

# Spain: Madrid threatens withdrawal of Basque autonomy

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Relations between the Spanish government in Madrid and the local government of the Basque Autonomous Region have worsened since the recent local elections.

Madrid has threatened to suspend the region's autonomy for the first time since it was granted under the 1979 Constitution. Criminal charges have been filed against members of the Basque parliament.

The tension has been mounting for some time. The Basque region has been used by the Popular Party (PP) government of Jose-Maria Aznar as a test bed for a widespread assault on democratic rights. Aznar's active support for the American-led onslaught against Iraq alienated him from a large part of the Spanish population (up to 91 percent opposed the war). He had also been an enthusiastic supporter of the post-September 11 "War on Terror," seeing in it an opportunity to suppress finally the Basque separatist terror group).

Repression against Basque separatist parties has been mounting steadily. Last year's Political Parties Law allows the state to ban any political party that "supports," "justifies" or "covers" for terrorists. (Significantly, application of this law is not restricted to the Basque region.)

ETA was already a proscribed organisation. In March, however, the government attacked the parliamentary Basque separatist party Batasuna, describing it as a front for ETA. Batasuna is widely seen as being the parliamentary party representing ETA, although there is no direct evidence linking the two organisations. The government used the Political Parties Law to ban Batasuna.

When Batasuna supporters tried to re-form under the name Autodeterminaziorko Bilgunea (AuB), the Constitutional Court took steps to ensure that any new organisation would also be banned. Aznar had effectively secured the banning of 1,500 separatist candidates in the run-up to the local elections, as well as asserting that any future attempt by them to stand would also be suppressed.

One of the first rewards Aznar received from the Bush administration for his support of the war against Iraq was its active assistance in this assault on democratic rights. ETA had long been on the US's blacklist of proscribed terrorist organisations. Aznar now requested that the US State Department also add Batasuna to the list. They were happy to

oblige.

Aznar flew to Washington, where Secretary of State Colin Powell delayed making an announcement until his arrival. The timing of the announcement was described even by the centre-right, pro-government Spanish paper *El Mundo* as "an ugly manipulation of information." In an agreement signed on April 30, Powell added Batasuna (and two of its predecessor groups) to the blacklist, meaning that any assets in the US can now be seized. Aznar declared the ban on Batasuna "the first consequence of Spain's relationship with the United States," and described it as a "very important decision for the struggle against terrorism."

The support of the US emboldened Aznar further, and he made a subsequent appeal to the European Union (EU) to add Batasuna to its own list of terrorist organisations. The EU duly obliged at the end of May. The EU list requires all member states to give the "broadest possible assistance" to police and prosecutors, although it leaves decisions on dealing with an organisation's assets up to national governments.

In the absence of any concrete link between Batasuna and ETA, this amounts to granting Aznar a free hand in the suppression of any domestic regional parliamentary opposition. It was already being suggested that the Spanish police had returned to torturing their opponents. In February, the left-leaning Basque-language paper *Egunkaria* was closed down for refusing to join the attacks on ETA. Its editor Marcelo Otamendi was arrested. He accuses the police of torturing him in custody.

Riot police wielding batons broke up demonstrations opposing the government's ban on Batasuna. There were also calls for the banning of a Basque-language television station simply for reporting an ETA statement.

The scale of the assault on democratic rights can be seen from the fact that some 10 percent of the regional electorate were effectively disenfranchised at the local elections. Mayors of more than 60 towns and villages were unable to stand. This marked the first time since the death of the fascist General Franco in 1975 that Basques were not able to vote for a pro-independence party.

Aznar made it clear that the government was not just clamping down on pro-independence separatists. Madrid had

also started threatening the conservative ruling Basque Nationalist Party (PNV). Aznar called the PNV “soft on terrorism” for suggesting the measures would force youth away from the political process. One senior Basque politician said that Aznar’s policies assumed that all Basques supported ETA. Aznar was simply stating his government’s refusal to tolerate any opposition at all.

Far from ending terrorist activity, the decision to ban AuB was followed immediately by an increase in ETA bomb attacks. The Batasuna candidates have formed a new organization, Sozialista Abertzaleak (SA), and around 10 percent of voters cast home-made ballot papers that were declared null votes. There were 127,335 null votes, which compares broadly with the 10 percent of the vote Batasuna won in the 2001 elections to the Basque parliament. (Its highest return was 20 per cent during the 1999 municipal elections, during an ETA ceasefire.)

The Aznar government had seen the banning of Batasuna/AuB as an opportunity to undermine the coalition Basque government of the PNV and the EA (Eusko Alkartasuna, a moderate separatist party which split from the PNV in 1986). The PNV-EA had been proposing an extension of the region’s autonomous powers. The results of the election have actually left the PNV-EA coalition as the dominant electoral force in the region.

Of the three territories in the Basque autonomous region, Vizcaya and Guipuzcoa have historically been the heartland of the nationalist and separatist parties. However, even in Alava, which has been controlled by a coalition of the PP and the social democratic PSOE, the PNV-EA (which stood together) was the single biggest electoral grouping. The PP and PSOE have been trying to come to some agreement in order to keep the PNV-EA from a position of power.

Gorka Knorr, a senior member of the PNV-EA coalition, said that Batasuna remained “a political force.” The PNV-EA are actively negotiating for support from Batasuna for their proposals for greater autonomy. Knorr stated, “The key to the whole process remains in the hands of Batasuna.”

Batasuna’s Arnaldo Otegi has promised the beginning of a campaign of civil disobedience in protest. Under electoral legislation, Batasuna’s former deputies will continue to sit in the parliament until the end of its legislature.

Following the election, the Spanish Supreme Court demanded that the regional assembly disband the new grouping Sozialista Abertzaleak immediately. The Court called on the regional assembly to seize the SA’s assets, suspend its funding, close its offices and prevent its representatives from participating in parliamentary activities. Both PP and PSOE representatives within the regional parliament supported this call.

A meeting of the parliament’s party leaders, however, voted 3-2 (with one abstention) to reject the demand. The Spanish justice minister Jose Maria Michavila immediately announced that the court would “set in motion the penal mechanisms to demand the penal responsibilities of those who want to

collaborate with terrorists.”

The PNV’s Joseba Egivar denounced the Supreme Court decision as being about the submission of the Basque parliament. The president of the Basque parliament, Juan Maria Atuxa, argued that any dissolution of the SA would require changes to parliamentary rules. These could only be agreed by all parties. The regional minister of justice, Joseba Azcarraga, argued that the Supreme Court ruling was unenforceable because it contradicted autonomous legislation.

Jaime Mayor Oreja, the PP’s spokesman in the Basque parliament, took a hard-line, stating that the solution to the problem would begin with the withdrawal of any proposals for self-determination. Jose Luis Rodriguez Zapatero rejected a proposal to negotiate a solution, saying that the only solution was to comply with the Supreme Court’s ruling. The PP’s secretary general Javier Arenas said that it was a matter of obeying the law, and the negotiation of court rulings would only be possible in banana republics.

With the Basque parliament refusing to comply with the ruling, the public prosecutor filed criminal charges against Juan Maria Atutxa and two other senior politicians for “defying authority.” The regional court must decide whether to prosecute the three politicians. If they were to be found guilty, they could be fined around €2,000 (US\$2,338) and barred from holding office for up to two years.

It was Oreja who expressed the PP’s determination to assert its authority no matter what the opposition. “If there is uninterrupted defiance then clearly there will come a point when it will be possible to apply the famous constitutional clause allowing the suspension of autonomy.”

The threat to withdraw autonomy met with anger in the parliament. In a clear reference to the dictatorship of General Franco, Josu Jon Imaz, a Basque government spokesman, said that autonomy was “not a gracious concession from the PP’s government which can be installed or eliminated by decree in a manner reminiscent of past times.”



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