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*Center for Studies, Training
and Social Analysis*

The democratic legitimation of ETA: causes, actors and consequences

REPORT 04 | CEU-CEFAS

January of 2024

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María San Gil Noain

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Executive Summary

In the general elections of July 2023, EH Bildu, ETA's heir party that has still not condemned its crimes –“ETA's figurehead”, according to the Supreme Court– obtained 333,362 votes, far ahead of the second Basque nationalist political force, the PNV (*Partido Nacionalista Vasco* - Basque Nationalist Party), which received 275,782 votes. For the first time in democracy, a party that has already been outlawed - under other names - for belonging to a terrorist organisation, has now amply surpassed the hegemonic party in the Basque Country by more than 55,000 votes.

This fact, and its increasing prominence in Spanish political life, has led the CEU Observatory for Victims of Terrorism of the Centre for Studies, Training and Social Analysis (CEFAS) to produce this report, which attempts to explain how it has been possible to democratically legitimise a political option based on violence, extortion and the rupture of the unity of Spain. In short, this paper aims to examine the causes, actors and consequences of the whitewashing of ETA and its political project.

- The legitimisation of the political arm of a terrorist organisation with a clear totalitarian ideology implicitly entails the delegitimation of the democratic system it seeks to dismantle. This strategy has been shared and articulated both by ETA's political representatives –EH Bildu and its many predecessors– and by the Basque Nationalist Party, which bears the serious historical responsibility of having been the political seed of the birth of ETA.
- After the kidnapping and murder of the PP (*Partido Popular* - conservative party) councillor in Ermua, Miguel Ángel Blanco, on 10 July 1997, a wave of public indignation was unleashed against ETA, which led to the so-called “spirit of Ermua”. Faced with this situation, the PNV saw its hegemony in danger and chose to make a pact with Herri Batasuna and the rest of the nationalist movement calling for a break with ETA in order to ensure its survival by signing the ‘Estella Pact’ (September 1998). This separatist communion has continued to legitimise ETA over time, from the Government pact between the PNV and HB (*Herri Batasuna* - predecessor of EH Bildu) in May 1999 to the demonstration called jointly by both formations on 4 November 2003 against the High Court of Justice in the Basque Country for annulling several articles of a Basque Government decree that prioritised the demand for and use of the Basque language, to the detriment of Spanish, in Basque public administrations.

- In this regard, it is worth noting that the anti-terrorist policy promoted by Aznar's government was key to restoring Spaniards' confidence in the defeat of ETA without paying a political price for doing so: the 'pact for freedoms and against terrorism' between PP and PSOE (*Partido Socialista Obrero Español* - Spanish Socialist Workers' Party) (2000), a new Political Parties Act (2002) that outlawed the various denominations of ETA's political wing, and gave firm support for the work of the State Security Forces and Corps, social mobilisation, and constant and determined work by the judiciary.
- The Manichean discourse that advocates the lack of democratic guarantees to justify the use of violence was key to ETA's negotiation process with the Socialist government of José Luis Rodríguez Zapatero. The end-of-terrorism model of this process also contributed to the delegitimation of democracy by accepting those who justified terrorism as valid speakers. The PSOE supported the PNV in legitimising ETA's political arm, first by breaking the unity of the constitutionalist parties and then by failing to honour the pact with the PP, putting its own party interests before the interests of the country. It was Zapatero who returned ETA to the institutions, an essential political price to pay in order to set himself up as the leading figure in the end of violence and thus guarantee his continuance in the government.
- The 'definitive end' of ETA's terrorist activity in 2011 highlighted the enormous differences between two antagonistic models of the fight against terrorism, one based on political negotiation with terrorists –Rodríguez Zapatero's government– and the other that relied on the application of the rule of law to combat terror –José María Aznar's government–.
- During Mariano Rajoy's government, the PP refrained from articulating a strategy against EH Bildu, going no further than to express its indignation when opposing the terrorists' illegitimate political project. As Mikel Azurmendi pointed out, the PP "did not have the moral or political courage to put an end to this shameful democratic relaxation when it had an absolute majority".
- The anomalous arrival of Pedro Sánchez to the leadership of the Spanish government consolidated and extended the strategy initiated by Rodríguez Zapatero of politically legitimising ETA's successors. What is more, not only have they agreed on laws and budgets at the national level, but now, after the November 2023 investiture, they are indispensable partners of the PSOE in order for the latter to govern the country.
- Currently, PNV and EH Bildu are fighting for political hegemony in the Basque Country, after the debt incurred by nationalism for legitimising ETA was forgiven. With the criminals exempted from the basic premise that should have been their permanent disqualification from political life and their murderous trajectory covered up, it is only natural that they should be strengthened electorally.
- The problem lies not only in the presence of ex-terrorists on the EH Bildu lists, but also in the presence of a party that justifies their crimes, thus creating and transmitting a memory that guarantees the impunity of nationalist terrorism to a society that is a powerless witness to the triumph of the terrorists.

- First there was the battle of silence, then the battle of language, and now it is time to face the battle of the narrative, which would be better described as the battle for the Truth. With a few honourable exceptions, the Spanish media have offered a biased view of the terrorist phenomenon which, ultimately, has been decisive in imposing a self-serving narrative that has normalised the presence of ETA's political project in society. The prevailing do-gooder trend has ended up considering that the participation of the political arm of the terrorists in our institutions is a triumph of democracy, when precisely the opposite is true: allowing the return of those who consider the use of violence to achieve political objectives to be valid only contributes to furthering institutional degradation and to lowering the quality of our democracy.
- In short, it has ultimately imposed a false narrative that promotes the whitewashing of ETA's political arm and distances us from the truth that Spaniards deserve, after fifty years of nationalist terrorism. The PSOE has come to accept the demands of nationalism in order to prevent the aims it shared with ETA, even though they often differed from its own ideals, from contaminating its future. The deception has been so successful that, as we mentioned at the beginning, the political arm of ETA now outnumbers traditional nationalism in terms of votes, endangering the latter's hegemony. Unfortunately, the situation predicted by Joseba Arregui in 2019 has turned out to be confirmed: "It is not only necessary to do politics as if ETA does not exist, but as if ETA had never existed".

A guide to understanding the process of democratic legitimation of the terrorist organisation ETA

Carlos de Urquijo,
Projec Manager of the Villacisneros Foundation

The kidnapping and murder of Miguel Ángel Blanco by ETA triggered a hitherto unknown public outrage in Spanish society. This crime forced all political parties to reconsider their strategy in relation to the terrorist phenomenon.

Today, twenty-six years after that murder, some of those who committed it are now walking the streets of the Basque Country without any social reproach and others will soon be released from prison.

Twenty-six years after the event, the PSOE, who approved the Parties Act that stated that there was nothing to negotiate with ETA and which repeated ad nauseam that there was no room for agreement with EH-Bildu, has turned them into a state party and a priority partner of the Spanish Government.

Twenty-six years after the event, the PNV, the party that, when José Antonio Ardanza was *lehendakari* (Basque President), upon hearing the news of the attack against Miguel Ángel Blanco described *Herri Batasuna* as “executioners of the Basque people” and “accomplices” in his kidnapping and murder, is still determined to legitimise them. Apparently, it was not enough to have been the trailblazers when, a year after that pre-announced assassination, they decided to sit down with the political wing of ETA in Estella (Navarre) to sign a shameful pact of nationalist unity with those who were directly involved in the crime. Moreover, it should be recalled that it was the *Herri Batasuna* councillor in Eibar, Ibon Muñoa –later sentenced to 33 years in prison– who provided the necessary infrastructure to the terrorists for the kidnapping of Miguel Ángel Blanco.

In view of so much senselessness, it is worth recalling, therefore, who altered the end that ETA deserved and why they did so, as well as the consequences of their betrayal of the victims of terrorism, of Spanish democracy and of our rule of law. We will do so through a chronological review that will highlight the main milestones that, by way of a guide, will allow us to retrace the process of democratic legitimisation of the terrorist organisation up to the present day. And this has recurred years later with its current political wing, *EH-Bildu*.

Chronology of a betrayal

10 July 1997, kidnapping and assassination of Miguel Ángel Blanco

As we have just stated, the social upheaval caused by ETA's pre-announced murder of PP councillor Miguel Ángel Blanco forced the political forces to reposition themselves in the fight against terrorists; in the case of the PP and the PSOE, to consider the best way to utilise all the mechanisms of the rule of law to remove from the political arena those who were using it to put an end to democracy; and, in the case of the PNV, fearing that the wave of indignation against ETA would spread to nationalism as a whole and affect them electorally, to seek unity of action with ETA's political arm, expelling the constitutionalist parties from Basque political life.

12 September 1998, the “Estella Pact”

With the signing of this pact, the PNV became the first “endorser” of Herri Batasuna as a democratic party. It legitimised dialogue with ETA's political wing, accepted its terminology and its vision of terrorism as the natural consequence of a political conflict between the Basques and the Spanish state. It also accepts the internationalisation of the “conflict”, seeking similarities with the terrorist actions of the IRA. Its end will not, therefore, be a consequence of the action of the rule of law but, as stated in the text of the “negotiation and resolution process” agreement, “must be global, in the sense of addressing and providing answers to all the issues that constitute the conflict”.

The PNV chooses to be nationalist rather than democratic. Fear of the electoral consequences of the so-called “Spirit of Ermua” that triggered the assassination of Miguel Ángel Blanco led it to seek the shelter of the *Abertzale* (radical nationalists), opting for the unity of action of the nationalists against the parties they considered enemies of the Basque people, whom, it would appear, they alone represented.

16 September 1998, ETA's truce

ETA agreed to a truce in its terrorist activity, later proven to be what it really was: a truce-trap. The airstrip built for this purpose in Estella by the PNV and Herri Batasuna had a dual purpose. On the one hand, to allow the organisation, which had been harassed by the police and socially discredited, to take a breather, to rearm themselves and to set new objectives. On the other hand, to initiate political collaboration between the nationalists in the legislature that began after the Basque autonomous elections of 25 October 1998.

29 December 1998, investiture of Juan José Ibarretxe

The Basque autonomous elections, held on 25 October 1998, show a result that accelerates separatism's unity of action. The 30 seats won by the PP and PSE (Basque Socialist Party) (16 and 14 seats, respectively), compared to the 29 seats won by the PNV (21), EA (*Eusko Alkartasuna* - Basque solidarity) (6) and IU (*Izquierda Unida* - United Left) (2), made the votes of *Euskal Herritarrok* (Basque Citizens) decisive. The time came to implement the "Estella pact" by means of nationalist collaboration with ETA's political wing. On 29 December 1998, Juan José Ibarretxe, the PNV candidate, was sworn in as *lehendakari* (Basque President) with an absolute majority thanks to the 14 votes of the parliamentarians of the *abertzale* (radical basque nationalist) party.

18 May 1999, PNV-Euskal Herritarrok legislative pact

The democratic legitimation of ETA's political wing continued. Barely five months after Ibarretxe's inauguration, the PNV signed a legislative pact with EH that Iñaki Anasagasti, then PNV spokesman in the Congreso de los Diputados (House of Commons), described as a "historic leap" –and we can certainly consider it as such given the level of betrayal of democracy and the victims of terrorism–.

The preamble to the agreement states that the parties to the agreement will only use "strictly democratic methods". However, on 21 January 2000, ETA assassinated Lieutenant Colonel Pedro Antonio Blanco in Madrid. The agreement was simply suspended. It was only one day after the assassination of Fernando Buesa in Vitoria, spokesman for the PSE in the Basque Parliament (22 February 1999), that the PNV reluctantly announced that it was withdrawing from the agreement.

12 March 2000, general elections

On 12 March, general elections were held that gave the PP an absolute majority with 183 seats. José María Aznar, now free to act, felt that the time had come for a change of course in the fight against ETA. The PSOE, albeit tentatively, believed it must also do so if it hoped to return to the Palacio de La Moncloa (Residence of the Spanish President). This would mark the beginning of the legitimation of ETA through the socialist party, not the nationalists. The key would be the arrival of José Luis Rodríguez Zapatero as Secretary General of the PSOE and his victory in the subsequent general elections.

22 July 2000. Rodríguez Zapatero, new Secretary General of the PSOE

It is impossible to understand the current situation of EH-Bildu without a decisive date, 22 July 2000. On that day, Rodríguez Zapatero was elected Secretary General of the PSOE and decided that, in order for his party to regain government, its alliances would have to be with the left-wing parties, any of them, regardless of their nature. That is why, while he demanded a law on parties from the PP government, he ordered his pawns in the Basque Country to initiate a dialogue with ETA's political wing to achieve a "negotiated end" to

terrorism. His aversion to the right-wing, his vindictiveness towards the civil war and his desire to go down in history as the man who brought about the end of ETA would characterise his years at the head of his party and of the Spanish government.

January 2002, the Socialists begin talks with the political wing of ETA

At the beginning of 2002, while the PP was calling for a new Political Parties Act, Zapatero commissioned Jesús Eguiguren, Secretary General of the Socialists in Guipuzcoa, to begin talks with Arnaldo Otegi, Secretary General of *Euskal Herriarrok*, to bring about the end of ETA through political negotiation independently of the rule of law. Since then and for several years, in the “Txillarre” farmhouse in Elgoibar, multiple meetings were held between them to bring about a truce by the organisation that would enable an agreed end to terrorism by means of a Copernican turn in the PSOE’s strategy. These initial contacts, with the authorisation of the socialist party leadership, continued later, again with Eguiguren’s involvement, with members of the terrorist organisation in Geneva and Oslo.

28 June 2002, the Political Parties Act is passed

On 28 June, the Official State Gazette published the text of the Political Parties Act, negotiated between the PP and the PSOE. In its thirteen articles, it establishes the conditions that must be met by parties that intend to engage in politics in the Spanish democracy. For the first time since the 1978 Constitution was approved, it was decided that politics could not condone the actions of a terrorist organisation and that those who decided to do so would be illegal.

4 August 2002, attack on the Santa Pola barracks house

The Civil Guard barracks in Santa Pola (Alicante) was hit by a car bomb loaded with fifty kilos of explosives and shrapnel. As a result of the explosion, six-year-old Silvia Martínez and Cecilio Gallego, who was in the vicinity, were killed.

26 August 2002, suspension of Batasuna’s activity

The Santa Pola attack was not condemned by the political wing of ETA and the magistrate of the National High Court, Baltasar Garzón, considered this constituted grounds for issuing an order to suspend Batasuna’s activities.

30 August 2002, the Cabinet calls for the outlawing of Batasuna

Fulfilling the mandate of the resolution passed on 26 August in the House of Commons, and also on its own initiative, the Government ordered the State Attorney’s Office to initiate proceedings for the outlawing of Herri Batasuna, Euskal Herriarrok and Batasuna with the Special Chamber of the Supreme Court.

27 March 2003, the outlawing of HB, EH and Batasuna

The Special Chamber of the Supreme Court decreed the outlawing of Herri Batasuna, Euskal Herritarrok and Batasuna, having determined that these parties were part of the terrorist organisation ETA, which was responsible for designing their strategy.

4 January 2004, agreement of the ERC (*Esquerra Republicana de Catalunya* - Republican Left of Catalonia) with ETA in Perpignan

As a culmination of the talks held in 2001 and 2002 by Arnaldo Otegi and Joseba Álvarez with Josep Lluís Carod-Rovira, first minister of the *Generalitat de Catalunya* (regional government of Catalonia), on 4 January 2004 a meeting was held in Perpignan (France) with the terrorists Josu Ternera and Mikel Antza. At this meeting, it was agreed that the terrorist organisation ETA would not carry out attacks in Catalonia in exchange for ERC's progress in defending the right to self-determination, thereby helping to legitimise the political wing of ETA.

José Luis Rodríguez Zapatero was informed of this interview as soon as he entered *La Moncloa*, after the 14 March elections, by Carod-Rovira himself. Once again, it is clear that Basque and Catalan separatism are handing over the baton to each other in a relay race whose goal is the break-up of Spain. On 18 February 2004, ETA announced in a communiqué the “suspension of its military actions in Catalonia” with the desire to “unite the ties between the Basque and Catalan people, on the basis of the principles of respect, non-interference and solidarity”.

14 March 2004. Rodríguez Zapatero, new President of Spain

After the victory of the PSOE in the general elections, José Luis Rodríguez Zapatero was sworn in as president and, now in government, he could implement the strategy initiated with the “Txillarre” talks. Zapatero, in search of the endorsement that would justify the negotiation already undertaken with the organisation, would set about convincing the House of Commons to pass a political resolution that would endorse his betrayal of the rule of law, facilitating, among other things, the return of the outlawed organisations to the institutions. In this way, the democratic legitimisation of the organisation continued, because, as the Supreme Court established in 2003, the outlawed parties were part of it.

17 April 2005, ETA returns to the institutions

Elections to the Basque parliament are held on 17 April 2005. This was the first opportunity for the government to demonstrate to ETA its intention to comply with the agreements reached in the talks that began in “Txillarre”. It was time to restore legality to the outlawed forces.

Overnight, an unknown political party called the *Partido Comunista de las Tierras Vascas* (Basque Country Communist Party) (PCTV) appeared on the scene and became the container for the organisations that had been outlawed by the Supreme Court. Despite it being clear that ETA was behind it and despite the demands of the PP to prevent it from standing as a candidate and to urge its outlawing, the government tolerated its participation. Furthermore, the vice-president herself, M^a Teresa Fernández de la Vega, stated that she did not see any evidence to urge the outlawing of the party. Curiously, when, in order to avoid risks to its real promoters, it was in their interest to bring another party into play –*Acción Nacionalista Vasca* (Basque Nationalist Action)– then, naturally, the same government that saw no reason to outlaw it, urged its outlawing in 2008. However, the damage had been done, the PCTV had won nine seats in the Basque Parliament.

17 May 2005. Green light for negotiations with ETA

The House of Commons, at the behest of the Socialist parliamentary organisation, approved a motion authorising the government to begin talks with ETA, “*if the appropriate conditions for a dialogue-based end to the violence exist, based on a clear will to put an end to it and on unequivocal attitudes that can lead to this conclusion*”.

22 March 2006, another ETA truce

ETA declared a permanent ceasefire as a result of the talks initiated in “Txillarre” by Eguiguren and Otegi and the negotiations, sponsored by the Henry Dunant Foundation, between the leader of the Guipuzcoan socialists and the terrorist organisation member José Antonio Urrutikoetxea (Josu Ternera), held in Geneva and Oslo. This ceasefire was to pave the way for political negotiations between ETA and the government.

29 June 2006, Zapatero initiates dialogue with ETA

In an institutional declaration made in the foyer of the House of Commons, the President recalled the authorisation received in the same building in 2005 and affirmed that “democracy will not pay any political price for peace”. Apparently, his feeble memory prevented him from remembering that fourteen months earlier he had contributed to the political legitimisation of ETA, allowing it to return to the institutions with the presence of PCTV in the Basque Parliament after the elections of 17 April 2005.

This statement was followed by the so-called ‘Loyola talks’ –because they were held in Azpeitia–, the headquarters of the Society of Jesus. There, in September and October, representatives of the PSE, the outlawed Batasuna and the PNV attempted to draw up a text to be submitted to the government in order for it to pay a political price in exchange for the terrorist organisation abandoning its criminal activity. This was a futile attempt, as ETA had already decided that it did not need intermediaries and that it would be up to them to take the lead. They soon made this clear, first with the theft of 350 pistols (24 October) from an arms wholesaler in Vauvert (France) and then with the breaking of the truce in Madrid.

30 December 2006, attack at Madrid airport's T-4 terminal

On the morning of 30 December, ETA placed a car bomb with approximately 500 kilos of explosives in the car park of T-4 at Barajas airport. Carlos Alonso Palate and Diego Armando Estacio were killed in the explosion. President Rodríguez Zapatero, who that same night announced the suspension of dialogue with ETA, took the liberty of describing the attack as an 'accident', with the aim of not upsetting the organisation and being able to continue negotiating, as was later demonstrated with other political decisions.

27 May 2007, ANV (*Acción Nacionalista Vasca* - Basque Nationalist Action) takes its turn in the town councils

Despite ETA's return to terrorist activity, Rodríguez Zapatero's government continued to seek an end to the organisation through political negotiation. For the second time, it was the occasion to legitimise the participation of the political wing of ETA in the institutions. The municipal elections were coming up and, given the soundness and abundance of police evidence that the PCTV was nothing more than a simple Trojan horse of the outlawed organisations, a further step was taken to ensure its replacement by another political party, this time in the town councils.

As we have already mentioned, given the strength of the evidence of the connection between PCTV and ETA, the political wing of ETA and the government were designing a new strategy to ensure its continuity in the municipalities. They now agreed that the government could appear to show a certain strength in defence of the law without harming their results. To this end, a former party that emerged before the civil war, *Acción Nacionalista Vasca* (Basque Nationalist Action), was revived. The shameful decision was taken to challenge the candidacies of those municipalities in which the presence of the outlawed forces was insignificant. They were allowed to stand in those municipalities where they could obtain the mayor's office or, at least, a large representation. As in the case of the PCTV, the overwhelming evidence would mean that, once they had regained municipal power, the procedure for the illegalisation of this political force would be initiated, finally occurring in 2008.

22 May 2011. The definitive legitimisation arrives with EH Bildu

In 2011, José Luis Rodríguez Zapatero suffered an electoral disaster. The severe economic crisis and his exclusionary and vindictive policies were beginning to take their toll on him, and he was pinning his continuity in government on going down in history as the man who put an end to ETA's criminal activity.

With Basque Nationalist Action outlawed, another name for the political wing of ETA had to be found for the municipal elections to be held on 22 May. Bildu, a party to be led by Arnaldo Otegi, now appeared on the scene, accompanied by the remnants of *Eusko Alkartasuna* and part of *Ezker Batua*, the *Izquierda Unida* (United Left) of the Basque Country, under the name of "Alternatiba", as a kind of supporting party to give it a certain veneer of legality.

The move was now even more complex and detrimental to the rule of law, as the government was preparing to intervene in the Constitutional Court. On 1 May, the Supreme Court, at the behest of the State Attorney's Office and by order of the government, declared Bildu to be a succession of the parties outlawed in 2003 and annulled their candidacy in the municipal elections. Bildu then lodged an appeal for protection with the Constitutional Court and, on 4 May, by six votes to five and in a decision obviously charged with political momentum, accepted the appeal. Months later, in the general elections of November of the same year, they would run under the name of Amaiur and, from 2012, under the current name of EH Bildu.

20 October 2011, ETA announces the end of its “military activity”

Three days after a pompous ‘international peace conference’ held in the Aiete Square in San Sebastián, ETA honoured its agreement with Rodríguez Zapatero's government and publicly announced the end of its terrorist activity. The political situation was so untenable for Zapatero that not even news of such an announcement, made public just a month before the general elections, helped to prevent the PSOE's defeat.

20 November 2011. Mariano Rajoy, new President of Spain

During the six and a half years of Mariano Rajoy's governments –the first legislature with an absolute majority– the action of the rule of law in relation to the whitewashed ETA did not undergo any change. The hopes placed in the PP by many Spaniards were dashed when the situation was not reversed. EH Bildu would not play a relevant role, as it would later, but it established itself as a conventional political option. The suppression of the murders had managed to push this issue to the back burner of the political agenda, even more so after the terrorist organisation's communiqué, made public on 3 May 2018, announcing its dissolution.

1 June 2018, vote of no-confidence. Pedro Sánchez, President

With the triumph of the vote of no-confidence against Rajoy, supported by EH Bildu as well as the rest of the political options seeking the break-up of Spain, the second cycle of legitimisation of the political wing of ETA began. Despite all the promises not to reach any kind of agreement with EH Bildu –“with Bildu we are not going to reach an agreement, if you want I will say it five times or twenty times during the interview, with Bildu we are not going to reach an agreement; with Bildu, I repeat, we are not going to reach an agreement, if you want I will repeat it again”, Pedro Sánchez dixit–, the agreements begin. And not only for the governance of Spain, but also for that of the Autonomous Region of Navarre.

28 April 2019, call for general elections

After the first general state budget presented by Pedro Sánchez was rejected in February, the President decided to call a general election for 28 April. Despite the PSOE winning the elections, Pedro Sánchez did not obtain the necessary support for his investiture and, after the deadline stipulated in the Constitution, further elections were held on 10 November.

7 January 2020, Pedro Sánchez's investiture. EH Bildu becomes a state party

After the elections of 10 November 2019, Pedro Sánchez was once again invested as President of Spain. The abstention of EH-Bildu and ERC forced a second vote in which he was elected by a simple majority. Aware of the difficulties of remaining in La Moncloa, Sánchez decided to continue, as an advanced disciple of Rodríguez Zapatero, the work begun in the motion of no-confidence that brought him to power in 2018. To ensure his stability, he made EH Bildu a steady partner in his government. Since then, the political wing of ETA has been whitewashed on a daily basis, not only in the House of Commons, but also in all the public media and in the PSOE-friendly media or those controlled by the Executive.

Although it is true that the PSOE and the Government are making increasingly less effort –because they hardly need to– to deny their betrayal of the rule of law with the democratic legitimation of Bildu, we will point out some of the actions that confirm their position:

- 13 May 2020. The Government agrees, with EH Bildu among others, the validation of the decree declaring the first State of Alarm as a consequence of the COVID-19 pandemic.
- 29 October 2020. Validation of the second State of Alarm with the votes of EH Bildu.
- 3 February 2022. EH Bildu ratifies the repeal of the labour reform it had previously signed with the PSOE on 21 May 2020.
- 24 November 2022. The Government agrees with EH Bildu to approve the General State Budget for 2023 in exchange for the Civil Guard *de facto* withdrawing from Navarre, handing over traffic powers to the regional police. It also agrees to the creation of a memorial centre for the victims of the events of 3 March 1976 in Vitoria.
- 28 June 2022. The government unscrupulously agrees with EH Bildu to vote in favour of the Law of Democratic Memory in exchange for extending its validity until 1983, thus calling into question not only the governments of the Transition, but also the first government of the socialist Felipe González. Of course, nothing is said in the law about the terrorist vanguard of this political party.
- 26 November 2022. The Government agrees with EH Bildu the approval of the Act on the Comprehensive Guarantee of Sexual Freedom, better known as the “only yes means yes” law.
- 27 April 2023. The Government reaches an agreement with EH Bildu on the Housing Law.

In addition to the above, especially after the transfer of responsibility for prisons to the Basque Government in July 2021, the transfer –throughout the legislature and in response to the request of EH Bildu– of all prisoners of the terrorist organisation ETA to prisons in the Basque Country, rapprochements that would end on 24 March 2023, with the transfer of the last five ETA prisoners to Basque prisons, thus bringing to an end the policy of dispersal set in motion by the socialist party itself in 1989.

This is the track record of the president of the government who stated that he would never make a pact with Bildu. A track record that not only proves his pacts with those that the Supreme Court outlawed for being an instrument of a terrorist organisation, but also his willingness to contribute to culminating the process of democratic legitimisation initiated by Rodríguez Zapatero. Unfortunately, Zapatero's hatred of the right, his desire for revenge and his vanity, together with Sánchez's excessive ambition for power and lack of scruples, have achieved their goal: to turn the political wing of a terrorist organisation into a conventional democratic party.

In short, being fully aware of their decisions, Zapatero and Sánchez, and with them the PSOE as a whole, have given democratic endorsement to those who gave support and shelter to the perpetrators of 856 murders, to those who identified the organisation's targets, and to those who celebrated each and every one of the terrorist attacks with which ETA littered Spain with corpses. This democratic legitimisation is the legacy of their betrayal of the Spanish people.

Bildu and the legitimisation of nationalist terrorism: causes and consequences

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Introduction

On 18 September 2023, the newspaper El Mundo published a poll conducted by Sigma Dos confirming EH Bildu's increase in votes against the PNV, which had already been observed in previous elections. The survey confirmed the expectation that in the regional elections Arnaldo Otegi could become *lehendakari* (President of the Basque Country) with the support of the PSOE. The newspaper published the following statement on such a scenario:

“The possible victory of the nationalist left is a sign that democratic pedagogy has failed after almost half a century of terrorism. Bildu stems from ETA and defends its legacy. Its political project is as totalitarian as the one for which the organisation murdered more than 800 people: an exclusionary and illiberal society, the antithesis of progress”.

After the May 2023 elections, EH Bildu, the party that does not condemn ETA's crimes and has been defined by the Supreme Court as “ETA's figurehead” and “part of the strategy” of the nationalist terrorist organisation,¹ is now the leading municipal force in the Basque Country. ETA's lobbyists have 1050 councillors and control 107 town councils. Moreover, in the general elections of July of the same year, they won six seats in the House of Commons, outnumbering the PNV's five.

¹ Ruling of the Supreme Court, Special Chamber, Art. 61 L.O.P.J., Contentious-electoral Appeal 2/2011 and 4/2011, Electoral groupings, 1 May 2011, pp. 112 and 116.

The aforementioned poll corroborates previous polls in which Arnaldo Otegi, now leader of Bildu and for years a member of ETA, was rated higher than the leader of the Basque PP. Why do people trust those who praise the violation of human rights and not those who suffered it? In the following pages we will discuss and elaborate on the factors that make it possible to answer this question by explaining the reasons for the political and social legitimization that numerous actors, including the media, have given to ETA's political representatives.

Terrorism as a conflict of legitimacy

As Professor Ehud Sprinzak has argued, terrorism is the result of a gradual process of delegitimation.² Crisis of confidence, conflict of legitimacy and crisis of legitimacy are stages that precede and are maintained by the campaigns of various terrorist groups. Terrorism needs an “ideology of delegitimation and rupture with the established political order”.³ This was Batasuna's function. EH Bildu's predecessor was an essential instrument of the terrorist strategy that exposed the contradictions of a democracy suffering the violence of a movement made up of ETA and its political wing. Intelligence reports demonstrated the need to pursue, through the police and the courts, the network of associations that, under ETA's orders and with a double militancy, sustained the criminal campaign. ETA constituted the “vanguard” or “political-military nucleus” of the set of organisations that waged complementary “struggles” in a system of “fragmentation”.⁴

Batasuna was not “an organisation which, in addition to defending certain ideas, refuses to condemn ETA's attacks; but rather an organisation whose main mission is not to condemn, that is, to accept ETA's crimes as necessary or inevitable”.⁵ Bildu, Batasuna's successor party, maintains this mission. The ideology of delegitimising the democratic system has been shared and developed both by the political representatives of ETA, formerly Batasuna and now Bildu, and by the PNV. That is why in 2002 the newspaper *El País* stated: “If, despite its weakness, it is difficult to defeat ETA politically, it is because there are people and parties with a democratic tradition who irresponsibly use arguments that seem to a carbon copy of the communiqués of the terrorist organisation”.⁶

In this vein, the PNV often contributed to reinforcing the ideology of delegitimising the democratic system on which ETA terrorism was based, as Aurelio Arteta pointed out when the PNV signed a legislative pact with ETA's political wing in 1999 to govern the Basque Autonomous Region:

*“Even a blind man can see that their alliance with EH ennobles the barbarians, because it protects their primitive ideas and clumsy intentions, but it sullies the rest of the nationalists and drags us all down. [...] What I realise, like anyone else, is that there is no government capable of gaining legitimacy while the people realise that it governs with the consent or permission of murderers. [...] What we have today is the cynical power of those who threaten over the helpless powerlessness of the threatened”.*⁷

2 Ehud Sprinzak (1991), “The process of delegitimization: towards a linkage theory of political terrorism”, *Terrorism and Political Violence*, 3: 1, pp. 51-58.

3 Ibid.

4 Rogelio Alonso (2018), *The defeat of the victor. The anti-terrorist policy of the end of ETA*. Madrid: Alianza, p. 114-115.

5 Patxo Unzueta, “Metal Fatigue”, p. 496, in various authors (1997), *Ermua, four days of July*. Madrid: El País Aguilar, p. 491-510.

6 Editorial, “Self-portrait of ETA”, *El País*, 22/06/2002.

7 Aurelio Arteta, “Checkmate”, *El País*, 27/06/2000

Nationalist terrorism acquired legitimacy in a certain segment of society as a result of the falsehoods propagated by nationalism on the grounds of the absence of true democracy in Spain. As Soroa argued:

*“That is why delegitimising Spanish democracy and delegitimising terrorism represent communicating vessels, in which if there is more of one, there is less of the other: if we legitimise Spanish democracy, we will be delegitimising terrorism. And vice versa: the more we persist in the discourse that Spanish democracy is a defective or insufficient democracy, the more we are basically giving rise to understanding, comprehending and explaining why there has been and continues to be active terrorism that fights for a more democratic scenario.”*⁸

This type of discourse, which alleges democratic deficits to justify the use of violence, has persisted over time. One of the reasons for this lies in the negotiation with ETA by the socialist government of José Luis Rodríguez Zapatero. The model for ending terrorism that this negotiation set in motion contributed to the delegitimisation of democracy by legitimising those who used violence as political action. They were not only negotiated with because of the fact that they used terrorism. At the same time, in order to legitimise this negotiation, those who opposed it, including numerous victims of terrorism, were delegitimised.

As Juan Aranzadi warned in 1994, “the staging and symbolic representation” of the end of ETA had “extreme practical and ideological significance”, since for decades ETA was “the regenerating agent of the Basque nationalist movement, obliged to define itself by referring to it since the 1960s”.⁹ Aranzadi argued that an “end through dialogue” or a “police-enforced end” would determine a greater or lesser justification and legitimisation of ETA violence as “the effect of the national oppression of *Euskadi* (the Basque Country)”.¹⁰ In this vein, as early as 1998, Txema Montero, a former HB MEP who later aligned himself with the PNV, warned of the importance that a particular end to the organisation would have for the rest of nationalism: “we all have the historical impression that a military defeat [of ETA] means political consequences of dependence for the Basque people and a setback with respect to the quotas achieved”.¹¹

In this context, it is necessary to look into the process that led ETA to bring an end to its violence in 2011 within the framework of a negotiation process with the government of the democratic state, which it had been delegitimising. This process reversed the delegitimisation of the terrorists and their political representatives, which had been a decisive part of the anti-terrorist policies responsible for their weakening. It enabled ETA to politically and socially rehabilitate the terrorist milieu, the real de facto power and necessary accomplice of nationalist terrorism.

The scholar Niklas Luhman provides important clues for understanding the importance of trust in politics. He goes so far as to define trust as a “basic fact of social life”, the “correct and fitting starting point for generating

8 José María Ruiz Soroa, “What does it mean to delegitimise terrorism judicially?”, p. 65, Fernando Buesa Foundation (2011), *What does it mean to delegitimise terrorism...?* Vitoria: Fernando Buesa Foundation, p. 64-79.

9 Juan Aranzadi, “The ETA’s necrology”, p. 262, in Juan Aranzadi et al. (1994), *Self-determination (Race, nation and violence in the Basque Country)*. Madrid, El País Aguilar, p. 251-262.

10 Ibid.

11 Quoted in Florencio Domínguez (1998), *From negotiation to truce: the end of ETA?* Madrid, Taurus, p. 174.

rules for appropriate conduct”.¹² The expectations that trust generates allow for mobilisation, cohesion and political action, although it must be noted that “trust can only be secured and maintained in the present”.¹³

Applying these parameters to a public policy such as terrorism, we observe that Spanish society’s trust in the anti-terrorist policy of certain governments was a decisive factor in democracy’s effective confrontation with ETA. The anti-terrorist policy promoted by José María Aznar, particularly in the late 1990s and at the beginning of this century, contributed to building this trust. Despite the intensity of terrorist violence, judicial and police pressure led ETA to acknowledge that the state had managed to “awaken the spectre of the destruction of the nationalist left”.¹⁴ The organisation’s pessimism was reflected in another ETA document released in 2003, which stated that “the nationalist left is in crisis” and that “the political-military strategy has collapsed”.¹⁵

One of the fundamental measures for this weakening was the illegalisation of Batasuna. As Ignacio Astarloa, one of its masterminds, pointed out, “Spanish democracy put an end to an aberrant situation: a terrorist group having a political party”.¹⁶ He stressed its relevance “not only for the fight against terrorism, but also as a dignifying element of democracy”.¹⁷ This was because it meant that democracy had defended itself from the very ideology of delegitimising the democratic system with which ETA’s political representatives justified and maintained nationalist terrorism. Democracy had regained its dignity by expelling ETA’s necessary collaborators from the institutions; it lost it when it readmitted them in 2011 without their unequivocal condemnation of terrorism. This fraudulent legalisation is one of the main factors that justifies EH Bildu and its deceitful democratic legitimisation, as will be explained further on. It is also one of the reasons why mistrust of ETA’s political representatives has turned into widespread support of the latter.

Negotiation with terrorists and its legitimisation

Negotiation with ETA, still denied by many despite all the evidence to support it, implied the abandonment of the initiatives required to ideologically, politically and socially defeat those who have justified ETA’s terrorism and those who have benefited from it. As intelligence documents showed, as far back as 2004 the majority of the terrorist movement considered terrorism to be a “burden” that was only maintained as a “bargaining chip” to achieve a “more or less graceful ending” for ETA.¹⁸

The Socialist government of José Luis Rodríguez Zapatero gave it that “graceful ending” rather than “an end by annihilation” as the terrorists had feared after their illegalisation.¹⁹ Another intelligence analysis predicted

12 Niklas Luhman (1996), *Trust*. Barcelona: Anthropolos, p. 5-6.

13 *Ibid.*, p. 20.

14 Zutabe, No. 106, November 2004.

15 “*Evolution of the liberation process and the political situation*”, document intercepted by the French police on 14 April 2003 from ETA leader Ekaitz Sirvent.

16 Intervention by Ignacio Astarloa in Conference on the Parties Act: 20 years of the LO 7/2002 on Political Parties, UNED, 15/09/2022.

17 *Ibid.*

18 Rogelio Alonso (2018), *The Defeat of the Victor. The anti-terrorist policy of the end of ETA*. Madrid: Alianza editorial, p. 384.

19 *Ibid.* p. 127.

in 2002 that as a result of the “constant dismantling of ETA’s operational structures, both in France and Spain”, “the collapse of ETA’s structure, incapable of regenerating itself” was in sight, hence the conclusion: “with the ‘armed struggle’ socially isolated and the MLNV (*Movimiento de Liberación Nacional Vasco* - Basque National Liberation Movement) lacking the resources to fill the subsequent power vacuum, only the PNV, as happened in 1992 and 1998, could prevent its definitive defeat by coming to its aid”²⁰

It was not only the PNV that came to ETA’s “aid” from 2004 onwards, but also the PSOE by preventing the possibility of a scenario that did envisage the end of terrorism through its own collapse, without the objective and symbolic benefits that the negotiation brought the PSOE. As Llera states, “the success of the terrorists consisted of making themselves indispensable as the main players in the elimination of the violence and destabilisation they themselves had created, seeking an armistice, whose culmination is a negotiation”²¹ The negotiation between the Socialist government and ETA led to the political and social legitimisation of the “nationalist left”, which was not interrupted since negotiations continued through intermediaries from 2008 onwards.

As the Fundación para la Libertad (Freedom Foundation) claimed, the negotiation with ETA relativised by the Zapatero government implied “a flagrant violation of the principles and rules of the game of democracy, as defined by the Constitution and the Statute of Autonomy.”²² It meant acknowledging that, “as all nationalists say, the organisation is the expression of an old conflict caused by the unsatisfactory integration of the Basques in Spain”, presenting ETA to “public opinion as a supporter of settling disputes by peaceful means”, as a “fighter in a war against an oppressive state that occupies its territory”, which “was created to solve political problems that our current constitutional model prevents from being solved”. This legitimisation was irreversible simply because the negotiation between 2008 and 2011 was kept secret and conducted via intermediaries.

Rodríguez Zapatero’s strategy strengthened the “political” leadership of the terrorist movement, thus making it easier for ETA to avoid the defeat it feared when “its presence on the political and social stage was in danger in the medium term”²³

The negotiation gave new value terrorism as a “bargaining chip”, which shifted from being a “burden” to becoming an instrument through which the terrorist network managed to recover the political and social space lost during José María Aznar’s last term in office by promising to disband.

This was the “poisoned inheritance” that the Popular Party took on when Mariano Rajoy won the elections in 2011, maintaining key aspects of the socialist anti-terrorist policy that he had criticised so harshly from the opposition.²⁴ As Mikel Azurmendi pointed out, the PP “did not have the moral or political courage to put a

20 Ibid, p. 382.

21 Francisco Llera (2013), “ETA: half a century of terrorism and ethnic cleansing in Euskadi”, p. 8, *System*, 231, p. 3-46.

22 Freedom Foundation, *Regarding the Parties Round Table and the “peace process” with ETA*, Bilbao, 2006 (Document prepared by Constitutional Law professors Roberto Blanco Valdés and Javier Corcuera, and University of the Basque Country professor Carlos Martínez Gorriarán), p. 19.

23 Rogelio Alonso (2018), *The Defeat of the Victor*, op.cit., p. 384.

24 It was revealing that Rajoy’s government kept the same advisors in the Home Office that Rubalcaba had used for initiatives so criticised by the PP when it was in the opposition. For a detailed analysis of this stage, see Alonso (2018), *The Defeat of the Victor*, op. cit., p. 247-299.

stop to this shameful democratic relaxation when it had an absolute majority”.²⁵ Rajoy’s government feared that ETA would resume its terrorist activity if it were to abandon this continuity, which implied meeting demands negotiated between the Socialists and ETA such as the legalisation of ETA’s political wing, the repeal of the Parot doctrine, and the release of Bolinaga from prison.

It is revealing that in 2007 Mari Mar Blanco, then PP Member of Parliament and president of the Victims of Terrorism Foundation, defended Bolinaga’s release when, years earlier, she had accused the Socialist government of having “given in” to De Juana’s “blackmail” and of paying a “political price” for his release, since “the murderer was not in danger” of death.²⁶ The sister of such a symbolic victim as Miguel Ángel Blanco also stated: “It is immoral that those who did not condemn my brother’s death should govern the country”²⁷. Given such a clear demonstration of failure, the following question had to be asked: What did the PP and the rest of the parties do to prevent this immorality that has led to the unjust democratic legitimisation of Bildu? The governments of Pedro Sánchez, since 2018, have done nothing to reverse the implicit legitimisation of terrorism and the political and social rehabilitation of its promoters initiated by their predecessors. On the contrary, they increased the legitimisation of ETA’s figureheads. Thus, the deviance that Bildu’s democratic legitimisation entailed was normalised. But other political parties failed to prevent it either.

During Rajoy’s government, the PP refrained from developing a strategy against Bildu, which the leaders of the former frequently describing as “legal, but not democratic”. No party has done anything more than to express indignation to oppose the injustice and illegitimacy of Bildu’s political project, which is based on the systematic violation of human rights. “Bildu is not ETA”,²⁸ Borja Sémper, spokesman for the PP since 2023, went so far as to affirm, thus normalising the deviance that the democratic legitimisation of terrorists entails.

After neutralising a state defence mechanism, i.e the prohibition of parties, for political reasons, couldn’t and shouldn’t democracy defend itself from parties associated with anti-democratic projects that are unfaithful to the constitutional system? Democratic parties have never sought a consistent response with their indignation at Bildu’s institutional presence, thus exempting those who continue to legitimise ETA’s crimes from their political responsibilities. See, by contrast, how in 2017 the German parliament voted to deny public funding to the National Democratic Party of Germany (NPD), defined by the Federal Constitutional Court as “constitutional but anti-democratic”.

Incongruously, in 2013, PNV, PSE and PP approved an “ethical floor” based on a set of principles that Bildu refused to accept, but with no consequences for the party, once again demonstrating a lack of accountability.

25 Mikel Azurmendi (2017), *The Basque Story. Books to understand the end of ETA*, Córdoba, Almuzara, p. 19.

26 “Marimar Blanco asks Rubalcaba to ‘stop throwing more rubbish’ on the memory of her brother”, *ABC*, 02/03/2007.

27 “ETA victims remember Miguel Ángel Blanco amidst criticism of Bildu’s institutional presence”, *Deia*, 18/03/2012.

28 Interview with Borja Sémper in *Jot Down*, January 2013, <http://www.jotdown.es/2013/01/borja-sempere-el-futuro-en-euskadi-se-tiene-que-construir-tambien-with-bildu/>

These principles were deliberately generic so that they would also be accepted by ETA's successors. Bildu's constant claims of self-criticism are meaningless when measures to prevent the political and social amnesty from which they benefit are avoided. Rather, they reinforce their legitimisation as just another democratic party.

Fraudulent legalisation of Bildu, fraudulent democratic legitimisation

ETA itself acknowledged that the outlawing of Batasuna made it fear for its real defeat, that of its "political project": "There would be no political-military strategy, not because the armed struggle had ended, but because the political field had been neutralised".²⁹ However, the PNV, which disqualified the illegalisation as an "anti-Basque crusade",³⁰ wanted an end to ETA "without victors or vanquished", with "escape hatches".³¹ It demanded that nationalist terrorism should not be defeated ideologically and politically, thus giving sense and meaning to ETA's violence. The PSOE accepted this model, which required breaking the anti-terrorist consensus with the PP, negotiating with the terrorists the rehabilitation of their new political wing by the deactivation of the Parties Act that ETA demanded. The unity among the constitutionalist parties that had been strengthened through the Parties Act was short-lived and disappeared when party interests took precedence over those of the state.

The fraudulent legalisation of Bildu meant an equally fraudulent democratic legitimisation. The legalisation of Bildu and Sortu took place through the fraud of a Constitutional Court which, without the competence to do so, neutralised the illegalisation dictated by the Supreme Court,³² demonstrating a serious failure of one of the state's most important defence mechanisms, the prohibition of parties.³³

The Constitutional Court failed to comply with its own jurisprudence by legalising ETA's political wing, without requiring the unequivocal condemnation of terrorism that it had demanded until that time. It also exceeded its competences by assessing evidence that had led the Supreme Court to rule it illegal.

The arguments of the dissenting magistrates demonstrate the instrumentalisation and politicisation - in the negative sense of both terms - of the enormous amount of work carried out by the Civil Guard, the National Police and the National Intelligence Centre. These agencies had gathered unquestionable evidence for the Supreme Court, that is, the body responsible for ruling on the legality or illegality of Batasuna's successors.

²⁹ *Politikoaren eta estrategiaren argipena phase. Clarifying the political phase and strategy*, Batasuna document, October 2009, p. 37.

³⁰ Olatz Barriuso, "The Basque Government intends to appeal against the Parties Act at the Court of Strasbourg", *El Correo*, 14/03/2003.

³¹ Interview with Josu Jon Imaz, PNV president, *El Correo*, 20/11/2005.

³² Rogelio Alonso (2018), *The Defeat of the Victor*, op.cit., pp. 232-245.

³³ Pablo Fernández de Casadevante (2015), "The prohibition of political formations as a state defence mechanism and the weakening of such protection after the controversial decisions on Bildu and Sortu", *European Journal of Fundamental Rights*, No. 26, pp. 111-137.

For this reason, the constitutionalist Javier Tajadura claimed that “the Constitutional Court has eroded the rule of law”³⁴ by taking a decision that had a significant number of dissenting votes.³⁵ One of the magistrates critical of the Constitutional Court ruling defined the legalisation of Bildu as a decision that “shamed him”;³⁶ since thanks to the excellent police work “a political operation of the so-called ETA/Batasuna complex had been legitimated in order to use a large number of electoral candidacies of the legal parties EA and Alternatiba for purposes of political succession, an operation consummated with the constitution of the electoral coalition Bildu for this purpose”.³⁷

Such a serious erosion of the rule of law, instigated by the socialist government, meant exonerating Bildu from its responsibility for terrorism, with the current repercussions: the institutionalisation of ETA’s political wing, and undermining democracy by treating as equals those who are evidently not, in order to stay in power. Sánchez reaped the fruits sown by Zapatero, achieving power through the alliance of the left with nationalism and by erasing the democratic deficit of those who maintained the “ideology of delegitimation” that made violence possible. And the legitimisation of ETA required the constant delegitimation of democracy by nationalism. In order to stay in power, the PSOE, during Sánchez’s government, has constantly whitewashed Bildu.

Its consideration as just another political force despite its deficits has reinforced its legitimisation. The extent of this transformation process can be appreciated by comparing Sánchez’s categorical refusals to enter into a pact with Bildu before he came to power with a radically different stance afterwards. In this respect, one of the examples of such normalisation and legitimisation was particularly revealing and symbolic: the signing of an agreement between PSOE and Bildu in defence of human rights and democracy in which opposition parties such as PP and Ciudadanos were implicitly placed in opposition to democratic values and principles.³⁸ The past and present legitimisation of terrorism has been sealed while the spectre of a non-existent fascist right has been broadcast.

Javier Gómez Segura, psychologist and civil guard injured in an ETA attack, died in 2016. He stressed the need to put terrorists and their victims in their rightful place, as any form of legitimisation of the former casts doubt on the innocence of the latter. He criticised the eagerness to put an end to terrorism with measures of impunity that implied a new victimisation with devastating effects.³⁹

34 Javier Tajadura, “The Overreaching of the Constitutional Court”, *El Correo*, 10/05/2011.

35 STC 138/2012, of 20 June, Separate opinion by Judge Ramón Rodríguez Arribas, regarding the Ruling handed down on 20 June 2012, in the appeal for protection lodged before Plenary No. 2891-2011, p. 216.

36 Manuel Aragón, “The legalisation of political parties that do not condemn terrorism”, Seminar held at the Rey Juan Carlos University, Madrid 16/04/2015.

37 Separate opinion formulated by Judge Manuel Aragón Reyes, with respect to the ruling, granting the requested protection, handed down by the Plenary in the appeal for electoral protection No. 2561-201, 5 May 2011, p. 10.

38 Raúl Piña, “The Government signs with Bildu and its partners a manifesto against the right-wing and in favour of ‘human rights’”, *El Mundo*, 21/10/2020.

39 Javier Gómez Segura, “The evolution in the perception of the victims of ETA”, Master’s Thesis submitted in November 2012 as a requirement for the Master’s Degree in Analysis of Terrorism Prevention.

To paraphrase Robert Meister in *After Evil*, the lack of justice is a timeless problem that attempts to justify itself through false humanitarianism and pragmatism: since they no longer advocate murder, though they still defend all those already committed, they avoid holding perpetrators accountable and allow them to keep their profits; they deny compensation by confining the evil to the past; they appeal to affection for the victims while ignoring the consequences of the injustice inflicted.⁴⁰ The prohibition of parties that legitimise terrorism offered compensatory justice, a defence mechanism for the state that is left unprotected if it is abandoned, as is the case.

Those who, out of ignorance or dishonesty, see the integration of Bildu as a success, evade all this and the fact that the primary mission of its predecessor, Batasuna, was the non-condemnation of terrorism, in other words, the acceptance of murder as necessary, which Bildu maintains. Many ignore such an unacceptable democratic deficit and its consequences in the present by erasing the past of terror. To paraphrase the academic David Scott, uncompensated offences continue to constitute offences that are not erased by the passage of time alone.⁴¹ Bildu's presence in institutions, the fruit of this baseless legalisation, constitutes a constant offence that prevents political compensation in a society that has erased the political significance of ETA's assassinations over the course of time.

*“ETA has disappeared, it is not here, there are no terrorists here. Enough is enough (...) What we have here are Francoists, right-wingers with designs on a coup”.*⁴² *Odón Elorza's statements from the rostrum of the Houses of Parliament in 2021, applauded by PSOE members of parliament, are revealing evidence of the usefulness of nationalist terrorism and the whitewashing of Bildu. In 2019, Joseba Arregi wrote: “The project for which ETA killed is still very much alive and encouraging political proposals for the definition of the political future of Basque society”.*⁴³

Arregi's words are fully valid to explain the moral stance of Elorza and his party: “Because even though ETA has disappeared as a terrorist organisation, it is still alive in its former necessary companions and now successors who engage in politics thanks to the achievements of ETA's history of terror, as they themselves affirm”.⁴⁴ The socialist party has assumed the premises of the nationalism that legitimised the killing and that now demands it be forgotten so that its nationalist aims should not be contaminated by a terrorist past.

In the words of Arregi: “It is not only necessary to engage in politics as if ETA did not exist, but as if ETA had never existed”.⁴⁵

Odón Elorza demonstrated that the denial of the political implications of nationalist terrorism is motivated by and motivates a moral blindness which, to paraphrase Zygmunt Bauman, is based on a loss of sensitivity and indifference to the atrocities committed by ETA. Arregi continues by pointing out that:

40 Robert Meister (2011), *After Evil: A Politics of Human Rights*. Columbia: Columbia University Press.

41 David Scott, “A Reparatory History of the Present,” *Small Axe*, issue 52, March 2017.

42 *Journal of Sessions of the House of Commons*, 24/11/2021, number 40, p. 153.

43 Joseba Arregi, “Living off ETA,” *El Mundo*, 03/07/2019.

44 Ibid.

45 Ibid.

“While there is no clear condemnation of ETA’s history of terror, while there is no political action consistent with the political significance of the victims that requires abandoning radical nationalist political projects, ETA’s presence in Basque society and politics will remain alive because justice will not have been done to the remembrance owed to the victims of the killings.”⁴⁶

Elorza tried to hide his “moral blindness” behind his own victimhood. In *Critique of the Victim*, Daniel Giglioli reveals this tactic of the “victim leader”: “I am unanswerable, I am above all criticism.”⁴⁷ Elorza concluded with another moral inversion by using the comparison with Francoism to his advantage. He thus consummated the whitewashing of ETA’s figureheads by unjustly stigmatising the representatives of democratic parties who were victims of nationalist terror.

Normalising deviance

As sociologist Diane Vaughan argued, the “normalisation of deviance” occurs when bad practices within an organisation are defined as normal and acceptable. To paraphrase her, individuals justify their deviance from legal and social standards for their own benefit and that of their group. In this way, a culture of complacency towards deviance thrives, allowing them to feel good despite engaging in misconduct and, consequently, providing themselves with feedback. This process helps to explain the benevolence of many voters towards those who have deviated from democratic patterns through their gradual legitimisation of Bildu, as well as the strengthening of this party.

Aurelio Arteta reminds us that politics is a question of moral arguments based on three categories: human rights, justice and legitimacy.⁴⁸ Bildu’s political project stems from the systematic violation of human rights, hence its injustice and illegitimacy. Political ethics unmasks the imposture of those who consider the integration of this party into the democratic system to be a success. Instead, it confirms the exoneration of Bildu’s faults and responsibilities, which, following Jaspers’ type of Nazism, are criminal, political and moral, as it also appeals to those who did not take sufficient measures to prevent the crimes.

If the fraudulent legalisation of ETA’s figureheads unjustly erased their criminal guilt, it should not have erased that of any of the others. Instead, Spanish democracy has accepted an end to terrorism that shunned the ideological defeat of nationalist terrorism and its essential political and moral judgement. These are the roots of such an injustice as the rehabilitation of Bildu, which thus trivialises murder.

It is common to demand remembrance for the victims of terrorism, ignoring the fact that, as Yerushalmi observes, the antonym of forgetting is not remembrance, but justice. Justice for the victims requires jurisdictional punishment, but also political justice because, as Arteta warned, “when justifications and political

⁴⁶ Ibid.

⁴⁷ Daniel Giglioli (2017), *Critique of the victim*. Barcelona: Herder, p. 15.

⁴⁸ Aurelio Arteta, “Morality and politics”, in Aurelio Arteta, Elena García Guitián and Ramón Máiz (eds.) (2003), *Political theory: power, morality, democracy*. Madrid: Alianza.

goals are used to kill a neighbour, justice for the victims cannot be satisfied with mere compensation”.⁴⁹ In the face of so much injustice, “remembrance” and “narrative” seem to be talismanic words to embellish impunity by appealing to the emotions.

See, for example, how in 2020, during the “Day of Remembrance” celebrations, in front of several victims, the government delegate in the Basque Country simply asked “the world which still pays tribute to death” to “suspend” their tributes because “they violate the dignity of the victims”. But also because “they try to hijack the will of the released prisoner”.⁵⁰ His rhetoric replaced the application of the Victims’ Act, which prohibited such humiliations. Moreover, it resorted to the victimisation of the terrorist by instrumentalising the pain of the true victims and invoking their memory.

Bildu and the purification ritual

“It is the first time that the nationalist left, clearly and unambiguously, apologises (without using that word expressly) to the victims of ETA, although it does not condemn the terrorist activity of the organisation, which caused 853 deaths.” This was the text that *El País* published on its front page on 19 October 2021 with a large photo of Otegi, one day after commemorating the tenth anniversary of ETA’s termination. This was the declaration that, in 2023, when renouncing their seats, seven Bildu candidates convicted of murder as members of ETA once again referred to: “We expressly join the declaration of 18 October as a self-critical look at the previous cycle of conflict”.⁵¹ At the time, such empty words served Otegi and his party for political gain, as the newspaper’s inconsistency reflects. And how can one apologise clearly and unambiguously without using that word expressly and without condemning terrorist activity?

Wrongly, many once again saw an act of propaganda, evading accountability for the crimes that their party justified, as positive. They thus underestimated the essence of the communication of the publicists - which is what the terrorists and their spokesperson are: i.e. the nature of the speaker, the context in which they act and their purpose, using a procedure that aims to persuade through deception.

Otegi dramatised that non-existent repentance in 2021 at a time, i.e. 2023, when Pedro Sánchez’s government was being criticised for its pacts with Bildu. The socialists described it as “a significant step”.⁵² Despite the enormous discrepancy between the inhumane and cruel offences committed by ETA and the false apologies made, demonstrating Otegi’s intention to disseminate propaganda, Luis Rodríguez Aizpeolea described it in *El País* as “an important step”: “The declaration has a value that must be recognised”.⁵³ In contrast, Arcadi Espada described the act of propaganda for what it was:

49 Aurelio Arteta, “What justice is there for these victims?”, Bastaya.org, 06/03/2006.

50 Speech by Denis Itxaxo, Day of Remembrance 2020, Victims’ Memorial Centre, 09/11/2020, <https://www.youtube.com/watch?v=IOuY-GeWoOdg>.

51 “Full text of the letter of renunciation of Bildu’s ex-ETA candidates to stand for the elections”, *El Correo*, 16/05/2023.

52 David Guadilla, “We have always looked at the nationalist left head-on, I don’t know if Ortuzar can say the same”, *El Correo*, 31/10/2021.

53 Luis Rodríguez Aizpeolea, “An important step”, *El País*, 19/10/2021.

“How deeply touching it is to see the social-democratic press appear with a tape measure around their necks, like tailors, for the purpose of measuring Otegi’s words (...) A small step for the Basques, but a big step for Humanity. And, watch out, Aizpeolea establishes that 0.0007, although you know what he is like (...) What a degrading ceremony. A guy whose first words are that the murders should not have gone on for so long, that the good things are short, for fuck’s sake, and not a single brave little tailor is capable of putting the tape measure around his neck.”⁵⁴

Nor did the testimony of a victim, Maixabel Lasa, fail to lend credibility to the act of propaganda performed by Otegi. “This is what we were asking for, right? Well, there you have it”, she said.⁵⁵ Evidently, what should be demanded from EH Bildu, ETA’s figurehead party according to the Supreme Court, is political justice for its collusion with murder. However, the testimony of this victim illustrates the purification ritual staged by the man who continues to glorify the systematic violation of human rights by the terrorist organisation of which he was a member for decades. This same performance, after its effectiveness in the past, is the one enacted by the murderers who stood as candidates for Bildu and who withdrew their candidacies in response to the criticisms raised. As many authors have theorised, the politician conceives political communication as a drama. Otegi successfully plays his role as a “man of peace” among significant audiences despite the fact that his hands are stained with the blood of the crimes he continues to justify. His triumph reveals the lack of courage shown by part of our media and political elite and of the citizenry to forcefully challenge ETA’s legitimising discourse, demanding true accountability from Bildu for evading the delegitimisation of terrorism.

As Kenneth Burke explained, in a situation of disorder and contamination, the politician seeks order.⁵⁶ “The inclusion of our names in Bildu’s candidacies has caused a great upheaval in politics and in the media”,⁵⁷ stated the murderers to justify their decision. The euphemism concealed the political problem that, for Pedro Sánchez’s government, not Bildu, the association with murderers who defended their vileness created. With the staged ritual of purification, they were seeking to victimise themselves, inverting the role of the true victims of their violence. In this way, they obtained redemption and a return to order with a symbolic achievement that Otegi described as “an unequivocal gesture towards democratic coexistence”.⁵⁸

This formed the “scapegoat” that, as Burke explains, is resorted to in heated campaigns and political controversy. An identification with a shared enemy, “the right-wing”, was established, hence the mindset that Sánchez imposed in this context: “We defeated ETA and the right-wing can’t stand that”.⁵⁹ Once again, the PP was left in disarray after accepting an end to terrorism that Vicente de la Quintana, former secretary of the Freedom Foundation, has defined as “dirty”: dirty because of the Socialists’ political talks with ETA negotiating its cessation in exchange for major concessions such as the fraudulent legalisation of Bildu without

54 Arcadi Espada, “Special Mention”, *El Mundo*, 19/10/2021.

55 Interview with Maixabel Lasa, *El País*, 19/10/2021.

56 Kenneth Burke (1962), *The rhetoric of religion: Studies in logology*. Berkeley: University of California Press.

57 “Full text of the letter of renunciation of Bildu’s ex-ETA candidates to stand for the elections”, *El Correo*, 16/05/2023.

58 Mikel Ormazabal, “Otegi applauds the resignation of the ex-ETA members: ‘We must move towards the future and not create unease’”, *El País*, 16/05/2023.

59 Josean Lizarra, Marta Belver, “Sánchez uses the ‘defeat’ of ETA to attack the PP”, *El Mundo*, 16/05/2023.

the unequivocal condemnation of terrorism.⁶⁰ This is the origin of the “contamination” that they are trying to “purify” and from which the PP always emerges badly because of its lack of courage to acknowledge its acquiescence with that “dirty” end and rectify it. On the contrary, Bildu is the party that is purified and, consequently, legitimised.

Some victims who mistakenly saw a “qualitative leap” in Otegi’s theatrics in 2021 later described the Bildu murderers’ gesture as “cynicism”.⁶¹ As early as 2010, Ángeles Escrivá accurately referred to Otegi’s “political and declarative showmanship” and the “calculated staging of his detachment from ETA”.⁶² But not all journalists exercise their profession in the same way. The newspaper *El Correo*, once so admirable in its fight against terror, has gone so far as to praise the terrorists by describing them as “generals”,⁶³ as has *El País*.⁶⁴ It is also common for them to describe the criminals as “historic leaders of the nationalist left”. By covering up their murderous past, as if it did not affect the present, the political consequences of terror and Bildu’s guilt disappear. The background of a paedophile would not be covered up, yet the background of nationalist political criminals could be. “The nationalist left is taking steps, but without completing its ethical path”, the media repeatedly state, resorting to euphemistic language to smooth over the impunity of those who have violated human rights.

In the circus of politics, terrorists negate their guilt and responsibility. Enthralled by the spectacle, many citizens, instead of demanding criminal and political justice for the crimes that Bildu legitimises, applaud its propaganda. And so, as Améry condemned Nazism, although ETA’s crimes are remembered, the public conscience gradually forgets the true magnitude of what they really entailed. Not only does the concern and awareness of the political significance of ETA’s victims disappear, but also the punishment for these crimes loses its meaning when both are distanced in time. “They have opted for politics”, is repeatedly stated, as if this exempted them from the guilt they have yet to atone for. “Those who have won today are the victims”, is often repeated when Bildu’s acts of propaganda are whitewashed as if the party were not what it actually is: the living history of ETA. It is common to exalt the criminal morally, to the frustration of the victim who demands justice, as Améry reminds us: “I insist, the collective guilt weighs on me, not on them. The world, which forgives and forgets, has condemned me, not those who murdered or consented to murder. Time has done its work. In silence”.⁶⁵

Terrorism and post-terrorism are set in a conflict of legitimacy. The political elites have lost the legitimation of those who delegitimised democracy in order to justify ETA as a necessary phenomenon. As journalist Fernando Lázaro will explain in detail later in this paper, the media reinforce the political and social legitimation of those who still glorify terrorism by contributing to society’s unjust rewarding thereof. Otegi is interviewed

60 Vicente de la Quintana, “The reaper of his harvest”, FAES Foundation, 11/05/2023.

61 Statements by Consuelo Ordóñez in Cadena SER, 18/10/2021; Ana Moreno, “Covite and the AVT criticise the ‘cynicism’ of the seven ETA ‘murderers’ on Bildu’s lists and call for the resignation of the other 37 convicted”, *20 Minutos*, 16/05/2023.

62 Ángeles Escrivá, «The experts agree: ETA still thinks that terrorist attacks are the only way», *El Mundo*, 02/08/2010.

63 Lourdes Pérez, “The betrayal that points to 12 ETA generals”, *El Correo*, 14/05/2023.

64 Carlos Yárnoz, “Paris judges ETA’s last general and his lieutenant”, *El País*, 02/11/2015.

65 Jean Améry (2004), *Beyond guilt and atonement. Attempts of a victim of violence to overcome the trauma*. Valencia: Pre-Textos, p. 158.

in the *Diario Vasco* and *El Correo* as if he had never led a terrorist group, disguising his propaganda as positive gestures towards the victims, falsifying his refusal to compensate for the enormous injustices for which he is responsible.⁶⁶ One of its veteran journalists described Bildu as “a resistance movement” transformed “into a quasi-social-democratic force”.⁶⁷ Another of its bylines accused Vox and PP of “jeopardising democratic coexistence” while glossing over the successes of those who legitimise the crimes of ETA.⁶⁸

The inconsistent editorial in *El Correo* after the 2023 municipal elections is revealing, stating that Bildu’s sharp increase in local power “gives it the opportunity to reflect on the burden of its resistance to breaking its ties with the past”.⁶⁹ Why should Bildu reflect on this supposed burden when its growth shows that it is not a burden, that ETA’s crimes have been written off, as the newspaper itself shows by whitewashing those who still defend its history of terror? On the night after those elections no politician or journalist on ETB (Basque TV) associated Bildu with violence, defining it as a “nationalist party to the left of the PNV”, “progressive and mainstream”. Young people have no direct experience of terrorism and many adults adopt a dominant narrative that distorts reality. This explains the growing vote for those who have been so unjustly pardoned politically, morally and socially despite continuing to legitimise nationalist terror.

“Does voting for the nationalist left mean speeding up the end of ETA?”, the leading Basque newspaper asked Rufino Etxeberria in 2012, presenting him as a “pro-independence leader” and conveniently diguising his membership of ETA. Three pages of Sunday interview and front page news, a smiling pose, propaganda and terrorist blackmail: “Voting for the nationalist left helps this country to move towards peace and definitive normalisation and represents an investment for a new society”, he replied.⁷⁰ The same blackmail has been used in the political sphere by reproducing this misleading statement: it is better for them to be in the institutions than for them to shoot people.

The media constantly deny the political and social implications of nationalist terrorism. Rather than condemning them to “social silence”, as the Italian victim Mario Calabresi claims,⁷¹ they are constantly legitimised. This was shown in Iñaki Arteta’s film “Bajo el silencio” (Beneath the Silence), which reproduced images from the documentary that the Basque television station ETB devoted to Otegi, showed a smiling Otegi in 2020. In the film, a smiling terrorist leader is shown talking to a popular journalist who smilingly comments: “Since you have been released from prison, we get the feeling that you have tried to change your image”.⁷² This report was precisely an instrument to “change his image” by legitimising a politician who has justified and still justifies the murder of his fellow citizens, including the public representatives of non-nationalist parties.

66 *El Correo*, 04/06/2023, *Diario Vasco*, 11/06/2023.

67 Pedro Ontoso, “Turning the page on ETA”, *El Correo*, 14/06/2023.

68 Braulio Gómez, “Glasses 23-J and pacts”, *El Correo*, 20/06/2023.

69 Editorial, “Municipal renovation”, *El Correo*, 18/06/2023.

70 Interview with Rufino Etxeberria, *El Correo*, 03/06/2012.

71 Mario Calabresi (2023), *Coming out of the night: story of my family and other victims of terrorism*, Barcelona: Libros del Asteroide.

72 Iñaki Arteta (2020), *Beneath the silence*. Leize productions.

Journalism transformed into a mouthpiece for the terrorist - the social and political metamorphosis of the terrorist, disguising his past to influence the present by evading the logical demand for accountability for his defence of the violation of human rights.

On Christmas Eve 2018, *Diario Vasco* and *El Correo* published a photograph described by many as “immoral”: a smiling Otegi posing and toasting with leaders of the PSE, PNV and Podemos convened by the media to cook dinner together on such an important date. This is how the newspapers described it: “The best recipe for politics”. Today, the leading newspapers in the Basque Country, victims of ETA in the past, despite their commitment to delegitimising terrorism, often do the opposite. Tellingly, José María Múgica, son of the socialist Fernando Múgica, murdered by ETA in 1996, left the socialist party after a report that politically and socially legitimised those who justified the murder of his father and all those murdered by ETA. The day before, *El Correo* had a full-page interview with another ETA leader, Rafael Díez Usabiaga, with the headline: “The ‘ongi etorris’ (welcome/acceptance) should not be perceived as an offence to the victims”. A prime platform for “whitewashing” the leaders of the terrorist group and their political project based on the murder of human beings. Politicians who reject such a basic democratic gesture as the condemnation of ETA terror transformed into respectable figures through the whitewashing of their bloody past. In this context, the testimonies of ETA’s victims in these newspapers do little or nothing to delegitimise ETA when they place the political representatives of nationalist terror on the same moral plane, encouraging them to victimise the terrorists and falsify the reality of their crimes.

The victims of terrorism and the legitimisation of EH Bildu

On each anniversary, the victims are remembered with fleeting sentimentality, overlooking the political implications of the killing of those who were murdered for not being nationalists in order to impose nationalist hegemony through terror. Today, the PNV and EH Bildu are disputing over who will administer that hegemony after the debt incurred by nationalism for legitimising ETA has been forgiven. With the criminals exempted from the basic requirement that should have been their permanent disqualification from political life, and their bloody past disguised, it is only natural that they should be strengthened electorally. The problem lies not only in the presence of ex-terrorists on the lists, but also in the presence of a party that justifies their crimes, thus creating and transmitting a memory that guarantees impunity for nationalist terrorism.

Some victims have ceased to put up a fight in an “indecent society”, in Avishai Margalit’s terms, in which institutions deny them their due honour.⁷³ Rather, they are humiliated by the unjust legitimisation of those guilty of violence through the constantly reiterated fallacy that Bildu is not what it stands for. Several examples illustrate this. In 2023, on the anniversary of the murder of Manuel Zamarreño by ETA, another “tribute”. Among those present, the EH Bildu mayoress in Rentería took the opportunity to “show our support and

⁷³ Avishai Margalit (1996), *The decent Society*. Cambridge/London, Harvard University Press.

ease the pain” with “remembrance and compensation for a true and fair coexistence”.⁷⁴ Commemorating, compensating and paying homage to a representative of the people assassinated by ETA without condemning his murder? Does not the very presence of those who defend his assassination as necessary dishonour the victim?

A few years earlier, in the same town, the mayor of EH Bildu was widely praised for what was mistakenly interpreted as a “tribute” to the victims of ETA terrorism. Borja Sémper, then president of the PP in Guipúzcoa, congratulated the mayor on the event, describing it as “a good snapshot and the path we have to follow”.⁷⁵ The verbatim nature of the mayor’s words belied the praise received by the victims themselves. The event was a clear example of manipulation of reality. In one of the reports on the mayor, described by the media itself as “the star of the week”, there was a revealing discrepancy: “The mayor, regrets a socialist leader, did not apologise for the ‘explicit and fundamental’ support his party gave to the terrorists in Rentería itself. Remember when Otegi said: ‘If I have added pain to the victims, I apologise’... ‘Well, that’s precisely what they were doing!’, added a PP member”.⁷⁶

In 2017, Fernando Buesa’s widow kissed the EH Bildu MPs at the end of the “tribute” to her husband and a microphone captured her confidential words: “I would like you to make other gestures, apart from this one. We can’t do it for you. It’s not for me that you have to do it, it’s for the Basque society. This is not enough for me”.⁷⁷ The indolence of so many Basques who continue to cover their eyes gives tacit support to one of ETA’s successors when he stated: “Some people say that our steps are insufficient, but many insufficient steps combined amount to sufficiency”.⁷⁸

The victims are no longer the influential pressure group they became after the “Spirit of Ermua”. The majority associations have compromised their independence due to some of their representatives submitting to partisan guidelines. They rightly absent themselves from the annual tribute in the House of Commons because of the presence of Bildu. However, for reasons of self-interest, they accept the subsidies from the governments of those who make pacts with ETA lobbyists, compromising their role and sometimes even whitewashing those who accept the impunity of nationalist terrorism. Personal interests often prevail over the general interests of the victims as a whole, which is why they are unable to rally together and act as the benchmark they once were in a society that has changed its priorities.

Ana Iríbar, widow of Gregorio Ordóñez, misses the historical ambition, the democratic courage that Spain and the Spanish people showed in the past, when the murders of her husband and Miguel Ángel Blanco sparked an exemplary civic militancy.⁷⁹ The tribute to these and all ETA’s victims is meaningless if it is limited to

74 “Tribute to José Manuel Zamarreño, murdered by ETA 25 years ago”, *Deia*, 25/06/23.

75 “Sémper applauds Mendoza’s gesture”, *Deia*, 01/07/2017; “The gesture of Rentería”, *El País*, 01/07/2017.

76 Leyre Iglesias, “The ‘abertzale’ (nationalist left) mayor son of a priest who apologises to the victims of ETA”, *El Mundo, Crónica*, 02/07/2017.

77 *El Correo*, 22/02/2017, <http://www.elcorreo.com/videos/politica/201702/22/bildu-homenaje-buesa-vitoria-5332758046001-mm.html>

78 Statement by Iñaki Antigüedad, MP for Amaiur, in Mariano Rajoy’s investiture speech as Prime Minister, Europa Press, 20/12/2011.

79 Speech by Ana Iríbar in Vitoria, 03/12/2021.

the mere memory of the cruelty committed, avoiding the due demand for not only criminal, but also political and moral responsibilities. As Professor Aurelio Arteta warned: “If the belief that evil lies only in the shedding of blood becomes established, only very few will be considered guilty”. And the fact is that “to the evil of the means” we must add “the perversion of the premises on which they are based and of the goals towards which they are aimed”.⁸⁰

Luis Heredero, whose father was assassinated by ETA in 1992, also questions the prevailing way of thinking that limits itself to appealing to the remembrance of the victims, to their memory, dignity and justice, while avoiding the actions required to guarantee such laudable claims.⁸¹ He therefore condemns the failure of the values that inspired the Law on Victims of Terrorism. He points out that the state committed itself to an uncompromising defeat of terrorism, incompatible with the participation in the institutions of those who support or justify terrorism, and to avoid moral and political equivalence. Heredero argues that today the slightest political or moral reprobation of the ideas of separatist nationalism that served to attack democracy is avoided, accepting as democrats those who legitimise terrorism. Honouring those murdered by ETA requires putting oneself in their shoes, not just making moving speeches. As Todorov teaches us, the evoking of memory is not enough when it is abused in order to disregard the consequences of violence in the present, thus securing the benefits of a clear conscience.⁸²

Conclusions

As the renowned thinker Onora O’Neill stresses, “trust is valuable when it is placed in those who are worthy of it, but harmful when it is granted to those who are untrustworthy”.⁸³ The papers on trust and politics by this Cambridge University professor are a benchmark. In them she challenges the widespread assumption that it is always necessary to try to restore damaged trust. First, it is necessary to judge whether the person deserves such trust. Forming that judgement entails assessing objective evidence about the competence, honesty and trustworthiness of the person claiming trust. In the absence of competence, honesty and trustworthiness, the wise thing to do is not to grant trust, but to deny it. O’Neill exemplifies this with the Madoff scam: thousands of investors ruined by undeserved trust. As O’Neill reminds us, deception is the enemy of trust, which is why she defines it as “stupid” and “costly” to trust or attempt to restore trust in someone who has turned lying into a political constant.

Bildu embodies not only lies, but contempt for democratic and constitutional values. However, a significant portion of Basque society today places its trust in Bildu thanks to the political and social legitimation that

⁸⁰ Aurelio Arteta, “A non-political terrorism?”, *El Correo*, 08/01/2008.

⁸¹ Luis Heredero, “What became of the values that inspired the Law on Victims of Terrorism ten years after its approval?”, *Revista de la Fundación Víctimas del Terrorismo*, number 77, December 2021, pp. 26-27.

⁸² Tzvetan Todorov (2008), *The Abuses of Memory*, Barcelona, Paidós.

⁸³ Onora O’Neill (2018), “Linking trust to trustworthiness”, *International Journal of Philosophical Studies*, vol. 26, número 2, pp. 293-300.

other democratic actors have granted them despite their unwillingness to condemn nationalist terrorism. This reality is undoubtedly enormously costly for a society such as Spain's after suffering the challenge of nationalist violence.

“Nations –like individuals who have survived profound traumas– need the courage to confront their past”. With these words, historian Elizabeth Jameson introduces the book “Letters from the Absent” in which Helen Waldstein Wilkes reconstructs her family's history during Nazism.⁸⁴ Today, many citizens and policy-makers show a considerable lack of courage to confront that past scarred by ETA's nationalist terrorism. The end of the terrorist campaign has been followed by the widespread instrumentalisation of memory by broad political and social sectors in order to avoid confronting the past.

Appeals to remembrance, to the need not to forget, are frequent. However, selective remembrance has become a form of forgetting by producing selective memory of nationalist terrorism. In this way, an attempt is made to neutralise and erase the responsibilities for the end of terrorism based on mass impunity in the political, social, judicial and moral spheres. To this end, efforts are being made to impose an official version of the past that imposes an unquestionable defeat of ETA without the necessary nuances, ignoring the arguments that question it. These include the strengthening of Bildu as a consequence of the implicit legitimisation of nationalist violence by democratic actors.

Faithful memory means stripping away the falsehood that extols democracy's victory over ETA by claiming that Bildu was forced to reject violence in order to be legalised. This deceitful narrative is simplistic and therefore effective in appeasing consciences and avoiding an inconvenient reality. But it reinforces the unjust democratic legitimisation of Bildu. Today, as Fernando Savater states, “some people are hailing the defeat of the military ETA, which is true, trying to conceal the fact that the political ETA is still alive and kicking, enjoying the privileged treatment of the democratic institutions and taking advantage of the bloody victories achieved in civic space, political language and propaganda. No, it was not the only possible end, nor the best imaginable one”.⁸⁵

Indeed, a terrorist organisation that has not achieved its strategic objectives has, on the other hand, made other achievements that are significant from a tactical point of view. And it has largely done so not as a result of its capabilities, but as a consequence of the unwillingness to prevent it from doing so of those who have directed counter-terrorism policy since 2004 and the policy of what could be called “post-terrorism”. The Spanish political elite has made do with ETA ceasing to kill physically, accepting an end to terrorism that Aurelio Arteta feared when “the simplistic and convenient belief that without terrorist attacks everything is admissible” triumphed. In other words, the only bad thing in all this horror has been the terrorist means, but not the nationalist ends”.⁸⁶

84 Helen Waldstein Wilkes (2018), *Letters from the Absent*. Almería: Editorial Confluencias, p. 23.

85 Fernando Savater, ‘Defeat’, *El País*, 02/06/2018.

86 Interview with Aurelio Arteta in ABCD, *Cultural Supplement of ABC*, 03/03/2007.

Ángel Altuna, son of Basilio, murdered by ETA, pointed out the following years ago:

*“It is still essential that the terrorists should not be able to triumph morally and therefore politically. We must never accept any project that has required the perpetration of assassinations for its achievement. No political project of the terrorists should ever be allowed to succeed, because it is invalidated from the moment the killing begins. This must be the basis of the moral battle, because to do otherwise would be to admit that the murder was worthwhile or was a necessary step in order to finally achieve what was sought”.*⁸⁷

The success of democracy in integrating EH Bildu that some claim masks the unjust exoneration of the accomplices of terror who still legitimise the murder of hundreds of Spaniards. This is the root of its progressive political consolidation. Today, politics is conducted as if ETA had never existed due to the tolerance and impotence of those who should be actively defending democracy. Therefore, honouring the victims requires much more than complacency and spasmodic indignation every time one of Bildu’s humiliations is manifested. At the same time, there is an incongruous call for delegitimising violence while avoiding addressing both the reasons why terrorism still needs to be delegitimised and its consequences; all this while persisting in the legitimisation of the ideology that has made terrorism possible and of those who justified and continue to justify it.

For all these reasons, in contrast to those who simplistically identify the end of ETA with its defeat, the political and social support for Bildu brings back another reality. Professor Aurelio Arteta pointed out: “in a political combat, and not a military one, the first battle to be won is that of political ideas”.⁸⁸ The legalization, legitimisation and democratic legitimation of Bildu, all of which are fraudulent and anti-democratic, are evidence of the renunciation of many politicians and citizens to fight the decisive battle of political ideas against nationalist terrorism. As a result, nationalism today exercises its hegemony in the Basque Country without condemning or abandoning the “ideology of delegitimation” with which ETA assassinated and coerced.

⁸⁷ Ángel Altuna, «Victims of Terrorism and Moral Legitimacy», manuscript by the author, November 2007.

⁸⁸ Aurelio Arteta, “Basque Pathology”, p. 387, en VV. AA. (1997), *Ermua. Four Days in July*. Madrid: El País Aguilar, pp. 381-402.

The struggle for the narrative and the truth. Against the whitewashing of ETA.

Fernando Lázaro,
journalist for *El Mundo*

The main aim of the following paper is to demonstrate a break with the reinterpretation of the history of ETA terrorism in Spain –the one which attempts are being made to impose from political spheres and in which the media are playing an enormously important role–. Even so, there are always examples of how perseverance and principles make it possible to maintain a clear discourse and an ongoing remembrance of those who left us before their time because of the bloodthirsty zeal of a few fanatics whom efforts are now being made to whitewash.

What we are experiencing is nothing more than a clear consequence of the lack of definition that the media have shown towards terrorism for many years. A long and laborious road still lies ahead to defeat manipulation and lies and to move towards the definitive truth about what ETA and its terrorists are and what their political satellites are and have always been. It is no longer just a matter of whitewashing terrorism and its political environment. It is also a case of quieting all those voices coming from the world of the media, academic authorities or the intellectual sphere that do not agree with the “single thought” and with the guidelines that the *pseudo-intellectuals* of the current government and its political satellites try to impose as the only truth and the one which everyone should embrace if they do not wish to be labelled as a heretic. Critics of the “do-gooders” and the official version have become inconvenient beings who must be muted or, if possible, silenced.

First came the battle of silence, then the battle of language. Now it is time for the battle of the narrative, which is the battle for the truth, for the only truth. There are no visions. There are no interpretations. There are no reconverted bad guys. That is not the truth.

As for the democrats, it is a pity to admit that we have always been following the trail of crumbs left by the radical world and its satellites. Always from behind. We have never dared, nor has any daredevil appeared in the media world to set the pace, a hare for the constitutionalists (well, some did appear and took some decisive steps forward, but then they lost their impetus). We have always lagged behind in the great battles against terror, because major sectors of constitutionalism have worshipped both God and the devil. And when these sectors have been in charge of setting the pace, they have looked for shortcuts and different ways out, which in the end has meant emboldening the terrorists and allowing historic advances in nationalist demands, in the belief that this would stop the murderers from killing.

Media silence

When we talk about the media in general, we are not referring to all of them. There are, fortunately, some who have always raised their voices and spoken out categorically in writing, over the radio or on television about what ETA was and is, and who have never participated in whitewashing the history of terrorism in Spain. On the vast majority of occasions, it has been the personal position of each journalist that has consolidated small ideological strongholds, with little impregnation, but solid, firm and permanent.

The first great battle that was initially lost as a result of the media's coverage was the silencing of the attacks and, by extension, of the victims. In those early years of terrorism, there was a denial of the memory, an endeavour to cover up the problem, and an erroneous attempt to give little or no coverage to the murders. The thesis was as follows: if it is not published, if there is no coverage, it will be difficult for the terrorists to continue along this path of bloodshed. This theory prevailed for many years. The murders became half-columns in the national press. But, of course, if there was no information about the attacks, there was no information about the victims either. If you didn't say that ETA had killed, how were you going to say who the dead man was, who his widow was, how many children he had left behind and in what circumstances?

It was lost because it was hidden. The victims were put in a drawer locked in, with a gag so that they could not be heard. It was lost because the media were slow to rectify it. It was lost because, if there is a key tool for remembering what terrorism is, it is its victims. And without its victims, the story is left in the hands of the "nut-pickers" who have been and are perfectly capable of twisting the truth. Because these nut-pickers no longer wear only *txapela* (Basque berets). Yes, there are those with berets –they'll always be there– but there are also many young, foolish –and probably not very well read– types, who continue to gather these nuts politically from their new lines of political action and from the government.

And what did this silence achieve? Absolutely nothing. It only revealed the misery of the State and that of everyone in those terrible years of the 70s and 80s. "Everyone" includes the media, the institutions, the political parties and, needless to say, civil society in general, especially in the Basque Country, but also in the rest

of Spain. Because the media silence was shared above all by Basque society, the society most affected by the terror and yet the most silent when it came to condemning it. The sentence “he must have done something”, despite the fact that it was their own neighbours who were lying murdered in the streets, was the most frequently repeated phrase among the Basques. Not a single minute’s silence was observed, ever, in Basque or Navarrese football grounds.

This society, in some cases cowed and in others colluding, took decades to take to the streets. Only a small group of brave people demonstrated, took to the streets, and allowed themselves to be photographed every time ETA killed someone. But they were the exception, the symbolic exception.

Faced with the silence, ETA changed its strategy. It began to intensify its terror campaign and resort to car bombs. The terrorists added more and more deaths to their lists, always with one goal in mind: to force the state to sit down and negotiate. And the more deaths, the more pressure on the government of the time. Some people longed for this strategy of discussion, dialogue and a negotiated end to terrorism. Undoubtedly, the party that put an end to ETA would win a major political medal. Indeed, one only has to look back a relatively short time to see how the former Prime Minister José Luis Rodríguez Zapatero proudly awarded himself the medal for ETA’s end to violence. Not only that, but he has also awarded the medal to his party.

As if that were not enough, the current socialist Prime Minister has used the same arguments as Zapatero at his party’s rallies, ignoring the fact that the end to violence –ETA has not disappeared and is now advancing with greater precision and forcefulness– was achieved thanks to the actions of the State Security Forces and Corps and the sacrifice of the victims, who trusted in the rule of law and who chose not to take revenge on their relatives’ murderers.

In any event, the pressure increased and managed to smash the silence into smithereens. This was undoubtedly helped by the fact that ETA gradually widened the range of its targets: it was no longer just uniformed citizens, but could be anyone, including members of the political and judicial world.

Change in the information paradigm

The so-called “socialisation of terror” brought about a radical change in the information process and also broke with the political silence in which we were immersed during those years, which came to be known as the “years of lead”. Among other targets, ETA also set its sights on journalists, whom it considered to be one more tool used against them by the State. Those journalists who bravely stood up for their ideals were threatened from the pages of the nationalist newspapers, they appeared on lists intercepted from the commandos, they had to look under their cars every day to check for bombs and many of them had to be escorted to avoid being assassinated. Even so, ETA sent a clear message to the journalistic sector with several murders, and many of them decided to leave the Basque Country with their families.

But before the emergence of direct pressure on politicians, important initiatives such as that led by Ana María Vidal-Abarca began to put a face, a name and a life to the victims of ETA's violence. To some extent, they began to inform and describe what was behind each murder. In short, journalistic reinvention was required.

Media professionals finally realised that widows and orphans had to play a prominent role in the story, that they could not just be mere statistics or numbers. The media was historically indebted to all of them and had to exert pressure on the institutions to ensure that these victims would be protected by the state and would receive a set of benefits that would allow them to continue their lives in a dignified manner. Many of these victims were the wives of civil guards, military personnel and police officers, young women with children who had been left without their livelihood, without their husband's salary and with only miserable widow's pensions. Incredible as it may seem, they had no benefits to restart their lives.

Ana María Vidal-Abarca, also a widow because of ETA, stepped in and set up a citizens' movement to help these families. At the same time, it is worth recalling the major role played at the time by a media outlet, the newspaper *ABC*, which led a public campaign to lend a hand to this incipient association of victims of terrorism. It was precisely Don Juan, the grandfather of the current King Felipe VI, who was the first to collaborate with the victims in a collection promoted by the newspaper then edited by Luis María Anson.

This enabled the media to remove the mask of shame. It was a before and after in the news process. Little by little the need grew, not only to cover the attacks, but also to talk about those who were left without families, to talk about the mutilated lives of the wounded, etc., the lives shattered by ETA.

Albeit belatedly, they rectified their strategy and managed to win the battle of silence. Because, with their testimonies, their articles, their radio and television broadcasts, they also began to send out an international message that there was an organised gang of terrorists in Spain, intent on staining the national map red, who were seeking political gain. It should not be forgotten that, with the silence, what was happening in our country was also unknown in the rest of Europe. Among other things, because of this silence, for decades our French neighbours did not adopt the approach they should have adopted to help us solve the enormously tragic problem of ETA terrorism. That is why, for so many years, ETA sought refuge in France, where nobody was pursuing them. Likewise, ETA took advantage of this international vacuum to "sell its merchandise" and managed to inoculate its venom in leading representatives of some European countries: *Euskalherria* was a people oppressed by Spain and, for this reason, they defended themselves, fought and executed whoever they considered to be their enemy.

ETA's international exposure

Fortunately, the silence was broken, ETA's atrocities became known outside our borders and Spain began to bring this sinister situation to the attention of the whole of Europe. In this respect, it managed to find tools to get neighbouring countries, especially France, to first stop assisting the ETA members and then to help prosecute them.

International collaboration was crucial to dismantling ETA's terrorist structures, even if this involved a great deal of diplomatic work. For example, top-level representatives of the Home Office produced a video with hard-hitting images of attacks perpetrated by ETA, with a clear and forceful narrative. This video was shown to all the embassies of European countries in Spain in an attempt to raise awareness of ETA and its killers, so that they might then lend a hand in bringing it to an end.

France's U-turn was radical and essential. Other countries, such as Belgium, found it difficult and continue to find it a little more difficult, although it is true that their collaboration was not as decisive. What was decisive was the help of Latin America, where ETA has historically sought refuge. Significant progress was made in Mexico, but not so much in countries such as Venezuela and Cuba, where their political regimes protected and continue to protect ETA members such as Ignacio de Juana Chaos, one of ETA's most bloodthirsty murderers. Finally, we must not forget the technological collaboration of the United States, which was essential in combating terrorist violence.

Moreover, these videos also served to take the first steps at the international level in defining ETA as what it is, a terrorist organisation, and to remove the romantic allure that it still had outside our borders, where many media portrayed it as a group that had opposed General Franco's regime (the most common reference was to ETA as a "separatist group"). Incorporating the term "terrorist" into the European media dictionary was a difficult task and, curiously, it is now proving difficult again in this stage of whitewashing by the state institutions and the media under the direction of Pedro Sánchez's government.

The battle of language

Calling a spade a spade involved a huge effort inside and outside Spain because that was precisely the second defeat: ETA managed to put the media up against the wall in the battle of language.

How easy it was for them to sell their dictionary! Indeed, even today, the terminological references that the terrorists launched in their communiqués and through their related media are still frequently used. Although it may seem unbelievable, it is worth remembering that the ETA terrorists had media under their direct control that helped them to pass on their slogans: media that identified targets for the commandos and in which supposed journalists worked. Fortunately, judicial proceedings proved to be decisive in prosecuting the entire network of support for ETA, including the newspaper *Egin*. Its closure in 1998 was another triumph in the long battle against terrorism, despite the fact that some media at the time criticised these decisive steps as an attack on freedom of expression.

But back to the battle of language. Once again, the media went down on bended knee and began "buying" the language of ETA, the language that was being imposed by the nationalist left: *taldes* (support groups), commandos, *zulos* (hideouts), *ekintzas* (actions)... and, finally, the misnamed "peace process", as if there had ever been a war. But yes, it was all very much put across as a war, with sides, armistices, negotiations; all to whitewash a negotiating table between democrats and murderers, in which the former always had to make compromises, and what compromises!

The fact is that giving a touch of wartime flavour to terrorism-related stories quickly led journalists to embellish their language. Without this, the headlines were more shocking and the simple and cruel narration of the facts was not to the liking of the editors. Journalists appeared who wrote like angels and gave a touch of conflict and romanticism to their articles, whether to recount a police operation against the ETA plots or to describe a car bomb attack. Little by little, we began to enter this trap, this warlike message that ETA and its satellites were trying to spread. It was more romantic and more attractive to tell it in this way. And everyone joined in the game.

Often, by extension, it became tabloid-type press, because the bloody stories called for exaggeration. That's why the media must always be able to select journalists who specialise in the subject so that they are always able to maintain a tone of respect for the victims and not publish information that could be useful for terrorists and harmful to the rule of law. However, without concealing anything.

We are currently facing what nationalism calls "the battle of the narrative". This is not the case! Once again we have fallen into their trap from the very outset. It is the battle for the truth in all its rawness, not for interpretation of the truth. There is no room for interpretation in the face of 856 murders. Names and faces have still not been put to the perpetrators of more than 350 of them, and the tools of the state have not succeeded in unmasking the reality of what happened.

The intoxicating and manipulative capacity of the language of the nationalists is boundless. And so is their determination and perseverance. They spend 24 hours a day at it. The democrats, the constitutionalists, have stopped and given up many times, waiting for a replacement to appear. And in that *impasse*, nationalism has always taken advantage and filled the vacancy. When you leave a nationalist a piece of land to conquer and he conquers it, he never returns it to you, you never get it back.

Indeed, in Spain, throughout these decades of young democracy, in order to achieve governability, concessions have been made to the nationalists that have meant significant steps backwards in the equality of Spaniards. There is a large sector of the population that believes that the Navarrese fueros (charters) and the Basque quota account for many of these inequalities. Then there is language, another of the reasons, in addition to the economic one, for which the nationalists will always be fighting.

Everything is tarred with the same brush. For example, why has Catalonia, for decades, given priority to the arrival of immigrants from non-Spanish-speaking countries? So that they could enter directly into Catalan culture, into the educational channels promoted by autonomous governments with a desire to expand Catalan and relativise Spanish, far removed from the egalitarian Spanish state. A "State" within the State.

In terms of language and in the international arena, the battle was also tough. The historical mistake was made by the media –at the international level– of referring to terrorists as activists and not challenging their terms, and, in fact, becoming infected by them. The same message has always been given in the international media throughout history: that ETA were a Basque separatist group, that they had fought against Franco, that

they were activists and their aim was to liberate their people. It was very unusual to see the word terrorist associated with ETA in the international press at that time. And that definition gave the terrorists a measure of legitimacy in the media, since being a separatist is neither illegal nor criminal per se. The silence of the Spanish media and the institutions' lack of diligence in combating this intellectual trend enabled the myth to take root.

As Cristina Losada recalls in her article "Terrorism and the media (I). The oxygen of publicity"⁸⁹, in 1985 the *BBC* prepared a programme in which Gerry Adams - then an IRA leader - was interviewed by a presenter who did not hide his support for him and who welcomed his justification of terrorism with no qualms, calling it "resistance to oppression". As a result, the Thatcher government's Home Secretary asked the *BBC*'s Board of Governors to remove this part of the programme. The request was granted, and the broadcast was postponed. A similar issue was the recent interview with "Josu Ternera" at the San Sebastian International Film Festival but, in this case, with the explicit passivity of the government. It is very difficult to imagine the Home Secretary, Fernando Grande-Marlaska, asking the director of the San Sebastian festival to withdraw the interview with a murderer who justifies and defends ETA and who even allows himself the arrogance of admitting to the perpetration of a crime that has yet to be solved because he has already been granted amnesty.

These reflections can be applied in their entirety to various items published or broadcast in Spain, but particularly to one that was broadcast on Catalan regional television, administered by the regional government, in April 2007. It was a report, co-produced with Basque regional television, on the terrorist group *Terra Lluire*, disbanded in 1995. In the report, in addition to avoiding the term terrorist at all times, one of the interviewees justified an attack: the one perpetrated by gunmen of the aforementioned group against Federico Jiménez Losantos, at the time (1981) a professor in Barcelona, for having signed a manifesto against the Generalitat's language policy. José García Domínguez wrote⁹⁰: "The 'activist' Josep Serra, (...) under the complacent gaze of the programme director, made the following instructive attempt to explain the action against Federico Jiménez Losantos to the viewers: 'At a certain moment, things have to come to a halt and, therefore, a certain level of violence towards these people was necessary, among other things because they only understand that language'".

What can we say when Spain has had a president at the head of the government who went so far as to describe ETA's terrorist actions as "accidents", such as the attack perpetrated at Barajas airport's T-4 terminal, in which two people were killed. Not to mention the attempt to boycott a police/judicial action in the Faisán bar, giving a tip-off to ETA so as not to hinder the president's dialogue and negotiations with the terrorists, on the very day that he received the PNV's backing for his negotiations. And then there was the political pressure for the media to silence this tip-off as far as possible, which failed thanks to the effective management, above all, of the victims of terrorism, who decided to put themselves in the limelight and press for its judicial resolution.

89 <https://www.clublibertaddigital.com/ilustracion-liberal/33/terrorismo-y-medios-de-comunicacion-i-el-oxigeno-de-la-publicidad-cristina-losada.html>

90 "Of Nazis and Catalan nationalists": <https://www.libertaddigital.com/opinion/2013-11-27/jose-garcia-dominguez-de-nazis-y-catalanistas-6436196/>

The power of the image

Another controversy that lasted for many years was the use of images of the terrorist attacks, especially those of the wounded and murdered. Should we conceal ETA's actions? Cut the images? Avoid them? Is it useful or not to publish them? The truth is that there are images and there are images. It is impossible for citizens to understand what terrorism is and what it means if they do not see the effect of its actions. We live in a multi-media society, it is inevitable. But it is necessary to have ethical training, level, style and sensitivity to choose which images to use and which not to use.

A major debate arose in the press not so many years ago, in 2020, about the image published by the newspaper *El Mundo* with the coffins in the Palacio de Hielo (Madrid) with more than a hundred dead following the COVID-19 pandemic. At the time, everyone was clapping their hands and rejoicing, despite the fact that we were counting our dead by the hundreds. But they were not visible. That image made it possible to see hundreds of coffins in a place of fun and recreation and for Spaniards to realise that the pandemic was a fact.

There was also a major controversy, almost twenty years ago, over an image of a deceased person in the 11-M attacks (2004). It was heavily criticised. Perhaps on that occasion the publication of the image of the wrecked trains or the black bags piled up next to the tracks at Madrid's Atocha station would have been enough.

The images of Irene Villa and her mother represented a turning point in Spain (1991). As were the image of Miguel Ángel Blanco entering the hospital in San Sebastián (1997), the image of the civil guard with an injured girl after the attack on the Civil Guard barracks in Vic (1991) or the image of José Antonio Ortega Lara emerging from the cellar after being 'buried alive' for 532 days (1997). Nothing would have been the same if those images had not been disseminated. They are the images of the truth. These images should remain in the collective memory of all Spaniards and should be seen by future generations. They represent what ETA was and is.

As we are seeing, the battle (once again the contagion of the war language imposed by nationalism) is being fought in many areas. In the political arena, where the game has practically been lost after the current government decided to pass its General State Budget with the support of the successors of ETA and is now trying to secure a new investiture with the same people.

The battle is also being waged at the judicial level, where the steps taken are ever shorter, the silence of the courts heavier and the absence of the Public Prosecutor's Office's accusation more devastating.

Can we imagine public tributes to Nazism or Adolf Hitler being held in Germany? Well, that is what is happening week after week in the Basque Country and Navarre, tributes to murderers in the absence and silence of the State and the Government, which should demand the intervention of the Public Prosecutor's Office to defend the memory of the victims and prevent these constant humiliations.

Some argue that this situation is a small price to pay to stop ETA from killing. There are members of the Socialist government who say that the members of ETA have not committed any terrorist attacks for ten years and that we should stop talking about them, while day after day they talk about Franco's regime and the Civil War of 1936. There are even those who continue to argue that defending and remembering the victims is an attempt to make political capital out of terrorism. Yes, there are those who argue that the victims should be locked up in a drawer and the key thrown into the sea; those who say that compensation and aid is already being paid to victims, as if money could remedy the existential anguish of those who lost their loved ones.

And what can we say about the prison system? All ETA prisoners have been transferred to Basque and Navarre prisons, in the context of a political move in which the government of Pedro Sánchez has handed over the management of Basque prisons to the nationalist PNV government. Likewise, steps are already being taken so that inmates will soon enjoy prison benefits, although some cases are being held up by prosecutors from the National High Court. The nationalist left wants all ETA members on the street, and the current government is moving along this path (which it will undoubtedly twist).

The surprising thing has been how this whole process has been carried out with considerable media secrecy. It has not been hidden, it is true, but all the practically weekly movements directed from the Ministry of ex-judge Grande-Marlaska occupied hardly any space in the mainstream media. This time it was not a question of silencing the media in order not to play into the hands of terrorism, as happened in the 70s and 80s; it was simply "not the right thing to do" and the media have begun to turn the page on ETA terrorism, the main problem Spain has had during democracy. As if that were not enough, this news did not receive many clicks in the digital media either, a clear demonstration of the fact that information about ETA has been pre-emptively losing relevance.

The demands of the victims have been and continue to be for the organisation to ask for forgiveness and to collaborate with the justice system in the clarification of unresolved cases. But, once again, these demands are like preaching in the desert. Once again, the demands of the victims are being silenced. Once again their message is inconvenient and politically incorrect: the classic "now is not the time".

The lack of media coverage of ETA extends to the victims: "they no longer have any clout", "they have lost media relevance", "there are many who are no longer even known", "it is not a current issue", are some of the arguments heard in the newsrooms when asked about the reason for this media silence. Another battle lost that will be very difficult to fight again.

Legitimising the successors of ETA

Now, the political scenario is presenting those in power in the government with the possibility of reaching agreements with the successors of Herri Batasuna, the party ("ETA's figureheads", according to the Supreme Court) that even appointed "Josu Ternera", ETA's former number one, as a member of the Human Rights

Commission in the Basque parliament, side by side with Arnaldo Otegi. Yes, the actual head of ETA! In fact, the government is relying on the latter's support for a new investiture. It is painful to see that the Spanish government is in the hands of those who carried out a coup d'état in Catalonia, of the political formation that shelters the successors of ETA and of the party that gathered the nuts in the Basque Country.

We are in the era of the whitewashing of these successors because their votes are necessary to achieve the required number of votes for the present government to remain in power. Some argue that one cannot live off ETA simply because it has not been killing for ten years. Others claim that there is a new, different generation in the governing party and that the old socialist barons have to step aside and keep quiet when there is talk of negotiating budgets with EH Bildu.

In terms of culture, the audiovisual platforms and publishing houses are finding that there is still a demand from the public to know what happened and what is happening. The publishing success of Fernando Aramburu's *Patria* is a good example, not to mention the documentaries by Iñaki Arteta, a heroic filmmaker working tirelessly let the truth be known.

Fighting against the erasing of memory is a moral duty we must all assume. It is increasingly common in Spanish society to find people who do not know who Gregorio Ordóñez or Miguel Ángel Blanco were, what happened to Irene Villa or why José Antonio Ortega Lara was held hostage in a hole in the ground for more than 500 days. They do not know because they have not bothered to find out and because, politically, they have entered the phase of total silence to consolidate a process of shame, a process in which the government of a state has sat down with terrorists and reached agreements. ETA no longer kills, but has it really lost its war? The truth is that it is now closer than ever to achieving its political goals and that its voice is part of Spain's political agenda.

Many pessimists argue that we are only a few days away from the Basque and Catalan nationalists taking the next step and achieving another of their goals: the right to self-determination. It is true that Spanish and European laws prohibit such a scenario, but it is no less true that this executive has shown what it is capable of and that, by devious means, it can create a political structure that allows for a non-binding vote.

Not only are we engaged in the battle for the truth, but also in the political/media attempt to whitewash the terrorist organisation ETA, above all to justify its rapprochement to power and its capacity to influence the current government. What, then, are the main reasons for the media collaborating in the whitewashing of terrorism and, therefore, in the withdrawal from the battle for the truth?

As we mentioned above, in this country, a fugitive from justice, i.e. "Josu Ternera", was interviewed in a documentary that was broadcast at the San Sebastian International Film Festival. A huge uproar arose because the victims of terrorism condemned the broadcast, but, on the other hand, freedom of expression was claimed, and it was said that the purpose of the interview was not to whitewash the terrorist's image. To make matters worse, the journalist who interviewed him was incapable of calling what the head of ETA engaged in for decades murder and terrorism. And it all happened with a deafening media silence or even with a clear justification.

One of the reasons for this media situation is also the new digital journalism, which measures the impact of information in real time. There is no doubt that the importance of news about ETA will be less important for young readers, but the criteria must be those of the journalist, not those of the measuring tools. Principles must be upheld and news about terrorism and its victims must be given social relevance.

There is also the arrival of new generations of journalists who have not directly experienced ETA's actions and who, in the best of cases, have read about them later or have been told about them at home. Evidently, the veterans in the newsrooms are losing influence, but the attempt to downgrade all the information and to whitewash terrorism and its supporters is clearly political. The media silence is clearly determined by the power coming from *La Moncloa* (the Presidential Palace) and its partners. The watchwords of Spain's ruling leaders are supported by a very large percentage of the media and journalists. There are very recent images, from the last three or four years, of journalists smiling and showing affability towards the government's Basque Nationalist partners, which have clearly caused mistrust of the media.

The attitude of journalists is increasingly ideologised. We are talking about a profession where progressiveness and modernity prevail over goodness and truth. Calling ETA a terrorist group is politically incorrect. Those who still raise their voices, despite the sheer depth of the whitewashing, are labelled as extremists and cavemen, who lived better when there were terrorist attacks. In this case, the new vision of journalism is far removed from what has happened and buys the message of the Basque left-wing and nationalism that there were two sides to the conflict, that there were victims on both sides and that it was all a just and democratic political campaign.

Fortunately, there is still a significant sector of media professionals who, as individuals, will continue to fight to ensure that what is written is the truth, that there were no sides, that history cannot be written by those who applauded the crimes, those who gathered the nuts and those who endorsed the actions of the terrorists with their silence. Their commitment to Spain and to freedom will ensure that they continue to write and remind us that those who some of those in power now applaud, were what they were and are what they are.

There is no doubt that the truth will continue to be inconvenient, especially now that we are in the phase of whitewashing the successors of ETA, for those who are more at ease with those who inherited the ETA members than with those who buried their loved ones. The truth will continue to be inconvenient for a sector of the Basque clergy that still maintains its indecent impartiality. The truth will continue to be inconvenient for all those who could have done more to put an end to the violence earlier, but preferred to remain in cowardly silence. The truth will continue to be inconvenient for all those who deeply regret the suicides of ETA members in prison. But there will be only one truth and it will be written by those who are always close to the victims of terrorism, if their mouths are not shut first by others through their "Ministry of Truth".

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