Basque situation is being transformed and channelled positively. And this is a powerful message for all: institutional leaders, politicians and activists.

Ireland has been the real test for the potentiality of dialogue in the most complex environment. Although qualified as democratically illegitimate in Spain, negotiations can exhibit better results and a broad international support in the North of Ireland. There are different approaches to this discussion (Alonso, 2004) but the security solution has still failed to present a similar outcome.

More significantly, the peace process in Northern Ireland represents the triumph of democratic culture over force. Human rights, justice, reconciliation are still too great goals to be fully achieved, but the local population perceives that there is no other way forward. Democracy and politics have deployed all their resources to resolve a violent conflict and a clear methodology has contributed enormously to combat non-violently the forces of the past. As a result of it, the Downing Street Declaration and the Good Friday Agreement represent an amazing example of imagination and useful political engineering.

The agreements have serious limitations and a critical analysis should be done about the consociative nature of the governing institutions, but the discussions are no longer affected by the impact of killing and bombs. Those who are still living conditioned by the violence will appreciate the difference.

Both cases show that new sovereignty formulas need to be explored in order to meet the demands of the populations and territories in conflict. The “globalisation” phenomenon and the European project itself bring countries together vertiginously. In this context, political leaders are challenged to come up with new solutions to the old problems.

The profound transformation of the classic symbolic elements of the nation-state within the context of the European Union, defined by the disappearance of internal borders, a common monetary system, and transnational armed forces, contribute to the prospects for a resolution of both old conflicts. Discussions should no longer be focused primarily on the creation of new nation-states. Today’s discussions could be framed on the search for instruments of shared sovereignty that are adapted to a complex and plural social reality.

Creative ideas can emerge from dialogue and negotiations, promising a significantly broader consensus and a more solid foundation for peace than ever before. Historically, these conflicts have been deeply influenced by the limitations of the nation-state to accommodate, within the same political and legal framework, different nationalities with aspirations of self-governance. Today, the key political actors to these conflicts can modify their traditional positions regarding territorial organization and national sovereignty. Current leaders could also set forth more flexible strategies that contemplate formulas of shared sovereignty, which in a negotiation process could result in a compromise based on a broader consensus than that achieved by the previous political frameworks.

The new approach for finding a solution to the Irish conflict is particularly relevant to the Basque debate about formulating creative and modern solutions to similar conflicts over identity and sovereignty. The successful outcome to the process has deepened the trend begun by many others in search of complex political solutions that transcend the classic understanding of the nation-state. For example, the notion of shared sovereignty—a formula for complex interdependent relations—is of significant relevance to the broader international community. It has already been successfully implemented in other areas of the world and is likely to become an increasingly potent and transcendent model for conflict resolution and peace building.

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