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Between Ballots and Bullets:

Armed Struggle and Peacemaking in Northern Ireland and the Basque Country

A dissertation submitted in partial satisfaction of the requirements

for the degree Doctor of Philosophy in Sociology

by

Philippe Eugène Duhart

2017

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ABSTRACT FOR THE DISSERTATION

Between Ballots and Bullets:

Armed Struggle and Peacemaking in Northern Ireland and the Basque Country

by

Philippe Eugène Duhart

Doctorate of Philosophy in Sociology

University of California, Los Angeles, 2017

Professor William Rogers Brubaker, Chair

This dissertation focuses on the organizational structures of insurgent movements and the capacity for collective action of the nonviolent allies of clandestine armed groups in explaining why the Provisional Irish Republican Army (IRA) disengaged from violence in Northern Ireland and why Basque Homeland and Freedom (ETA) failed to do so in Spain. In so doing, it broadens the focus of research on conflict transformation and peacemaking to include not only the interactions between armed groups and states (which have been thoroughly investigated), but also the relations between the military and political wings of insurgent movements and the effects of state counterterrorism strategies on the political capacities of nonviolent movement groups and leaders.

I make two principal arguments. First, the centralized Irish republican movement successfully coordinated political action during peacemaking efforts and ensured the IRA's

commitment to agreements made by its allied political party, Sinn Fein, while the decentralized Basque separatist movement persistently failed to coordinate peacemaking efforts, giving ETA a veto over its allies' initiatives. Second, Spain's broad legal definition of the "terrorist organization ETA" criminalized nonviolent separatist groups, thereby hindering their capacity for peacemaking, while the United Kingdom's narrower legal definition of the "proscribed terrorist group," which in practice focused on the IRA's rank-and-file, facilitated and encouraged the participation of nonviolent republican leaders and cadres in the Irish peace process.

Bargaining between armed groups and states is critical to peacemaking, but it represents only one aspect of conflict transformation. Peacemaking requires mass mobilization and collective action, as well as cooperation with rivals and opponents, tasks for which nonviolent insurgents are better suited than are clandestine armed groups. This dissertation therefore emphasizes the critical role played by the nonviolent movement allies of armed groups in the initiation, development, and ultimate success or failure of peace processes, and it investigates how their capacity as peacemakers is shaped by the organizational structures of insurgent movements and by state counterterrorism strategies.

The dissertation of Philippe Eugéne Duhart is approved.

Michael Mann

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Andreas Wimmer

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University of California, Los Angeles

2017

For my father, Henri Pierre Duhart.
Zure bidea beti segitzen.

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*But how many of you that sit and judge me,
Have ever walked the streets of Bakersfield?*

—Buck Owens, “The Streets of Bakersfield”

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I have been a very bad graduate student. Perhaps someday I will write a guide on how not to complete a dissertation.

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INTRODUCTION

Armed struggles in Northern Ireland and in the Basque Country have long been seen as relics of the social and political conflicts of the twentieth-century. The intractability of the violent struggles for Irish unification and Basque independence appeared out of step with historical progress in Western Europe. The armed campaigns of the Provisional Irish Republican Army (IRA) and Euskadi Ta Askatasuna (“Basque Homeland and Freedom,” or ETA) persisted well into the nineties, whereas the campaigns of their “terrorist” counterparts throughout Western Europe burned out a decade earlier. The IRA and ETA were furthermore embedded within well-constituted militant movements, their political and organizational durability contrasting starkly with the rise and often rapid fall throughout Europe of comparable leftist movements, both old and “new.” Taking a broader historical perspective, the Irish republican and Basque separatist conflicts have deeper roots in the twentieth-century struggles against European colonialism and fascism, and indeed in the uneven and often imperialistic development of the capitalist state-system in Western Europe during the nineteenth century. Regardless of the historical nature of the intractability of armed struggle in Northern Ireland and the Basque Country, these violent nationalist conflicts within the context of the broader European project were viewed as historical anomalies requiring lasting political resolution.

In many respects, the Irish conflict would seem to have been the more intractable of the two and thus the more difficult to resolve. The Irish conflict was far more lethal: between 1968

and 1999, 3,289 individuals were killed.¹ In relation to Northern Ireland's population of 1.5 million, this is a very large number, comparable to 100,000 deaths in the United Kingdom or 500,000 in the United States (McGarry and O'Leary 1995: 12-13). Nearly half of all deaths, over 1,600, have been attributed to the Provisional IRA. The Basque conflict, though violent by Western European standards, was far less lethal. Since 1968, just over 800 people have been killed by various incarnations of the separatist armed group ETA within a population more than twice the size of that of Northern Ireland.

The Northern Irish conflict, moreover, was complicated by the existence of multiple violence-wielding organizations. Republicans and loyalists formed clandestine armed groups to combat the state and one another. The largest loyalist organization, the Ulster Defense Association, was linked to 259 killings under the "false flag" of the Ulster Freedom Fighters, while the Ulster Volunteer Force, a more disciplined and militaristic organization, was responsible for at least 485 deaths. Within the republican camp, the IRA competed and feuded with the Official IRA, from which it had split in 1969, and with the Irish National Liberation Organization, which split from the Official IRA in 1974 (McDonald and Holland 2010). Armed conflict in the Basque Country, by contrast, has been largely limited to ETA and state security forces. Within the separatist field, there has been some competition among armed groups, the most significant being the 1974-1985 rivalry between ETA Military and ETA Politico-Military. During this period, there were at least three other separatist armed groups—including a French Basque version of ETA—but effective police action quickly ended their organizational careers

¹ All figures taken from the Sutton Index of Deaths from the Conflict in Ireland (<http://cain.ulst.ac.uk/sutton/>).

(Arrizabalaga and Murias 1997; Bidegain 2007; Sánchez-Cuenca 2009). Since the mid-eighties, ETA Military and its movement allies have struggled alone.

One of the most crucial differences between the cases pertains to the relative durability and salience of social boundaries and intergroup animosity. In Northern Ireland, the boundary between Catholic and Protestant is deeply rooted in the region's history and in most aspects of institutional and everyday life (Whyte 1986; Feldman 1991; Jenkins 2006; Mitchell 2006). The conflict has naturally deepened these divisions, resulting in the disappearance of mixed neighborhoods throughout Belfast since 1968 (Doherty and Poole 1997; Shirlow and Murtagh 2006). Social boundaries between Catholic and Protestant are reflected in education, marriage, employment, leisure, and other facets of social life.²

Ethnic boundaries between Basque and Spanish are far less salient and largely unobservable in daily life (Goicoechea 1984; Bray 2004, 2006; Pérez-Agote 2006). Historically, a shared religion allowed Basques to identify with other Spaniards as Catholics, first vis-à-vis Muslims, Jews, and Protestants, later against bourgeois liberals and the proletarian communist and left. Boundaries were paradoxically both blurred and sharpened beginning in the late nineteenth century, as tens of thousands of working-class Spaniards were drawn to the Basque Country by work in the region's industrial sector, accelerating the castilianization of Basque cities and towns and spurring the development of a reactive and often racist Basque nationalism (da Silva 1975; Payne 1975; Ben-Ami 1991). Despite the century-long political development of Basque nationalism, Basque identity remains fluid and social boundaries between Basque and

² Indeed, many have criticized the peace process and subsequent power-sharing arrangements for further institutionalizing and reinforcing these sectarian boundaries, rather than undoing them (Graham and Nash 2006; Hayward 2006; Dixon 2012).

Spanish in everyday life are not nearly as sharp as those between Northern Irish Protestants and Catholics. The porousness of ethnic boundaries is reflected in surveys in which majorities of Basques consistently identify themselves as both Spanish and Basque. In 2015, for example, 59% of respondents from the Basque Autonomous Community reported identifying as some mix of Basque and Spanish, while 21% identified themselves as exclusively Basque and just 3% as exclusively Spanish (Universidad del País Vasco 2015).

The Northern Irish conflict was thus more violent, intense, and complex than the Basque, and the underlying social divisions were (and remain) much deeper in Northern Ireland than in the Basque Country. Yet there has been an effective political settlement in Northern Ireland, while there has been no settlement to the conflict in the Basque Country. Despite its apparent intractability, despite the legacy of its violence, and despite the depths of social animosity undergirding it, the Irish conflict was transformed through political means, while the less intense conflict in the less divided Basque Country has yet to be resolved politically despite five major attempts to institute broad-based “peace processes” since the early 1980s.

This dissertation seeks to explain why peacemaking succeeded in the Irish case yet failed in the Basque case by focusing on the nature of the insurgencies as *complex, inter-organizational politico-military movements*. That is, I seek to understand how the insurgency’s constitution and structure impact peacemaking in low-level “terrorist” conflicts. Previous analyses of the relationship between the nature of insurgency and effective peacemaking have largely focused on variation in insurgent ideology in shaping the propensity for peacemaking (Mason and Fett 1996; Faure 2003; Zartman 2003; Pruitt 2006; Walter 2009; Faure and Zartman 2010; Weinberg and Perliger 2010). In accounting for the nature of the insurgent actor and its link to peacemaking, I focus instead on the insurgency’s organizational structure, or rather its inter-organizational

structure, given that the Irish and Basque conflicts involved well-developed politico-military movements—that is, durable collective action campaigns organized into political and military “wings” united around a set of strategic political goals and a shared “movement” identity, i.e. the *Provisional republican movement* and the *Movimiento de Liberación Nacional Vasco*.³

Why were Irish republicans such effective protagonists during peacemaking efforts, while Basque separatists chronically failed in their attempts to emulate the success of their Irish counterparts? What is it about the inter-organizational structures of these politico-military movements and especially the relationship between their military and political wings that in the Irish case facilitated peacemaking and in the Basque case hindered it?

As more ink than blood was spilled throughout the “Troubles” in Ireland, it is not surprising that there is a plethora of explanations for the success of the Irish peace process. Many analysts point to the role of third parties, particularly the American government (Byrne 1995; Wilson 1995; Guelke 1996; MacGinty 1997; Briand 2002), while others give Dublin greater credit for its role in legitimizing and bolstering peacemaking (O’Donnell 2002, 2003, 2007; Hayward 2004; O’Kane 2004; McDermott 2014). Many highlight the role of elites and institutions (Dixon 2001, 2002, 2011; Gormley-Heenen 2006; O’Flynn 2006), while others argue that “civil society” was the primary protagonist in peacemaking (Byrne 2001; Cochrane and Dunn 2002; Guelke 2003; Smith 2003; Farrington 2008; Brewer, Higgins, and Teeney 2011). Numerous scholars emphasize the moderation of militant Irish republicanism and the charisma and political skill of republican leaders (Bean 1995, 2007, 2012; Alonso 2001, 2004; Maillot 2005; Bean and Hayes 2009). Given the dynamic and inherently contingent nature of the long

³ For the sake of clarity, I use the term “radical Basque separatist movement” or simply “separatist movement” rather than the movement-preferred “Basque National Liberation Movement” or “*abertzale* [patriotic] left.”

Irish peace process (Dingley 1999, 2002, 2005; Gilligan 2003; Shirlow et al. 2011), it is unsurprising that there is little agreement as to who or what was primarily responsible for its success.

The explanations for why peacemaking has persistently failed in the Basque Country are fewer and far more simplistic. Intransigence has generally been identified as the primary barrier to conflict resolution in the Basque Country, be it the intransigence of the Spanish state (Egaña and Giacopuzzi 1992, 2012; Gillespie 1999, 2000; Loughlin and Letamendia 2000; Giacopuzzi 2002; Woodworth 2004, 2007), or that of ETA, radical separatists, or Basque nationalists in general (Clark 1990; Pozas 1992; Domínguez 1998, 2006; Alonso 2004, 2011; Sánchez-Cuenca 2004a; Bew, Frampton, and Gurruchaga 2009; Patterson 2014). Of course, no single party monopolizes intransigence in the Basque conflict (Whitfield 2015; Murua 2015). Furthermore, the focus of many analysts is not on ETA's disengagement, but rather on its defeat (Zarzalejos 2005, 2014; Aviles 2006; Calleja and Sánchez-Cuenca 2006; Buesa 2009; Alonso 2010). The question of peacemaking may be irrelevant as, for many among the Spanish political and intellectual elite, there is no Basque conflict, only Basque "terrorism" (Whitfield 2014: 10-14).

Among the more intriguing explanations for the chronic failure of separatist peacemaking comes from ETA itself. After ending its 1989, 1998-1999, and 2006-2007 ceasefires, ETA cited as justification for resuming violence its movement allies' failure to adequately "accumulate forces," i.e. to mobilize widely in support of a concrete peace initiative. According to this account, peacemaking failed in the Basque Country due to the activity—or inactivity—of the broader separatist movement.

Adequate “accumulation of forces” in support of peacemaking was certainly achieved in Ireland. Sinn Fein, the republican movement’s political wing, overtly and covertly directed peacemaking efforts, while ensuring movement unity and the IRA’s commitment to peacemaking. Sinn Fein canvassed supporters, presented peace proposals at party meetings, and courted rivals and opponents. Such public labor developed alongside more clandestine engagement undertaken by Sinn Fein leaders—often behind the backs of the IRA’s “soldiers.” This activity was successful in large part due to the centralized nature of the Provisional republican movement and the direct organizational influence wielded by Sinn Fein leaders over the IRA through their positions on the IRA Army Council, the inter-organizational body that directed both the army and the party. Centralized control and direct organizational influence over their armed allies allowed Sinn Fein leaders to act as effective interlocutors in peacemaking, capable of making deals not only in the name of the IRA, but in the name of the broader republican movement as well.

In contrast, Basque separatist political leaders and cadres have been ineffective protagonists in peacemaking due to the movement’s decentralized structure. There has never been an inter-organizational leadership body directing both wings of the movement and every attempt to centralize control over just the political wing has met with failure due to a combination of militant rejection and effective state repression. Without a centralized politico-military directorate, separatist political leaders had no direct organizational influence over ETA. Through inter-organizational decentralization and organizational autonomy, the armed group maintained its hegemony within the separatist movement throughout the conflict. Inter-organizational decentralization, furthermore, gave ETA a veto over peacemaking. Lacking direct influence over ETA, the political wing of radical separatism and its leaders were unable to

establish credibility as interlocutors capable of ensuring ETA's commitment to its own ceasefires, contributing to the chronic failure of peacemaking in the Basque Country.

This dissertation seeks to explain the divergent outcomes of Irish and Basque peacemaking efforts by focusing on this set of inter-organizational and intra-movement factors relating to the structures of the Irish republican and Basque separatist politico-military movements. These inter-organizational and intra-movement factors have often been overlooked by analysts of conflict resolution, due in large part to the militaristic and "groupist" assumptions that undergird much of the analysis of violent conflicts and their resolution.

This Introduction is divided into eight sections. First, I consider the militaristic and groupist assumptions underlying much of the study of violent conflicts and their resolution. Second, I specify the object of analysis of this dissertation—the *politico-military movement*—by distinguishing the *clandestine armed group*, the violence-wielding organization embedded within these insurgent movements, from the guerrilla army, with which it is often conflated in research on conflict trajectories and transformation. Third, I demonstrate how this ambiguity concerning the object of analysis, the "terrorist group," problematizes research into "how terrorism ends." Fourth, I consider this project's logic of comparison and the problem of the independence of cases with regard to the extensive relations between the Irish republican and Basque separatist movements. Fifth, I compare the two cases in terms of internal-organizational movement structure and its impact on peacemaking efforts. Sixth, I consider the relative impact of British and Spanish counterterrorism on the capacities of each movement's political wing. Seventh, I consider the role of third-party actors in both Irish and Basque peacemaking efforts from the perspective of social movement analysis. Finally, I provide a thematic and empirical layout of this dissertation's remaining chapters.

The Militaristic Approach to the Study of Violent Conflicts and Their Resolution

Over the last decade, the study of violent conflicts—especially of the ethnic variant—has been criticized for the “groupist” assumptions underlying much of this research (Brubaker 2004; Caspersen 2008; Staniland 2012). Explanatory models have too often “simply assumed away the problem of intragroup dynamics” (Warren and Troy 2015: 5) and treated the parties to the conflict as “cohesive actors bound by the shared identities and interests of the groups they claim to represent” (Bakke, Gallagher, and Seymour 2012: 265). Regardless of the complexity of these political conflicts, violence-wielding organizations are the “near-exclusive preoccupation” of analysts (Gvineria 2009: 279).

This militaristic focus naturally extends—and, in many ways, more uncritically—to the study of low-level “terrorist” conflicts (Zulaika and Douglass 1997, 2008; Stampnitzky 2011, 2013). Terrorism scholars too often overlook the broader political struggles of which insurgent violence is part, preferring instead to focus on “isolated, fanatical cells” that “are more likely to approximate in fact the unitary actor assumptions of much of strategic theory” (Sederberg 1995: 307). This militaristic analytical approach reduces the conflict to the exclusively coercive interactions between violence-wielding rebels and the violence-wielding state. Nonviolent actors are largely treated as passive spectators of the conflict.

The purely militaristic conceptualization of armed conflicts also encompasses the study of conflict resolution and peacemaking in that broad insurgencies and even entire social or ethnic groups are treated as bounded, cohesive actors (Dahlman and Williams 2010; Dixon 2011; Cooley 2013), while the broader conflict and its resolution are reduced to a “two-party

phenomenon” between violence-wielding actors (Cunningham 2011: 13; see also Cunningham 2006, 2013). Such simplification is essential to the “bargaining” approaches common in the field that focus on “two rational actors, the regime and the challenger... [which] are assumed to be unitary actors” (Sederberg 1995: 302). In these bargaining approaches to peacemaking, entire insurgencies, regardless of their internal complexity, are treated as “unitary, rational and omniscient actors that have full knowledge of all available options and can freely and objectively choose the most effective ones” (Dudouet 2013: 408). The study of peacemaking, much like the study of armed struggle in general (Irvin 1999), may be too preoccupied with violence.

The failure to specify organizational and inter-organizational form is a critical oversight. Social movement scholars and students of violent conflicts have emphasized that organizational and inter-organizational dynamics determine insurgent capacities and shape their decision-making (DeNardo 1985: 145-151; Clemens 1996: 207-210; see also Gerlach 1971; Gamson 1975; Kenney 2007; Jackson 2009; Frisch 2012) and thus determine insurgent perspectives on and capacity for peacemaking (Crenshaw 1996: 270; Dudouet 2013: 403; Rudolph 2016a: 3-4). To better understand the trajectories of these low-level violent conflicts and the processes and mechanisms by which “terrorists” disengage from armed struggle, the “terrorist organization,” i.e., the *clandestine armed group*, must be distinguished from other types of violence-wielding organizations with which it is all too often conflated, and the armed group must be situated within the context of the broader political movement within which it is often embedded.

Specifying the Object of Analysis

Unlike most studies of violent conflict, this research does not take the violence-wielding group as its object of analysis and comparison. The object of analysis is instead the *politico-military movement*: i.e. durable collective action campaigns organized into “political” and “military” wings united around a set of political goals and a “movement” identity (Hannigan 1985; Llera 1992; Moyano 1992; Irvin 1999; della Porta 2006, 2013; Berti 2013). Violence-wielding organizations are embedded within these movements alongside nonviolent groups and therefore must be understood in this context. The nature of this embeddedness must be clarified to better understand the dynamics and tensions generated in the interactions between the insurgent movement’s political and military wings. To adequately characterize this embedded violence-wielding organization, the *clandestine armed group*, it must first be distinguished from another variant of violence-wielding organizations with which it is often conflated: the guerrilla army.

“Terrorism” as a tactic is generally understood to entail primarily expressive violence targeting noncombatants (Schmid and Jongman 1988; Weinberg, Pedahzur, and Hirsch-Hoefler 2004; Schmid 2011)⁴ and is thus not inherently associated with any specific form of violence-wielding organizations—including states, despite the insistence among scholars that only nonstate actors be labeled terrorists.⁵ As such, terrorism is not an ideal basis for specifying an organizational form—particularly given the concept’s inherent ambiguity and rhetorical nature (Fletcher 2006; Gunning 2007; Jackson 2007). But military strategy more broadly may provide

⁴ “Expressive” political violence is generally conceptualized as violence intended to convey a message to a broader audience through its use against victims who are mere props in the theater of terrorism. Of course, such violence is “instrumental” in that it is directed at particular ends, including simply making a statement. Most “terrorism,” however, may be more nakedly instrumental: individual acts of violence against security force personnel or politicians are generally part of a broader attritional campaign (White 1997; Sánchez-Cuenca and de la Calle 2009).

⁵ For critiques of the nonstate focus in defining terrorism, see Goodwin (2006), Gunning (2007), Franks (2009), and Zulaika (2009).

an initial starting point as guerrilla armies and clandestine armed groups are designed for very different types of military campaigns within very different social, political, and geographic environments.

Guerrilla warfare is often defined as a protracted form of armed struggle characterized by small-scale hit-and-run tactics (Merari 1993: 220), but it is fundamentally distinguished from low-level “terrorist” conflicts in that guerrilla forces attempt to control territory, while clandestine armed groups lack the capacity for such control (Sánchez-Cuenca 2007; Sánchez-Cuenca and de la Calle 2009; de la Calle and Sánchez-Cuenca 2011, 2012). Guerrilla warfare is thus “an embryonic form of territorial struggle that evolves into more conventional warfare as it becomes successful” (Black 2004: 11). It is furthermore a chiefly rural form of warfare (Fearon and Laitin 2003; Kalyvas 2006), though urban political activity and eventual military attacks on cities are often crucial to the success of guerrilla campaigns (Wickham-Crowley 1992).

The structures of guerrilla armies resemble those of state armies, comprised of “brigades” and “units,” albeit in less formal and concrete forms (Merari 1993: 223). Guerrilla armies are not as covert and organizationally fluid as clandestine armed groups, but they nevertheless maintain relatively hidden and loose structures outside of “base areas” under insurgent control (McColl 1969). Given the territorial aspirations of guerrilla armies, hierarchical chains-of-command are structured regionally, with commanders directing the activities of “columns” of varying sizes within specific regions (Guevara [1961] 2002: 125-126). The nature of the “units” that comprise the actual fighting forces can vary considerably in form and size, and are of a more or less permanent character (Mao [1937] 2014: 87-92). These units are highly mobile, designed to engage enemy forces beyond guerrilla bases. Guerrilla armies are also often internally specialized, with units dedicated to everything from propaganda to urban “terrorism” (Molnar et

al. 1963; Goldman 2013), but the rural military force generally comprises the bulk of the organization, while military commanders dominate the upper echelons of decision-making (Dudouet 2013: 408). The guerrilla army is furthermore designed as a dynamic organization, ideally to evolve into a conventional army and proto-state (Trotsky [1930] 2008; Tilly 1978; Wickham-Crowley 1987).

Clandestine armed groups differ considerably from guerrilla armies. Clandestine armed groups are often formed by frustrated revolutionaries and would-be guerrillas in highly urbanized and securitized states (Rubenstein 1987; Sánchez-Cuenca and de la Calle 2009). Lacking the opportunity to engage in mass military insurrection or to establish revolutionary “dual sovereignty” in unsecured rural areas, militants opt instead for insurrectional or attritional “urban guerrilla” tactics designed “to distract, to wear out, to demoralize” state forces (Marighella 1971: 96). These tactics include assassinations, kidnappings, bomb attacks, mass shootings, and other low-level acts of small-group or individual violence (Tilly 2004b). The level of violence is qualitatively and quantitatively lower in these conflicts than in guerilla war and direct confrontation with state forces is avoided to a greater degree. Thus, clandestine armed groups prefer relatively “soft” targets. Clandestine political violence may be symbolic in nature (della Porta 2013: 10), but it is often strategically designed, like guerrilla warfare, to gradually wear down the resolve of states (Ibarra 1987; Sánchez-Cuenca and de la Calle 2009).

Given the urban environments in which clandestine armed groups generally operate and the constant police pressure they face, militants must devise fluid yet durable structures to ensure both security and organizational reproduction (Crenshaw 1987; Enders and Su 2007; Helfstein 2009). Maintaining the organization in its barest forms is itself a constant struggle and often a short-lived achievement for armed groups facing concerted counterterrorist pressure. As such,

clandestine armed groups are “hybrid” organizations combining hierarchical and networked structures to maintain organizational security and operational capacity (Mayntz 2004). In general, clandestine armed groups maintain semi-formal chains-of-command, while allowing individual units some degree of operational autonomy (Zulaika and Douglass 1996: 152; see also Jackson 2006; Kenney 2007). The unit of the clandestine armed group is often the individual cell, a small group of militants linked to the organization through cell leaders, while other cell members are unaware of the group’s broader structures (Wolf 1981; Oots 1989; Helfstein and Wright 2011). The clandestine armed group is designed to be a dynamic organization and to eventually transition “from a small conspiratorial club into a massive revolutionary movement” (Merari 1993: 230). This transformation, however, rarely occurs using clandestine violence alone (Rubenstein 1987; Abrahms 2006, 2011, 2012).⁶

Specifying the organizational differences between guerrilla armies and clandestine armed groups is essential in that organizational structures determine and delimit the strategies of political organizations (DeNardo 1985: 145-151; Clemens 1996: 207-210). This is especially crucial for peacemaking. Guerrilla armies, though limited in their capacities, possess enough military power to compel governments into peace negotiations and to attract the third-party involvement critical for effective peacemaking (Harmon 2011: 97; Walter 2013: 665-66). Clandestine armed groups, in contrast, largely operate in countries where the state maintains effective territorial control, making it difficult to initiate peace efforts and gain international support through military capacity alone. Given their inherent limitations, clandestine armed

⁶ Marx viewed “terrorists” as impatient revolutionaries given to misguided notions of their own capacity: “Their business consists in forestalling the process of revolutionary development, spurring it on to artificial crisis, making revolutions extempore without the conditions for revolution. For them the only condition required for the revolution is a sufficient organization of their own conspiracy. They are the *alchemists of revolution*, and they share in every way the limitations and fixed ideas of the alchemists of old” (quoted in Nicolaievsky and Otto 2011: 214, emphasis mine).

groups generally cannot coerce governments to the negotiating table—which is likely why such groups so rarely enter formal negotiations with states (Cronin 2010: 3). To force negotiations and institute peace processes, clandestine armed groups may need to augment their limited military power through political means. These groups, however, are not designed for normal “politics,” contentious or otherwise. Thus, they must seek allies to undertake these critical political tasks, which often requires that clandestine armed groups develop or assist in the development of broader politico-military movements.

Parallel political structures are also crucial for the maintenance of guerrilla armies, though much less critical than these structures are for clandestine armed groups that often depend on the resources and recruits, as well as symbolic support, that movement allies provide. Furthermore, the inter-organizational structures of politico-military movements in low-level violent conflicts and the relationships and tensions generated between political and military wings shape the behaviors of clandestine armed groups and the trajectory of violent conflicts—including their resolution or transformation. Existing studies of violence-wielding social movements, however, provide few insights, as scholars have focused almost exclusively on the *origins* of clandestine armed groups within the context of broader movement demobilization and decline (cf. della Porta and Tarrow 1987; Zwermer, Steinhoff, and della Porta 2000; Hazen 2009; Sánchez-Cuenca and Aguilar 2009; Rinehart 2013). Indeed, the analytical focus on clandestine political violence as the product of movement demobilization has contributed to the widespread view of “terrorist groups” as inherently “small and clandestine, lacking even the kind of broader mobilized support base that characterizes actors in civil wars, insurgencies, or guerrilla warfare” (Cronin 2010: 4). Political sociology’s focus on the relationship between movement decline and the onset of small-group violence has led scholars outside the discipline

to question the utility of social movement analysis in the study of conflict resolution (Cronin 2007: 16; Gvineria 2009: 281; Dudouet 2013: 401).

Social movement scholars have, however, increasingly emphasized the relational dynamics between armed groups and allied movements as engines of violent conflicts (della Porta 2006, 2013; Alimi 2011; Alimi, Bosi, and Demitriou 2012; Gleis and Berti 2012; Berti 2013; Alimi, Bosi, and Demitriou 2015), while analysts investigating conflict resolution have over the last decade highlighted the role that broader movements play in the transformation of violent conflicts (Ashour 2007, 2009, 2011; Dudouet 2009, 2010, 2013; al-Hashimi and Goerzig 2011; Bourne 2012, 2015). Low-level armed struggle, after all, does not negate the possibilities for or the effectiveness of nonviolent political action. Guerrilla armies and state armies may be the main players in civil wars, but in low-level “terrorist” conflicts, “the actors in this competition are not two but many. For both terrorists and states, the actions of sympathizers and supporters, both domestic and foreign, can be the key to the competition” (McCauley 2008: 285). Despite the impact of social movements on the campaigns of clandestine armed groups, these inter-organizational and intra-movement factors have largely been overlooked by analysts—particularly in the study of “how terrorism ends.”⁷

⁷ This research differs both from the emerging social movement literature on relational dynamics within violence-wielding movements and from empirical analyses of the Irish and Basque politico-military movements. First, in relation to the political sociology of violence-wielding movements, my research extends beyond the origins of political violence, which have been the focus of most studies of the relationship between social movements and clandestine violence. As I argue in Chapter One, my interest is not in the constitution of armed groups from declining movements, but rather in the formation of broad-based political movements around existing clandestine armed struggle. Like Berti (2013) and della Porta (2013), I examine the relationships, tensions, and dynamics that are critical for the organizational maintenance and strategic efficacy of politico-military movements. But I go beyond these authors in considering how intra-movement relational dynamics facilitate and constrain the disengagement of the armed wing of these movements from violence. Second, students of the Irish and Basque conflicts have empirically examined the relationship between armed groups and nonviolent political wings as it bears on conflict trajectories (Hannigan 1985; Llera 1992; Letamendia 1994a, 1994b, 1994c; Giacomuzzi 1997, 2002; Domínguez 1998, 2012; Irvin 1999; Feeney 2002; Neumann 2003a; Richards 2003; Ó Broin 2004; Bean 2007; Egaña and Giacomuzzi 2012). Many of these analyses, however, focus largely on the army-party relationship,

Investigating “How Terrorism Ends”

Research into the demise of “terrorist groups” has developed considerably in recent decades. Analysts have been especially concerned with challenging the commonsense belief among policymakers that coercion is the most effective way to combat violent insurgencies (Sederberg 1995: 298; Cronin 2007: 25-26). This emerging field of study, however, suffers from certain conceptual ambiguities and theoretical oversights. In the following, I look at three problems. First, I consider the ambiguity surrounding the object of analysis, the “terrorist group,” in both quantitative and qualitative research. Second, I examine ambiguities in accounts relating to the interactions between external structural factors and internal organizational processes that drive disengagement. Finally, I highlight the inter-organizational and intra-movement factors overlooked by many analysts, factors that are nevertheless crucial for explaining why peace-seeking Basque insurgents failed where their Irish counterparts succeeded.

The study of “how terrorism ends,” like terrorism studies generally, suffers from conceptual ambiguity concerning the object or “unit” of analysis, resulting in the lumping together of various types of violence-wielding entities into a single category, “the terrorist group.” Such lumping is common to both quantitative and qualitative analyses. Large-n studies, particularly those based on RAND’s MIPT database of violent incidents, often lack rigorous

whereas I take into account broader movement structures. The allied parties of armed groups are of course critical within democratic systems such as the United Kingdom and Spain. But contentious politics outside the domain of representative institutions has played a central role in the strategies of Irish republicans and Basque separatists. Sinn Féin and Batasuna and its variants are not traditional parties, but take on the functions of protest organizations. My analysis thus avoids reducing the political wings of these movements to the *party*—especially important in the Basque case in which the movement in question is constituted by numerous specialized organizations in addition to the party and the armed group.

criteria for the inclusion or specification of groups. Jones and Libicki (2008) compiled the largest sample: 648 groups. Their sample, however, includes vastly different types of violence-wielding organizations. Included in the population are both the Khmer Rouge, a government *cum* guerilla army, and l'Association Totalement Antiguerre, a French "group" responsible for a single small bomb attack against a military recruiting office in 2001 (*Libération* Oct. 12, 2001). Indeed, two-thirds of their sample consist of groups comprised of fewer than 100 members (Jones and Libicki 2008: 31). Many of these "groups" are thus likely ad hoc "attack networks" (Helfstein and Wright 2011) or simply a "bunch of guys" plotting a single attack (Sageman 2004), rather than durable violence-wielding organizations. Cronin (2007, 2010) provides clearer coding rules: her units are identifiable groups that waged "sustained campaigns," which presumes some level of organization. Using this criterion, Cronin's database consists of 457 groups with a median age of 5-9 years. Her sample thus excludes many miniscule and organizationally questionable groups, though guerrilla armies are still lumped together with clandestine armed groups given that her understanding of "campaigns" rests on the ever-ambiguous definition of terrorism (Cronin 2007: 7). Such lumping extends as well to Perliger and Weinberg (2010) who use Cronin's database.

Qualitative analyses are equally ambiguous vis-à-vis the object of analysis, resulting in the treatment of guerrilla armies or mass rebellions as "terrorist groups." Cases of "successful" terrorists are prime examples of such conflation. Many analysts have argued that terrorism is generally ineffective in achieving political goals (Rubenstein 1987; Crenshaw 1991; Abrahms 2006, 2011, 2012; Rose, Murphy, and Abrahms 2007), but scholars nevertheless identify "success" as a possible pathway out of terrorism (Ross and Gurr 1989; Jones and Libicki 2008; Cronin 2009; Gvineria 2009; Harmon 2011; Weinberg and Perliger 2010; Weinberg 2012). Typical success stories, however, are often not from an organizational perspective cases of

“terrorist groups” achieving their goals, but rather examples of effective guerrilla warfare (the original IRA), mass insurrections (the African National Congress), or some combination thereof (the Algerian Front de Libération Nationale). Guerrilla armies are often selected as paradigmatic examples of terrorist success: Jones and Libicki (2008) cite the case of the Farabundo Martí National Liberation Front in El Salvador as an example of successful insurgent political transition (63-82), while Weinberg (2012) highlights the Viet Minh and Viet Cong as successful terrorist groups (84-93). Furthermore, analysts often overstate the effectiveness of “terrorism” in successful political struggles and mass rebellions (Crenshaw 1996: 260). For example, Cronin (2009) highlights Irgun and the ANC/uMkhonto we Sizwe as successful terrorist groups. But Irgun’s military contribution was minimal compared to the guerrilla campaign of the Haganah (Harmon 2011: 93-94), while in South Africa clandestine violence primarily augmented broader mass mobilizations in the anti-apartheid struggle (Seidman 2001; Simpson 2009).

The inclusion of both ad hoc attack networks and guerrilla armies together with clandestine armed groups distort the findings of these studies. For example, Jones and Libicki (2008) found a relative balance between policing and politics in the demise of terrorist groups: 40% were dismantled through policing and 43% transformed by “adopting nonviolent practices and joining the political process” (9). But given that two-thirds of the sample include organizationally questionable *groups*, these findings are equally questionable.⁸ In terms of “success,” the authors found that groups comprised of more than 10,000 members—which is a near impossible feat for clandestine armed groups, though not for guerrilla armies—are more

⁸ The authors provide no explanation for how they determined whether or not a group adopted nonviolent strategies. For example, they cite L’Association Totale Antiguerrille as a group that “briefly resorted to terrorism...but then returned to nonviolence” (Jones and Libicki 2008: 14). How this was determined in this case is not clear as no references were provided.

than twenty-five times more likely to achieve political goals than are smaller groups such as the IRA or ETA (*ibid.* 17-18). Organizational longevity is also cited as a key factor in political pathways out of violent conflicts (Wither 2009: 6). According to Cronin (2009, 2010), long-standing organizations are most likely to negotiate with the state. Only 18% of groups in her sample negotiated, but these had an average age of 20-25 years, compared to the sample's overall mean age of 5-9 years. These findings also suggest that organizational durability is associated as well with peacemaking, as some authors have highlighted (Dudouet 2010, 2013; Rudolph 2016a). But to understand how organizational factors such as durability facilitate disengagement, we must first conceptually and empirically specify this organizational object of analysis. Categorizing groups under a single ambiguous rubric, the "terrorist group," obscures such critical conceptualization.

The second set of ambiguities relates to the outcomes being examined and the factors determining them. The study of how terrorism ends suffers from the "mixing of inputs and outputs" whereby the factors leading to the demise of armed campaigns are often treated as "end-state descriptors" (Gvineria 2009: 279). For example, analysts are not clear on whether peace processes contribute to the demise of violence-wielding organizations or constitute the endpoint of disengagement. This is a crucial distinction (Walter 1997, 1999, 2002). The IRA's disbandment did not result directly from the Good Friday Agreement and the establishment of a power-sharing government in Northern Ireland. Indeed, the group's eventual decommissioning and disbandment was provoked in large part by the 2002 collapse of the power-sharing project. Thus, the IRA's disengagement occurred well after the supposed "success" of the peace process—and indeed the lag between the two nearly undid this success.

Additionally, it is not always clear what analysts mean by the “end” of terrorist groups. Do groups desist from violence, whereby they cease to use violence tactically while retaining the capacity for armed activism? Do they disengage from armed struggle, forswearing violence and dismantling military structures? Or do they disband or dissolve so that the very organization itself ceases to exist? And to what extent is desistance, disengagement, and disbandment simply defeat at the hands of security forces? These are crucial questions—and empirically problematic. Given the extensive ambiguity surrounding the very existence of armed groups (Stohl and Stohl 2011; Phillips 2015), it is difficult to determine whether a group has disengaged from armed struggle and disbanded, or has simply “gone dark” to reorganize for future violence (Crenshaw 1991: 78).

Ambiguity of outcomes relates to organizational ambiguity in that analysts do not adequately clarify the interaction between external structural processes and internal organizational mechanisms (Crenshaw 1999: 2-4; Cronin 2006: 10). Given that the armed group is the de facto object of analysis in both quantitative and qualitative research, the outcome of interest is effectively organizational transformation, which may entail defeat, demise, or disbandment. In the “pathways” approach preferred by most authors (Ross and Gurr 1989; Cronin 2006, 2007, 2009, 2010; Jones and Libicki 2008; Gvineria 2009; Weinberg and Perliger 2010; Harmon 2011; Weinberg 2012), considerable weight is given to external or structural variables. This would imply that structural conditions drive organizational processes. Often included in these pathway models, however, is a residual intra-organizational mode that muddles causal explanations. “Burnout” is the most commonly used residual category (Crenshaw 1987, 1990; Oots 1989; Ross and Gurr 1989; Cronin 2007; McCauley 2008; Gvineria 2009; Vittori 2009). Burnout, however, is ambiguous in terms of being an input or output: either it is the cause

of the demise, or the process and endpoint of demise itself. The concept also conflates different organizational processes: loss of militant commitment, organizational fracturing, failure to recruit a new generation, etc. For isolated groups, organizational demise may be a *sui generis* process (Crenshaw 1991: 81-82). But given that many clandestine armed groups are at least partially embedded within broader social and political networks, there are likely to be a complex confluence of factors—new opportunities for nonviolent politics, pressure from movement allies, changing militant preferences—that lead to diminished recruitment or loss of militant commitment to armed struggle, contributing to organizational transformation or dissolution.

The ambiguity concerning the relationship between external and internal variables, it should be noted, is well understood by the analysts examined above. Though the “pathway” models suggest a programmatic process driven by a single variable (e.g. repression, political accommodation, organizational burnout), analysts note that “it is not useful to separate endings into categories of single frequency” (Cronin 2010: 17) and “in practice, terrorist groups end due to a combination of features” (Jones and Libicki 2008: 10). As veteran terrorism analyst Martha Crenshaw (1996) argues, “The processes by which outcomes are realized are complex and involve interactions among many different political actors under changing circumstances” (270). In line with political process models in social movement analysis (Tilly 1978; McAdam 1982; Tarrow 1994), Crenshaw highlights the interaction of three variables: state action, organizational resources, and insurgent decision-making (Crenshaw 1991).

The present research, while acknowledging the importance of these variables, focuses on a fourth “variable” or factor: the inter-organizational and intra-movement structures and relationships in which many clandestine armed groups, particularly long-standing organizations, are embedded. Systematic investigations into how terrorism ends have largely ignored the role of

these factors in shaping outcomes (McCauley 2008; Dudouet 2013). This oversight fits well with the militaristic model common in terrorism studies whereby the conflict is reduced to coercive interactions between two “actors,” the state and the violence-wielding organization, while the public is relegated to the status of passive audience to the theater of terrorism (cf. Schmid and Jongman 1988: 2; Hoffman 2006: 40-41; Wilkinson 2011: 150-154).⁹ Yet this model does not fit many low-level violent conflicts in which “winning and losing this competition is seldom determined only by the severity of the violence inflicted” (McCauley 2008: 284). Insurgency, after all, is not restricted to violence (Tilly 1978; McAdam and Tarrow 2000; Chenoweth and Stephan 2011). Given that political institutions continue to function throughout low-level “terrorist” conflicts, nonviolent political actors do not lose their agency. Indeed, the institutional and extra-institutional labor of nonviolent actors is crucial to the trajectories of these conflicts and their resolution or transformation.

Of particular interest is the role of allied insurgent movement organizations. As I detail in Chapter One, the development of politico-military movement structures and the coordination of armed and unarmed activism is crucial for the maintenance of clandestine armed groups and the trajectories of their campaigns. Political wings are associated with both organizational longevity and political “maturity,” factors positively linked to disengagement (Wither 2009: 6). A durable political wing is furthermore crucial for engaging with rivals and opponents (Neumann 2003a, 2007; Richards 2003; Pettyjohn 2009; Dudouet 2010). Political wings, though tainted by their

⁹ Trotsky argued that “terrorism...belittles the role of the masses in their own consciousness, reconciles them to their powerlessness, and turns their eyes and hopes towards a great avenger and liberator who some day will come and accomplish this mission” (quoted in D’Amato 2006: 94).

association with “terrorist” allies, are designed to provide an avenue for political engagement with clandestine armed groups (Byman 2006: 405; Weinberg, Pedahzur, and Perliger 2008: 75).

But movement allies are not simply convenient interlocutors in peacemaking; they are often the authors of and principal protagonists in such efforts. On the one hand, insurgent political wings may devise peace strategies, gauge the possibilities for alliance-making, and engage with opponents, including government officials, to facilitate future, more formal peace processes. Political wings are thus essential for creating opportunities and pathways for the disengagement of their armed allies. On the other hand, political wings may facilitate peacemaking by directly pressuring allied armed groups to reconsider the utility of armed struggle in the pursuit of movement goals. Armed groups, after all, respond to the needs and concerns of their allies (Sánchez-Cuenca 2007; Weinberg, Pedahzur, and Perliger 2008), if only due to their dependence on aboveground movement organizations for resources and recruits, as well as for symbolic support and legitimation. Embedded armed groups monitor and respond to the struggle’s political trajectory—electoral prospects, successful mobilization, repression of movement allies—in evaluating opportunity structures. But as “terrorist groups” are generally defined as lacking such support, analysts often overlook the crucial role broader movements play in the demise or transformation of armed groups.

The Logic of Comparison

As indicated above, research examining how terrorism ends suffers from conceptual ambiguities stemming largely from a problematic object of analysis, the “terrorist group.” By adopting an inter-organizational and intra-movement focus, I hope to contribute to our understanding of how

organizational and inter-organizational structures shape the trajectories of low-level violent conflicts and especially their resolution or transformation. Theory-driven case studies and small-n comparison are ideally suited for conceptual and causal clarification in burgeoning areas of research informed by problematic or ambiguous assumptions (Eisenhardt 1989) and especially for critically examining the field's "uncontested unit of analysis" (McMichael 1990: 388). The systematic analyses examined above are undeniably valuable, but they nevertheless suffer from the broader scholarly bias toward large-n analyses (della Porta 2008: 201), particularly as it relates to lumping together very different forms of violent conflicts and very different types of violence-wielding actors.

Case-based comparative analyses of similarities and differences often focus on investigating the impact of context and contingency on social phenomena rather than the relationship between "inputs" and "outputs" (Steinmetz 2004: 392; della Porta 2008: 207-209), but such research can nevertheless be ideal for opening the "black box" of causality by carefully tracing the relationship between a set of variables and divergent outcomes (Rueschemeyer and Stephens 1997; Mahoney 2003; Falletti and Lynch 2008). I consider the Irish and Basque cases as two pathways of conflict transformation patterned by the influence of inter-organizational movement structures on insurgent peacemaking efforts. Process tracing is thus used throughout this dissertation to highlight how movement structure facilitated or hindered peacemaking, focusing on the mechanisms linking structural variables—the organizational form of insurgent movements and the structure of counterterrorism regimes—to the success or failure of peacemaking in each case.

The cases examined in this research were selected in part due to practical considerations—particularly the availability of data—though the two cases have been widely

used for comparative investigations into various facets of nationalist conflicts (Moxon-Browns 1989; Mezo 1997; von Tangen Page 1998; Irvin 1999; Keating 2001; Letamendia 2001; Bourne 2003; Waldmann 2003, 2005; Alonso 2004, 2010; Sánchez-Cuenca 2004b, 2007; de la Calle and Sánchez-Cuenca 2006; Bew, Frampton, and Gurruchaga 2009). For the purposes of this research, the cases are ideal for three reasons. First, both represent long-standing, violent nationalist struggles waged by well-developed yet structurally different politico-military movements. Second, both Irish and Basque insurgents have developed and implemented numerous discrete peace initiatives. Third, and most crucially, the initiatives led to different outcomes: “success” and “failure” in peacemaking and the armed group’s disengagement from violence. The goal of this dissertation is to determine how variations in movement structure and associated variations in the coordination of peace initiatives led to the Irish success and to chronic Basque failures.

These cases, however, should not be considered entirely independent of one another, but are in fact interrelated. In particular, the Irish experience efforts served as the model for Basque separatist peace initiatives. Such interrelation of cases is often overlooked in large-n research in which individual units are by necessity treated as fundamentally independent, even though “the observable pool of macro-social units has been shaped by historical social processes” (Ebbinghaus 2005: 134). Indeed, given the extensive interconnectedness of the late modern world, individual cases—whether nation-states or violence-wielding organizations—should not be assumed to be independent of one another (Goldthorpe 1997: 7). Given their geographic proximity and ideological affinities, Irish republicans and Basque separatists maintain decades-old links, both political and military. In particular, Basque militants became keen students of Irish peacemaking during the nineties and applied various lessons from the Irish success to the 1997-1999 and 2005-2007 peacemaking efforts. This extensive borrowing and modeling may

give rise to the obvious question of why a specific peacemaking “model” worked in Ireland yet failed in the Basque Country. However, closer examination reveals that while there was extensive borrowing, there was little in the way of a “model” that could be or was implemented.

First, the “Irish model” is more a product of political rhetoric and public relations than of practical, modular design (Dixon 1997, 2002; Shirlow and McGovern 1998; Alonso 2001, 2004; Guelke 2003; Bew, Frampton, and Gurruchaga 2009). The peace process itself followed no overall or consistent model, its guiding principles shifting frequently over the course of two decades (MacGinty 2010). Sinn Fein’s initial peace strategy followed a “talks before ceasefire” approach: party leaders sought to create a pan-nationalist alliance to pressure the British government into engaging with Sinn Fein to create conditions for a tactical IRA ceasefire. Moderate Irish forces, however, insisted that such an alliance was contingent on an IRA ceasefire (Tonge 1998). Similarly, when Prime Minister John Major proposed all-party peace talks in 1990, Sinn Fein was excluded due to ongoing IRA violence. In response to the demands of rivals and opponents, Sinn Fein developed a new approach, “ceasefire, then talks,” resulting in the 1994 IRA ceasefire. Major, under pressure from Unionists, then introduced IRA decommissioning as a precondition to Sinn Fein’s participation in talks—provoking the IRA’s return to armed struggle in 1995. Following the reestablishment of the IRA’s ceasefire in 1997, the model shifted again: “first ceasefire, then talks, then decommissioning.” Furthermore, the 1998 Good Friday Agreement did not end the peace process but instead shifted it from secret negotiations to parliamentary debates (Dixon 2011). The fluid and unstable nature of the process has not prevented the exporting of the “Irish peace process” as a practical model for peacemaking. Sinn Fein, whose political legitimacy rests on its success, has a great interest in promoting the model internationally and especially in the Basque Country.

Second, Basque separatists did not simply implement the “Irish model” whole cloth, but instead took a more piecemeal approach, adopting and adapting elements that suited immediate goals and contingencies. For example, the 1997-1998 Lizarra-Garazi effort, which was avowedly based on the Irish peace process, emphasized the formation of a pan-nationalist alliance among Basques, in emulation of the late-eighties engagement between republicans and moderate Irish nationalists. There was little effort to reach out to Basque constitutionalists or Spanish nationalists during the effort—and little willingness to be engaged on the part of these excluded forces. The 2005-2007 process built on other aspects of Irish peacemaking, including Prime Minister José Luis Zapatero’s issuing of a “Downing Street Declaration” acknowledging the Basque right to self-determination. Additionally, the political wing of Basque separatism joined with moderate Basque nationalists and socialists to devise a set of negotiations, referenda, and legal mechanisms that drew heavily from the “all-party talks” and subsequent agreements reached by nationalists and unionists in Northern Ireland. Such borrowing, however, does not entail the implementation of a model; it indicates an ongoing, contingent, and improvisatory approach to peacemaking. The most important thing borrowed from the Irish peace process was legitimacy: the symbolism of the Irish “success” was seized upon to justify Basque peacemaking efforts in an increasingly hostile political environment (Alonso 2004; Cooley 2013).

Third, the Irish model competed in Spain with another “successful” model of disengagement: the “two-track” approach in which discussions relating to politics are restricted to political parties, while ETA is limited to discussing “technical” matters relating to decommissioning and disbandment (Clark 1990; Murua 2010).¹⁰ The perceived success of this

¹⁰ This “two-track” approach differs from the “Track II” model advocated by analysts and policymakers that focuses on the role of civil society and inter-communal dialog in bolstering formal, elite-level peace negotiations (Chataway 1998), which approximates Irish peacemaking efforts (Buchanan 2008; Hancock 2008).

model stemmed from the much vaunted “disbandment” of ETA Politico-Military in 1985—though disengagement was rejected by up to 80% of ETA Politico-Military (Egido 1993; Giacomuzzi 1997; Fernández 2010, 2011). The existence of a second “successful” model contributed to complexity in Basque peacemaking, particularly as the Spanish government and political establishment widely reject the applicability of the Irish model to the Basque Country (Whitfield 2014: 10-14). To add further complexity, the two-track model was associated with the “social reinsertion” mechanism that allows for imprisoned ETA members to secure eventual release, contingent on their denunciation of ETA. This method was devised in the early eighties to facilitate the disengagement of individual Politico-Military members and eventually led to the release of scores of prisoners (García 2012). Reinsertion—without any negotiations, two-track or one—has become, alongside repression, the Spanish government’s preferred model for ETA’s dissolution, as it focuses on individual rather than organizational disengagement—thus negating the need for a political settlement with the armed group and its movement allies.

The mechanisms and processes developed to foster disengagement in Northern Ireland and the Basque Country were thus very different in practice. The Basques borrowed selectively from their Irish counterparts, though practices and procedures were less important than the legitimacy that the Irish model’s “success” provided to Basque peacemaking efforts. It was the symbolic success of peacemaking, not a particular method, that mattered. Thus, the comparison at the heart of this research is not concerned with the success or failure of a specific model, but rather of peacemaking more broadly, which extends beyond particular practices or processes.

An Inter-Organizational Approach

In the following section, I sketch out an explanation of the Irish “success” and the Basque “failure” focused on differences in inter-organizational authority structures—that is, the structure of the relationship between the relatively autonomous groups that comprise politico-military movements and constitute their “military” and “political” wings—and the relative influence nonviolent movement leaders wielded over armed groups.

There are similarities between the IRA and ETA that relate to insurgent organizational factors seen as crucial for the political transformation of violent conflicts. The IRA and ETA both exhibit many of the characteristics of those violence-wielding organizations that generally seek political pathways out of armed struggle. According to Cronin (2009, 2010), long-standing organizations are most likely to negotiate with the state: while only 18% of groups in her sample entered negotiations, these had an average age of 20-25 years, compared to the sample’s overall mean age of 5-9 years. Both ETA and the IRA were long-standing organizations. While the original IRA was founded in 1919, the Provisional IRA itself was founded in late 1969. ETA was founded in 1959, making it, until recently, Europe’s oldest clandestine armed group (Stewart 2009). Both groups are also among the relatively rare “large” violence-wielding organizations, that, per Jones and Libicki (2008), are more likely to enter negotiations. The IRA and ETA at their peaks had over one thousand members, though both groups maintained much smaller average memberships throughout their careers. Centralized and hierarchical organizations—which characterizes both the IRA and ETA—have been widely identified as being more likely to disengage through political negotiations than more horizontal, decentralized organizations (Byman 2006, 2009; Cronin 2006, 2010; Neumann 2007; Jackson 2009; Dudouet 2010; Gross 2010; Rudolph 2016a). Finally, both organizations had mobilized social support and organized

political wings, which is critical for peacemaking (Weinberg, Pedahzur, and Perliger 2008; Wither 2009; al-Hashimi and Goering 2010). Given that both the IRA and ETA were similar on these counts, *intra*-organizational factors relating to the armed group cannot provide an explanation for the divergent outcomes of these cases.

The *inter*-organizational centralization of movement authority is the key difference between the two cases: the Irish republican movement was highly centralized, the Basque separatist movement decentralized. As indicated above, centralization has been highlighted by scholars as a critical factor in peacemaking. But analysts generally focus on organizational centralization, i.e. internal group hierarchy and chain-of-command, rather than the inter-organizational structure of insurgent *movements* comprised of relatively autonomous organizations. I focus instead on inter-organizational authority structures operating at the level of the politico-military movement and its constituent organizations. The Provisional republican movement was directed by the IRA Army Council, which oversaw both the IRA and Sinn Fein. The Basque separatist movement lacked such authority structures and efforts to centralize the movement failed due to militant rejection and state repression. Following each failed effort to centralize control, the separatist movement became more decentralized and even disorganized, further diminishing its agency as an effective political actor and peace-seeking protagonist.

The nature of inter-organizational centralization is key. Effective peacemaking may require that insurgent political leaders exercise centralized authority and maintain direct organizational influence over the clandestine armed group itself. Sinn Fein leaders, despite their denials, are widely believed to have maintained positions on the IRA Army Council (Moloney 2003: 383-384; Dingley 2008: 81; Shapiro 2013: 183). Indeed, the entire initiative that produced the IRA's disengagement was directed by these party leaders, while the militarists on the

Council, as well as the armed group's rank-and-file, did little more than acquiesce to the process. Political leaders within the Basque separatist movement had no organizational influence over ETA. A characteristic feature of separatist decentralization is organizational autonomy, with ETA being the hegemonic first among equals. Throughout peacemaking efforts, ETA retained a veto over peace—and used it often.

Inter-organizational centralization is especially crucial in terms of the political wing's capacity for peacemaking, which is a fundamentally political task. Clandestine armed groups do not make effective actors in peacemaking efforts because they are exclusively designed for violence. Their job during peace processes is *to not act*, i.e. to maintain ceasefires. Their political allies, on the other hand, are equipped for developing peace initiatives, mobilizing supporters, engaging with opponents, communicating with the public, etc. In other words, they are suited for peacemaking.

Inter-organizational centralization facilitates peacemaking in three ways. First, it ensures that both wings of the movement pursue the same end. Ulterior motives and factional interests undermine movement cohesion and hinder effective peacemaking. Centralization allows insurgents to craft and frame peace processes in ways that strengthen movement cohesion while facilitating an “honorable exit” for the armed group.

Second, inter-organizational centralization allows for effective coordination of activity—or rather for coordinating escalated political activity while ensuring military inactivity. Without direct organizational influence and authority, movement political leaders have no means to guarantee the armed group's commitment to ceasefires. Coordination also facilitates movement

unity in the aftermath of broken ceasefires by allowing the political wing the opportunity to craft a post-ceasefire strategy, thereby laying the groundwork for future peace efforts.

Third, inter-organizational centralization provides insurgent political leaders with credibility grounded in their capacity to influence the armed group and make deals in its name. Such credibility is established over time and is often strengthened, paradoxically, through frustrated or stalled efforts. Rivals and opponents learned through engagement that Sinn Fein leaders were influential and credible interlocutors capable of making deals in the IRA's name. In the Basque case, the reverse happened: with each broken truce, radical separatism's political wing lost credibility as a political actor, confirming to many that it was nothing more than the toothless mouthpiece of ETA.

Inter-organizational authority structures and organizational autonomy were critical in shaping the divergent outcomes of interest of this dissertation. The centralization of authority within the republican movement enabled coordinated action in peacemaking, manifested in the ability of Sinn Fein to not only act in the movement's name, but also in the name of the IRA. The decentralization of radical separatism and the organizational autonomy retained by movement organizations, especially ETA, hindered the development of effective collective action in pursuit of peace, manifested in ETA's perennial veto over peacemaking. Furthermore, the nonviolent political leadership of Irish republicanism, Sinn Fein leaders, being also IRA Army Council members, were credible peacemakers, whereas their Basque separatist counterparts wielded no organizational influence over ETA and lacked the structural capacity to establish such credibility in their engagement with opponents and rivals—particularly the Spanish state.

The Role of the State

One final set of critical differences relates to the stances of the British and Spanish states vis-à-vis the insurgencies and, in particular, the impact of state repression and anti-terrorism law on the political wings of the Irish republican and Basque separatist movements. The British state has generally been more open to political engagement with insurgents than the Spanish state. And while British law used a limited definition of terrorism, Spanish legislators and judges defined “support” for or “glorification” of terrorism broadly in a way that included the separatist movement’s political activities. These different approaches facilitated republican peacemaking initiatives in Northern Ireland, while hindering separatist efforts in the Basque Country. Thus, to explain the trajectories of Irish republican and Basque separatist peacemaking, the practices, perspectives, and commitments of the British and Spanish states, as well as those of actors within the field of law, must be considered.

The state is naturally a central concern of political sociologists and social movement scholars (McCarthy and Zald 1973, 1977; Useem and Zald 1982; Jenkins and Klandermans 1995; Goldstone 2003; della Porta 2006). The state has broadly been conceptualized in three ways. First, the state is the arena into which challengers seek incorporation (Tilly 1978; McAdam 1982) or, in many nationalist struggles, from which they seek to exit. Second, the state is treated as an actor in political struggles, whether as opponent, ally, or neutral arbiter. Finally, the state sets the “rules of the game” and determines who is and who is not a legitimate actor (DiMaggio and Powell 1983; Tarrow 1996; Emirbayer and Johnson 2008; Fligstein and McAdam 2011). The state does not entirely monopolize the means of symbolic production, yet it possesses powerful instruments to enforce its vision on the social world (Bourdieu 1989, 1994).

Throughout this dissertation, the British and Spanish states are conceptualized as playing all three roles. The United Kingdom and the Kingdom of Spain are polities from which Irish republicans and Basque separatists seek to exit. The British and Spanish governments have, of course, been critical actors in these struggles, though the roles of both states have not always been antagonistic, but rather adjusted to the sitting government's ideological commitments and political concerns. Finally, both states set the rules of the game and use the instruments of the law and the coercive powers of the state to enforce them.

In terms of engagement with insurgents, leftwing governments have in both cases generally been more accommodating, while rightwing governments have been more intransigent. In Britain, the Labour Party was more flexible toward engagement than was the Conservative Party. Labour's left has often been pro-republican, seeing Sinn Fein as a potential ally in Westminster, while the Conservative Party has generally been more unionist in its orientation, particularly under the leadership of Margaret Thatcher. Conservative governments, furthermore, rely on the parliamentary support of Northern Irish unionists, thus limiting the party's room to maneuver on Irish issues. During the nineties, Conservative Prime Minister John Major, though initially open to engagement, was forced by unionist allies into making IRA decommissioning a precondition of Sinn Fein's participation in peace talks, whereas Tony Blair had greater flexibility in allowing Sinn Fein into talks prior to the IRA's disarming. Both Conservative and Labour governments, however, have generally sought a political settlement in Northern Ireland. In the seventies, the Labour government of Harold Wilson continued the engagement with republicans initiated by Edward Heath's Conservative government, much as Blair built on Major's initial engagement with republicans during the nineties.

In Spain, Socialist governments have been more open to engaging with separatists than governments formed by the conservative Popular Party—though both socialists and conservatives have been less open to engagement than were their British counterparts. The socialist González (1982-1996) and Zapatero (2004-2011) governments made concerted efforts to engage with ETA and its allies, whereas the conservative Aznar (1996-2005) and current Rajoy governments have been opposed to all but the most minimal forms of engagement. But Socialist governments were not more “liberal” than were conservatives. Socialists, after all, directed the “dirty war” campaign of assassination in the French Basque Country during the eighties, while conservative governments since the nineties have implemented a strict “law and order” approach to combatting ETA—and, in practice, its movement allies.

In terms of pursuing a political settlement, British governments were more accommodating than have been Spanish governments, whether socialist or conservative. As explored in the Conclusion, the British state and political class have waning nationalist commitments to Northern Ireland, its place in the Union understood as a matter of majoritarian consent rather than nonnegotiable cultural and political identity. This has allowed both Labour and Conservative governments greater flexibility in pursuing a political settlement, including a possible democratically established united Ireland. The Spanish state and political class, in contrast, are deeply committed to the Basque Country (and Catalonia) as integral components of the Spanish nation. Indeed, Spanish high courts have interpreted the 1978 Constitution as prohibiting self-determination on the part of the “nationalities,” i.e. Basques and Catalans. This commitment to the territorial integrity of Spain limits the possibilities for a political settlement to the Basque conflict. It is not simply that a political solution to ETA’s violence has proven to be impossible. Addressing the broader nationalist conflict over Basque and Catalan self-

determination through political means is both politically and legally difficult given the current constitutional framework of Spain and the nationalist commitments of its political class.

The Spanish and British states differ as well in terms of judicial structures, which bears directly on counterterrorism and the repression of nonviolent movement activities, including peacemaking. First, though British common law provides judges with considerable interpretive powers, Spanish law empowers judges to a much greater extent. The Spanish parliament has granted judges great procedural powers and given them maximum discretion in interpreting and applying laws regarding “collaboration” with terrorist groups and “glorification” of terrorist violence (Meliá 2002; Jakobs and Meliá 2003). Second, a special high court, the National Court, was established during Spanish democratization to investigate and prosecute terrorism-related crimes. National Court Judges have considerable investigational and inquisitorial powers and can order the banning of organizations and the detention of individuals during investigations. British judges, in contrast, have been far more restrained by legislation and precedent, as is typical in common law systems. These institutional differences are compounded by differences in political and legal cultures. Spanish judges in particular have militant democratic and nationalistic perspectives that have hardened anti-terrorism law (Lacasta 2001; Taibo 2007; Cebrián 2011).

Anti-terrorism law affects insurgent political wings by hindering or facilitating political activity—especially peacemaking. The British and Spanish counterterrorism regimes differed fundamentally in this regard. The difference centers not on divergent legal definitions of “terrorism,” but rather on diverging definitions of the “terrorist group.” The British state used a restricted definition of the “proscribed organization” that focused on the operations of the IRA and the organization’s mid-level commanders and rank-and-file. This limited targeting allowed Sinn Fein to develop into a sophisticated and professional political party by the peace process’s

onset. Furthermore, IRA Army Council members were rarely targeted for arrest and prosecution, which benefitted those Council members who were simultaneously Sinn Fein leaders publically and covertly working to end political violence in Northern Ireland.

The Spanish state and judiciary have preferred an ever-expanding legal definition of the “terrorist group,” which has resulted in the criminalization of much of the separatist movement’s political wing. Movement political leaders have been charged with “membership” in or “collaboration” with ETA, while movement organizations have been proscribed as “integral components” of the armed group. This widespread repression hindered the movement’s political activities during resolution efforts. Indeed, criminalization seems to have been designed to directly hinder peacemaking, as the movement’s criminalization was initiated during the 1998-1999 Lizarra-Garazi peace effort and escalated in its aftermath. Criminalization escalated again during ETA’s 2006 ceasefire and has persisted since ETA’s 2010 ceasefire.

Third-Party Actors

The centralization of movement authority and the impact of state repression on peacemaking efforts partially explain critical differences that shaped the effectiveness and ineffectiveness of insurgent peacemaking in Northern Ireland and in the Basque Country. But I do not consider these as the sole factors determining the divergent outcomes considered in this research. Moreover, I believe that my focus on the inter-organizational structure of insurgent movements and on the state-shaped capacity of their political wings complements and strengthens rather than refutes existing explanations of Irish success and chronic Basque failure.

In particular, my research is compatible with—and can contribute to—explanations centering on the role of third parties, especially foreign states, in successful peacemaking, which is particularly relevant to the Irish case. The impact of third-party mediation in the management of peacemaking and the implementation of political settlements has been highlighted by political scientists (Walter 1997, 2002, 2009; Werner 1999; Hartzell and Hoddie 2003, 2007; Hoddie and Hartzell 2003). Critical to these approaches is the problem of credible commitments: after years of violence and past defections in peace efforts, neither insurgents nor states have reason to trust one another. As I argue in Chapter Three, insurgent political wings must also be able to make credible commitments. This is crucial to their capacity to “speak” for the armed group, to make deals in its name, and to ensure the military wing’s observance of these agreements. This capacity is primarily a product of inter-organizational movement structures.

Third-party participation, particularly the involvement of the United States, was especially important in the Irish case (Byrne 1995; Wilson 1995; Guelke 1996; MacGinty 1997; Briand 2002). American involvement was critical in four ways. First, it legitimized the process while simultaneously providing republicans legitimacy. This legitimization was most clearly manifested in the granting to Gerry Adams of a US visa and in Bill Clinton’s controversial handshake with the Sinn Fein president in Belfast. Second, by granting visas to Adams and other high-level republicans linked to the IRA, the Clinton Administration enabled Sinn Fein leaders to gain the support of Irish America, which was essential in pressuring the American government to pressure the British government in turn. Third, the involvement of former US Senator George Mitchell in the “all-party” talks that followed the IRA’s 1997 ceasefire was critical to the signing of the Good Friday Agreement in 1998. Indeed, Mitchell’s model for negotiations—grounded in the prior commitment to the disarming of armed groups—has been included in modified form in

the framework for ETA's current disengagement. Finally, the less accommodating stance taken by the George W. Bush Administration following the September 11th attacks pressured both Sinn Fein and the IRA to fulfill commitments. The IRA began decommissioning in October 2001, foreseeing the ramifications of the coming War on Terror on the possibilities for an honorable exit from the conflict.

American involvement was grounded in the knowledge that Gerry Adams, Martin McGuinness, and other Sinn Fein leaders had influence and authority over the IRA. Indeed, this knowledge laid the groundwork for the more critical early involvement of Irish governments in peacemaking (O'Donnell 2002, 2003, 2007; O'Kane 2004; McDermott 2014). Dublin, after all, directly pressured London and Washington to engage with Sinn Fein. As I detail in Chapter Three, Irish governments believed that the Adams clique had the inter-organizational authority to facilitate an end to the IRA's armed struggle. Additionally, when the Irish, British, and American governments engaged with republicans, they did so through Sinn Fein, rather than directly with the IRA. Bill Clinton shook Gerry Adams's hand, not that of reputed IRA chief-of-staff Thomas "Slab" Murphy. Adams's growing credibility and influence as a peacemaker made shaking the hand of this "terrorist mouthpiece" a political gamble worth taking.

In the Basque conflict, third-party involvement has been rare and, until recently, ineffective. The most prominent attempt was that of the Algerian government's decision to host ETA-Madrid talks in the late eighties (Pozas 1992). This decision stemmed in part from the FLN government's ties to ETA—many ETA members were semi-official or unofficial "exiles" in the country—and in part from geostrategic and economic interests vis-à-vis Spain. The effort was a failure. Beyond this, the involvement of foreign governments in peacemaking has been rare. France, until 2017, viewed the Basque conflict as a Spanish security matter and its continued

police action during peacemaking, particularly the arrests of militants, proved counterproductive. Tony Blair pressured Zapatero to engage directly with ETA between 2005 and 2007, but in a private rather than official capacity. Other international actors have been involved in Basque peacemaking—beginning with Colombian Nobel Laureate Adolfo Pérez Esquivel’s efforts in the early nineties and continuing with the involvement of Adams, Blair and other international figures in the ongoing one-sided disengagement of ETA—but this involvement has been unofficial or, at best, semi-official.

The absence of a “Basque Gerry Adams” helps explain the relatively low level of international engagement in Basque peacemaking. No separatist politico emerged as a figure with both intra-movement authority and public credibility to act as an interlocutor between ETA and international actors. Movement leader Arnaldo Otegi has attempted to play this role over the last fifteen years, but Otegi lacked the influence grounded in inter-organizational movement authority that Adams possessed through his leadership role in Sinn Fein and through his alleged position on the IRA Army Council. Furthermore, working with the separatist political wing has become riskier in the wake of the movement’s criminalization, which has made engagement with separatists legally problematic for third parties (Dudouet 2009; Bourne 2012, 2015). Other factors hindered third-party participation—including the Spanish government’s official refusal to admit that a “Basque conflict” exists; the lack of an irredentist Basque state or politically influential diaspora; and the separatist movement’s orientation toward the radical left, particularly in Latin America—but the lack of credible interlocutors has undoubtedly impeded international engagement.

To reiterate, my purpose in this dissertation is not to refute existing explanations or models, but rather to complement and strengthen them by considering the role played by the

nonviolent movement allies of clandestine armed groups. This is an empirical matter, as well as a theoretical one. The nationalist conflicts in Northern Ireland and the Basque Country cannot be reduced to two-party militaristic models. But we cannot reject the findings and insights from the study of peacemaking and conflict resolution, including those grounded in rationalist “bargaining” approaches. These findings and insights must instead be contextualized within a broader movement perspective in cases of low-level violent conflicts in which armed groups are embedded within broader social movements.

A Look Ahead

This dissertation is organized thematically into relatively self-contained chapters,¹¹ though each thematic chapter follows a rough historical chronology, beginning with the development of the Irish republican and Basque separatist movements in the seventies and culminating with considerations of the current state of affairs in Northern Ireland and the Basque Country.

Chapter One examines the development of movement structures by both Irish republicans and Basque separatists beginning in the mid-seventies. I argue that politico-military movement structures are crucial to the organizational reproduction of armed groups. Given that security needs force clandestine armed groups to cut themselves off from their social milieux, they often find themselves unable to acquire the recruits and resources needed for organizational reproduction. The development of movement structures offsets this through partially

¹¹ The self-contained nature of the following chapters creates a degree of repetition and redundancy within the dissertation as a whole. For example, I discuss the centralization vs. decentralization issue in Chapters One and Three, as well as the Conclusion. This is necessary, however, to provide the reader with sufficient context for understanding the particular arguments presented within each chapter.

reembedding armed groups within a protective matrix of movement organizations from which recruits and resources, as well as political legitimacy, can be drawn. I also examine the roots of Irish republican centralization and Basque separatist decentralization as products of both state repression and militant preference.

Chapter Two examines the problem of legitimacy in peacemaking. Regarding the widespread belief that talking with “terrorists” legitimizes them and their violence, I argue that, though legitimacy is an insurgent goal in engaging with the state, the nature of the legitimacy pursued is shaped by inter-organizational movement structures: political wings are likely to seek legitimacy grounded in popular support or electoral mandates, while military wings pursue a second-order form of legitimacy grounded in recognition of their capacity to shape political events. I demonstrate this divergence in goals by looking at four peacemaking efforts. From the Irish case, I examine the earliest republican efforts from the mid-seventies, as well as the secret talks beginning in the late eighties that led to the 1993 IRA ceasefire. From the Basque case, I examine the early eighties effort that led to the 1985 dissolution of one faction of ETA, ETA Politico-Military, and the 1986-1989 Algerian “conversations” between its rival ETA-Military and the Spanish state.

Chapter Three examines how the inter-organizational centralization of authority facilitates effective peacemaking by enabling coordination between wings during peace processes and by providing insurgent political leaders with credibility as interlocutors. I demonstrate this by examining the role of the IRA Army Council—and especially its members who held simultaneous leadership positions in Sinn Fein—in the “long” Irish peace process that began in the mid-eighties and, in many ways, continues into the present. The Basque case demonstrates how decentralization hinders peacemaking by both preventing effective

coordination between movement wings and by persistently undermining the credibility of movement political leaders as interlocutors. I show this by examining the coordination failures and credibility problems that doomed the 1997-1999 and 2005-2007 peacemaking efforts.

Chapter Four considers the impact of anti-terrorism law on peacemaking. As the Basque separatist movement was subjected to a far more extensive criminalization regime than were Irish republicans, this case is analyzed more extensively. I investigate how repression hindered separatist peacemaking by examining the voluminous court rulings against the movement's political wing, as well as considering the negative role the Spanish judiciary played during the 1997-1999 and 2005-2007 peace efforts. The experience of Irish republicans, who did not suffer such repression and criminalization, serves as a comparative foil to highlight the role of anti-terrorism law in peacemaking. I look at the rather limited repression that Irish republicans faced, as well as the comparatively fierce repression that "dissident republicans" have faced since 1998, to stress the relative tactical and strategic freedom Irish republicans enjoyed in contrast to their separatist counterparts.

The Conclusion, in addition to summarizing the main arguments of this dissertation, addresses three additional issues. First, I examine the current situations in both Northern Ireland and the Basque Country, looking in particular at the post-2010 movement-led peace efforts in the Basque Country. Second, I consider state decision-making, focusing on British flexibility and Spanish intransigence, as a product of both strategic rationality and symbolic commitments, particularly those relating to official state nationalism. Finally, I consider the extent to which the findings of this research can be generalized and applied to ongoing conflicts, including guerilla struggles and civil wars, as well as cases of low-level "terrorism."

CHAPTER ONE

FROM ARMED GROUP TO MOVEMENT: ARMED STRUGGLE AND MOVEMENT-FORMATION IN NORTHERN IRELAND AND THE BASQUE COUNTRY

This chapter investigates the development of politico-military movement structures by the IRA and ETA in the context of an analysis of the organizational and political problems inherent to clandestine armed struggle. Existing studies of the relationship between clandestine armed groups and associated political movements have focused largely on one trajectory, *from movement to armed group*, whereby radicals, faced with movement demobilization, use violence to rekindle the struggle's flame. But this strategy often proves counterproductive, leading to the armed group's demise. There is an alternative trajectory: *from armed group to movement*. That is, armed groups may develop *politico-military movement structures*—forming allied aboveground movement organizations; coordinating armed and unarmed activism; and creating a shared “movement” identity—to ensure the armed group's reproduction by expanding the struggle into new domains.

Movement structures facilitate the armed group's reproduction in three ways. First, movement structures enable armed groups to transition from insurrectional to attritional military strategies, as augmented political activity bolsters the less “spectacular,” more targeted violence inherent to the attritional model. Second, such structures provide armed groups with durable means for obtaining the recruits and resources needed for organizational survival. Third, by situating and defining the armed group as part of a popular movement with legitimate

grievances, movement structures can counter government efforts to marginalize and delegitimize the armed group as a band of isolated “terrorists.”

The IRA and ETA pursued similar trajectories after armed struggle’s initiation: the adoption of an attritional military strategy followed by organizational disembedding alongside partial reembedding through movement-formation. The process of movement-formation coincided with the late-seventies adoption of attritional strategies by both the IRA and the factions of ETA. Changes to the security environment and political field further drove movement-formation. By the mid-seventies, the Provisional IRA’s traditional brigade structure—scores of militants organized into geographical military units—proved vulnerable to police penetration, forcing the adoption of a cellular model. This structure, while providing greater security, isolated the IRA from its milieu. Developing republicanism’s political wing, particularly Sinn Fein, offset this marginalization while providing the IRA with “protective support barriers.”

In the Basque case, ETA’s failure to develop a “political apparatus” on the eve of Spanish democratization provoked a schism in 1974 and the creation of rival organizations, ETA Politico-Military and ETA Military. Both agreed on the need for the development of ETA-linked political structures to take advantage of Spanish democratization. They differed, however, over how to coordinate armed struggle with collective action. ETA Politico-Military argued for centralized control over both violent and nonviolent activism, while ETA Military called for a decentralized structure consisting of loosely coordinated autonomous groups aligned with ETA.

To explore this decision to adopt politico-military movement structures, I examine the writings of militants. Gerry Adams and his allies published numerous treatises in the movement

weekly, *Republican News*, calling for republicanism's transformation into a bona fide movement—writings especially significant given the relative scarcity of IRA-produced materials (Whalen 2006). ETA, in contrast, wrote prodigiously (Zulaika and Douglass 1996: 34). In particular, militants debated at length the advantages and disadvantages of centralization and decentralization. Of course, these militant-produced documents are aspirational in their content, detailing what militants hoped to achieve, not their actual achievements. These documents may not provide evidence of the actual organizational structures implemented, but they are critical for investigating the decision to adopt politico-military movement structures in the first place.

The two cases are significantly different, as reflected in the texts examined below. Militants debated issues particular to their respective struggles. “Going political” has always been controversial among Irish republicans. Gerry Adams and his young allies had to convince veteran militarists that political development would not supplant the IRA's military campaign, but rather bolster it. Republican writings thus detail the benefits of creating movement structures around the IRA, giving key insights into the basic thinking behind adopting the politico-military model. Among Basque separatists, the military and political struggles had always been seen as one. How to coordinate the two was the issue. The debate between ETA Politico-Military and ETA Military thus centered on movement structure, centralized or decentralized. Comparing documents produced by IRA and ETA militants allows for investigating different aspects of the decision to adopt movement structures. From Irish republican texts, insights into the basic benefits of movement-formation are gleaned. Basque separatist documents, on the other hand, provide perspectives on the problems of inter-organizational authority and coordination within politico-military movements.

This chapter is organized into four parts. First, I examine how movement-formation can be a means for bolstering low-level armed struggle, for ensuring organizational reproduction, and for offsetting the armed group's political marginalization by addressing the problems of recruitment, alliance-formation, public communication, and mass mobilization. I also consider the benefits and disadvantages of movement centralization and decentralization. Second, I examine the discourse on expanding the republican movement as part of the IRA's "long war" strategy. Third, I look at the 1974 split between ETA Politico-Military and ETA Military and the subsequent debate over movement centralization. I conclude by considering why movement centralization succeeded in Ireland yet failed in the Basque Country, as well as how movement structures impacted conflict prolongation and conflict resolution.

Clandestine Armed Struggle and the Problem of Organizational Reproduction

In analyzing the relationship between social movements and clandestine armed groups, movement scholars have systematically mapped out one trajectory: *from movement to armed group* (della Porta and Tarrow 1987; Zwerman, Steinhoff, and della Porta 2000; della Porta 2006; Hazen 2009; Alimi 2011; Rinehart 2013; Alimi, Bosi, and Demetriou 2015). Movement demobilization in these cases fuels armed struggle, as hardliners use violence to reignite the struggle's flame. Animated by an ethic of pure conviction (Weber [1920] 2009), militants disembed from their social milieux by forming organizations underground. Terrorism scholars have highlighted the near ubiquity among armed groups of the cellular model of clandestine units organized into a loose hierarchy (Wolf 1981; Shapiro 2005; Jackson 2006; Helfstein 2009). These groups, however, face severe constraints and cannot use normal organizational means to

impose rules, enforce compliance, and monitor members (Enders and Su 2007; Eilstrup-Sangiovanni and Jones 2008; Shapiro and Siegel 2012). Armed groups thus often use violence for ends such as fundraising (Siquiera 2005; Asal and Rethemeyer 2008), recruitment (de Mesquita 2008; Gutfraind 2009), and internal communication (Chai 1993).

But if clandestine violence exacerbates the difficulties armed groups face, it is counterintuitive and counterproductive for these groups to rely solely on violence to address organizational problems. The reliance on violence is likely to instead accelerate their demise (Wieviorka 2004). Survival is, after all, an imperative for revolutionary political organizations, including armed groups (Selznick 1952; Crenshaw 1987). The exclusive reliance on violence to solve organizational problems may explain why many armed groups do not persist long (Cronin 2009). Violence as an organizational tool, given its inherent limitations, cannot explain the long careers of armed groups such as the IRA and ETA.

An alternative mechanism for ensuring organizational reproduction and armed struggle's persistence is the development of politico-military movement structures through the formation of allied aboveground movement organizations, the coordination of nonviolent political action with armed struggle, and the creation of a shared "movement" identity based around strategic goals and legitimacy claims. Developing movement structures not only addresses organizational problems, but augments low-level violence through collective action expanded into new domains, while offsetting the "terrorist" label by representing the armed group as the vanguard of a popular movement.

Developing politico-military movement structures is a strategic choice. Armed groups and nonviolent movement actors face similar dilemmas (Gamson 1975; Minkoff 1999; Ganz

2000; Jasper 2004), but the inherent limitations of armed struggle are critical to armed groups' decision-making. The founding generation of clandestine armed groups are often, in Marx's terminology, "alchemists of revolution" who believe that violence can create revolutionary conditions (Rubenstein 1987). Militants soon learn, however, that clandestine violence is inherently limited. Violence demobilizes supporters, while armed groups are often decimated by ensuing repression. Militants may choose to escalate in hopes that more violence will spur revolution—though this is likely to lead to further demobilization and organizational demise.

Militants may opt instead for a long-term attritional military strategy more suited to their limited capacities (Kydd and Walter 2006; Sánchez-Cuenca 2007). The attritional strategy, however, requires secure modes for organizational reproduction, forcing groups to disembed from their milieux through the adoption of more insular structures. But disembedding impedes organizational reproduction in two ways. First, removing the armed group from its milieu increases its political marginalization and diminishes the symbolic impact of its violence. Under such conditions the struggle comes to be seen, according to ETA Politico-Military leader Eduardo Moreno, "as a private war beyond the interests of the masses" (ETA 1980a: 129).¹² Second, while bolstering security, disembedding exacerbates organizational problems such as recruitment, alliance-formation, public communication, and mass mobilization in support of armed struggle.

Developing politico-military movement structures offsets the limitations of both the attritional strategy and organizational disembedding in three ways. First, nonviolent collective action augments armed groups' low-level attritional violence by expanding struggles into new

¹² All translations from Basque, French, and Spanish are the author's.

domains. Second, by adopting “movement” forms and repertoires, armed groups’ supporters provide armed groups some measure of political legitimacy, thus offsetting the symbolic ramifications of the “terrorist” label. Finally, forming aboveground movement organizations assists in addressing the following organizational problems:

Recruitment: Going underground cuts armed groups off from the recruits needed to replace killed or captured militants, as well as from those who provide safe houses, intelligence, and financial contributions. Using aboveground movement organizations, armed groups can securely identify and screen recruits, as well as obtain resources, funds, and intelligence (Hannigan 1985; Llera 1992; Buesa 2011). Associated organizations also socialize individuals into the culture of insurgency prior to joining armed groups. Movement organizations can also be beneficial when armed groups have too many recruits, who can then be channeled into allied organizations.

Alliance-Formation: Clandestinity hinders armed groups’ capacity for engagement with other political actors, which increases their marginalization. Aboveground movement organizations thus can provide critical links to the political field and foster engagement with allies and rivals (Neumann 2003a; Richards 2003; Pettyjohn 2009; Dudouet 2010). Allied movement organizations, though stigmatized by their association with “terrorists,” possess enough legitimacy for engagement with nonviolent political forces, thus expanding armed groups’ domestic and international political networks.

Propaganda: Though clandestine violence is often expressive, armed groups have little control over the interpretation of their actions (Cordes 1987; Stohl and Stohl 2011). Communiqués and tweets are often framed in line with the state’s preferred narrative, reinforcing

the marginalization of armed groups and further limiting their support base. Movement-associated media can provide counter-narratives to the terrorism frame that dominates political discourse, giving armed groups a weapon in legitimacy struggles. Movement-linked media also socialize supporters and recruits into the insurgency's culture, providing them ready-made justifications for violence.

Mobilization: Mass mobilization is beyond the capacity of armed groups, though it is often central to their political strategies (Rubenstein 1987). The failure to mobilize supporters contributes to armed groups' marginalization and illegitimacy. Parallel collective action can be used to demonstrate that armed groups, rather than being illegitimate "terrorists," are vanguards of broad-based movements. Movement organizations can mobilize supporters through conventional or contentious means such as electoral campaigns or public protests (Weinberg 1991; Irvin 1999; Weinberg, Pedahzur, and Perliger 2008). Mobilization also expands the struggle into new arena, bolstering and often transcending clandestine violence.

Movement structures enable armed groups' reproduction by addressing organizational and political problems. But militants must also face issues related to inter-organizational authority and movement centralization. The relationship between movement structures and political effectiveness has been widely examined by social movement scholars (Zald and Ash 1966; Gamson 1975; Jenkins and Eckert 1986; Staggenborg 1988; Taylor 1989; Polletta 2012). Politico-military movements, however, face a specific problem: how to coordinate armed and unarmed activism (Berti 2013: 19-24; della Porta 2013: 171-72). As I explore further in Chapter Three, centralization is optimal for achieving movement goals by controlling violence, thereby facilitating the political wing's development. But centralization produces new risks. Allies charged with political tasks may be vulnerable to arrest given their relatively public activism,

while armed-group-directed “front” organizations can make armed groups vulnerable to police disruption—hindering the development of both wings of politico-military movements.

Decentralized structures may be devised in which movement organizations agree on strategy but operate with few links to the armed group itself. Decentralization, while increasing security, creates coordination problems. Lacking centralized control, insurgents may create other means for coordinating violent and nonviolent activism. Members of armed groups may infiltrate existing organizations, though this can create intra-movement acrimony if it provokes repression against infiltrated groups. Semi-formal forms of coordination are also possible, such as umbrella organizations in which armed groups are members or are represented by others, though even such relatively indirect links may create organizational insecurity.

Regardless of inter-organizational form, this expansion takes the explicit guise of a *movement* to offset the impact of the “terrorist” label. Organizational form, after all, is itself a strategic legitimacy claim (Clemens 1993, 1996). By representing themselves as part of a “movement”—e.g. the *Irish Republican Movement* or the *Movimiento de Liberación Nacional Vasco*—using “movement” repertoires—public protests, propaganda efforts, electoral campaigns—armed groups attempt to exhibit their political legitimacy through demonstrated popular support. If successful, the armed group can draw both practically and symbolically from movement structures, thereby prolonging violent conflicts. Irish republicans and Basque separatists consciously exhibited the “properties” of social movements, i.e. “collective challenges, based on common purposes and social solidarities, in sustained interaction with elites, opponents, and authorities” (Tarrow 1994: 9), and their characteristic “elements,” i.e. organized campaigns; contentious repertoires; and demonstrations of “worthiness, unity, numbers, and commitment” (Tilly 2004a: 3-4). Like nonviolent actors, Irish and Basque

militants intentionally and pragmatically adopted these features in the effort to acquire legitimacy as a “movement,” albeit with the further goal of offsetting the “terrorist” label.

The Provisional Irish Republican Movement

The Irish republican movement’s expansion was provoked in the mid-seventies by changes in the Northern Irish security environment, which forced the IRA to adopt an attritional strategy and a cellular model. To offset the marginalization produced by disembedding, a parallel *reembedding* process was initiated through the development in particular of Sinn Fein—transforming it from the IRA’s “poor relation” into a viable political party. The following traces these organizational developments. First, I examine the IRA’s disembedding and its subsequent reembedding through the development of the republican movement, which coincided with the IRA’s adoption of an attritional “Long War” strategy in the late seventies. I then examine the discourse surrounding movement-formation under the IRA Army Council’s centralized control. Finally, I consider the republican movement’s actual development during the eighties through the professionalization of Sinn Fein.

Historical Context

“Going political” has long been a source of division among Irish republicans. Following yet another failed military effort, the 1957-1962 “Border Campaign,” the IRA’s Dublin leadership attempted to transform the organization into a Marxist-Leninist vanguard directing popular struggles throughout Ireland. Republican purists, however, feared that leaders were “running

down” the armed struggle. The 1968-69 Northern Irish Catholic civil rights campaign and the sectarian violence it provoked brought these tensions to the fore, resulting in the 1969 founding of the Provisional IRA—which quickly became Northern Ireland’s most effective armed group.

By the mid-seventies, however, modified British counterterrorism increasingly hindered the IRA. When the Royal Ulster Constabulary (RUC) initially proved unable to contain violence, Britain deployed troops in 1969 and instituted in 1971 a controversial internment policy. These actions were not only ineffective, but damaged London’s credibility among Catholics. A reformed law and order approach, known as “criminalization,” was thus introduced in the mid-seventies. The RUC now led counterterrorist efforts, British troops being increasingly relegated to support functions, while internment was replaced by juryless courts, notorious for their reliance on informants (Tonge 2013: 95-97). After 1975, there was a significant increase in the arrest and prosecution of IRA members, including many seasoned veterans (Sanders 2011: 340).

The effectiveness of criminalization discredited Provisional leaders who had since the early seventies promised that just “one more push” would force a British withdrawal. Militants led by Gerry Adams argued for an overhaul of the IRA’s strategy in line with the altered security environment. The IRA shifted from an insurrectional to a more viable low-level attritional strategy, “the Long War,” which required the adoption of a disembedded cellular structure to ensure long-term organizational reproduction. To offset the drawbacks of disembedding, republicanism was expanded through Sinn Fein’s development, providing the IRA mechanisms for organizational reproduction and augmenting its low-level violence with organized political agitation (O’Brien 1999; Whalen 2006).

Disembedding and Reembedding

During the conflict's early years, the IRA used a brigade structure consisting of large units organized geographically into a military hierarchy. By the mid-seventies, however, this structure proved vulnerable to reformed policing techniques. According to a 1977 Army Council report, the IRA was "burdened with an inefficient infrastructure of commands, brigades, battalions and companies," requiring the "building of a new Irish Republican Army" (Coogan 2000: 465). Brigades were to be replaced by clandestine cells organized within a hierarchical chain-of-command. The auxiliary woman's organization, Cumann na mBan also went underground, as did the youth group Na Fianna Éireann, whose members were to "be educated and organized decisively to pass into the IRA cell structure when of age" (*ibid.* 2000: 465).

The cell structure, while secure, isolated the IRA, creating political and organizational problems for the group. Militants argued that this isolation could be offset by "building around [the IRA] new surfaces and protective groups" (*Republican News* Aug. 21, 1976). This was essential to the struggle's continuation, according to Gerry Adams:

If we have only a local Unit in an area, the Brit wins by isolating or removing that unit from the people. If that Unit is part of an aggressive Republican or People's Resistance Structure, the Brit must remove everyone connected, from schoolchildren to customers in the co-ops, from paper-sellers to street committees, before he can defeat us. (*ibid.* Nov. 29, 1975)

The IRA training manual, *IRA Green Book* (1977), echoed these sentiments:

If, for example, we have an area with a unit of IRA volunteers and nothing else: no Sinn Fein Cumann, no Green Cross committee, no local involvement, etc., after a period regardless of how successful they have been against the British, they end up in jail leaving no structure behind: no potential for resistance, recruits, education, or general enhancing of support. (9)

Republicans looked to “people’s organizations” as mechanisms for building their future movement. Following Northern Ireland’s late sixties’ destabilization, Catholics established limited self-government through ad hoc associations. As IRA members, including Adams, had been active in these groups, many saw them as ideal vehicles for expansion:

Peoples’ organizations have increased as new contingencies have arisen. Now we have housing committees, street committees, defense committees, prisoners aid committees, and credit unions. We have sporting, cultural and Gaelic language organizations busy at the grass roots level, peoples’ taxis and cooperative schemes progressing and enlarging. All peoples’ organizations—all carrying out necessary functions—all for the welfare of the people—all divorced or easily divorced from the Brit Administration. (*Republican News* Nov. 29, 1975)

Such local activism “would allow people not normally involved in the struggle...to participate in the overall war effort by providing an outlet for everyone’s potential” (*ibid.* Feb. 19, 1977). This would ultimately benefit the IRA:

Our struggle is not merely an armed one and there are others who are deeply committed to the revolution who for reasons of their own are not engaged in actual armed conflict. The active support given by such people is invaluable... [and] adds to the momentum of the revolution and ensures a continuous growth in the number of people who are brought into contact with the struggle and who in turn propagate Republican philosophy. (*ibid.* Jul. 30, 1977)

The *Green Book* (1977) reiterated this appeal:

Resistance must be channeled into active and passive support with an on-going process through our actions, our education programmes, our policies, of attempting to turn the passive supporter into a dump holder, a member of the movement, a paper seller etc., with the purpose of building protective support barriers between the enemy and ourselves, thus curbing the enemy’s isolation policy. And of course the more barriers there are, the harder it is for the enemy to get us while at the same time we increase the potential for active support in its various forms. (9)

This matrix would thus provide the IRA security, while offsetting disembedding’s ramifications through the struggle’s expansion—under the direction and control of the IRA Army Council.

The IRA Army Council's authority was grounded in militant republican legitimism. For purists, Ireland's only legitimate government was the 1919-22 "all-Ireland" *Dáil Éireann*, which was dominated by the original Sinn Fein. Following the 1921 partition of Northern Ireland and the 1921-22 Irish Civil War, Sinn Fein and the IRA refused to recognize the Dublin and Belfast governments, insisting that the 1919 *Dáil* remained Ireland's only legitimate government. In 1938, the remaining *Dáil* members transferred this authority to the IRA Army Council—making it, for republican purists, Ireland's "true government" (Sanders 2011: 4-6). Following the 1969 split, the last living member of the 1919 *Dáil* bestowed this legitimacy on the Provisional IRA Army Council (White 1993: 57). Given this legacy, the Army Council's "permanent leadership" persisted throughout and legitimized republicanism's transformation (Moloney 2003: 156-57). As one militant wrote, "the Republican Movement can only succeed under the direct revolutionary leadership of the Republican Army" (*Republican News* Aug. 21, 1976). The 1977 Army Council staff report reinforced this centralizing stance: "Army men must be in total command of all the movement"; "Sinn Fein must come under Army organizers at all levels"; "Sinn Fein should be radicalized (under Army direction) ...[and] be directed to infiltrate other organizations to win support for and sympathy to the Movement" (Coogan 2000: 467).

The centralization of authority under the IRA Army Council was critical to the process of movement-formation. Army Council control would ensure that "going political" did not undermine armed struggle—though some control over violence was necessary to enable political development. "Uncontrolled violence helps no one," Adams warned, "Let us ensure that our revolutionary violence is controlled and disciplined" (*Republican News* Sept. 11, 1976). The *IRA Green Book* (1977) reminded members to "ensure that by our personal conduct and by the collective conduct of our struggle that we alienate as few of our supporters as possible" (7).

Nevertheless, republican leaders insisted that politics would not supplant armed struggle, but instead bolster it. As Adams stressed, “I’m not advocating a diversion from the war effort. Far from it. I’m advocating an extension of it” (*Republican News* Oct. 18, 1975).

The Development of the Provisional Republican Movement

The Adams clique gained control over the Army Council in the late seventies through two organizational developments. The first was the Northern Command’s formation. Since the IRA’s 1921 founding, Dublin had been the location of the IRA’s General Headquarters—as it was for the Provisional “GHQ” after 1969. In 1976, the IRA was reorganized into the Northern Command tasked with directing military operations in Northern Ireland and the Southern Command in the Republic of Ireland restricted to logistical support, giving northerners operational control over the IRA (O’Brien 1999: 109-10). The second development was the creation of the Revolutionary Council, which distributed authority among the Army Council, the GHQ in Dublin, and Northern commanders—again benefitting Belfast. By 1977, the Adams clique had gained influence on the Army Council, due in part to the Revolutionary Council’s support—which thereafter faded from existence (Moloney 2003: 145-54).

Despite the allure of “people’s organizations,” the republican movement developed largely through Sinn Fein, with political events propelling the party’s growth. First, to prevent the breakdown of the 1975-1976 IRA ceasefire, “incident centers” staffed by Sinn Fein were established, increasing the party’s public profile. According to one IRA leader, “in an ironic sort of way, it was the relationship between the British Army and the IRA back then that led to the first public expression through these incidents centers of republicans coming out of the

backstreets, the smoke-filled rooms” (Feeney 2002: 276). Sinn Fein grew further during the 1981 prison hunger strike. Republicans joined with Irish moderates in support of the strike, creating local “H-Block” committees throughout Ireland—which were later transformed into Sinn Fein offices (Moloney 2003: 215). Propelled by hunger striker Bobby Sands’s dramatic election to British parliament, Sinn Fein developed into a viable and professional political party by decade’s end.

The republican movement largely consisted of the IRA and Sinn Fein, both under the control of the Army Council. Though efforts to establish specialized groups continued, the army and the party remained dominant—facilitating and streamlining the Army Council’s centralized authority. The army-party model stands in marked contrast to the Basque separatist movement, which has consisted of numerous organizations—labor unions, neighborhood associations, youth groups, Basque language programs, etc.—alongside ETA. Though ETA remained the movement’s effective vanguard, no single organization or body was able to implement full control over both wings of Basque separatism

The Radical Basque Separatist Movement

The development of the Basque separatist movement by ETA and its allies differed from the Provisional republican experience in four ways. First, whereas republicans adopted the movement strategy in response to changes in the security environment, ETA was founded *as a social movement*. During ETA’s first decade, however, the Franco regime’s repression hindered the development of all but ETA’s “Military Front,” which enjoyed an operational sanctuary in the French Basque Country. Second, whereas the IRA adopted the cellular model well into its

campaign, ETA implemented this structure soon after its 1959 founding—a necessity of the hostile security environment within Franco’s Spain. Following the 1968 initiation of its violent campaign, however, ETA’s armed wing progressively delinked from the rest of the organization and social field. Third, whereas Irish republicans expanded through existing organizations, Basque separatists created movement groups from scratch. Finally, republicanism was centralized under the Army Council, whereas Basque militants were bitterly divided over centralization, resulting in rival movement models. Ultimately, the decentralization of authority and organizational autonomy proved more suited to the Spanish security environment in which separatists operated.

The following examines the 1974 split and subsequent struggle between ETA Politico-Military and ETA Military over the “correct” movement form. First, I look at problems ETA faced on the eve of Spanish democratization—the underdevelopment of its political apparatus and the encroaching “militarization” of the struggle—leading to the adoption of both an attritional military strategy and politico-military movement structures. I then consider the debate between rivals over centralization and organizational autonomy. Finally, I examine ETA Politico-Military’s demise and separatism’s crystallization within ETA Military’s decentralized structure.

Historical Context

When founded in 1959, ETA was designed to be a social movement rather than an armed group (Letamendia 1994a: 257). ETA was organized into four specialized “fronts”—culture, labor, propaganda, and military—directed by the ETA Executive. The attempt to develop this structure coincided with the Franco regime’s cautious liberalization in the mid-sixties, which encouraged

widespread mobilization among Basques (Clark 1979: 205). The state paradoxically yet characteristically responded to mobilization with repression, instituting seven periods of martial law in the Basque Country between 1967 and 1975 (Bruni 1987: 227). Repression against ETA, however, fell disproportionately on its semi-clandestine political, cultural, and labor fronts, all of which operated relatively openly in Basque society. In contrast, ETA's Military Front developed securely within its French Basque sanctuary (Casanova 2010: 138-41).

ETA's uneven development—an increasingly sophisticated military wing alongside a chronically decimated political wing—within the context of impending Spanish democratization provoked a schism in December 1974, resulting in the creation of rival groups: ETA Military and ETA Politico-Military. Both agreed that armed struggle must be augmented by collective action. They also agreed that while ETA had social support, due to state repression it lacked the organizational capacity—a “political apparatus”—to mobilize supporters (Ibarra 1987: 114-15). As one strategist wrote, “an organization engaged in armed struggle faces absolute repression and must suffer constant blows, making the creation of stable mass organizations impossible...The acronym ‘E.T.A.’ guarantees intense repression” (ETA 1980b: 58).

ETA's uneven development furthermore threatened to “militarize” the struggle. In 1974, a group of defectors warned of the “dangerous militaristic stance that has reigned within the armed wing...[which] seeks to militarize the organization” (Bruni 1987: 207-208). ETA Politico-Military cautioned that unless directly linked to the mass struggle, “the armed group will enter into a dynamic of its own, alienating itself more and more from the masses, until it descends into militarism” (ETA 1980a: 61). According to Politico-Military strategist Eduardo Moreno: “The armed struggle will transform into a confrontation between the state and a marginalized

group...with the masses merely observing as passive spectators” (Amigo 1978: 279). To prevent further militarization, political development was necessary.

Encroaching militarization also influenced the modification of ETA’s military strategy, which made developing movement structures more urgent. During the sixties, ETA implemented an insurrectional “action-repression” model: violence would provoke state repression, radicalizing the masses, culminating in revolution. As democratization and demobilization loomed, ETA Military abandoned this model in the late seventies, adopting a more practical low-level attritional strategy to force political negotiations with Madrid (Ibarra 1987). ETA Politico-Military, on the other hand, developed no coherent military strategy. Officially, Politico-Military argued that violence would “augment mass struggle in the progressive weakening and destabilization of the oligarchic power” (Giacopuzzi 1997: 77), though ETA’s traditional insurrectional model remained influential (*ibid.* 98-100). Indeed, ambitious attacks and tactical errors fractured allies, contributing to ETA Politico-Military’s ultimate demise.

Questions concerning the centralization or decentralization of movement authority and the organizational autonomy of movement groups divided militants, leading to the development of rival movement structures beginning in 1974. ETA Military advocated “delinking” from the political field and allowing others to seize the initiative in the opening political field. Acknowledging repression’s negative impact on political development, ETA Politico-Military argued that the central problem stemmed from a lack of “unified and genuine direction over the operations of two sectors organized by militants with distinct political ideals and mentalities” (Amigo 1978: 305). Centralization would allow for greater coordination between armed and unarmed activism in the context of Spanish democracy.

Centralization vs. Decentralization

ETA Military and ETA Politico-Military agreed that the mass and armed struggles were one, though ETA Politico-Military maintained that a single vanguard must direct both. According to one strategist, “There is only one way to build mass action: through an organization that unites both forms of action, a *politico-military organization*” (ETA 1980a: 61, emphasis mine). ETA’s failure to develop durable politico-military structures was a product of “the failure to practically and organizationally coordinate the mass struggle and the armed struggle” (*ibid.* 336).

Coordination through greater centralization would correct this: “Our activity in the mass struggle will determine our armed activity, and our military activity will in turn drive and orient our activity in the mass struggle in a constant dialectic between the two within a framework of strategic and tactical positions devised by a single leadership” (*ibid.* 346).

ETA Politico-Military proposed that the group be “firmly organized and centralized, like a Marxist-Leninist party” (*ibid.* 336), yet compartmentalized through “the total separation at the base level between militants dedicated to the mass struggle and militants dedicated to the armed struggle” (*ibid.* 345). Operational control and coordination was essential:

...when an action is to be undertaken in any field of struggle within a zone, one must always take into account the effects of repression on the development of the struggles in other areas of the same zone...in order to judge if an action taken at a given moment will have a positive or negative effect on the overall development of the struggle. (*ibid.* 320-321)

Responsible commanders would ensure that “inopportune military violence, impervious to the actual development of the struggle in other zones” not produce “stagnation or even regression in the development of the struggle” (*ibid.* 321). Finally, centralization would ensure solidarity

between wings, especially important as democratization would cause “unity to become very fragile and to maintain it will require greater control and, therefore, much stronger centralization” (*ibid.* 336).

ETA Politico-Military believed that as “there is only one political struggle there should be one single organization” directing it (*ibid.* 344). Therefore, “to separate the armed struggle from the mass struggle through the creation of separate organizations is to create an artificial divide in what is a single struggle” (*ibid.* 344). Without a unified leadership to direct it, the struggle would devolve into “a situation in which a radicalized [armed] group exists alongside masses that are not even minimally radicalized...who from outside observe a struggle they believe to be meaningless” (*ibid.* 328). ETA Military’s plan to disembed from “politics” was thus “irresponsibility approaching treason” (*ibid.* p. 346).

ETA Military, comprised largely of veteran members of the Military Front, drew from relative experience in calling for delinking as a pragmatic adaptation to repression, necessary for armed struggle’s perpetuation and for movement development in the post-Franco context (Giacopuzzi 1997: 73-74). Group leaders argued that the previous decade’s “fronts” model had demonstrated that a combined political and military structure was “too open for the development of effective armed activity” (ETA 1980b: 81). Failure to respect “norms of security” and the “mixing of fronts” had exposed the group to repression (*ibid.* 58) and “impeded the political consolidation of the masses, as well as the continuation of armed struggle” (*ibid.* 81). According to one strategist, “so long as a front of the organization engages in armed struggle, the rest of the organization must suffer the repression it provokes” (*ibid.* 104). Only “an organic separation between mass activity and armed activity...will guarantee the development of a political base supporting the Organization [ETA]” (*ibid.* 15).

ETA Military called for “the compartmentalization of apparatuses and action groups operating with tactical autonomy within a general homogenous framework” (*ibid.* 14). ETA Military’s militants would “separate ourselves from the mass apparatus, tactically limiting our functions to the development of armed struggle” (*ibid.* 58). Delinking would offset “the effects of repression on mass organizations, facilitating stable development and capacity for maneuvering” (*ibid.* 59). Disembedding would also allow ETA to limit its size, benefitting allied groups. As one leader wrote, “we have demonstrated great interest in developing the mass struggle, closing our doors to many militants and directing them to [newly-formed separatist groups] LAB, EHAS, LAK, LAIA, and even the Politico-Military organization itself” (*ibid.* 17).

ETA Military understood that decentralization would make inter-organizational coordination difficult. But it rejected “double militancy” whereby ETA members would infiltrate allied groups, as this would “directly implicate parties in the armed struggle and these parties will come to face the same repression” (*ibid.* 21). The group argued that informal “bilateral relationships” between ETA members and aboveground allies represented ‘the most appropriate formula for the direction and control by the military organization over parties’ (*ibid.* 20-12). Personal ties would allow ETA to maintain influence—even *control*—over allies in lieu of inter-organizational centralization.

The Development of the Radical Separatist Movement

The two movement models developed by Basque separatists were put to the test following the 1974 split. Politico-Military’s centralized structure soon exhibited the limitations of which ETA Military had warned. In 1975, police infiltration led to the arrest or flight of eighty percent of the

group (Giacopuzzi 1997: 58). ETA Politico-Military was immediately reorganized, but internal conflict led to the military wing's 1977 defection to ETA Military. Politico-Military's military wing was again quickly rebuilt, and in 1977 the group's political wing, the Party of the Basque Revolution (EIA), was formed (*ibid.* 70-71). The creation of a single unified leadership, however, proved difficult and the two wings were soon operating under separate structures (Egido 1993: 67-85). Conflict within the virtual organization came to a head when EIA leaders unilaterally negotiated ETA Politico-Military's disbandment with the Spanish Interior Ministry. As explored in Chapter Two, ETA Politico-Military's membership rejected the deal, provoking widespread defections to ETA Military (Fernández 2009, 2010, 2011, 2013).

ETA Military's decentralized model proved more resilient. Following the 1974 split, ETA Military assisted in forming numerous organizations, including the People's Revolutionary Socialist Party (HASI) in 1977. In 1980, HASI and three other separatist parties formed the coalition Herri Batasuna, which by the decade's end became a party in its own right. ETA Military also supported the formation of the youth group Jarrai and the newspaper *Egin*—the latter supported as well by ETA Politico-Military. In 1975, the two rivals and their respective allies jointly formed Patriotic Socialist Coordination (KAS), designed to synchronize political and military action. ETA Military did not officially participate in KAS—given its avowed noninvolvement in “politics”—but was represented on the committee by HASI.¹³ ETA Politico-Military and its allied party EIA initially joined KAS, but the latter's decision to participate in the 1977 Spanish general elections—in opposition to the abstentionist policy of ETA Military and the remaining organizations of KAS—caused ETA Politico-Military/EIA to abandon KAS.

¹³ Despite ETA's pledge to allow HASI to represent its interest, the organization nevertheless sent representatives to KAS meetings throughout this period, as indicated in KAS's records (Audiencia Nacional Sentencia 16/2014: 194-206).

With the departure of ETA Politico-Military and EIA, KAS became entirely aligned with ETA Military. The crystallization of radical separatism around ETA Military culminated with ETA Politico-Military's 1985 dissolution.

This did not, however, end the struggle over movement centralization. Beginning in 1983, KAS and HASI attempted to centralize control over separatism's political wing—though not over ETA—producing intra-movement conflict (Letamendia 1994c: 116-18). By the end of the decade, many were calling for greater organizational autonomy to attract younger recruits repelled by the movement's militaristic image (Ó Broin 2004: 190-209). Movement organizations responded by embracing more “horizontal and open” structures “in contrast to the monolithic and vertical forms on which traditional and even leftist parties rely” (Herri Batasuna 1991: 5). In the nineties, ETA allegedly attempted to impose direct control over the entire movement (Buesa 2011: 71-91), though there is controversy over the extent to which this claim was merely a convenient cover for the movement's criminalization (Whitfield 2014: 64-65; see also Egaña and Giacomuzzi 2012). Whatever control ETA may have established was undone by the Spanish judiciary: by 2003, virtually every separatist political organization had been criminalized.

Conclusion

Organizational development is not an automatic process, but rather a strategic decision (Jenkins 1983: 541). Strategic decision-making, of course, must be analyzed in relation to structural conditions (Koopmans 2005). For armed groups, this decision is shaped by the strategic and practical limitations of clandestine armed struggle. Though a subject for systematic investigation

in its own right, it is useful here to consider why centralization succeeded in Ireland yet failed in the Basque Country. Geographically, the Republic of Ireland's countryside provided fertile grounds for clandestine coordination. The miniscule French Basque region once provided separatists a similar environment, but French counterterrorist efforts since the mid-eighties made this base inhospitable (Domínguez 1998: 148-51). State decisions impacted the decision-making of armed groups in other ways. British-Irish counterterrorism targeted the IRA's rank-and-file, while reputed Army Council members, including Sinn Fein leaders, were rarely arrested or prosecuted. Repression against nonviolent Basque separatists has been more concerted, hindering the development of stable inter-organizational structures, centralized or decentralized.

Experience and ideology also shape movement-formation. The Army Council's authority within republicanism has deep historical roots, with purists seeing it as the "legitimate government" of Ireland, while militarist dominance over politicians is a legacy of the 1921-22 Irish Civil War (O'Brien 1999: 122). Basque separatists, on the other hand, learned from experience that centralization was unviable in Spain. Ideology also impacted movement development, especially among Basque militants who, unlike Irish republicans, identify with the Continental left: variants of Marxism were dominant during the sixties and the New Left drove the schisms of the seventies. Leftwing currents were less influential among republicans, while Sinn Fein's embrace of leftist politics was more cautious and gradual (Maillot 2005; Bean 2007).

Regardless of form, politico-military movement-formation is critical for armed groups' reproduction—and therefore for prolonging violent conflicts. A cursory examination of postwar Western Europe suggests that movement formation fosters prolongation. Most groups generally followed the *disembedding-to-demise* model described by della Porta and Tarrow (1987). More durable groups such as the IRA and ETA, in contrast, developed movement structures alongside

the clandestine. Further evidence of movement structure's impact on conflict prolongation can be found in the cases of Hamas and Hezbollah, whose politico-military model is augmented by a social service wing (Wiktorowicz 2004; Gleis and Berti 2012; Berti 2013). Indeed, auxiliary "civilian" apparatuses facilitate the maintenance of guerrilla armies as well (Molnar et al. 1963; Goldman 2013), suggesting that parallel structures may be crucial for perpetuating civil wars, as well as "terrorist" conflicts. But movement structures may also contribute to ending conflicts, as will be demonstrated in the following chapters.

CHAPTER TWO

TALKING WITH GOVERNMENTS: LEGITIMACY AND RECOGNITION IN INSURGENT ENGAGEMENT WITH THE BRITISH AND SPANISH STATES

The literature on “talking with terrorists” has largely taken the state’s perspective in investigating this issue. This is unsurprising given the state-centered, policy-oriented approach common to the broader study of violent conflicts. Analysts generally focus on the risks and, to a lesser extent, the benefits for states considering engaging with insurgents. Talks are generally seen as politically risky in that engaging with “terrorists” legitimizes and encourages the use of political violence. These symbolic costs must be weighed against strategic interests, particularly the possibilities for ending violent conflicts, whether by facilitating an “honorable exit” for insurgents or by justifying unrelenting repression as the “last remaining option.”

This chapter, in contrast, focuses on insurgent perspectives on “talking with governments,” which have been subject to less scholarly investigation, particularly as it regards insurgent views on legitimacy and engagement. It is often argued that talking to terrorists legitimizes terrorism, but the nature of the legitimacy pursued by insurgents is poorly understood. Violent insurgents are often self-identified revolutionaries of one form or another for whom the state is the embodiment of political evil, the real “terrorist.” Thus, insurgents may refuse to engage with governments to safeguard their credibility as revolutionaries. But engagement can also be a means for acquiring what violent insurgents and especially clandestine armed groups lack: standard forms of political legitimacy.

This chapter investigates the problem of legitimacy in insurgent engagement with the state. How do insurgents approach the issue of legitimacy? What is the nature of the legitimacy

at stake? How is the pursuit of legitimacy shaped by the inter-organizational structures of politico-military movements and the relations and tensions between military and political wings? Do political and military wings pursue the same form of legitimacy?

The following explores these questions through an analysis of four sets of engagement efforts from the Irish and Basque cases. From the Irish case, the first set of talks occurred between 1972 and 1976, during which the IRA sought recognition as a military actor, while Sinn Fein sought legitimization as a political party. The second set occurred between 1988 and 1993, in which Sinn Fein, tacitly backed by IRA leaders, pursued a form of legitimization grounded, at least publicly, in its electoral mandate. In the Basque case, the two sets of talks relate to ETA Politico-Military and ETA Military respectively. First, I examine the 1981-1982 talks between the Spanish government and ETA Politico-Military's ally, the Party of the Basque Revolution (EIA), which were driven by EIA's desire for legitimization from the Spanish political establishment as representatives of the "modern" Basque left. The second set of talks occurred between 1986 and 1989 between Madrid and ETA Military, the latter seeing engagement as a means for securing recognition as an effective and vital political actor in Basque politics.

One of the key findings of this chapter is that "legitimacy" as it is ordinarily understood does not fully capture the kind of recognition sought by insurgents through engagement. Some insurgents seek formal recognition of their legitimacy as political actors, others seek recognition of their capacity to shape political events, regardless of their right to have done so in the first place. Indeed, insurgents may reject the very grounds on which standard forms of political legitimacy rest—i.e. formal or procedural understandings of democracy and legality—and pursue instead a second-order form of legitimacy grounded in recognition of their capacity to drive conflicts and thus their centrality in resolving them.

A second finding of this chapter is that the pursuit of legitimacy and recognition is complicated by the inter-organizational structure of politico-military movements and by tensions produced between political and military wings. Armed groups often pursue recognition of capacity, while their political allies pursue more traditional forms of legitimacy grounded in popular support, electoral mandates, or acceptance among the political elite. This may not always be the case—armed groups may seek political legitimization and political wings may seek recognition of capacity—but the cases examined below suggests that armed groups and their political allies often seek conflicting forms of legitimacy, creating obstacles to peacemaking.

This chapter is organized as follows. First, I draw from the literature investigating “talking to terrorists” to compare the practical and symbolic concerns of both states and insurgents vis-à-vis engagement to highlight the similarities between state and insurgent perspectives, as well as to emphasize the specific symbolic goals of insurgents, i.e. recognition and legitimacy. The next two sections examine Irish and Basque engagement efforts. I conclude by considering the processual relationship between recognition of capacity and political legitimacy in peacemaking, arguing that recognition is best understood as a precondition for engagement, while legitimacy is the outcome of sustained and credible engagement.

Talking to Terrorists, Talking to Governments

The following is divided into two subsections looking separately at the practical and symbolic concerns of both governments and insurgents vis-à-vis engagement with the enemy. For governments, practical concerns relate to “normal” political pursuits, such as providing public security and distributing public goods, as well as attaining or maintaining power. For insurgents,

the practical largely relates to perpetuating the struggle. Low-level insurgencies are also a concern of governments, but they represent only one of many competing state commitments (Zartman 1993). Symbolic ends, on the other hand, center on the *metaconflict*, i.e. “the conflict over the nature of the conflict” (Horowitz 1991: 2). Both governments and insurgents compete to define the struggle, whether “terrorism” or “revolution,” as well as the identity of the “people” in whose name it is pursued. Furthermore, both sides seek to be recognized as legitimate actors—while simultaneously delegitimizing the enemy.

This analytical distinction between the practical and the symbolic is used to highlight the similarities and differences in government and insurgent perspectives on engagement. This distinction, however, is less clear in practice. Achieving practical ends often requires representational action. A government seeking reelection will initiate public relations campaigns, as will armed groups struggling to secure recruits. On the other hand, representational struggles are fundamentally practical. The state, of course, has an advantage given its relative monopoly on the means of symbolic production (Bourdieu 1989, 1994). Insurgents, particularly clandestine armed groups, lack organizational weapons for effective public communication in these representational struggles (Chai 1993; Stohl and Stohl 2011). Armed groups may thus find engagement an attractive means for acquiring legitimacy and recognition.

Practical Concerns of States and Insurgents

Having justified this analytical distinction between practical and symbolic concerns, I now consider government and insurgent perspectives on the practical aspects of engagement. For governments, ending the conflict is an obvious practical interest: talks may be worthwhile if they

resolve costly conflicts (Faure 2008: 187-88). Alternatively, engagement may be used to gather intelligence concerning the clandestine armed group's structure or the insurgent leadership's authority (Byman 2009: 127; Mumford 2011: 635). Talks may also be a form of "psychological warfare" designed to fracture insurgencies (Post and Berko 2009). One way to foment divisions is to bypass armed groups by engaging with their nonviolent political allies. Engagement can thus be used to moderate insurgencies by marginalizing armed groups (Hughes 1990: 79-80; Renner and Spencer 2012: 203).

Talks also pose practical problems. Engagement can alienate governments from other domestic political forces, as well as allied states embroiled in their own counterterrorist struggles (Pettyjohn 2009: 43). States must also guard against falling for insurgent ruses. Just as governments may use talks for counterterrorist aims, insurgents may use them to buy time to reorganize, making engagement "a temporary, tactical component of a larger struggle" (Gross 2010: 99). Divide-and-conquer engagement efforts, though designed to isolate "extremists" from "moderates," often produce short-term escalations of violence (Duyvesteyn and Schuurman 2011). Indeed, violent insurgents may be strengthened if nonviolent allies or rivals are discredited through engagement with governments (Toros 2008: 415; Lanz 2011: 289).

Insurgents consider engagement in terms of practical opportunities and risks in ways often parallel to state considerations. Practically, talks may produce an ultimate peace and the realization of political goals—or at least an honorable exit for armed groups. Additionally, just as states often use talks for strategic counterterrorist ends, armed groups may similarly use engagement and subsequent ceasefires to reorganize and rearm (Gross 2010: 99). Much as the state worries about alienating allies by engaging with insurgents, insurgents must consider the reactions of domestic supporters and, in some cases, foreign sponsors (Neumann 2007: 132).

The nature of violent insurgencies and the inter-organizational networks in which they are embedded give rise to unique practical insurgent concerns, movement unity being foremost among them. Insurgents must therefore consider whether offers of talks are part of a divide-and-conquer strategy (Pettyjohn 2009; Dudouet 2010). Insurgents, like states, must manage opposition from intransigent flanks, though intra-insurgent opposition to talks can produce “spoiler” violence that derail peace efforts (Kydd and Walter 2002). Talks may thus demonstrate leaders’ limited authority within insurgent movements, thereby discrediting these leaders as interlocutors (Byman 2006: 407-408). Finally, engagement may provide the state intelligence, as interlocutors are wittingly or unwittingly turned into informants (Byman 2009: 129).

Symbolic Concerns: Legitimacy and Recognition

Engagement also creates opportunities and risks on the symbolic terrain. In terms of the symbolic concerns of governments, analysts largely focus on the risks of engagement. “Talking to terrorists” may undermine the state’s monopoly over the use of legitimate violence, if only in principle (Wither 2009: 21). In practice, however, governments may worry more about appearing morally weak or politically naive (Neumann 2007: 134; Byman 2009: 126). Furthermore, engaging armed groups may have broader ramifications in that “by recognizing terrorists as worthy interlocutors they have gained a victory with potential followers and other states. Other terrorists and would-be terrorists may believe that continued or increased violence may lead to eventual recognition” (Byman 2006: 406). The symbolic perils of “talking with terrorists” have been of greater analytical concern, but there are benefits. Governments may frame engagement as fulfilling the state’s responsibility to ensure public security or as the seizing of an historic

opportunity to end intractable conflicts (Spector 2004: 615; Browne and Dickson 2010: 385), while fruitless engagement can justify intensifying repression. Finally, engagement may be used to goad armed groups and their allies with what they lack: official forms of legitimacy.

The symbolic concerns of insurgents differ greatly from those of states. There are, of course, some similarities: both are concerned with their reputations and credibility. Thus, engagement can demonstrate responsibility and reasonableness, which is especially important for “terrorists” who are generally represented as being beyond the pale of rationality (Pronin, Kennedy, and Butsch 2006; Lanz 2011; Miller 2011). Additionally, while governments demonstrate credibility through fulfilling commitments, clandestine armed groups are limited in their capacity to demonstrate credibility (Spector 2004: 616). Talks may thus be a means for achieving this critical symbolic end.

But engagement can undermine the credibility of insurgent leaders within politico-military movements. Insurgents, like states, must guard against being seen as morally corrupt or politically naïve. Much as states are constrained by their labeling of challengers as “terrorists,” insurgents must confront self-imposed barriers stemming from their representation of the government as “the most heinous of enemies” (Pettyjohn 2009: 46). Furthermore, the reputation of armed groups is often grounded in their being “untainted” by dealings with the government (Faure 2008: 198). Non-engagement is thus key to revolutionary credibility. Finally, given the legacy of militant sacrifice, leaders engaging with the enemy may fear being labeled traitors to the cause.

Insurgents are especially concerned with political legitimacy and often see talks as a way to acquire legitimacy and recognition. Thus, the argument that engagement “legitimizes

terrorism” may be correct. But what kind of legitimacy do insurgents pursue? It is important to distinguish between an interest in seeking legitimacy grounded in prevailing formal and procedural understandings of democracy and legality and an interest in seeking *recognition of political capacity* as a second-order form of legitimacy grounded in the power to shape events. That is, insurgents may seek “recognition of capability” (Miller 2011: 169), recognition of their “power to influence both the flow of affairs and the function of a given system” (Langhorne 2005: 333), or merely recognition as a “conflict stakeholder” (Dudouet 2010) or a “vital political actor” (Rudolph 2016b: 117-18). Armed groups thus often reject procedural or legalistic understandings of legitimacy and pursue instead recognition as effective and vital political actors grounded in their capacity to shape political struggles through violence—and thus recognition of their vital role in resolving these violent conflicts.

Recognition and legitimacy may be pursued simultaneously by separate factions of armed groups or distinct components of politico-military movements. It is more likely, however, that military wings seek recognition of capacity and political wings seek more standard forms of political legitimacy. Armed groups can and do seek legitimacy through association with a mobilized movement, but recognition of capacity may be preferred to maintain the fiction of absolute separation between insurgent wings. Furthermore, the very nature of armed groups as violence-wielding organizations make recognition of capacity the de facto symbolic basis of engagement. After all, these groups are designed to alter events through force; bombing opponents into negotiations demonstrates this capacity. Finally, this violence transgresses the legalistic grounds on which standard political legitimacy is based. Therefore, armed groups almost by default seek recognition of their capacity as effective political actors.

Political wings are designed according to more standard models of legitimacy. On the one hand, they often adopt—organizationally, tactically, and discursively—a “movement” form to provide clandestine armed groups with political legitimacy. On the other hand, political wings often operate legally or “semi-legally,” using the institutional and electoral fields to both achieve movement goals and acquire or transfer legitimacy. Ties with armed groups create difficulties for insurgent political wings in these pursuits; therefore, inter-organizational links are often downplayed or denied. If the basis of engagement is recognition of the political wing’s capacity to influence armed struggle, its pursuit of standard political legitimacy can be undermined. Thus, insurgent political wings may seek public recognition of their legitimacy on more customary grounds, such as electoral support or acceptance among the political elite.

Finally, there is the issue of secrecy, which has both practical and symbolic significance. In general, secrecy can facilitate effective engagement by removing the influence of outsiders (Pruitt 2006; Lieberfeld 2008; Mumford 2011; Craig 2012). Given the reputational costs of engagement, governments may prefer to maintain secrecy until deals have been reached. Insurgents, having similar concerns, may also opt for secrecy to maintain credibility and manage potential opposition (Spector 2004: 618; Cowper-Coles 2012: 224-225). Thus, secrecy may provide time to not only reach substantive deals, but to prepare the broader movement for the gradual development of more formal peace processes.

But secrecy can be a problem for insurgents in that legitimacy and recognition can only be acquired if insurgents are *seen engaging with the state*. Thus, secrecy in talks, though necessary for establishing long-term peace processes, is often undermined by the symbolic interests of insurgents, particularly clandestine armed groups seeking recognition and who are thus often quick to publicize secret engagement. Publicity often results in a “war of

communiqués” in which insurgents leak details of talks and the government responds with denials and reaffirmations of its commitment to “never talk with terrorists.” The ensuing obfuscations and mutual recrimination often undermine further engagement by reinforcing symbolic barriers, as both sides double-down on their Manichean stances.

Legitimacy, Recognition, and Engagement in Northern Ireland

The following examines two sets of Irish republican engagement efforts: the talks that occurred between 1972 and 1976, which were bookended by failed IRA ceasefires; and those that occurred between 1988 and 1993, which laid the groundwork for the subsequent Irish peace process. The two sets differ regarding the legitimacy sought—and who sought it. In the seventies, the IRA was a militaristic organization that interpreted events through the prism of an impending British withdrawal. It therefore sought *recognition as an army*. But by the mid-eighties, the IRA had become informant-ridden and its operations increasingly thwarted by police. Sinn Fein, in contrast, had developed during this period into a viable party gaining support throughout Ireland. As the political fortunes of Sinn Fein increased, its association with the IRA created barriers to further electoral advance. Thus, an IRA ceasefire was essential for the party to gain full political legitimacy.

The political context had changed significantly between the seventies and the nineties. The year 1972, the most violent of the conflict, appeared to the IRA to be the “year of victory” that would end with a British withdrawal from Northern Ireland. Former Northern Irish Prime Minister Terence O’Neill, for example, said, “I do not believe that the British will be willing to put up the men and money for another five years in Ireland” (English 2008: 179), while the Irish

government saw withdrawal as “a possibility to be seriously taken into account in the quite near future” (Government Memorandum Jul. 3, 1974). This was a source of pride for republicans who applauded “one of the most successful guerilla campaigns ever waged” (*An Phoblacht* Aug. 1972) and believed that the IRA “cannot lose this round and anything short of defeat for them is victory” (*ibid.* May 1972).

By the early nineties, however, political pragmatism had superseded militaristic optimism (Alonso 2001, 2004). Despite armed struggle’s persistence, political republicanism developed remarkably since the 1973 legalization of Sinn Fein in Northern Ireland. The failed talks of the seventies facilitated the rise of younger cadres, such as Gerry Adams and Martin McGuinness, who British officials believed would lead republicans in a political direction (Powell 2015: 67). These young militants did politicize the movement, just at a far slower pace than anticipated. Support for the 1980-1981 prison hunger strike proved to Sinn Fein that “going political” was a viable path for achieving Irish unification. It also convinced both London and Dublin of the political threat posed by Provisionalism. While Margaret Thatcher preferred alienating republicans (Newsinger 1994, 1995), the Fianna Fáil government in Ireland ultimately chose cooptation through political recognition of Sinn Fein in exchange for an IRA ceasefire.

The 1972-1976 Talks

The Provisional IRA entered peace talks in the seventies *as a military organization*, its participation driven by militaristic optimism bolstered by perceived British feebleness. Provisionals would bomb their way to the negotiating table, as had the original IRA in 1921—though this time the armed group would negotiate a British withdrawal, not Ireland’s partition.

But the IRA's optimism reflected its inexperience and naiveté, not its military capacity. In 1971, the group offered a ceasefire in exchange for an immediate end of British military activity and London's commitment to non-interference in the establishment of a "regional parliament for the historic province of Ulster as a first step toward a new Government structure for the 32 counties" (*An Phoblacht* Sept. 1971). Despite these impractical demands, Prime Minister Edward Heath authorized contacts to determine the IRA's willingness to disengage from violence (Craig 2012). To encourage talks, the IRA called a 72-hour ceasefire in March 1972. Republicans met with opposition Labour leader Harold Wilson, but Secretary of State William Whitelaw insisted that the government would not respond to "an ultimatum from terrorists" (English 2008: 157). In March, the IRA proposed a new truce. This time, the Heath Government was more receptive.

On June 22, the IRA called a ceasefire, previously arranged with British interlocutors (Mumford 2011: 636). An IRA team—including young militants Martin McGuinness and Gerry Adams, the latter on furlough from prison—was flown to London to meet with Secretary of State Whitelaw. The IRA demanded an immediate British announcement of its intent to withdraw. According to one British delegate, "None of the IRA delegation seemed to have any concept of the consequences of this and the uproar it would cause" (Taylor 1997: 142-43). Whitelaw observed that the IRA team was "in a mood of defiance and determination to carry on until their absurd demands were met" (Smith 1995: 107). Though a second meeting was arranged, a skirmish between British soldiers and the IRA ended the ceasefire after thirteen days.

The British government treated the talks as a "non-event" (Mumford 2012: 102), though Provisionals compared the 1972 meeting to the 1921 talks between Prime Minister Lloyd George and IRA leader Michael Collins. For the second time in Irish history, the IRA had forced negotiations with the British state. To ensure a different outcome than that of the 1921 talks—

and to reap the full symbolic benefits of engagement—the IRA immediately publicized the talks. As IRA commander Seamus Twomey told militants, “There’s not going to be an old 1921 sell-out here. The men and women on the ground that are doing the fighting will be fully informed. There’ll be no underhanded deals” (Taylor 1997: 144). Publicizing the talks was thus a matter of principle, as well as a tactical maneuver in the representational struggle.

Despite the resumption of violence, Sinn Fein Vice President Dáithí Ó Connail and MI6 agent Frank Steele continued to meet privately to devise another IRA ceasefire (Craig 2012). In late 1974, IRA commander Billy McKee and Sinn Fein president Ruairí Ó Brádaigh met with Steele to arrange a “bi-lateral truce.” Republicans allegedly received assurance that British troops would be withdrawn to barracks that IRA fugitives would be given safe passage guarantees, with some militants even being given permits to carry small arms (Clarke and Johnston 2001: 87). While the British preferred secrecy, republicans sought publicity. In announcing its February 1975 ceasefire, the IRA highlighted the “discussions which have taken place between representatives of the Republican Movement and British officials on effective arrangements to ensure that there is no breakdown of a new truce” (Taylor 1997: 186).

There soon emerged a disconnect between the ceasefire and the ensuing talks. The ceasefire existed largely in name only, as the IRA became embroiled in sectarian and intra-republican feuding, flamed, according to MI6, by commanders being “unable or unwilling to control their followers” (Cowper-Coles 2012: 231). In 1975, over a thousand individuals were arrested for “paramilitary offenses” (McKittrick and McVea 2002: 110). Yet talks continued between British intelligence agents and Sinn Fein leaders. British officials believed that Sinn Fein wanted “a place at the conference table” (Cowper-Coles 2012: 228) and that party president Ruairí Ó Brádaigh “was longing to get up on the platform and be an MP” (*ibid.* 233). Thus,

engagement was used to bolster Sinn Fein's status and thereby encourage republicans to abandon violence. Responding to an IRA warning that the ceasefire was in peril, British delegates appealed to Sinn Fein's symbolic goals: "The acceptability of the Republican Movement as a respectable movement has greatly increased. It is now viewed as a serious movement that should be listened to. This is an enormous gain. It would be lost if the Republican Movement goes back to war" (Taylor 1997: 190). But the IRA, being the dominant organization, was not interested in respectability.

The talks between Sinn Fein and British delegates were largely secret, which contributed to the ceasefire's breakdown and fueled ensuing criticism from those who felt that party leaders had been outmaneuvered by intelligence agents and, according to IRA leader Joe Cahill, "fell for a British ploy" (White 2006: 255). Critics within the movement pointed to the IRA's organizational deterioration during the ceasefire as proof of British deception, though lax security among militants had in fact allowed security forces to gather intelligence on the organization. According to Belfast commander Brendan Hughes, "The British were trying what they had done in 1972, to get us involved in a long-drawn-out ceasefire. A long drawn-out ceasefire destroys an army" (Moloney 2003: 198). As a result of its central role in engagement with the British, Sinn Fein's founding leadership were discredited and soon replaced by younger militants led by Gerry Adams and Martin McGuinness.

Throughout these engagement efforts, the IRA presented itself as an army. Northern Ireland Secretary Merlyn Rees claimed that the IRA delegates in the 1972 talks were "hard men who talked and looked like soldiers. They thought solely in terms of military victory. There was no sign of compromise" (Bishop and Mallie 1988: 217). Another participant noted that IRA chief-of-staff Seán Mac Stíofáin acted as "the representative of an army which had fought the

British to a standstill” (Taylor 1997: 142-43). This militaristic self-image drove the IRA’s engagement strategy. According to Martin McGuinness:

Our aim [in the talks] ...was to secure a binding agreement from the British in declaring their intention to leave Ireland...The attitude of republicans to the ceasefire was that it was going to be short-term...If the British weren’t going to come up with a declaration of intent to withdraw, then the truce was over. (Smith 1995: 108)

This statement reflects the era’s militaristic optimism. According to Belfast commander Hughes:

...when the British troops were taken off the streets in 1972 because of the IRA ceasefire, obviously people thought, ‘this is it.’ No one before had fought the British Government to a position where they were negotiating with IRA people. So there were expectations that the war was over. (Taylor 1997: 139)

Engagement initially reinforced this unrealistic faith in the IRA’s capacity (Cowper-Coles 2012: 231). There was little willingness among militants to renounce violence. As Sinn Fein Vice President Dáithí Ó Connail warned a Protestant interlocutor, “behind every one of us on the Army Council there’s a young man with a gun in his hand who still has to make his name in Ireland...And when they take over there will be no more ceasefires” (Moloney 2003: 143).

Militaristic optimism did not persist beyond the mid-seventies, though militarism did. The IRA emerged from engagement a humbler organization, acknowledging its military—and thus political—limitations. According to one delegate to the 1972 talks: “[Secretary of State] Whitelaw is a ruthless bastard. ‘We can accept the casualties,’ he said, ‘we probably lose as many soldiers to accidents in Germany’” (Coogan 2000: 393-394). The IRA lacked the capacity to bomb Britain from Ireland in the short term. Therefore, after the 1975-1976 ceasefire, the group was reorganized for an attritional “Long War” campaign, as explored in Chapter One. The ceasefire also resulted in the replacement of Sinn Fein’s founding leadership by younger cadres who viewed engagement as a tactic in the broader struggle. As one militant noted, “The present

leadership can't sit around and say just because it criticized Raurí Ó Brádaigh over the 1975-76 talks it cannot undertake a debate with the Brits—but it must guard against making the same mistakes” (Mallie and McKittrick 1996: 112). Caution—and secrecy—would be required. Indeed, much of the engagement that facilitated the peace process of the nineties occurred behind the backs of the IRA's soldiers—including those on the Army Council (Moloney 2003: 246-60).

The 1988-1993 Talks

Republicanism transformed throughout the eighties, which both facilitated engagement and made it more perilous. Over the decade, the IRA became beleaguered by informants and by the late eighties its operations were increasingly thwarted by security forces (Alonso 2001). Some republicans even suspected that key IRA and Sinn Fein leaders themselves were police agents (Sanders 2011: 239). Sinn Fein, in contrast, became increasingly professionalized, stoking fears within the British and Irish establishments that the party might displace the moderate nationalist Social Democratic Labour Party (SDLP), pushing the conflict toward full-blown civil war (Mallie and McKittrick 2001: 42). But Sinn Fein reached an electoral plateau in the late eighties, with many republicans pointing to the IRA's increasing “tactical errors” as the cause (Bean 2007: 117). While these developments produced tensions among republicans, they also opened a cautious debate within the notoriously militaristic and conspiratorial movement (Bean 1995). Caution was especially critical as Sinn Fein leaders were beginning to engage secretly with moderate Irish nationalists to devise a peace initiative.

Sinn Fein's engagement with Irish nationalists was facilitated by Alec Reid, a Belfast-based priest who had established credibility during the seventies mediating intra-republican

feuds. According to a colleague, Reid's plan "was to help Sinn Fein to gain complete control over the republican movement, and then to build an alliance of nationalist parties, respecting party differences but all working for peace" (Mallie and McKittrick 1996: 71). Initiating talks, however, was difficult. As Reid recalled, "The SDLP and the Dublin government wouldn't talk to Sinn Fein unless the IRA stopped, so you were in a Catch-22 situation. And the Sinn Fein people could do nothing about creating or developing an alternative unless they could talk to the Irish government and the SDLP" (Mallie and McKittrick 2001: 70). But through patient endeavor, Reid was eventually successful in fostering contacts among long-standing rivals.

The 1988 SDLP-Sinn Fein talks were not the first time the two parties interacted, but Sinn Fein's support for the IRA prevented sustained engagement. During a 1985 radio interview, Gerry Adams invited SDLP President John Hume to meet with Sinn Fein leaders. Hume publically responded that he would speak only to the IRA, not its political front (Murray and Tonge 2005: 169). But as a result of Father Reid's persistence, Hume changed his position, stating in a 1987 interview that Sinn Fein was a legitimate party with an electoral mandate, not "a lot of gangsters and criminals" (Hennessey 2000: 40). In 1988, Adams and Hume announced that their respective parties would formally meet "with no military agenda" (Adams 2003: 60). Between March and September, the SDLP and Sinn Fein held a series of relatively public meetings—which proved ultimately fruitless. Adams and Hume, however, continued to meet secretly until April 1993, when Adams was seen leaving Hume's residence in Derry. The two leaders saw the controversy as an opportunity to kick-start the peace process and released a joint statement detailing their shared peace strategy (Mallie and McKittrick 1996: 189).

The publicity surrounding the Hume-Adams engagement was not well received by the Irish government, which was then involved in talks with both Sinn Fein and the John Major

Government. According to Taoiseach Albert Reynolds, the revelation “brought more tensions and pressure on the situation. I would have preferred to have dealt with the whole lot nice and quietly behind the scenes...But it burst into the open and I had no control over it” (Mallie and McKittrick 1996: 172). Dublin feared that the publicity would undermine British-Irish negotiations on a joint declaration on resolving the conflict. According to an Irish official:

I remember saying at the time that if you wanted to deliver Hume-Adams you may have to denounce them first...There was a very strong feeling that the publicity of September had left us with no choice—if you wanted to keep the process alive and the documents intact you had to take the fingerprints off them. The key issue was that the British simply would not negotiate with the [draft joint-declaration] document they had. There was no question of them negotiating if Adams was associating with it—even if it was Mandela Adams or Gandhi-Adams. (*ibid.* 210)

The Irish government believed that republican participation was essential to peace, but it preferred bringing Sinn Fein into the process gradually—and secretly.

Reid and Hume worked to open backchannel communications between republicans and the Irish governments of Charles Haughey (1987-1992) and Albert Reynolds (1992-1994), both of the historically republican party, Fianna Fáil. Haughey saw Reid’s 1987 invitation to talk with Sinn Fein as “a calculated risk to move the peace process forward” by shoring up Sinn Fein’s “confidence” (Mallie and McKittrick 1996: 157). In 1988, Haughey dispatched his Northern Ireland advisor Martin Mansergh to meet with Adams and other party leaders, though contacts were soon suspended. In 1992, Taoiseach Reynolds reauthorized contacts with Sinn Fein and dispatched Mansergh to discuss the Dublin-London joint-declaration with party leaders. Adams provided a republican draft that included a British declaration of intent to withdraw. Reynolds passed the draft along to John Major to pressure the Prime Minister into accepting Dublin’s more moderate version—which ultimately became the 1993 Downing Street Declaration. Dublin’s goal throughout the engagement was to goad republicans with recognition of their status as

conflict stakeholders. According to one official, the talks “gave [republicans] an involvement, an entry into the political process. It gave them the possibility of saying, ‘We can influence major events, we can become involved in the discussion’” (Mallie and McKittrick 2001: 147).

Despite its public insistence that it would not talk to Sinn Fein, the Major government in 1990 secretly reopened a line of communication with Martin McGuinness to assess Sinn Fein’s supposed moderation (Moloney 2003: 406). According to Secretary of State for Northern Ireland Peter Brooke, “It was not negotiation...it was essentially an intelligence process” (Mallie and McKittrick 1996: 107). Future Northern Ireland Secretary of State Patrick Mayhew described the government’s view at the time:

The question was whether these people were generals in an opposing force in military terms, or whether they had truly recognized that a military approach was not going to get them what they wanted, and they were now going to try to lead their followers down a political road. (Mallie and McKittrick 2001: 78)

London reached out to McGuinness as second-in-command on the Army Council—though McGuinness insisted he would participate in talks not as an IRA commander, but as Sinn Fein’s Vice President (Hennessey 2000: 70). Sinn Fein stressed that its role in the talks was based on the party’s electoral mandate, not its association with the IRA. In McGuinness’s narrative of events, the British “passed word to Sinn Fein...[and] Gerry Adams and I discussed the invitation with others in the Sinn Fein officer board,” who agreed that “Sinn Fein’s electoral mandate was the basis for our engagement” (*Republican News* Dec. 2, 1993). Over the next two years, the talks developed sporadically.

In November 1993, *The Observer* published an exposé on the contacts, which Republicans quickly acknowledged. Major, however, was adamant that “we don’t speak to those who carry out or advocate or condone violence to further their political aims” (Mallie and

McKittrick 1996: 233). But as more information surfaced, Major insisted that the contacts had been unauthorized “spook freelancing” (Sharrock and Davenport 1997: 313). Further leaks forced Secretary of State Mayhew to release documents pertaining to the talks, provoking an even larger document dump by Sinn Fein. As the documents contained little that the Major government had not already publicly stated, the controversy concerned simply talking to republicans, not what was discussed.

Throughout this engagement, Sinn Fein insisted its participation was grounded in the party’s electoral legitimacy and its supposed autonomy from the IRA. Gerry Adams demanded that opponents “recognize the validity of Sinn Fein’s electoral mandate” (*Republican News* Jan. 1, 1994). The IRA also insisted that Sinn Fein’s role in peace talks was “a simple matter of electoral mandate,” noting that the “British government... [has] absolutely no mandate from anyone” (*ibid.* Nov. 23, 1991). Party leaders also stressed their supposed independence from the IRA. Adams framed his efforts as “seeking a package which will allow me to make definitive proposals to the IRA in relation to the future condition of its campaign. It would then be up to the IRA to decide” (*ibid.* Jan. 1, 1994). Recognition of Sinn Fein’s capacity to influence IRA violence would undermine the party’s political legitimacy, which required a fictive division between the army and the party. This fiction, co-produced by Sinn Fein, Hume, and the Irish and British governments, allowed engagement to develop into a peace process, though republicans faced continual pressure to make the fiction a reality with the final disbanding of the IRA.

Legitimacy, Recognition, and Engagement in the Basque Country

I turn now to two disengagement efforts from the Basque case involving rival “ETAs.” First, I examine the 1981-1982 talks between Madrid and ETA Politico-Military’s political allies, the Party of the Basque Revolution (EIA), which were designed to effect ETA Politico-Military’s disbandment and thereby bolster EIA’s status as the representative of the “modern” Basque left. Second, I consider the 1986-89 talks between Madrid and ETA Military hosted by the Algerian government, in which ETA sought to force from the Spanish government recognition of the armed group as a vital political actor in Basque politics. Both efforts must be situated within the context of Spanish democratization. The governments of Aldofo Suárez (1976-1981) and Felipe González (1982-1996) engaged with ETA and other separatists to facilitate the implementation of Basque autonomy within a democratic Spain.

The conditions for engagement, however, changed over the decade. Radical separatism was at its peak in the seventies when ETA received widespread support from Basque nationalists and Spanish leftists. But as democracy became established, Basque society demobilized, leaving radical separatists to suffer state repression alone. Separatism was also marginalized through institutional mechanisms. In 1987, mainstream Spanish and Basque parties established parliamentary “anti-terrorism pacts” that prohibited relations or engagement with Herri Batasuna, the party allied with ETA Military. Finally, ETA Military itself had become beleaguered under an increasingly effective French-Spanish counterterrorism regime, which prevented the group from exercising direct influence over its allies in the French Basque Country (Domínguez 1998: 148-50). In this context, ETA pursued engagement with the Spanish government to gain recognition as a vital political actor, thereby offsetting separatism’s marginalization and shoring up ETA’s status as the movement’s vanguard.

The 1981-1982 Talks

Initial engagement with ETA began immediately after Franco's 1975 death, as the transitional government of Adolfo Suárez sought to include all political forces in democratization, including ETA—which was complicated by the existence of two rival “ETAs.” In late 1975, a representative of Military Intelligence met with Politico-Military delegates, in talks that, according to a Politico-Military leader, “were exploratory on the part of the government... They asked nothing of us, and we asked nothing of them” (Egido 1993: 22). A second meeting was arranged with representatives of ETA Military invited by Politico-Military. ETA Military's delegates attended, though their intentions were “limited solely to communicating to these officials that we have nothing to talk to them about” (Egaña and Giacopuzzi 1992: 43).

ETA Politico-Military leaders were more open to sustained engagement, but kept contacts secret from cadres to allow their development. Inevitable rumors, however, forced the leadership to defend engagement and the need for secrecy. “Every armed force must include the weapon of negotiation in its strategy,” one wrote, “in the case of a clandestine revolutionary group, infinitely weaker than its enemy, negotiations are not just a weapon, *but a political triumph*” (ETA 1980a: 218, emphasis mine). Leaders downplayed concerns over secrecy:

Public vs. secret negotiation is a false dilemma. A common view among broad sectors of the vanguard is that negotiations must always be public, ‘that the people must be kept up to date’; that they should never be secret, that is to say, ‘behind the people’s backs.’ Those who claim this are playing to the gallery... (Egaña and Giacopuzzi 1992: 58).

It was the content of talks, not their form, that mattered.

Following the initial contacts, ETA Politico-Military established a “hotline” with the Interior, which was used in 1977 to negotiate the authorization of ETA Politico-Military’s political wing, the Party of the Basque Revolution (EIA). That year, EIA formed with other leftwing Basque groups the coalition the “Left of the Basque Country,” better known by its Basque acronym “EE.” (As EIA leaders and cadres dominated the coalition, I will hereafter use the acronym “EIA-EE” for the sake of convenience.) Politico-Military’s two wings initially shared a single leadership, but security needs forced the creation of separate organizational structures and directorates (Egido 1993: 67-84). Tensions grew between the two wings, but EIA-EE leaders Mario Onaindia and Juan María Bandrés nevertheless served as interlocutors, beginning in 1981, between ETA Politico-Military and the Spanish Interior Ministry, working with officials to devise a scheme for Politico-Military’s disbandment and the “social reinsertion” of its fugitive and imprisoned members under strict conditions. In 1982, the magazine *Cambio 16* published an exposé of the secret negotiations, forcing EIA-EE leaders to present the plan to ETA Politico-Military and eventually the Basque public.

EIA-EE’s political interests drove engagement, the party seeking to position itself within the Basque political field between the Socialist Workers Party of Spain (PSOE) and the center-right Basque Nationalist Party (PNV). To accomplish this, EIA-EE leaders would need to pressure ETA Politico-Military to disband, while denouncing ETA Military and its allies. EIA-EE leaders framed their maneuvering in revolutionary terms: “rather than contributing to the deepening of democracy and strengthening working class organizations, [armed struggle] constitutes an element in strengthening the repressive apparatuses of the state” (Onaindia 2004: 585). EIA-EE leader Onaindia, cast advocates of continued violence—especially ETA Military and its allies—as irrational and counterrevolutionary: “We do not want independence and

socialism at any cost, or on the basis of terror and assassination. The left believes in the force of its arguments...Force without argument is reaction” (Fernández 2010: 80).

This revolutionary stance was undermined by EIA-EE’s growing reformism, ideological moderation, and dwindling electoral support in the wake of Herri Batasuna’s 1980 formation (Fernández 2009). Faced with shrinking support and internal fracturing, EIA-EE leaders sought to bolster the party, and their positions within it, through direct legitimization from the Spanish political establishment and media elite. EIA-EE leaders came to be represented in mainstream Spanish media as the “good Basques,” moderately left and diminishingly nationalist, as opposed to the PNV and ETA Military, which clung to archaic and violent nationalisms (Egido 1993: 118-24). As one Basque media director claimed: “EE was never presented as a minority party, but rather one on par with the PNV and the PSOE” (*ibid.* 121). The media, according to PNV official Iñaki Anasgasti, “represented EE as progressivism and modernity,” in contrast to “the rest of us dinosaurs and authoritarians on the path to political extinction” (*ibid.* 120).

Within the Basque political field, however, the party reaped few rewards. As one leader had warned prior to the talks, “forcing negotiations will deplete our political capital” (Onaindia 2004: 588). The strongest reaction, of course, came from within ETA Politico-Military itself. In a 1982 clandestine assembly, up to 80% of ETA Politico-Military rejected the disengagement scheme (Giacopuzzi 1997: 233-34). Factionalism and arrests soon crippled ETA Politico-Military and by 1984 many of its members had passed into ETA Military and its associated groups (Fernández 2010). Rivals within ETA Military’s orbit were also critical of the process, which one Herri Batasuna leader argued was designed to “discredit by ricochet the entire *abertzale* [patriotic] left” (Letamendia 1990: 256).

ETA Military, however, saw Politico-Military's demise as an opportunity for establishing hegemony over radical separatism: "Our interest currently is not focused on being protagonists in political negotiations, but rather on doing our part in the process of the convergence of the *abertzale* left" (quoted in Letamendia 1990: 254). This did not mean negotiations were off the table. But recognition, not peace, remained the primary goal of engagement. As ETA Military claimed in a 1978 internal communication, "If they want to negotiate, they must first recognize that we are a political force" (quoted in Domínguez 1998: 48). EIA-EE's engagement with the Interior Ministry, furthermore, demonstrated that even ineffective talks provided symbolic benefits. The artificial boost in status won by EIA-EE leaders indicated that talks could offset declining capacity and social marginalization. These lessons drove ETA Military's subsequent engagement efforts.¹⁴

The 1986-1989 Talks

ETA Military (hereafter referred to simply as "ETA") maintained contacts with Basque and Spanish forces, including the Spanish state, since the late seventies. During this period, the group developed a realist view on engagement. Broadly, ETA saw talks as "a crude maneuver designed to sit us at a table where nothing will be accomplished, enabling the government and the Spanish bourgeoisie to buy time" (ETA 1980b: 49). But ETA believed that engagement entailed de facto recognition of the armed group as a political actor, rather than as a band of "terrorists." As one

¹⁴ It should be noted that EIA-EE's eventual abandonment of both Marxism and Basque nationalism tarnished the very idea of engagement for many militants, who saw ideological betrayal as the price for "success" in talks with the state. EIA-EE's subsequent experience seemed to validate this concern. In 1992, EIA-EE was absorbed into the Socialist Party of Euskadi—the Basque branch of the mainstream PSOE—which thereafter went by the acronym PSE-EE.

strategist argued, “situated within the context of the strategy of the prolonged war of attrition that has defined the Basque revolutionary process... negotiations have a political objective... to force [the state] to recognize and legitimize ETA as the leader and effective vanguard of the MLNV [Basque National Liberation Movement]” (quoted in Unzueta 1988: 239-40). But to win recognition, certain conditions were critical. First, the state was to appoint delegates from its political rather than security apparatus, lest the talks be viewed as purely “technical,” i.e. focused on ETA’s formal disbandment, which would portray ETA as a criminal organization, rather than a political actor. Second, engagement was to have some public character. If ETA were to receive recognition through talks, *it would need to be seen talking*. Finally, ETA was to be the sole protagonist in engagement. Herri Batasuna was to merely support talks and continue its own development as “the embryo of the hegemonic National Front bloc and instrument of the mass and institutional struggles in the period to be opened through negotiation” (*ibid.* 241). For the time being, ETA would do the talking.

Madrid remained cautiously open to engagement. The socialist Felipe González Government saw “conversations” (rather than “negotiations”) as a pillar of counterterrorism—alongside legal repression and, more controversially, state-directed violence against ETA members in the French Basque Country (Woodworth 2002). In 1986, the Spanish Interior Ministry, working with French and Algerian authorities, transferred jailed ETA leader Txomin Iturbe to Algeria to establish a communications channel with the group—though Iturbe, imprisoned since 1984, had little influence within ETA (Egaña and Giacomuzzi 1992: 129). Following Iturbe’s 1987 death, Eugenio Etxebeste, an exiled ETA leader, was transferred from the Dominican Republic to Algeria to maintain the contacts. That year, former Civil Governor of Guipúzcoa, Julen Elgorriaga, was appointed as the primary government delegate in accordance

with ETA's demand that political figures, rather than security officials, participate in the talks. The government, however, was solely interested in ETA's disbandment. Elgorriaga suggested that there could be developed within the parameters of the 1978 Constitution and the Basque Statute of Autonomy "a dignified exit [for ETA]" (*ibid.* 199-200). Etxebeste informed ETA leaders that the meeting had been an "instructive dialogue that must be turned into a constructive dialogue" (Pozas 1992: 100). Talks continued sporadically throughout 1988.

On January 23, 1989, ETA called its first official ceasefire, detailing in its announcement nine points allegedly "agreed to" by Spanish officials, which included the development of "political conversations" addressing "the different questions that characterize the existing conflict"; a timeline of future meetings; the inclusion of "interlocutors and advisers"; "periodic recognition in a public manner"; and "public communication of the meetings and their results" (ETA 1989a). Two days after the ceasefire declaration, ETA delegates met in Algeria with Deputy Interior Secretary Rafael Vera and Jesús Eguiaray of the PSOE executive committee to restart the "conversations." Etxebeste, along with two other ETA members living in Algeria, served as the armed group's delegates, while four officials from Herri Batasuna and the separatist labor union LAB attended as "advisers." Spanish delegates allegedly asked that these advisers be named official delegates, but ETA refused (Pozas 1992: 165). Five meetings were held in Algeria between January 25 and March 22, with only select members of the González cabinet informed of the talks (Egaña and Giacopuzzi 1992: 172). But there were inevitable rumors and leaks.

During the final meetings in March, the two sides allegedly agreed to establish a "second phase" of talks to be announced via paired communiqués from ETA and the government. On March 27, ETA issued a communiqué announcing that the next phase of talks would include "a

complementary table of debate and dialog composed of the representatives of political opinion” (ETA 1989b), i.e. political parties and civil society organizations. ETA also stated that the two sides agreed to include in future talks ETA leaders who were then imprisoned in France. In light of the supposed agreement, ETA extended its ceasefire until June 24.

ETA’s communiqué provoked outrage among Basque and Spanish political actors, as well as the French government, concerning a possible deal struck with ETA (Egaña and Giacomuzzi 1992: 197-98). To prevent a political crisis, government officials met with opposition party leaders to draft a response to ETA’s communiqué. On March 28, the government issued a statement indicating that it would “continue on the path in the search of a stable and peaceful coexistence respecting the democratic principles inspired by our Constitution and the Statutes of Autonomy...within the framework of the Rule of Law and the principle of agreement among political parties” (*ibid.* 199-200).

Four hours after the publication of the government’s statement, ETA released the alleged version of the government’s communiqué that had been drafted during the Algerian talks. ETA’s version contained only the final two paragraphs of the communiqué, which were identical to the statement released by the government—with two notable differences. First, ETA’s version included the phrase “negotiated political solution,” rather than the Government’s “agreed to and definitive solution.” Second, ETA’s version had peace developing within “a framework of democratic principles” with no mention of “the framework of the Rule of Law,” a euphemism for the 1978 Constitution, which was included in the government’s statement (ETA 1989c). These differences were symbolically significant for ETA. Omitting “negotiated political solution” undermined ETA’s pursuit of recognition as a political actor. The term “negotiations” was key to official recognition of ETA—hence Madrid’s preference for “conversations.” Second, the

government's statement stressed that any settlement must accord with the 1978 Constitution, which explicitly denies the right of self-determination to Spain's "nationalities." From ETA's perspective, the phrase "Rule of Law" indicated that further engagement required ETA's recognition of the Constitution's legitimacy. As there were to be no "negotiations" over political matters, i.e. the status of the Basque Country within Spain, further talks would be technical rather than political, thereby downgrading ETA's status. ETA thus ended its ceasefire.

It is unlikely, however, that ETA engaged with Madrid expecting anything more than recognition of its political capacity. The group, after all, saw negotiations as an end in themselves, their occurrence signaling recognition of ETA. From the outset, the group claimed that engagement required of opponents and enemies "recognition of ETA and the entire MLNV [Basque National Liberation Movement] as an interlocutor" and "de facto recognition by the Powers That Be of the legitimacy of the struggle developed by the Basque Working Class with ETA at the forefront" (Domínguez 1998: 79). ETA's participation in talks was framed as that of a rational political actor: "the capacity demonstrated by the Organization to create a politically and dialectically coherent and sophisticated discourse...created an undeniable image of [ETA] as a political organization" (*ibid.* 77). Following the breakdown of talks, ETA informed Madrid that the group would reinstitute its ceasefire if there were "some kind of public recognition of the political character of our organization and of the talks" (Letamendia 1994c: 244). Though no future engagement with the government occurred, ETA and its allies nevertheless insisted the Algerian effort had been a success in that the state, according to Arnaldo Otegi, "recognized ETA as an interlocutor, and gave it legitimacy as a political actor" (Whitfield 2014: 73).

Given ETA's behavior in subsequent peace efforts, recognition of its capacity clearly did not facilitate peacemaking. During its 1998-1999 and 2006-2007 ceasefires, the group publically

pledged to allow its political allies to be the protagonists in peacemaking—thereby presumably accepting a “technical” role focused on its own disbandment. But ETA was not content to remain a passive actor and during both efforts imposed impractical political conditions on engagement among Basque political forces. Moderate Basque nationalists and Spanish socialists resisted ETA’s political meddling, while the armed group’s allies struggled to establish themselves as credible interlocutors. Not satisfied with mere recognition as a political actor, ETA sought direct political influence over subsequent peacemaking efforts, contributing to their failure

Conclusion

The cases examined in this chapter can be divided into those in which the army did the talking and those in which the party talked for the army. The only successful case vis-à-vis peacemaking, the 1988-93 Sinn Fein efforts, involved the party entirely talking for the army (Dudouet 2010: 8). It is not clear if the IRA’s “soldiers” were truly ready for peace or instead saw the 1993 ceasefire as a tactic designed for Sinn Fein’s benefit (Alonso 2001; Dixon 2002). What is certain is that republicans remained largely united behind Sinn Fein’s engagement. This, however, was not the only case in which the party did the talking. During the 1981-1982 ETA Politico-Military effort, the armed group itself did not participate in talks, which were designed and controlled by its ally, EIA-EE. But EIA-EE did not speak for Politico-Military’s leadership or cadres. Similarly, engagement during the 1975-1976 IRA ceasefire was left to Sinn Fein leaders, who were increasingly out of step with the more militaristic IRA. Sinn Fein leaders did not speak for the army. Given that these leaders were later replaced by more militant cadres, they may not have spoken for the party either.

In instances in which the armed group was the primary interlocutor, peacemaking was not the objective. Both the IRA in the seventies and ETA in the eighties pursued recognition as capable political actors. Bombing the British to the negotiating table twice during the seventies symbolically demonstrated the IRA's capacity as an army. ETA Military's goal was perhaps more modest: mere recognition as a vital actor in Basque politics. In both cases, engagement was interpreted as "successful" within the movement, though recognition did not directly pave the way for peacemaking.

Sinn Fein's 1988-1993 engagement suggests that recognition of capacity and political legitimacy may be related in a processual manner: recognition as a precondition of engagement and legitimacy as its outcome. The efforts examined above were largely "talks about talks," i.e. discussions over future, formal peace processes. Engaging in such preliminary talks does not entail legitimization, but rather recognition of capacity. Armed groups and their movement allies are not engaged with because they are legitimate actors, but rather because their actions drive conflicts and are thus critical to ending them.

The process from recognition to legitimacy, however, is not automatic, as demonstrated in the Irish case. The republican movement was recognized in the seventies as a conflict stakeholder, but isolating republicans became central to Anglo-Irish peace efforts in the eighties (Berti 2013: 146-47). As peace without republican participation proved impossible, moderate Irish nationalists in the Republic and in Northern Ireland softened their stance on Sinn Fein (O'Kane 2004). They did not, however, acknowledge Sinn Fein's political legitimacy: its continued support for the IRA prevented this. Instead, republicanism's centrality in Northern Irish politics was recognized by nationalist rivals. Given its capacity to alter political events—through elections and protests, as well as violence—the *movement* was critical to peacemaking.

On the other hand, republicans did not begin engagement acknowledging the legitimacy of “politics,” but were instead convinced of this legitimacy through concerted participation in the peace process. Sinn Fein’s legitimacy and republican acceptance of politics, moreover, developed interactively. With every obligation fulfilled, republicans acquired legitimacy. With every procedural victory, republicans became more convinced of the legitimacy of politics. But this dual legitimization was contingent on initial recognition of republicans as conflict stakeholders.

In the Basque case, ETA misread the significance of the late eighties’ talks. While the group boasted of the recognition received from the state, this recognition did not signal the state’s willingness to engage further. ETA and its allies were unable during the early nineties to restart talks with Madrid. The González Administration, having tried negotiations, was now justified in using a purely coercive approach. José María Aznar took a harder stance on non-engagement—though his government met with ETA once during its 1998-1999 ceasefire to determine, in Aznar’s words, “whether or not the group was willing to surrender” (*Gara* July 3, 2006). Yet there was no indication that ETA wanted to surrender. The group used its 1998-1999 ceasefire as an opportunity to reorganize (Domínguez 2012: 59-63), while it unilaterally ended its 2006 ceasefire by bombing Madrid’s international airport. In both cases, ETA vetoed peacemaking despite its political allies benefiting from the process. ETA’s movement allies, on the other hand, had few inter-organizational means for translating recognition of ETA into a durable peace process. Lacking the centralized authority structures Sinn Fein’s leaders used to develop the Irish peace process, ETA’s political allies, according to Herri Batasuna, were perpetually “waiting on what ETA will do, whether it will declare a truce or undertake an armed action...there is always the waiting and observing the activity of ETA” (Herri Batasuna 1994:

57). Recognition of ETA's capacity created a barrier to the radical separatist movement's legitimization so long as ETA sought to use this capacity to direct—and hinder—peace efforts.

CHAPTER THREE

DIRECTING DISENGAGEMENT: MOVEMENT CENTRALIZATION, COORDINATION, AND CREDIBILITY IN PEACEMAKING

In the aftermath of the IRA's 1994 ceasefire, observers of Basque politics began asking, "Where is the Basque Gerry Adams?" The Sinn Fein president, after all, was widely seen as having persuaded the IRA to end its armed campaign for Irish unification. Why had no figure with Adams's political skill and charisma emerged on the Basque scene? Eventually a candidate for the Basque Adams appeared: Arnaldo Otegi, the affable spokesperson for Batasuna, the separatist party allied with ETA. Moderate Basque nationalists and Spanish constitutionalists, however, saw Otegi as a powerless mouthpiece for ETA. Patxi López, the secretary-general of the Basque wing of the PSOE, insisted that Otegi was no "Basque Gerry Adams" as he lacked the "pull" over ETA that Adams wielded over the IRA (*El Correo* Oct. 14, 2006).

López's "pull" comment aptly describes what Gerry Adams possessed and what Arnaldo Otegi lacked: direct organizational influence over armed allies. Whereas Adams was widely believed to have wielded such influence through his position on the IRA Army Council, which

directed both the IRA and Sinn Fein, Otegi, though a former member of ETA Politico-Military, had little direct influence over ETA. The IRA's disengagement was thus a product not of personal charisma, but rather of the authority and credibility that inter-organizational centralization provided Adams and his allies in their efforts to end armed conflict in Ireland. Movement decentralization, on the other hand, doomed the Basque separatist movement's efforts to replicate the Irish success, as its leaders were never able to become credible interlocutors capable of speaking for ETA as Gerry Adams had spoken for the IRA.

What impact does the inter-organizational structure of politico-military movements have on insurgent peacemaking efforts? In particular, what impact do *centralized inter-organizational leadership structures* and the *organizational capacity of insurgent politicians to influence the decision-making of armed groups* have on the initiation, maintenance, and ultimate success of peace processes? Comparing the Irish and Basque experiences, I show that centralization shapes insurgent peacemaking in two ways. First, centralized leadership structures allow for effective coordination between the movement's military and political wings, fostering escalated political activity alongside military inactivity. Silencing the guns allows political leaders to make deals with opponents and convince supporters that nonviolence is essential to realizing movement goals. Second, centralized authority structures in which political leaders directly influence the armed group's decision-making make these leaders credible interlocutors in peace talks. If this influence is widely known, opponents will see deals struck with the party as agreements made with the army. Direct links with "terrorists" may taint leaders politically, but organizational ties nevertheless provide them with credibility in peacemaking. Thus, centralization contributes to effective peacemaking through two intervening mechanisms: *coordination* and *credibility*.

The Irish and Basque experiences highlight different ways that movement structures shape peacemaking. In the Irish case, the centralization of movement authority under the Army Council, on which Sinn Fein leaders held seats, enabled Gerry Adams and his allies to manage schism within the republican movement during the transition to nonviolent politics. Additionally, republican leaders authorized intra-movement violence to compel commitment throughout the peace process, allowing these leaders to forcefully demonstrate their own credibility. In the Basque case, the radical separatist movement's decentralized structures created persistent coordination and credibility problems in peacemaking. The political wing's gains were continually undone by ETA's unilateral breaking of ceasefires. ETA's veto power over peace ultimately prevented political allies from establishing themselves as credible interlocutors. With each broken ceasefire, the movement was doubly discredited: the political wing, having demonstrated no control over ETA, was discredited as an interlocutor, while ETA's chronic renegeing discredited the organization in the eyes of opponents, rivals, and eventually even allies.

This chapter is organized into three parts. First, I examine the relationship between inter-organizational centralization and peacemaking, drawing from social movement studies and the analysis of civil war cessation. I argue that movement centralization provides effective mechanisms for coordinating the activity of the movement's two wings during peace processes while enabling political leaders to demonstrate their credibility as peacemakers. Second, I explore how movement centralization permitted Sinn Fein leaders and the IRA Army Council to contain schism, often by using intra-movement violence to enforce the peace, thereby bolstering their own credibility. Third, I consider the negative impact that movement decentralization has had on Basque separatist peace efforts, creating persistent coordination failures and preventing the political wing from establishing itself as a credible interlocutor. I conclude this chapter by

briefly considering the credibility of the British and Spanish states and the interaction between state and insurgent credibility in determining the outcomes of peace processes.

Centralization, Coordination, and Credibility

Theoretical insights concerning the relationship between movement centralization and peacemaking can be gleaned from two clusters of scholarship: studies of the relationship between social movement structures and political effectiveness; and investigations into the problem of credible commitments in civil war cessation. Building on both literatures, I argue, first, that centralized politico-military movements are best suited for peacemaking as centralization facilitates effective coordination between wings during peace efforts, expanding political action alongside military inaction. Second, I argue that centralized authority structures in which insurgent politicians wield direct influence over armed allies provide political leaders with credibility as negotiating partners capable of making agreements in the name of armed groups. Centralization facilitates peacemaking through the interaction of these two mechanisms, coordination and credibility.

Political sociologists have long argued that modern social movements become increasingly bureaucratic, professionalized, and centralized as part of the broader rationalization of society (McCarthy and Zald 1973, 1977; Tilly 1978, 2004a). As the state centralized, challengers followed suit; streamlining decision-making, enforcing solidarity, and coordinating action by centralizing authority. According to Michels ([1915] 1968), “the anti-democratic centralization of power in the hands of a few is no more than a tactical method adopted to effect the speedier overthrow of the adversary” (366). Yet while shaped by external forces,

centralization is nevertheless a strategic decision that can be modified or reversed depending on political opportunities and militant preference (Zald and Ash 1966; Jenkins 1983). There is thus no “iron law” of movement centralization.

Centralized authority structures have been associated with political effectiveness and organizational reproduction, particularly for movements that have grand transformative ambitions. Centralization facilitates rationalized decision-making, recruitment under adverse conditions, and movement coordination over time and across locales (Barkan 1979; Staggenborg 1988). Centralized decision-making may also be an effective way to temper internal conflict and factionalism (Zald and Ash 1966; Gamson 1975). Centralization is particularly important during periods of movement inactivity or political irrelevance (Taylor 1989), and for revolutionary “combat parties” that require permanent mobilization (Lenin [1902] 1970; Selznick 1952).

There are drawbacks to centralization which may make decentralization a more attractive option. Rigid hierarchies often prevent movements from recognizing and seizing opportunities. Decentralized structures, on the other hand, may allow subgroups to tailor tactics to local environments and take initiatives of which a distant leadership may be unaware (Zald and Denton 1963; Useem and Zald 1982; Kleidman and Rochon 1997). Competition among autonomous rivals can also produce tactical innovations, expanded mobilization, and ultimately greater political effectiveness (Piven and Cloward 1977; Jenkins and Eckert 1986). Furthermore, by allowing individuals to participate directly in decision-making, decentralized structures may deepen militant commitment (Polletta 2012). Finally, decentralized movements may prove more resistant to repression, as police have no organizational core to target (Gerlach and Hines 1970).

Decentralization has its drawbacks. “Participatory democracy” is a cumbersome form of decision-making that can lead to factionalism and political inertia. Though some have argued that decentralization prevents schism through greater participation, others claim that centralized authority is better suited to quelling internal dissent and enforcing solidarity (Gamson 1975; Useem and Zald 1982; Weinstein 2006). Additionally, while competition among allies may produce innovation, it can also encourage inopportune actions that provoke widespread repression, particularly when tactics transgress legal and moral boundaries. Finally, decentralization may produce demobilization, as intra-movement competition and radicalization alienate both potential and longtime supporters (Tarrow and della Porta 1987; della Porta 2006).

This chapter examines the impact of authority structures on political effectiveness in a specific context: politico-military movement’s attempting to initiate, maintain, and ensure the ultimate success of peace processes. In such cases, centralized modes of control are best suited to ensuring the coordination of political and military activities. Peace processes often require that the political wing expand activity into institutional arena long foresworn and in cooperation with forces long considered the enemy. Expanded mobilization may also induce intransigent governments and parties into engagement. Insurgents may thus need to attract new supporters, fence-sitters who support movement goals but not armed struggle. To accomplish such tasks, violence must be controlled and ceasefires maintained—which can prove difficult in the absence of centralized authority structures. Additionally, centralized structures assist in managing failed peace efforts, giving the political wing the opportunity to devise a post-ceasefire strategy. Movement centralization thus contributes not only to individual peace efforts considered separately, but to long-term peace processes as a whole.

In addition to facilitating coordination between wings, inter-organizational centralization is essential for establishing insurgent credibility in peacemaking. The problem of credible commitments has been highlighted by scholars as a barrier to ending civil wars and implementing peace settlements (Fearon 1994, 1995; Walter 1997, 1999, 2002; Fearon and Laitin 2003; Hartzell and Hoddie 2003, 2007; Hoddie and Hartzell 2003). This problem centers on trust: given the legacy of violence, opponents have little reason to believe their enemy's newfound commitment to peace. Without effective enforcement mechanisms, each side doubts the other's credibility and sincerity. Even when tentative deals are reached, mistrust of the enemy's commitment may make preemptive renegeing a rational strategy.

Much of this literature focuses on state commitment to peace processes and the implementation of political settlements. The state, given its greater coercive capacity and ability to absorb insurgent violence, is often inclined to renege (Fearon and Laitin 1996; Walter 1999). But insurgents also have reason to renege—and do so often. As Zartman (1993) argues, while the state has multiple commitments, insurgents are singularly committed to the struggle's perpetuation. Commitment to the struggle does not necessarily entail commitment to violence: some militants may see transforming the struggle as essential to its perpetuation. Others, however, may be committed to armed activity, if simply to keep the struggle's flame alive. Animated by this ethic of pure conviction (Weber [1920] 2009), dissident militants may use violence to undermine peace processes. Thus, peace-seeking insurgents must often manage or contain “spoiler” violence (Stedman 1997; Kydd and Walter 2002; Duyvesteyn and Schuurman 2011). But managing dissidence, even violently, demonstrates insurgent leaders' commitment to peace. Finally, clandestine armed groups, i.e. “terrorists,” are often constructed as inherently, even irrationally, committed to violence (Zulaika and Douglass 1996; Jackson 2005).

Convincing hostile audiences of one's newfound desire for peace is therefore a daunting task. Commitment to violence is thus both a source of intra-movement tension and an image problem for politico-military movements.

The problem of credible commitments may be seen as a problem of communicating credibility. Walter (2009) argues that information asymmetries drive uncertainty regarding insurgent commitment. Given secrecy and security needs, armed groups obscure their organization and hide information about operatives and operations—contributing to uncertainty regarding insurgent commitment to peace and the capacity of leaders to facilitate disengagement. Governments may have only the armed group's reputation for renegeing in past peace efforts as a metric for assessing its commitment (Addison and Murshed 2002). Broken truces discredit armed groups, thus making future negotiations difficult. Beyond sticking to ceasefires, armed groups are constrained in communicating commitment. Thus, they often turn to their movement allies to publically communicate this desire for peace.

The literature on credible commitments, however, has largely ignored the role of allied political wings in establishing the study of credible commitments. This oversight stems largely from two factors. First, the analysis of credible commitments suffers from the unitary actor problem common to the broader study of political violence, which I analyze in the Introduction. Conflicts are simplified into “two-party” phenomenon, exclusively militarized struggles that pit the unitary state against the unitary rebels (Cunningham 2011: 13). While such an approach may be useful in analyzing civil wars in which armies are the dominant actors, it is less well suited to low-level violent conflicts in which parties and civil society groups retain political agency and influence. Indeed, the tensions and conflicts among armed and unarmed movement allies are especially important for the resolution of violent conflicts (Neumann 2003a; Richards 2003;

Pettyjohn 2009; Duduoet 2010). Peace processes in such contexts entail a transfer of agency from armed groups to political allies, rather than the transformation of armies into parties. This transference is not an outcome of peace processes, but rather a prolonged struggle within movements that often extends beyond a single peacemaking effort.

Second, the nature of low-level violent conflicts gives rise to a complexity in negotiation for which the simplified “bargaining” framework common to most analyses of credible commitments (Walter 2009, 2013) is not well suited. In low-level conflicts, negotiations often involve actors other than armed groups—and indeed may not even involve them at all. During the Irish process, the IRA limited its involvement to discussions surrounding decommissioning in line with agreements made by Sinn Fein. In the Basque case, “two-track” negotiations have been devised in which talks over political issues involved only political parties, while “technical” talks between ETA and the state focused solely on the group’s disbandment. In such negotiations, the credibility of both armed groups and their unarmed allies is problematized. For the political wing to effectively participate in talks, it must demonstrate credibility, which is grounded in its control of or influence over the armed group. Can insurgent politicians ensure their armed allies’ commitment to peace? This is a crucial question for governments and parties considering engagement with insurgent political wings, tainted as they are by their association with “terrorists.” Yet it is, perhaps ironically, the strength of movement leaders’ ties to armed groups that can establish their credibility as peacemakers.

This chapter examines the role that movement centralization plays in establishing the effectiveness and credibility of insurgent political leaders in peace processes. In the Irish case, Sinn Fein President Gerry Adams and his allies on the IRA Army Council used their inter-organizational control and influence to transform the republican movement, while containing

schism and dissident violence throughout the peace process. By wielding such centralized control, the Adams clique was able to convince opponents that they were credible interlocutors. In the Basque case, movement decentralization prevented the political wing from becoming a protagonist in peace efforts. Despite multilateral agreements reached and procedural victories won by its movement allies, ETA retained its “veto” on peacemaking, unilaterally ending ceasefires in 1999 and 2007. Resuming violence not only solidified ETA’s reputation for renegeing, but also demonstrated the limited influence that politicians wielded over their armed allies—thereby discrediting both wings of the movement.

Republican Centralization and Credible Peacemaking

Having situated my argument in the literatures on movement centralization and credible commitments, I now turn to the Irish case. In the following section, I show how the republican movement’s centralization under the control of the IRA Army Council, on which Sinn Fein leaders held seats, facilitated effective engagement in peacemaking. First, I consider the structure of the IRA and the republican movement in terms of both formal and practical centralization. Second, I consider how Gerry Adams and his allies used the Army Council as an organizational weapon to purge Sinn Fein of its purist old guard and to spur the movement’s transformation. Third, I examine how the Adams clique unilaterally laid the groundwork for the peace process prior to bringing the rest of the Army Council on board. Fourth, I examine how the Army Council managed the emergence of “dissident republican” violence following the IRA’s 1997 ceasefire. Finally, I consider the role of IRA vigilantism in the transition from armed struggle to civilian politics.

The Centralization of the Republican Movement

The structure of the Provisional IRA had two forms. There was its “official” structure, represented in the IRA Constitution and the organization charts of security experts. The actual structure of the IRA, on the other hand, was more fluid: centralized, yet allowing individual cells some operational autonomy. Authority was similarly doubly structured. On paper, the IRA was defined by a militaristic form of democratic centralization. The IRA Constitution vested supreme authority in the General Convention comprised of the group’s cadres, which was tasked with electing the twelve-person Army Executive that in turn appointed the seven-person Army Council, whose sole responsibility was to direct the armed struggle. Though the General Convention was officially the final authority of the Provisional IRA, in practice the Army Council directed the organization, as only three Army Conventions were held between 1969 and 1998 (Moloney 2003: 378).

This dual form permeated the entire organization. The IRA was comprised of specialized “departments” operating within a chain-of-command extending throughout Ireland. Officially, General Headquarters in Dublin oversaw the armed activity of the Northern Command and the auxiliary functions of the Southern Command in the Republic of Ireland. In practice, however, the IRA was dominated and directed by Northerners, particularly on the Army Council. Additionally, personal relationships between the Army Council and the Northern Command bypassed Dublin, further facilitating Northern control over the IRA (Horgan and Taylor 1997).

The Army Council was the final authority over both the IRA and its political wing, Sinn Fein. The Council controlled Sinn Fein in three ways. First, IRA members routinely held

simultaneous membership in Sinn Fein and were often ordered to organize local party committees and electoral campaigns (Bean 2007: 117). Second, Sinn Fein and the IRA were linked in Northern Ireland through the “civil administration” wing of the armed group that policed urban areas where local Sinn Fein offices liaised between aggrieved Catholics and IRA vigilantes (Silke 1999; Silke and Taylor 2000). Third, centralized control over the party was wielded directly through party leaders such as Gerry Adams and Martin McGuinness who reputedly held seats on the Army Council. Adams’s membership in the IRA remains a contentious issue, but McGuinness’s more public positions on the Army Council and in Sinn Fein made him an ideal contact for the British government during the early nineties. Centralized control by the Army Council did not, however, entail Army direction of the party. In fact, the success of republican peacemaking had much to do with the control wielded over both the party and the army by Sinn Fein leaders through their positions on the Army Council.

The Army Council’s control over both wings of the movement, coupled with the general influence that Sinn Fein leaders wielded through the Council itself, enabled Gerry Adams and his allies to successfully navigate the peace process from the initiation of Sinn Fein contacts with opponents in the late eighties to the present. On the one hand, the Army Council enforced IRA ceasefires—the 1996-97 resumption of violence notwithstanding—allowing Sinn Fein to expand political activities. On the other hand, the centralized authority of the Army Council provided Sinn Fein leaders with credibility as interlocutors. Though publicly identified as party leaders, their reputation as IRA commanders made them essential negotiating partners. An agreement struck with the party was thus an agreement made with the army.

The Purging of the Old Guard

Long a pillar of republican orthodoxy, abstentionism, i.e. the refusal to take seats in the Irish parliament,¹⁵ was by the eighties seen as an obstacle to movement expansion in the Republic of Ireland. The Adams clique in particular believed that taking seats in Dublin would increase Sinn Fein's appeal and provide republicans influence within the Irish Government (McKittrick and McVea 2002: 168). In their effort to end abstentionism, Sinn Fein leaders came into conflict with the dogmatic old guard that had founded the Provisional IRA and Sinn Fein, for whom abstentionism was as inviolable a republican principle as armed struggle.

The Adams clique enlisted the Army Council to overcome purist obstructionism in transforming the party. In early 1986, an Army Convention was hastily convened to address abstentionism—which was IRA as well as Sinn Fein policy. During the Convention, Adams and his allies argued that ending abstentionism was a military matter and that an Irish government dependent on Sinn Fein's support would likely ignore IRA logistical activities within the Republic. Ultimately, 75% of the Convention approved the policy change (Moloney 2003: 292-93). The IRA's abandonment of abstentionism all but ensured that Sinn Fein would follow suit—though the old guard remained an obstacle.

In preparation for the subsequent Sinn Fein convention that year, the Army Council mobilized the party and army to ensure the old guard's defeat. Sinn Fein leaders pressured southern branches of the party to support ending abstentionism, sending militants from Belfast to observe local debates (White 2006: 301-02). Attendance at the 1986 convention swelled

¹⁵ Irish republicans saw the *Dáil*, the Republic of Ireland's parliament, as an illegitimate institution as it did not include the six Northern counties.

compared to previous years, enormously benefitting the Adams clique. In 1985, party members voted 181-161 against bringing abstentionism up for debate; in 1986, the policy was rejected by a vote of 429-161 (Moloney 2003: 297). These new attendees included IRA members and recently released prisoners under orders to vote the Army Council's line.

The leadership was largely successful in its effort to determine the convention's outcome, persuading the party to abandon one of the core pillars of republicanism. More importantly, schism was contained. Former Sinn Fein president Ruairí Ó Brádaigh and vice president Dáithí Ó Connail, founders of the Provisional movement, defected with a handful of followers to form Republican Sinn Fein, along with its military wing, the Continuity IRA—though the latter did not announce its existence until the 1994 ceasefire for fear of Provisional reprisals (Sanders 2011: 147). Neither group gained a wide following in Northern Ireland due to their outdated political ideology and focus on Dublin, thus posing no threat to Provisional leaders (Moloney 2003: 289).

The rejection of abstentionism demonstrated the influence and authority that Adams and his allies wielded within the movement. The purging of Sinn Fein's old guard, furthermore, consolidated the Adams clique's control over both wings of Provisional republicanism. Adams's growing authority was noted in Northern Ireland by the moderate nationalist Social Democratic Labour Party (SDLP) and in the Republic by the Irish government, both of which were making initial steps towards engagement with Sinn Fein. With this demonstration, Adams's credibility as an interlocutor was strengthened, though doubts remained as to whether he and his allies could sell peace to the rest of the Army Council—and thus to the broader movement.

The Army Council and the Peace Initiative

As indicated in Chapter Two, the Irish peace process of the nineties developed largely through the clandestine activities of the Adams clique behind the backs of the “soldiers” on the Army Council. Republican history had proven the fractiousness of peacemaking, though the events of 1986 indicated that there was sufficient support on the Council for the development of unarmed politics, if not for the transformation of the conflict itself. The next step was to build alliances with moderate Irish nationalists to pressure the British government to include Sinn Fein in future peace talks. Cautiously supportive of a pan-nationalist peace strategy, the SDLP and the Irish government demanded an IRA ceasefire as a precondition for official engagement with Sinn Fein. As Adams and his associates negotiated the terms of this ceasefire, much of the Army Council remained almost entirely out of the loop—until the grounds for peacemaking had been laid and the Council’s authorization was required to move the process forward (Moloney 2003: 249). Having ascended through their opposition to the founding leadership’s disastrous 1975-1976 IRA ceasefire, the Adams clique was wary of movement fracturing; thus, they carefully established the groundwork for a pan-nationalist alliance prior to bringing the ceasefire proposal to the Army Council. As Adams claimed, “We at the leadership level [of Sinn Fein] put together what I call the package. And then, if and when we got the package, the IRA had to take the decision” (Mallie and McKittrick 2001: 164). Moving too quickly could have torpedoed the entire peace initiative by splitting the movement.

It was not immediately clear if Adams’s newfound pragmatism was shared by his more militaristic colleagues on the Army Council. In 1990, the British government reopened a long dormant link to respected “hard man” Martin McGuinness to discover whether Adams’s

pragmatism reflected the Army Council's stance as well (English 2008: 267).¹⁶ Future Secretary of State for Northern Ireland Patrick Mayhew claimed that these contacts were purely exploratory: "The question was whether these people were generals in an opposing force in military terms, or whether they had truly recognized that a military approach was not going to get them what they wanted, and they were now going to try to lead their followers down a political road" (Mallie and McKittrick 2001: 78). McGuinness, second-in-command on the Army Council and vice-president of Sinn Fein, was thus an ideal contact for the British—though he insisted he represented only Sinn Fein, not the IRA (Hennessey 2000: 70). Regardless of his official status, McGuinness's role in the link insured that the Adams clique controlled this line of communication alongside those maintained by Adams himself.

Given its concern with movement unity, the Adams clique initiated these secret contacts and exploratory talks with cautious confidence that the Army Council would ultimately support the effort. Maintaining movement unity and centralized control were essential to the peace strategy: the "permanent leadership" of the Army Council that facilitated movement expansion in the eighties would be essential for peacemaking in the nineties, especially if Sinn Fein were to take the lead. Army Council authorization was also effective in ensuring rank-and-file commitment to the peace process. In future all-party talks, Adams and McGuinness would derive credibility from their reputed positions on the Army Council, as well as in Sinn Fein.

¹⁶ "The Link," three Catholic men from Derry with personal connections to Martin McGuinness, contributed to the 1972 and 1975-1976 IRA ceasefires and was used during the 1981 hunger strikes. Margaret Thatcher thereafter discontinued the link.

Maintaining Unity against the Dissidents

As with the 1994 ceasefire, the 1997 IRA ceasefire was arranged by the Army Council without Army Executive approval. The recent election of Tony Blair's Labour Government convinced the Council that another ceasefire could force Sinn Fein's inclusion into all-party peace talks. Key changes within the IRA—the promotion of pro-Adams commanders and newfound support from hardliners within the Belfast Brigade, the largest unit in the organization—further enabled Adams and his allies to confidently push for another ceasefire (Moloney 2003: 476-78). Nevertheless, the Army Council sought the support of the Army Executive to ensure movement unity and enhance Sinn Fein's credibility. The Executive, however, opposed the ceasefire, insisting that the Council lacked the authority to call one unilaterally. Despite this opposition, the IRA announced a ceasefire in July 1997, alienating key Army Executive hardliners.

The 1998 Mitchell Principles establishing the ground rules for all-party peace talks produced a new round of conflict between the Council and the Executive. The Principles committed participants in the talks to the decommissioning of paramilitary organizations, including the IRA, regardless of the talks' final outcome. From the Army Executive's perspective, decommissioning without a guaranteed British withdrawal violated the IRA Constitution. As IRA members, Sinn Fein leaders were thus prohibited from signing onto the Principles. The Army Council called for these leaders to be given special "dispensation" to sign onto the Principles. The Executive, in turn, suggested that Sinn Fein leaders relinquish their IRA membership—and by default their positions on the Army Council (Mitchell 2010: 121-22). This would, of course, weaken the credibility of the party's leadership in future peace talks. With no agreement forthcoming, an Army Convention was organized.

The hastily planned 1998 Convention benefitted the Adams clique. An unprecedented number of non-delegates, mainly Sinn Fein cadres, spoke at the meeting; while pro-Adams delegates, recently promoted to positions of authority within the IRA, stacked the votes in Adams's favor (Mooney and O'Toole 2003: 25-26). Ultimately, 60-70 percent of the Convention supported the ceasefire and the special dispensation allowing Sinn Fein leaders to sign onto the Mitchell Principles. The Convention also produced changes in both the Council and the Executive—the former coming entirely under Adams's control, the latter becoming less anti-Adams (Moloney 2003: 479). More importantly, the bulk of the IRA's rank-and-file stuck with the leadership.

There were ominous results as well. Quartermaster General Mickey McKevitt and six prominent members of the Executive resigned in protest, forming the "Real" IRA. Its leaders being largely from the south, the group had no real base in Northern Ireland (Patterson 2011: 86-87), and while its members included experienced bomb-makers, it lacked operatives to carry out attacks (Harnden 1999: 436). There were no widespread defections from the Provisional ranks and the dissidents remained isolated "micro-groups" without popular support (Tonge 2011: 112). The Real IRA, however, was considered a potential threat by British and Irish security forces and ensuing counterterrorist pressure nearly destroyed the nascent organization. Unable to establish a viable organizational structure, the Real IRA adopted a looser form, encouraging risky practices that culminated in the 1998 Omagh bombing in which 27 civilians died. This bombing—the greatest loss of life in any single attack during the conflict—discredited the dissidents and forced the commitment of fence-sitting Provisional IRA militants and commanders in border counties, as well as some Army Council members (Harnden 1999: 439).

Though counterterrorism and Omagh nearly broke the Real IRA, the organization's development was also hindered by Provisional IRA coercion. Following the bombing, Provisionals were dispatched to threaten Real IRA members and supporters and were blamed for the 2002 killing of Real IRA leader Joe O'Connor in Belfast, as well as other acts of violence and intimidation against erstwhile comrades (Maillot 2005: 172-74). It is difficult to assess the extent to which Provisional violence and threats hindered the Real IRA's development, as the group may have already been undone by the Omagh bombing. Nevertheless, the Provisional IRA proved willing to use violence to enforce peace—thereby bolstering the credibility of movement leaders.

Vigilantism and Transitional "Housekeeping"

IRA violence was not only effective in quelling dissent during the peace process, but was also used to prevent defections among IRA members by providing them a diminished form of agency in "community policing." The IRA and Sinn Fein had been involved in policing Catholic neighborhoods since the collapse of Northern Ireland's government in the late sixties. The "civil administration wing" of the IRA conducted vigilante attacks against Catholics accused of "anti-social" behavior such as petty crime and drug dealing. The auxiliaries consisted of former prisoners and militants known to police, as well as younger recruits, allowing the IRA to limit defections among veterans while training and monitoring untested volunteers (Silke 1999: 59-62). Provisionals, always keen to expand support in the Republic, mobilized in Dublin's working class neighborhoods during the eighties, forming the Coalition of Communities Against Drugs and using violence and intimidation against suspected drug dealers (Maillot 2005: 90-91). The

anti-drug campaign spread to Northern Ireland, escalating after the 1994 and 1997 ceasefires—though beatings replaced shootings in keeping with the ceasefire’s terms (Monaghan 2004).

Vigilantism was often seen by IRA members as a disreputable distraction from the war effort, but it was used during the peace process to keep militants busy performing “useful community service,” thus preventing defections to dissident armed groups (Silke 1999: 87). The practice was also supported by British and Irish authorities, who saw it as a form of transitional “housekeeping” that allowed the IRA to gradually demobilize its militants (Bean 2007: 114-15). Sinn Fein’s support for the creation of the Police Service of Northern Ireland (PSNI), officially ended Provisional IRA vigilantism. Dissident groups attempted to fill the vacuum left by the Provisionals. In 2007, a new group emerged, Republican Action Against Drugs (RAAD), rumored to have been founded by former Provisional IRA members, contributing to the relatively small escalation of dissident violence in the years that followed (Tonge 2011).

Despite continued low-level dissident violence, the bulk of the republican movement supported the peace process. Undoubtedly, the credibility of the Adams clique was crucial for the movement’s commitment to the 1998 Good Friday Agreement and to the Provisional IRA’s disengagement. Throughout the entire process, the control that the Adams clique wielded over the IRA and Sinn Fein—as well as their deftness in isolating dissidents—provided the leadership with crucial credibility. Though Adams and his allies were charismatic figures in the movement, it was their positions of authority and their influence on the Army Council that provided the organizational weapon for directing the peace process—and for continually communicating and demonstrating their own credibility. While many distrusted the sincerity of republican leaders, few doubted their ability to deliver.

Separatist Decentralization and Discredit in Peacemaking

Having examined how IRA Army Council centralization and the authority of Sinn Fein leaders shaped successful engagement in the Irish peace process, I now turn to the persistent coordination and credibility problems that the radical Basque separatist movement faced in peacemaking, problems rooted in the decentralized structure of the movement and the organizational “delinking” of ETA from its political allies. First, I examine failed efforts during the eighties and early nineties to centralize authority over the movement’s political wing. Second, I examine further centralization efforts within the context of the criminalization of the movement since the late nineties. These sections demonstrate that movement decentralization was a product of both militant preference and counterterrorist pressure, as well as a chronic problem for coordinating activism and ultimately peacemaking. Third, I highlight how ETA’s unwillingness to relinquish control over the 1997-1999 Lizarra-Garazi peace process undermined its political allies’ efforts to form an alliance with Basque nationalist rivals. Finally, I consider the 2005-2007 peace process and the persistence of ETA’s veto despite the group’s pledge to delegate political agency to its allies. In each effort, the movement’s political wing persistently sought a larger role, but was hindered by both state repression and ETA’s chronic renegeing on its commitments to opponents and allies alike.

Decentralization and the Separatist Movement

In contrast to the republican movement, the Basque separatist movement has maintained a decentralized inter-organizational structure, due to both militant preference and counterterrorist pressure. Militants repeatedly rejected centralizing efforts since the seventies, resulting in persistent reorganization and progressive decentralization. Additionally, repression against ETA and its allies prevented the establishment of effective coordinating mechanisms. By the late eighties, French-Spanish cooperation against ETA and the loss of the French Basque sanctuary severely hindered coordination between ETA and its allies. Counterterrorist pressure created not only disorganization, but persistent problems in peacemaking, particularly in coordinating the movement's two wings and in establishing the political wing's credibility. It was clear during the Irish peace process that Sinn Fein leaders could speak for the IRA. It was equally clear during Basque peacemaking efforts that no one spoke for ETA apart from ETA itself.

As explored in Chapter One, two competing visions of the separatist movement were developed by the rival ETA Politico-Military and ETA Military during the late seventies. ETA Politico-Military devised a quasi-Leninist structure in which ETA leaders were to oversee the movement's political and military wings, but repression and internal conflict between wings prevented the development of this centralized structure, leading to ETA Politico-Military's disbanding in 1985 (Fernández 2010, 2011). ETA Military, on the other hand, advocated the "delinking" of the movement's two wings through "organic separation between mass activity and armed activity" (ETA 1980b: 15), entailing separately organized military and political wings.

Despite "organic separation," some coordination was necessary—if only for the political wing to cope with the repercussions of ETA's violence in the context of Spanish democracy. The task of coordinating political action in line with ETA initially fell to Patriotic Socialist Coordination, or KAS, formed in 1975 as an inter-organizational coordinating body. Given ETA

Military's refusal to engage in "politics," the small People's Revolutionary Socialist Party (HASI) officially served as its proxy on KAS. Despite ETA's pledge to allow HASI to act as its proxy, the organization nevertheless sent representatives to KAS meetings at least until 1980, as indicated in KAS records (Audiencia Nacional Sentencia 16/2014: 194-206).

Such coordination, facilitated by direct interaction between ETA and its allies in the French Basque country, was undone by increased French-Spanish counterterrorist cooperation following Spanish democratization (Domínguez 1998: 148-150). Some movement leaders called for more centralized political coordination suited to this increasingly hostile environment. In 1983, KAS initiated a project to centralize control over movement political organizations—though not over ETA—with HASI acting as the main vehicle for this effort. HASI was an ideal instrument as, in addition to being ETA's proxy on KAS, its cadres maintained overlapping memberships in other groups, particularly at the leadership level (Letamendia 1994c: 117-18, 211). HASI was also one of the original four founding parties of the Herri Batasuna coalition, its influence growing after the departure of two of these parties in 1980. But the centralizing effort produced tensions among militants. Conflict developed within Herri Batasuna between HASI and the majority "independents," members not belonging to HASI or the other parties in the coalition, resulting in the barring of HASI members from official positions (Woodworth 2002: 130). ETA joined the fray, admonishing HASI for its failure to respect organizational autonomy (Egaña 1996: 392). Tensions among HASI cadres over the leadership's vanguardism came to the fore beginning in 1987, ending with the party's 1992 dissolution (Domínguez 1998: 109).

The struggle over centralization continued into the nineties as movement organizations sought greater autonomy, with many believing that, given the movement's militarized image, the adoption of more open organizational forms was necessary to expand support (Ó Broin 2004:

190-201). The youth group Jarrai initiated reorganization at the end of the eighties, embracing a flattened model to appeal to politicized Basque youth (Arzuaga 2010: 5-6). Herri Batasuna also sought to create a “horizontal and open” structure “in contrast to the monolithic and vertical forms that traditional parties depend on” (Herri Batasuna 1991: 5). Independence from ETA factored into the decentralization drive. According to Herri Batasuna, “There is a false dependency with respect to the activity of ETA. This dependency has accentuated, crystallizing in an attitude of waiting for what ETA will do, whether it will declare a ceasefire or undertake an armed action” (*ibid.* 57). Rigid centralization would only increase such dependency.

KAS nevertheless attempted to centralize authority in the early nineties, an effort which militants again rejected. According to a 1994 KAS document, “there has been a decline in receptivity within the milieu toward the Bloc [KAS], which is why the changes and corrections we introduced met with...a climate of distrust” (quoted in Audiencia Nacional 73/2007: 204). According to the group, its centralizing vision was out of step with the “profound change in the concept of leadership...from bureaucratic homogeneity to a new philosophy of dynamization, respect, recognition, and a desire for heterogeneity” (quoted in Letamendia 1994c: 394). KAS publically dissolved in 1995, leaving ETA with “a lack of control over other forms of social coercion” during subsequent peace efforts (Audiencia Nacional 73/2007: 205).

The Criminalization of the Separatist Movement

In recent decades, Spanish high courts have systematically thwarted centralizing efforts, alongside movement activity broadly, peacemaking included. Since the late nineties, virtually every movement organization has been criminalized, including KAS in 1998 and Batasuna in

2003, which will be examined in greater detail in Chapter Four. Discussion of two particular cases is warranted here given their bearing on centralizing efforts: the 2007 ruling against Ekin, KAS's alleged successor, and the 2010 "Bateragune 5" case in which Batasuna leaders were convicted of ETA membership.¹⁷ These rulings indicate that centralization remained an elusive goal and that separatist politicians lacked any durable organizational influence over ETA.¹⁸

Ekin, founded in 1999, was allegedly formed to replace KAS as the movement's coordinating body. This was likely Ekin's purpose—many of its founders were KAS veterans—but the Spanish National Court ruling provides scant evidence that Ekin ever wielded centralized control. The documents introduced into evidence largely indicate what Ekin *hoped* to achieve: "we have a special responsibility to activate our social, political and institutional power... we must implicate the greatest number of agents, sectors, and individuals possible" (quoted in Audiencia Nacional 73/2007: 218). The group's vision was often grandiose: "ours is an organization that inserts itself into schools, factories, and in popular dynamics" (*ibid.* 210). No evidence, however, was cited in the ruling indicating that Ekin accomplished these goals, but the Court nevertheless ruled that "Ekin exercised the function of control over the entire organized collectivity known as the Basque National Liberation Movement" (*ibid.* 218). The Court was, of course, less concerned with Ekin's activities than in proving that it was KAS's successor, and thus, like KAS, an "illicit association, in the modality of being part of the terrorist organization

¹⁷ Bateragune means "meeting place" in Basque and was allegedly employed by political leaders for this centralizing project, though the National Court admitted that there was little evidence that the name was ever actually used (Audiencia Nacional 22/2011: 89-91).

¹⁸ The voluminous rulings of the National Court—some extending over one thousand pages—contain not only detailed information about detentions and trials (i.e. the circumstances of the defendants' arrests, the main arguments of the defense, relevant precedents, etc.), but also include considerable evidence culled from the documents of movement organizations and of ETA itself. These rulings, however, have not been interrogated by Spanish "terrorism experts," who generally and uncritically accept the National Court's claims as verified empirical fact, rather than problematic interpretations of "evidence" biased by the institutional practices and political commitments of the judiciary.

named ETA” (*ibid.* 546). It was Ekin’s *goal* of centralizing control over the movement that justified its illegalization, not the extent to which it *wielded* such control. Indeed, legal action against Ekin prevented it from doing so. Within a year of its founding, twenty group leaders were arrested and Ekin was banned in 2001. Ekin maintained a clandestine existence, but it does not appear to have played a role in the 2005-2007 peace effort, which was dominated by Batasuna leaders.¹⁹ Following ETA’s reneging, Ekin sided with the group in advocating the armed struggle’s continuation, which was increasingly opposed by the rest of the movement (Domínguez 2012: 286-87). After a new round of arrests, Ekin dissolved in 2011. Certainly, legal ordeals impeded its centralizing mission, but given the past rejection of KAS’s efforts, it is unlikely that militants would have accepted Ekin’s control in the new century.

In its 2010 Bateragune ruling, the National Court alleged that, following ETA’s 2007 return to violence, another centralizing effort was initiated, this time headed by Batasuna leaders. Batasuna’s spokesperson Arnaldo Otegi and four colleagues were convicted of membership in a terrorist organization based largely on an alleged “cause-effect” relationship between ETA’s directives and movement leaders’ subsequent organizational efforts (Audiencia Nacional 22/2011: 42). In 2008, ETA called for the movement to adapt “the necessary structure to advance the politico-military line” (*ibid.* 56) and to “direct the accumulation of forces in the fields of nation-building²⁰ and in defense of the democratic framework” (*ibid.* 8).²¹ According to the ruling, movement leaders had complied with these orders by holding a series of meetings to

¹⁹ Ekin may have played a clandestine role as an interlocutor between ETA and Batasuna, as, according to the 2007 ruling, Ekin maintained an “intimate relationship” with ETA (Audiencia Nacional Sentencia 73/2007: 526).

²⁰ “Nation-building” is the separatist term for the “Basquization” (*euskarización*) of public space, through both the use of Basque cultural symbols and use of the Basque language, and through attacks against “Spanish” aspects of public life—especially anything linked to the Spanish government and mainstream constitutionalist parties.

²¹ Such directives are not new. Since the 1970s, ETA has called for political escalation (“accumulating forces”) via general directives, “propaganda” being “the best form for influencing the political vanguard, [and] preventing the abandonment of the revolutionary line” (ETA 1980b: 197-98).

initiate political centralization, while Otegi and colleagues allegedly met with unnamed “individuals close to ETA” in the French Basque Country to update the organization on the progress—though the defense claimed that these individuals were members of Batasuna, then still legal in France (*ibid.* 17-18).²² In terms of proving “membership” in ETA, the Court focused on the thesis that Otegi and his colleagues had knowingly followed ETA’s orders, evidenced by the correspondence between ETA’s public directives and the subsequent actions and language of movement leaders. As for organizational links, beyond two meetings with individuals allegedly “close to ETA” and the discovery of ETA documents in the apartment where one of the leaders was arrested, scant evidence of actual membership in ETA can be found in the ruling.

The Ekin and Bateragune cases indicate that centralization remained an elusive goal among radical separatists. Both, after all, centered on attempts to create a unified political leadership. Had the movement been centralized, there would have been no need for such centralizing efforts. Furthermore, if taken at face value, the rulings indicate that *movement political leaders wielded no influence over their armed allies*. ETA ordered centralization, political leaders complied. This provides further evidence that, in contrast to Irish republicans, the Basque separatist movement lacked a centralized body through which political leaders could directly influence ETA. After the 1997 arrest of Herri Batasuna’s leadership and the 1998 banning of KAS, centralization efforts were largely thwarted by courts, resulting in greater

²² It is quite possible—very likely, in fact—that Otegi met periodically with individuals linked to ETA. If Otegi had no contacts he could not have been an interlocutor during the talks that led to the 2005-2007 ETA-Madrid meetings. ETA, for its part, insisted that establishing informal “bilateral relationships” between ETA members and political counterparts was “the most appropriate formula for the direction and control by the military organization over the parties” (ETA 1980b: 20-21).

movement inefficacy and disorganization, as well as in chronic coordination and credibility problems that hindered peacemaking efforts.

The 1997-1999 Lizarra-Garazi Process

After the failure of the 1986-1989 Algerian talks between ETA and Spanish officials, many Basque separatists questioned the political wing's singular focus on ETA-Madrid negotiations in light of the movement's growing marginalization (Ó Broin 2004: 140-42). Herri Batasuna leaders admitted that there had been "an overemphasis on negotiations," and that militants had seen ETA-Madrid talks "as a solution to all our problems" (Herri Batasuna 1994: 36). This focus on negotiations allowed ETA to maintain movement hegemony, preventing politicians from establishing credibility as political actors and effective peacemakers-in-waiting. In subsequent efforts, the political wing would attempt to seize the initiative and establish itself as the "bridge between ETA and the Spanish state" (*ibid.* 86). Despite optimism following ETA's 1998 ceasefire and the unification of Basque nationalists in support of peacemaking, the "Lizarra-Garazi Accords" (named for the Basque towns in which they were signed) and subsequent pan-nationalist peace effort were ultimately hindered by ETA's refusal to relinquish its veto over peace.

The Lizarra-Garazi process provided new opportunities for separatist political engagement, beginning before ETA's September 1998 ceasefire with the formation of the Ireland Forum that gathered moderate and radical nationalists together to examine the lessons of the Irish peace process. The Lizarra-Garazi Accords, unveiled during the Forum's final meeting, committed signatories to using democratic means to end political violence and to achieve Basque

self-determination. Central to Lizarra-Garazi—and to the secret 1997 deal between ETA and moderate nationalist parties that laid the groundwork for ETA’s subsequent ceasefire—was the creation of a transnational institution that was to be the embryo of a future Basque state: The Assembly of Mayors and Municipal Representatives of the Basque Country, or *Udalbiltza*, founded in 1998 with the support of 1,778 elected representatives from throughout the Basque Country (Giacopuzzi 2002: 131).

Lizarra-Garazi provided other political opportunities for separatism’s political wing. In 1998, Herri Batasuna and rival leftwing nationalists formed the coalition Euskal Herritarrok, “We Basque Citizens,” taking 18% of the vote in the 1998 Basque parliamentary elections and 20% in the 1999 provincial elections—the biggest separatist gains since 1987. In an unprecedented move, EH took its seats in the “illegitimate” autonomous Basque parliament, forming a government with moderate nationalists. Moderate and radical nationalists also coordinated more contentious activism demanding the transfer of ETA prisoners to Basque prisons. In January 1999, over 100,000 Basques demonstrated in support of ETA prisoners (*ibid.* 115, 142). The streets were also the stage for less productive activism: Basque youths used low-level protest violence during the attempted peace process, demonstrating Herri Batasuna’s limited control over the movement’s more radical sectors (Aulestia 1998: 216).

The Lizarra-Garazi process, despite the opportunities that it provided separatists, failed in large part due to ETA’s unwillingness to fulfill its commitments. Indeed, the armed group appears to have used the Lizarra-Garazi process to covertly reorganize its operational structures and recruit new members (Domínguez 2012: 59-63). Publicly, ETA blamed others for the ceasefire’s collapse, claiming that “the available forces...have not been sufficiently activated... [To] complete the process that began over a year ago, more concrete initiatives must be taken”

(*Gara* Nov. 28, 1999). Movement allies responded by trying to salvage newfound gains, but ETA's return to violence prompted moderate nationalists to withdraw support from *Udalbiltza* and end their parliamentary alliance with Euskal Herritarrok (Whitfield 2014: 95-96). The efforts of separatist politicians were further undermined by legal action against the movement. While the judicial onslaught began with the 1997 arrest of Herri Batasuna's leadership and continued throughout the Lizarra-Garazi process with the illegalization of KAS and the closure of the movement's newspaper *Egin* in 1998, the campaign escalated following ETA's return to violence. By 2003, the youth group Jarrai, the prisoners' rights organization Gestoras Pro-Amnistía, Ekin, and Batasuna—as Herri Batasuna had rechristened itself in 2000—had all been proscribed by Spanish courts. Criminalization severely constrained the political wing's agency, producing further problems in subsequent peace efforts.

The 2005-2007 Peace Process

After the turn of the century, the political wing of Basque separatism broadened its approach to conflict resolution by seeking the participation of the Basque wing of the Spanish Socialist Party, in talks to devise an “internal solution” among Basques. Batasuna's 2004 Anoeta Declaration called for “multilateral political dialogue” among Basque constitutionalists and nationalists, restricting ETA-Madrid talks to “technical” matters relating to the armed group's disbandment (Batasuna 2004: 8). Separatist leaders were also engaged in private efforts to reach out to Basque socialists. Beginning in 2000, Arnaldo Otegi and Basque socialist leader Jesús Eguiguren met secretly to design a future peace process, directly paving the way for ETA's 2006 ceasefire. In 2005, a series of secret meetings in Geneva and Oslo between Eguiguren and veteran ETA leader

Josu Urrutikoetxea established a blueprint for ETA's ceasefire and the subsequent peace process. ETA committed to refraining from all military and logistical activity, while the Zapatero administration agreed to issue a statement, modeled on the British government's 1993 Downing Street Declaration, recognizing Basques' "right to decide"—a euphemism for self-determination (Eguiguren and Aizpeolea 2011: 149-50). The ETA-Madrid agreement also laid out a "first peace, then politics" framework, with technical talks concerning ETA's disbandment to precede political talks among Basque parties—thereby negating ETA's influence over the final settlement. In March 2006, ETA declared a "permanent" ceasefire.

The government's credibility, however, was undermined by continued legal action against ETA and the broader movement, especially Batasuna (*ibid.* 166-68). Within days of ETA's ceasefire declaration, the National Court ordered Otegi's arrest for "membership in a terrorist organization," though he was soon released on bail. The Court also barred party rallies and in June ordered Batasuna leaders to appear in court for holding an illegal press conference (Batista 2011: 90). Beyond the impact on Batasuna's ability to mobilize, legal action undermined the government's credibility as the 2005 ETA-Madrid agreement guaranteed that Batasuna be allowed to participate in "political life under conditions equal to that of other political and social forces" (Eguiguren and Aizpeolea 2011: 149).

Batasuna was prevented from mobilizing supporters and communicating its peace strategy, yet party leaders retained some agency. In September 2006, following ETA threats to end the ceasefire, Otegi and colleagues met with delegates from the moderate Basque Nationalist Party and with Basque socialists to devise a "roadmap" for a future political agreement, breaking with the "first peace, then politics" model of the 2005 blueprint (Murua 2010: 53-54). The talks began in September, and a preliminary agreement was reached at the end of October, detailing a

complex process involving separate sets of all-party talks in the Basque Autonomous Community and in the disputed province of Navarre; public conferences in which preliminary drafts would be discussed and modified; popular referenda on the agreement; and final ratification by the Spanish government and judiciary (*ibid.* 79-106).

ETA, however, was determined to shape any future settlement, despite the group's pledge to restrict itself to technical matters. In early November, ETA pressured Batasuna to introduce a modified version of the draft agreement that set a two-year limit on the process and established its ultimate outcome as the incorporation of Navarre into the Basque Autonomous Community (*ibid.*: 113-15). These preconditions were also introduced during ETA-Madrid talks held in Geneva in September and October. Hardline ETA leader Francisco Javier López Peña—who initially joined then replaced Urrutikoetxea as the group's primary delegate in official talks—insisted that Navarre's incorporation into the Basque Autonomous Community was the *sine qua non* of ETA's disengagement (Eguiguren and Aizpeolea 2011: 238-39). The introduction of these political demands during technical talks indicated that ETA had rejected the "two-track" approach and instead wanted the final say over any future settlement.

ETA was not content to merely influence the political talks, but sought to determine (or veto) the entire process through violence. As its movement allies were engaged in talks in October, ETA was preparing for an attack to take place in November, which was thwarted by Spanish and French police (Domínguez 2012: 178-92). The group continued preparations, and in late December, ETA bombed a parking structure at the Barajas international airport in Madrid, resulting in two deaths. Despite the attack, ETA insisted its ceasefire remained in effect. In May 2007, a series of meetings were held in Geneva, but broke down due to ETA's continued demand

for Navarre's incorporation as a precondition for its final disengagement. ETA officially declared an end to its ceasefire in June 2007.

In characteristic fashion, ETA publicly blamed the Spanish government for the peace process's failure, but many separatists argued that divisions within the movement doomed the effort. ETA leader López pointed to "the problem of internal cohesion" stemming from ETA's and Batasuna's "differing interpretations of negotiations" (Eguiguren and Aizpeolea 2011: 254). Arnaldo Otegi echoed these sentiments, claiming that the process began "with two substantially different visions" of peacemaking (Whitfield 2014: 164). In an internal debate in 2008, ETA members accused group leaders of having placed too much emphasis on ETA-Madrid talks, "overshadowing negotiations between parties," while the Barajas attack caused further "erosion of [ETA's] credibility" and the "weakening of the mobilizing capacity" of the movement (*El País* Sept. 27, 2009). ETA's resumption of violence may have been one renegeing too many, especially for its allies who suffered under Zapatero's Plan B: repression. Schism threatened the movement for the first time since the seventies, with ETA finding itself increasingly isolated and pressured to disband (Domínguez 2012: 281-87).

Bowing to intra-movement pressure and to the decimating effects of counterterrorism efforts, ETA called a ceasefire in 2010 and has subsequently taken a series of steps toward disbandment. There has been a partial normalization of Basque politics. The separatist party Sortu was legalized in 2011, and radical separatists have formed successful coalitions with leftwing nationalists in recent years. Much of the anti-terrorism regime, however, remains in place and militants, particularly those linked to youth activism and the prisoners' struggle, continue to face arrest for cooperation with a terrorist organization. Moreover, many veteran separatist leaders—i.e. those likely to have ties to ETA—remain imprisoned and thus unable to

act as interlocutors, credible or otherwise. Despite the continued repression and the Rajoy administration's absolute refusal to engage with ETA or its movement allies, the Basque political field has begun to adjust to a post-ETA scenario.

Conclusion

Variation in inter-organizational movement structure does not entirely explain why Irish republican efforts succeeded and why Basque separatist peace efforts failed, but its impact was nevertheless significant in shaping these divergent outcomes. The Adams leadership's control over the two wings of Irish republicanism through the Army Council enabled the coordination of political action and military inaction—or rather, limited action—while managing factional splits and stifling dissidence. Movement centralization also provided Sinn Fein leaders with credibility in making deals in the IRA's name. Adams and McGuinness, despite their frequent denials, were widely understood to be Army Council members, thus making them credible negotiating partners. As Sinn Fein leaders, they could claim that this credibility derived from the party's democratic mandate, rather than its relationship to the IRA—allowing opponents to “talk to terrorists” without talking to them directly. Basque separatists, on the other hand, were plagued in their peace efforts by both coordination and credibility problems stemming from decentralization. Though the separatist movement's political wing increasingly played a larger role in peacemaking, it remained beholden to ETA. Despite—or perhaps because of—the gains made by the political wing, ETA unilaterally ended ceasefires in 1999 and 2007, leaving allies in strategic and organizational disarray. Indeed, with each failed peace effort, not only was the

movement's political structure weakened, but the credibility of both its wings diminished due to ETA's renegeing on its commitments to enemy and ally alike.

This chapter has focused on the credible commitments of insurgents, but state credibility also powerfully shaped Irish and Basque peace efforts. The United Kingdom historically had been viewed by republicans as having a strategic territorial interest in Ireland. By the nineties, however, there was a pronounced shift in the British stance on the "Irish problem," which the republican movement was forced to recognize (Alonso 2001, 2004). Republicans remained suspicious of British intentions, but state action—drawing down troops in Northern Ireland and the eventual incorporation of Sinn Fein into all-party talks—shored up British credibility and encouraged republican commitment to the process. The Spanish state, on the other hand, suffers from a credibility deficit, due to its repression of nonviolent separatists during peace efforts and its unwavering commitment to the territorial integrity of Spain. During ETA ceasefires, a parallel "police truce" was never instituted as had occurred in Northern Ireland; Spanish security officials insisted that "the rule of law does not call a truce." Continued state repression, in turn, allowed ETA to justify renegeing in 1999 and 2007. Furthermore, the state's insistence that any settlement accord with the Spanish Constitution, which prohibits self-determination, limits state credibility in the pursuit of a political agreement. As I argue in the Conclusion, the entrenched nationalism of the Spanish political establishment contrasts sharply with the relative flexibility that the United Kingdom exhibited during the Irish peace process of the nineties.

The interaction between state and insurgent credibility during peace efforts can be conceptualized as a game of discrediting, wherein each side monitors the other's behavior for evidence of insincerity to justify its own preemptive renegeing. Since peace is not necessarily preferable to fighting—not for states able to absorb insurgent violence, nor for militants

committed to keeping the flame of struggle alive—such perceived insincerity is a chronic problem in peacemaking. Discrediting opponents may simply be an excuse to again start shooting. But this game of discrediting can become a game of chicken, with each side seeking to discredit the other by committing itself more fully to the process—locking players into peacemaking. This characterizes the behavior of Irish republicans and their opponents during the nineties. Initially, republican leaders tactically committed to the process expecting that the British government would eventually renege due to unionist pressure and geostrategic necessity. Republicans thus committed to peacemaking while expecting the process to fail, and expecting to be able to outlast their opponents in a prolonged armed struggle. But so too did the British government and eventually Northern Irish unionists. This created the conditions for the 1998 Good Friday Agreement and the 2007 St. Andrews Agreement. In playing a game of chicken, republicans and their enemies made peace.

This commitment strategy has unfortunately not been used in past iterations of the Basque game. Instead, ETA and the Spanish state have been committed to mutually discrediting one another to justify their own renegeing—with ETA always losing, impatiently returning to armed struggle. The Spanish political establishment has generally preferred counterterrorism to conflict resolution given its nationalist commitments and its capacity to absorb ETA's waning violence. Battling "terrorism" is more politically profitable than a settlement that would legalize and legitimize nonviolent Basque separatism. ETA, for its part, has been historically committed to perpetuating the armed struggle, not ending it.

The Basque game, however, appears to have changed in recent years. A moribund ETA, given its reputation for renegeing, has been forced to take steps toward disengagement—committing to peace without a peace process and without any prospect of a political settlement.

In 2010, ETA declared a ceasefire and in 2011 announced the definite end of its armed struggle. In late 2013, ETA began the internationally verified decommissioning of its weapons and in July 2014 announced the permanent dismantling of its remaining operational structures. In 2017, the group handed over its arsenal to French police. The Spanish state and judiciary has responded to these moves largely by continuing its legal campaign against ETA and its nonviolent allies. Within days of ETA's announcement of the dismantling of its structures, the Spanish Constitutional Court rejected the appeal of the Bategune 5. With each legal action against nonviolent Basque separatists, the Spanish government gambles with its own credibility. For the time being, it appears to have a large enough store of credit (and discredit) to continue its war on terrorism in the absence of ETA violence.

CHAPTER FOUR

CRIMINALIZING PEACEMAKING: ANTI-TERRORISM LAW AND ITS IMPACT ON BASQUE AND IRISH PEACE EFFORTS

In May 2014, the Northern Ireland Police Service detained Sinn Fein president Gerry Adams for questioning concerning the 1972 disappearance and murder of Jean McConville, a mother of ten and alleged police informant. Given Adams's central role in the IRA's disbanding, his arrest triggered alarm: Would prosecuting Adams undo the gains of the peace process? But as had long been the case, evidence linking "Teflon Gerry" to the crime was lacking and he was quickly released. Adams's experience stands in marked contrast to that of Basque separatist leader Arnaldo Otegi. Since 2006, Otegi has been charged with and prosecuted for crimes ranging from "apologia for terrorism" to "membership in a terrorist organization." He and four comrades were convicted in 2011 for their role in forming a new political party that would renounce armed struggle in accordance with Spanish law—allegedly under ETA's orders. The fact that Otegi and his colleagues were at the time of their arrest actively working toward ETA's disengagement was irrelevant to the Spanish National Court (Audiencia Nacional Sentencia 22/2011: 43). From the Court's perspective, the movement's embrace of nonviolence accorded with ETA's long-term goal of negotiations with Madrid. Thus, the rejection of "terrorism" was ruled to be central to ETA's terrorist strategy.

This chapter investigates the effect of anti-terrorist law on peace processes, focused on variations in how the "terrorist organization" is defined by the law. In the Basque case, the broad definition of the terrorist organization devised by Spanish courts incorporated nonviolent movement groups as "integral components" of ETA, thereby constraining the political wing's ability to initiate or participate in peace efforts. In the Irish case, the terrorist organization was

defined much more narrowly, focused on the military components of the IRA. This provided IRA and Sinn Fein leaders space to successfully participate in and positively shape the Irish peace process.

In contrast to previous analyses of anti-terrorism law, I do not focus on “terrorism” as the object of definitional struggles in the field of law. I investigate instead actor-focused approaches that define the “terrorist organization” rather than terrorism itself. The terrorist organization is constructed by both the clandestine armed group and the state (Curtis 2004; Stohl and Stohl 2011), as well as by other political actors, including the movement allies of armed groups. The boundaries of the organization are a particular point of contention: armed groups seek to blur their links to political actors, while states often exaggerate the extent and durability of such links. In the co-production of these organizations as recognizable entities and in determining the extent of the “links” between the underground and aboveground, the judiciary is among the more powerful actors. Given ambiguous legislation and institutionally defined powers of juridical interpretation, it is the judiciary that takes a leading role in establishing and institutionalizing the group’s boundaries, thereby making this organizational construct “real” in its legal consequences (Zulaika 2009). This legal construct may not correspond to the actual structure of the armed group and its support network, but it is decisive in shaping the counterterrorist struggle and determining the expansiveness of state repression.

Both Spain and the United Kingdom use actor-focused rather than action-focused approaches to counterterrorism (Walter 2004: 30–31; Reinares 2009: 373), but the two differ in terms of the relative expansiveness of the “terrorist organization” as a legal construct. Since the late nineties, the Spanish judiciary has progressively broadened the definition of the “terrorist organization ETA” to incorporate much of the separatist movement. Spanish high courts have

ruled that nonviolent movement groups are in fact “integral components” of the “organized totality” of ETA, while movement leaders have been prosecuted for “membership in a terrorist organization” due to their positions in autonomous groups now deemed part of ETA. In this process, ETA has had its status simultaneously downgraded and exaggerated. On the one hand, ETA as an autonomous organization is, in the judiciary’s view, merely the “armed front” of this broadened movement-encompassing construct. On the other hand, ETA’s status has been exaggerated in that the Spanish judiciary claims that its leadership directs the entire movement.

British counterterrorism in Northern Ireland, in contrast, was focused almost entirely on the Provisional IRA as a military organization. Sinn Fein leaders and even IRA Army Council commanders were rarely targeted for arrest and prosecution. Sinn Fein faced some forms of repression, but after 1973 it remained a legal organization. Its leadership, widely known to have direct ties to or even seats on the Army Council, were targeted in only rare instances when links to crimes were established. Even well-known Army Council members, including those directing the armed campaign, were left largely unmolested throughout the conflict. British counterterrorism primarily focused on disrupting the operations of the IRA by targeting its midlevel commanders and the group’s rank-and-file.

A second key difference between Spanish and British anti-terrorism law relates to how “collaboration” with or “support” for a terrorist organization is defined. In the Spanish case, the broad understanding of the terrorist organization was augmented by an equally broad definition of “collaboration,” which included political efforts to end armed struggle, now deemed central to ETA’s “terrorist strategy.” In the British case, collaboration was more rigidly defined as providing direct logistical support (intelligence, funds, safe houses) for criminal activities and

especially for violent attacks. Political support generally did not fall under the rubric of collaboration.

The differences between the two counterterrorism regimes shaped the divergent outcomes of Basque and Irish peacemaking. The broad definition of ETA developed by the Spanish judiciary—as well as its aggressive implementation by individual judges armed with inquisitorial powers—severely constrained not only insurgent peacemaking efforts, but all forms of movement activity. Indeed, given that legal action against the movement escalated during the 1998-1999 and 2006-2007 ETA ceasefires, it seems that the judiciary, at times backed and at times opposed by sitting Spanish governments, sought to prevent peacemaking under the guise of enforcing the “rule of law.” Legal repression, though not the sole cause of chronic failure, has been a powerful hindrance to separatist peacemaking efforts. The restricted definition used in Northern Ireland provided Sinn Fein leaders and the IRA Army Council the necessary space to engage with rivals and opponents, facilitating peacemaking. Indeed, following the 1994 IRA ceasefire, barriers against Sinn Fein’s activities, such as censorship of its spokespeople, were removed, providing republican leaders incentives to further commit to peacemaking. The permissive legal environment allowed Sinn Fein to mobilize its supporters behind the peace initiative, ultimately resulting in the Provisional IRA’s 2005 disbandment.

This chapter is organized into three parts. First, I examine the problem of defining “terrorism,” considering how an actor-centered approach based on the identification of the “terrorist organization” presents a way for states to avoid this practical definitional quagmire. The next two sections examine separately the peacemaking experiences of Basque separatists and Irish republicans under different counterterrorism regimes. I look first at the Basque case, examining how the broadened definition of “ETA” to include components of separatism’s

political wing constrained movement efforts to end ETA's campaign. I then examine the Irish case and how the restricted definition of the IRA, focused on its operations and operators, facilitated the active involvement of Sinn Fein in the peace process.

A preliminary remark is in order concerning this chapter's asymmetrical empirical analysis. My examination of the Basque case is more extensive than that of the Irish case. This is partly due to the relatively unexamined nature of the Basque case. The court rulings examined below have not been thoroughly analyzed by students of the conflict, who have instead largely uncritically accepted the claims made by Spanish high courts as established fact. But this voluminous material must be subjected to critical analysis as it is crucial data concerning the construction of ETA as a legal entity. On the other hand, British counterterrorism in Northern Ireland has been subject to far more scrutiny. Moreover, given that no broad criminalization campaign was initiated against Irish republicans, there is simply less material to analyze. Thus, I use the Irish case as a comparative foil to highlight the negative impact of Spanish anti-terrorism law on separatist peacemaking efforts.

Defining the Terrorist Organization

The following section examines the construction of the terrorist organization as an entity within the field of law. First, I consider the benefits and drawbacks, both internationally and domestically, of defining terrorism. Second, I examine the legal construction of "terrorist organizations" as an alternative to defining terrorism. Third, I consider how such actor-focused approaches can incorporate the nonviolent political allies of clandestine armed groups as "integral components" or "collaborators" of the armed group. Finally, I examine how defining

political groups as components of “terrorist organizations” and nonviolent action as “support” for such organizations can hinder peacemaking efforts.

Scholars have long debated the definition of “terrorism” (Schmid and Jongman 1988; Gibbs 1989; Tilly 2004b; Weinberg, Pedahzur, and Hirsch-Hoefler 2004; Goodwin 2006), though this debate is overshadowed by a more consequential definitional struggle within the field of law. Institutional actors—legislators who craft the law, and the police, prosecutors, and judges who interpret and enforce it—operate on a “rough consensus” concerning terrorism’s definition (Jenkins 1992). In fact, states often sidestep this definitional quagmire by focusing their attention on defining the “terrorist organization,” as combatting these groups and their allies does not require and may indeed be constrained by a definition of terrorism.

Defining terrorism is not necessary for effective counterterrorism. Indeed, the lack of a definition has not prevented terrorism’s operational enshrinement in international and domestic law (Golder and Williams 2004: 271). Nevertheless, many argue that legal definitions of terrorism can strengthen and legitimize counterterrorist efforts. A clear definition of terrorism can prevent abuses and safeguard civil liberties (Zeidan 2004), while facilitating the prosecution of armed actors and their supporters (Meisels 2009). A precise definition of terrorism may also normalize ad hoc counterterrorist powers (Neal 2012), bringing domestic regimes in line with international standards (Acharya 2008) and harmonizing cooperation between states (Young 2006: 31-32). Furthermore, a shared definition distinguishing legitimate from illegitimate political violence may encourage insurgents to moderate tactics to acquire legitimacy (Ganor 2002). A shared definition “would in effect put the official international seal of disapproval on a whole range of violent political behavior” (Levitt 1986: 111). Finally, clearly delimiting the legal

concept of “terrorism” can legitimize counterterrorist efforts, which is especially crucial within the deeply divided societies that give rise to violent conflicts (Tiefenbrun 2002; Stevenson 2003).

Political interests and commitments, however, may stand in the way of efforts to define terrorism. Defining terrorism, after all, is a political choice (Golder and Williams 2004; Neal 2012). International and domestic concerns shape the decision to define or not to define. During the Cold War, the United States and the Soviet Union blocked United Nations efforts to define terrorism, fearing that a definition might limit their ability to support violent proxies. Many non-aligned nations, for their part, balked from fear that national liberation movements supported by these states would be defined as “terrorists” (Young 2006: 38-40). In the nineties, Arab and Muslim states opposed adopting a common UN definition due to the potential impact that a shared international definition could have on the nationalist struggles in Palestine and Kashmir (Ganor 2002: 288; Scharf 2004: 361). Domestic concerns often override geostrategic interests, particularly if clandestine violence threatens to destabilize the state (Symeonidou-Kastanidou 2004: 21-23). States may thus prefer definitions tailored to local political contexts and conflicts.

States may choose not to define terrorism or to create an ambiguous definition to craft counterterrorism policy in line with shifting needs (Zeidan 2005: 491-92). Ambiguity, after all, provides governments with “the maximum amount of discretion in interpreting events of political significance” (Badey 1998: 92). A broad definition allows for a wide variety of political activities, violent and nonviolent, to be labelled as “terrorism” (Golder and Williams 2004: 289-91). Governments may be tempted to avoid defining terrorism too narrowly—or choose not to define it at all—in order to target nonviolent political challengers (Boyne 2004, 2009; Cram 2008, 2009). A narrow definition, after all, might limit state labeling efforts to only those “terrorists” who actually engage in violence.

States often avoid definitional pitfalls by focusing instead on expanding policing and procedural powers vis-à-vis “terrorism-related crimes,” while leaving terrorism itself undefined. To do so, however, generally requires some definition of the “terrorist organization” as a criminal entity. Though terrorism is an inherently ambiguous concept, terrorist organizations can be more readily identified (Tilly 2004b: 6; Acharya 2008: 656), facilitating the prosecution of its “members” and “supporters.” As legal constructs, such groups are distinguished from normal “criminal organizations” by their political goals. That is, the criminal activity of terrorist organizations—from fraud to murder—is unique as it is aimed at destabilizing the political order in pursuit of strategic goals, such as securing independence. Domestic terrorist groups pursuing such ends are, from the perspective of the state, treasonous organizations (Symeonidou-Kastanidou 2004: 22-23). Furthermore, definitional requirements such as violence against civilians can be avoided through a focus on the group’s goal—destabilizing the state in pursuit of strategic political ends—rather than its methods. This is especially useful as most “terrorist organizations” target security forces rather than civilians (White 1997; Zulaika and Douglass 1997; Sánchez-Cuenca and de la Calle 2009). Finally, the terrorism designation tends to stick, even if armed groups moderate tactics (Jenkins 1980: 2). This is critical for peace-seeking insurgents—and for intransigent governments that prefer conflict to engagement.

Actor-focused definitions of terrorist organizations can affect the political allies of armed groups in two ways. First, allied groups may be defined as “integral components” of the armed group itself. The most common form of such incorporation entails identifying “front” organizations covertly directed by the armed group, often without the knowledge of the front organization’s members. Less common—and more politically problematic—is the definitional incorporation of political organizations linked to armed groups through identification with a

broader political movement. Movement organizations may be defined as components of terrorist organizations due not to their direct support for the armed group's operations, but rather because of political activities in line with its armed campaign. A narrow definition of terrorism centered on actual violence, in contrast, would likely constrain the identification of movement allies as components of the terrorist organization.

Defining “support” for and “collaboration” with terrorist organizations is a second mode of targeting the political allies of armed groups. Again, the possibility for doing so depends on the definition—or the lack of a definition—of terrorism itself. Specifying collaboration or support under a narrow definition of terrorism requires evidence that individuals knowingly contributed to the perpetration of actual violence. If the terrorist group is an explicitly proscribed organization, however, a wider range of actions can be interpreted as instances of “direct support,” including the “glorification” of armed groups, whether through explicitly justifying the group's violence or through mere ideological support for its goals (Dumitriu 2004; Egaña and Giacomuzzi 2012). In practice, prosecuting every instance of movement activity and militancy is difficult—and ethically problematic for democratic states. Prosecutors and courts may instead focus on movement leaders, assigning them criminal responsibility for directing political campaigns in support of armed groups. Leaders may be prosecuted individually or as an organized body for their collaboration, even if this entails purely nonviolent political action.

These two modes—broadly defining both the organization and the nature of support for and collaboration with it—overlap in that political “collaboration” with a terrorist organization may be taken as grounds for criminalizing groups as components of that organization. Similarly, individual leaders engaged in normal political activity may be prosecuted for collaboration due to their organization having been determined to be a component of the terrorist group. There can

also be mixed modes: an organization's leadership organ may be defined as a component of a terrorist group, while the organization's broader membership remains unaffected.

The scope of the definition of the terrorist organization and the criminalization of various forms of "support" may directly impact the armed group's functioning. Prosecuting those who provide logistical support—funds, intelligence, safe houses, etc.—can prevent violence through draining the "sea" of support in which armed groups swim. Broad targeting may make it harder for armed groups to recruit members and mobilize resources, as well as to obtain the symbolic support the movement provides. These two mechanisms—broadly defining terrorist organizations to include nonviolent political groups and broadening legal definitions of "support" to include nonviolent activism—can provide effective tools for counterterrorism.

Yet such broad definitional strategies, though designed to end violence, can prolong armed struggle by preventing allies from engaging in the political labor necessary for conflict transformation (Bourne 2012, 2015). Political wings of insurgent movements are designed to bolster violence, but they can also facilitate an "honorable exit" from armed struggle. Furthermore, the process of conflict transformation often occurs through the political wing's activity, which is equipped for the labor of peacemaking: devising nonviolent strategies, mobilizing supporters, reaching agreements with rivals and opponents, etc. Such tasks are beyond the organizational capacities of clandestine armed groups (Neumann 2003a; Richards 2003). By prosecuting movement leaders for collaboration with or membership in a terrorist

organization, states may hinder the moderation of insurgent movements, while making it nearly impossible to engage with peace-seeking movement leaders (Pettyjohn 2009; Dudouet 2010).²³

The remainder of this chapter examines the impact of the “terrorist organization” as a legal construct on peacemaking in the Basque and Irish cases. In the Basque case, separatist peacemaking efforts coincided with an expansion of the definition of the “terrorist organization ETA.” By defining the movement as a single ETA-directed totality, “the ETA Complex,” Spanish courts criminalized as “collaboration” forms of separatist political activity, including peacemaking efforts. The legal onslaught hindered peacemaking—and continues to stand in the way of efforts to reach a political settlement. In the Irish case, British law employed a more delimited understanding of the “terrorist organization” centered on the IRA’s operations and operators, which allowed Sinn Fein to engage in peacemaking. The pragmatic approach taken by the British, grounded in a restricted understanding of the “terrorist organization,” stands in marked contrast to the ever-expanding construction of ETA within the field of Spanish law.

Spanish Anti-Terrorism Law and Peacemaking in the Basque Country

This section investigates the effect of Spanish anti-terrorism law on peacemaking in the Basque Country. I begin by examining counterterrorism’s historical development up to the late nineties when the criminalization of the separatist movement began in earnest. I then look at two mechanisms used to criminalize the movement: the targeting of movement organizations as

²³ Another way that criminalization may prolong violence is by driving nonviolent politicians underground—and into clandestine armed groups, which are, after all, designed for life underground and can help fugitives survive. This happened in the Basque case, as leaders of criminalized youth groups replenished ETA’s diminishing organization beginning in the late nineties (Domínguez 2012: 107-115).

“integral components” of ETA, and the targeting of movement leaders for “membership” in or for “collaboration” with the “terrorist organization.” I conclude this section by examining how the movement’s criminalization hindered peacemaking during ETA’s 1998-1999 and 2006-2007 ceasefires, as well as considering the incoherence of Spanish anti-terrorism law in the context of ETA’s ongoing unilateral disengagement following its 2010 ceasefire.

The Development of Spanish Anti-Terrorism Law

Democratization ushered in a transformation of Spanish anti-terrorism law, initiated by King Juan Carlos’s 1977 abrogation of the Franco-era counterterrorism regime. “Terrorism,” however, was ambiguously defined throughout the era. For example, ETA initially remained a proscribed organization not because of its armed activism but due to its advocacy of Basque independence (Clark 1990: 38), while the 1981 Law for the Defense of the Constitution defined terrorism as “any attack on the integrity of the Spanish nation” (Encarnación 2008: 98). Defining terrorism was not central to the development of Spanish anti-terrorism law, which focused instead on combatting armed groups. In 1978, the newly-elected Spanish Parliament passed the Crimes of Terrorism Committed by Armed Groups Act, expanding police powers against suspected members of violence-wielding organizations and authorizing ten-day incommunicado detention without court approval. Reforms also targeted the political supporters of armed groups. In 1978, the King issued the Decree-Law on the Protection of Citizen Security, which criminalized “apologia” for (or “justification” of) terrorism. In 1980, parliament approved the Organic Law on Citizen Security, which suspended constitutional rights for those suspected of terrorist offenses, including apologia (Clark 1990: 41-42).

Counterterrorism policy was strengthened following the 1982 election of Felipe González's socialist government. In the aftermath of the February 1981 coup attempt and amid rumors of further right-wing coup plots, González sought to assuage the Spanish right and state security forces by embracing a hardline approach against ETA and radical separatism. A sweeping anti-terrorism law was passed in 1984, which authorized the banning of political parties led by convicted terrorists, extended sentences for apologia, and ordered regional governments to ban demonstrations supporting terrorism (*ibid.* 64-65). These provisions were technically temporary. By 1987, the government had allowed 22 of the Act's articles to lapse and González asked parliament to repeal the rest. Yet many of these measures were quietly incorporated into the Spanish Criminal Code in 1988 (MacKinnon 2007: 653-54). Additionally, the administration opposed the National Court's 1987 authorization of Herri Batasuna, though it failed the following year to persuade Parliament to criminalize the party (Letamendia 1994c: 30).

In 1995, Parliament reformed the Spanish Criminal Code. Terrorism is not explicitly defined in the Code (United Nations Human Rights Council 2008: 6-11), but the "terrorist organization" is defined as a criminal entity that has "the purpose or object of committing serious felonies" but also, unlike criminal organizations, "the purpose or object of subverting the constitutional order or seriously altering the public peace" (Art. 571, Sub. 3). The range of crimes associated with terrorist groups includes activity that "promotes, forms, organizes or directs" such organizations (Art. 571, Sub. 1). The reformed Code also defines collaboration and apologia as "terrorism-related" criminal acts, which includes:

...[providing] information on or surveillance of persons, property or installations; construction, conditioning, assignment or use of accommodation or storage facilities; concealment or transport of individuals related to terrorist organizations or groups; organization of training practices or attending them and, in general, *any other equivalent*

form of co-operation, aid or mediation, economic or of any other kind whatsoever, with the activities of those terrorist organizations or groups. (Art. 576, Sub. 2, emphasis mine)

Finally, “apologia or justification” is defined in the Criminal Code as “public expression” in support of terrorist groups and their actions, as well as “perpetrating acts that involve discrediting of, disdain for, or humiliation of the victims of terrorist offences or their relatives” (Art. 578). The definitional ambiguity of “collaboration” and “justification” would later be critical in criminalizing the movement by Spanish high courts.

The 1997 election of the conservative Popular Party initiated a hardening of anti-terrorism law. The PP’s victory stemmed in part from its critique of the González administration’s inconsistent counterterrorism strategy, which combined legislation with secret engagement and, more controversially, state-sanctioned clandestine violence against ETA in the French Basque Country (Woodworth 2002). Conservatives called for a strictly “law and order” approach to the battle against ETA and its allies (Cram 2008: 84-85). Of course, the approach required the expansion of anti-terrorism law to accord with the “*toda es ETA*” view, i.e. the belief that every separatist movement organization is controlled and directed by ETA. As Interior Minister Mariano Rajoy claimed, “The terrorist is not only the one who kills, but also whoever helps, shelters, finances, or politically encourages the group” (*The Telegraph* Oct. 18, 2001).

The Aznar Government was aided in constructing this expansive counterterrorism regime by National Court Judge Baltasar Garzón’s “ETA Complex” thesis, which converted the *toda es ETA* view into established legal “fact.” Spanish legislators define the “terrorist group,” but the judiciary is tasked with concretizing this definition through prosecution and precedent. Given the institutional weakness of state prosecutors in Spain, the investigative judges of the National Court who are tasked with investigating and prosecuting terrorism-related crimes are the primary

actors in the legal struggle against “terrorists” and their supporters. National Court judges such as Garzón have inquisitorial powers that allow them to initiate investigations and authorize provisional detentions and the banning of organizations. Furthermore, the National Court is critical in establishing the boundaries of ETA by defining through its rulings what in practice amounts to criminal responsibility for “membership” in ETA or “collaboration” with the group, while the Supreme and Constitutional Courts contribute to this concretization by upholding or, less frequently, overturning the National Court’s decisions.

Using as evidence documents seized from ETA during the early nineties, Judge Garzón alleged that the separatist movement was a single organized totality controlled by ETA’s leadership. According to Garzón’s narrative, as ETA’s fortunes declined in the late eighties due to increasingly effective Spanish-French police cooperation, the organization imposed direct control over the separatist movement’s centralization through its “satellite” KAS to ensure ETA’s organizational maintenance and intra-movement hegemony (Buesa 2011: 71-72). The presumed existence of this organizational structure allowed for the identification of separatist groups and media organizations as integral components of or collaborators with ETA.

Two mechanisms facilitated the movement’s criminalization. First, individual organizations were identified as “integral components” of ETA and thus part of a “terrorist organization.” This allowed for the proscriptions of numerous movement organizations, beginning with the inter-organizational coordinating body KAS and the movement-linked newspaper *Egin* in 1998. Second, the National Court targeted the leadership of the political wing both for “membership in a terrorist group” and for “collaboration.” Through such prosecutions and convictions, the judiciary suppressed two generations of political leaders: those who had founded and led the movement into the mid-nineties and those who replaced these veterans after

1997. As a result, the movement's political agency and capacity for coordination was constrained.

Targeting Movement Organizations

The judiciary targeted movement organizations as “integral components” of ETA. That is, rather than being treated as autonomous organizations associated with but in practice separate from ETA, organizations were redefined as subunits of the organizational totality of ETA. According to the Spanish Supreme Court, the separatist movement constituted “a single entity, namely, the terrorist organization ETA, hidden behind an apparent plurality of legal entities created at different times according to an ‘operational succession’ devised in advance by that organization” (quoted in European Court of Human Rights 2009: 9). This redefining of ETA demoted the group from an autonomous organization to merely the “armed front” (Audiencia Nacional Sentencia 73/2007: 95), “armed wing” (*ibid.* 204), or “armed faction” (*ibid.* 243) of the broader “structural framework” of ETA, which now included components of the movement's political wing—all under the alleged direction of ETA's leadership. ETA's demotion to a “wing” of the broader totality obviated the need for evidence of concrete links between the armed group and political allies. If, after all, the armed group is itself a subordinate component of a larger organization, the absence of horizontal inter-organizational links becomes less problematic in prosecutions and proscriptions—as demonstrated by the dearth of evidence of concrete organizational ties in the judicial rulings examined below.

The coordinating body KAS and its successor Ekin were the lynchpins in the construction of this expanded “ETA.” KAS, an inter-organizational coordinating body, was created in 1975 to

craft political strategies in line with ETA's armed struggle. Though critical analysts of the conflict argue that KAS was largely defunct at the time of its criminalization (Letamendia 1994b, 1994c; Aulestia 1998; Domínguez 1998), the Court alleged that KAS during this period instituted ever stricter control over the movement in line with ETA's directives. Furthermore, as Spanish-French counterterrorism efforts decimated ETA, the armed group allegedly began transferring to KAS some of its functions (Audiencia Nacional Sentencia 73/2007: 202), including fundraising and the direction of the organization's prisoner collective, tasks later transferred to Ekin (*ibid.* 219-22). Throughout this centralizing effort, ETA purportedly used KAS—and later Ekin—as its “mechanism of control” over the rest of the movement (*ibid.* 202).

Ekin, KAS's successor, was provisionally proscribed by the National Court in 2000, one year after its founding. The Court ruled that, like KAS, Ekin “exercised the function of control over the entire organized collectivity called the Basque National Liberation Movement” (*ibid.* 218). The Court focused in particular on Ekin's links to groups devoted to “civil disobedience” and prisoners' rights. In its ruling against the youth group Jarrai, the Court cited numerous references to low-intensity protest violence, *kale borroka*, in Ekin documents. Such references were interpreted by the Court as evidence that Ekin, like KAS, directed such violence under orders from ETA (Audiencia Nacional Sentencia 27/2005: 16-18, 22-23).²⁴ There is, however, little direct evidence in the rulings indicating Ekin's centralized control over the movement or directed low-level youth violence on the orders of ETA. In any event, actual control was not the Court's concern. The ruling instead focused on Ekin as the successor to KAS and, therefore, like

²⁴ Such references, however, are often ambiguous. In interpreting movement texts, the Court often conflates the Basque term “*borroka*” (struggle) with “*kale borroka*” (street struggle), i.e. low-intensity protest violence. Furthermore, in the movement's lexicon, *kale borroka* can refer to various forms of contentious public activism, including nonviolent protest and civil disobedience.

KAS, an “illicit association, in the modality of being part of the terrorist organization named ETA” (Audiencia Nacional Sentencia 73/2007: 546). It was not Ekin’s activities that justified its criminalization, but rather its leaders’ intention to centralize control over the movement in line with ETA’s broader strategic design.

The ruling against KAS and Ekin institutionalized the “ETA Complex” thesis as legal fact, ushering in an onslaught of criminalization. Among the more controversial Court actions were those directed against the movement-linked newspaper *Egin* and the Basque-language daily *Egungaria* in 1998. According to the Court, the editorial boards of these newspapers comprised ETA’s “informational front,” tasked with maintaining a “climate of terror” to augment the group’s violence (Audiencia Nacional Sentencia 73/2007: 113-18). The Court further determined that the editors of these publications maintained “fluid” relations with ETA (*ibid.* 118-21). Basque youth groups—Jarrai and its successors, Haika and Segi—were targeted for proscription beginning in 1999, alleged to have had “continuously developed some form of violence complementary to the strategy of ETA” (Audiencia Nacional Sentencia 27/2005: 12).

Criminalization extended as well to a network of movement-linked business firms and *herriko tabernas*, “people’s bars,” which were alleged to be central nodes in ETA’s financing structure. The Court insisted that ETA remained “the ultimate destination” for funds, yet the ruling also explicitly—and paradoxically—states that the network only “indirectly financed” the armed group (Audiencia Nacional Sentencia 16/2014: 336-38) and that it was in fact designed “as a mechanism through which not ETA but rather the entire structural framework [the separatist movement] might obtain sufficient resources to survive” (*ibid.* 336). The centralization of the network’s management was, furthermore, undertaken by Herri Batasuna—not “ETA/KAS” (*ibid.* 73). From the Court’s perspective, however, as ETA controlled the party

through its “satellite” KAS and later Ekin, Herri Batasuna’s control over these bars was simply cover for ETA’s direct control (*ibid.* 342-43).

Herri Batasuna and its successors were not criminalized as “integral components” of ETA. Movement-linked parties were instead banned due to their refusal to denounce ETA’s violence in accordance with the 2002 Organic Law on Political Parties that criminalized parties supporting “terrorism,” which created mechanisms for banning Herri Batasuna and its successors while providing cover for the government (Dunér 2007: 62-63). Previous governments had tried to ban Herri Batasuna, but banning parties was a provocative step, evoking memories of Francoist repression (Ferrerres 2004: 141). In 1988 parliament rejected Felipe González’s legislative scheme for Herri Batasuna’s illegalization, preferring instead to marginalize the party through parliamentary accords. But by the turn of the century, memories of Francoism had faded, and the 2002 bill received the support of 95% of parliamentary deputies (Sawyer 2003: 1534). In 2003, following the party’s refusal to explicitly condemn a 2002 ETA killing, Batasuna was declared illegal by the National Court—a ruling ultimately upheld by the European Union Court of Human Rights in 2009 (Bourne 2012, 2015). The 2003 ruling also proscribed the party’s successor, Batasuna, the coalition Euskal Herritarrok, and later parties and electoral lists formed in the aftermath of the ruling.

Criminalizing organizations and banning parties debilitated the separatist movement. As the movement-linked human rights group Behatokia (2007) argued:

...the legislative designed new rules and legislation provoking an extensive definition of the crime of terrorism including under this category increasingly larger sections of the Basque society, which are in no way linked to terrorist activities...[while] the judiciary has supported the government in opposition to the basic principles of independence and impartiality. (2)

Targeting Movement Leaders

The Spanish judiciary was careful to not criminalize all movement activity—or at least to not appear to do so. Simply “moving within ETA’s orbit” was not enough to convict an individual militant (Audiencia Nacional 16/2014: 242). Given that the entire separatist movement is to some extent “within ETA’s orbit,” militants involved in any movement organization—unions, parties, language programs, etc.—or even workers in movement-linked firms could potentially be engaged in “terrorism-related” crimes. The National Court therefore restricted criminal responsibility to “active collaboration,” i.e. actions “voluntarily realized with the end of facilitating some activities of the organization, not limited to armed actions” (*ibid.* 243). The Court further stipulated that determining such collaboration entailed the “double requirement of establishing as terrorist the structure in which [the individual] acts, and [establishing] that the individual contributes to the functioning of the organization” (*ibid.* 244).

“Leaders” were specifically identified as individuals who were “at the disposal” of ETA and who exhibited “the willingness to collaborate actively...demonstrated by the concrete execution of acts of collaboration” (*ibid.* 246). Furthermore, members of “executive organs,” e.g. the National Committee of Herri Batasuna, were identified as “persons integrated into the structures of decision-making; therefore, as individuals with the capacity for decision-making and execution of actions designed for and consistent with providing the group ETA an entry into and cover within institutions” (*ibid.* 250). The 1997 arrest of the 27 members of Herri Batasuna’s National Committee set a significant precedent in terms of prosecuting the movement’s leadership (*ibid.* 248-51). These arrests were also the first salvo in the criminalization campaign initiated by Judge Baltasar Garzón.

In April 1995, the movement-linked daily *Egin* published ETA's "Democratic Alternative," which replaced the 1975 KAS Alternative as the group's official peace proposal. Herri Batasuna's leadership officially adopted the proposal and promoted its contents, presenting the Democratic Alternative at over three hundred party meetings and assemblies, as well as in discussions and debates with other Basque political organizations and civil society groups (*Boletín del Estado*, Aug. 1999: 27-31). In 1996, ETA provided Herri Batasuna, along with other Basque political organizations, a 20-minute video in which two masked group members discussed the proposal. Herri Batasuna's National Committee included portions of the video in television advertisements for the 1996 Basque parliamentary elections. Judge Garzón banned the advertisements and the following year ordered the arrest of the 27 members of Herri Batasuna's National Committee for collaboration with a terrorist group.

According to the Court's reading of events, as "it was an impossibility for ETA to occupy electoral spaces freely provided to legal political parties," the armed group called on its political allies to "cede" this space to ETA (*ibid.* 27). By incorporating the ETA-produced video clip into its campaign advertisements, Herri Batasuna leaders were guilty of "effective collaboration" through engaging in activities—publicly disseminating and debating the Democratic Alternative—that ETA was itself unable to do (*ibid.* 34). Moreover, by "making propaganda from another's message, incorporated into its own discourse" (*ibid.* 43), Herri Batasuna demonstrated "public manifestation of solidarity with criminal activity" (*ibid.* 30). In 1998, the National Court convicted the 27 leaders, though the following year the Constitutional Court overturned these convictions, ruling that the incorporation of the video into campaign advertisements did not entail a major act of collaboration and that the six-year sentences were therefore disproportionate. The convicted leaders were released after serving 20 months (*El País*

July 21, 1999). Nevertheless, the verdict created a precedent for future legal action against separatism's political wing (Audiencia Nacional Sentencia 16/2014: 248-51).

The banning of Herri Batasuna and its successors does not fit within the strategy of targeting organizations as “integral components” of ETA. Nevertheless, the party's illegalization provided justification for the arrest of party leaders and cadres for their political activities following the party's illegalization. Any political action, from running for office to organizing a rally, could be interpreted as a criminal activity as the party was an illegal organization. Indeed, prosecutions relating to 2006-2008 efforts to run separatist candidates in Batasuna's stead were not resolved until January 2016 when the National Court withdrew its final charges (*An Phoblacht* Feb. 3, 2016).

A more successful effort to target political leaders was the “Bateragune 5” case. Between Batasuna's banning in 2002 and the 2012 legalization of Sortu, no political party represented radical separatism. During this period, many leaders became convinced of the need to create a new party that repudiated violence in accordance with the 2002 Party Law (Domínguez 2012: 271–87). From the Court's perspective, however, forming such a party was central to ETA's long-term “terrorist strategy.” In 2011, five movement leaders, including Arnaldo Otegi, were convicted of “membership in a terrorist organization” for their role in the party-building effort. The ruling centered on the “cause-effect” relationship between ETA's orders and subsequent actions of political leaders. Compliance with ETA's orders—rather than positions within the organization—proved that these leaders were “integrated into an organized structure directed by ETA” (Audiencia Nacional Sentencia 22/2011: 42). Furthermore, the Court ruled that the five were not simply “members” of ETA, but group “directors.”

In 2008, ETA allegedly ordered its political allies to adopt “the necessary structure to advance the politico-military line” (*ibid.* 56) and to “direct the accumulation of forces in the field of nation-building and in defense of the democratic framework” (*ibid.* 8). The defendants’ 2008-2010 attempt to form an alleged “unified political directorate” was interpreted by the Court as compliance with ETA’s orders. Leaders further complied by refusing to engage with the Basque Nationalist Party (PNV), allegedly in line with ETA’s demand that its allies “unite the pro-independence sectors” to effect “the marginalization of the PNV” (*ibid.* 70). Though noting the historical animosity between radical separatists and the PNV, the Court nevertheless ruled that the proposal to form such a coalition to be direct compliance with ETA’s orders.²⁵ Additionally, the Court cited the “absolute terminological coincidence” (*ibid.* 52) between the language used in ETA documents and in defendants’ public statements, including terminology such as “democratic process, democratic framework, accumulation of forces, popular will, sovereigntist pole, a nation mobilized, [and] nation-building” (*ibid.* 41). Using ETA’s preferred boilerplate—i.e. radical separatism’s movement lexicon—indicated compliance with the group’s orders.

The Impact on Peacemaking

The legal campaign against the separatist movement hindered peacemaking in two ways. First, movement organizations and their leaders were targeted for arrest and prosecution during peace efforts, constraining their capacity to engage with rivals and opponents. Second, judges

²⁵ Incidentally, the Spanish judiciary did not find that the coalitions Amaiur (formed in 2011) and EH Bildu (formed in 2012), which united the nationalist left but excluded the PNV, to be instances of complying with ETA’s directives despite the participation in the coalitions of former Batasuna leaders and cadres.

prohibited movement activities during peace efforts, preventing the movement from engaging in the political labor necessary for peacemaking.

As demonstrated above, the legal campaign against the movement began in 1997, following the release of ETA's "Democratic Alternative." Herri Batasuna's leadership was convicted (though subsequently acquitted) for distributing an ETA-produced video detailing the proposal. Herri Batasuna argued that disseminating the video was its right and responsibility "as a social agent of the Basque Country" (*Boletín del Estado* Aug. 1999: 29). Party leaders acknowledged that they acted as ETA's proxies, in that dissemination accorded with "ETA's wish that [the proposal] be in the hands of all parties, unions, groups, and associations in the Basque Country in order that the entire society might reflect on and in turn debate it" (*ibid.*). The defense argued that the proposal's dissemination and the use of the ETA-produced video did not entail collaboration with a terrorist group given that the Alternative was a peace proposal (*ibid.* 28-29). The government, the defense alleged, was seeking "to hinder awareness of this proposal for peace" and to "silence the force of the Democratic Alternative...[through] censorship, coercion, threats, and imprisonment" (*ibid.* 30). From the Court's perspective, however, the video represented not a peace proposal, but rather "an ultimatum directed against the political establishment and indirectly against the citizenry to either accept these political demands or continue suffering the consequences of terrorist attacks" (*ibid.* 44). The video's threatening nature was underscored by the "presence of handguns and references to actual ongoing violence," alongside "the habitual paraphernalia of ETA" (*ibid.*).

Escalating criminalization during ETA's 1998-1999 ceasefire and the associated Lizarraga-Garazi peace effort may have been designed to undermine the movement's capacity for peacemaking, particularly with respect to public communication and movement coordination.

The first target of the legal onslaught was the movement-linked newspaper *Egin*, seized by police in 1998, its editors arrested for “membership in a terrorist organization” (Zallo 2001: 40-42). If silencing the movement was the goal, this was a futile effort, as a replacement, *Euskadi Información*, was formed within days of *Egin*’s closure. If constraining movement coordination was another goal of the judiciary, KAS was a natural target given its self-designated coordinating functions. Thus, within months of ETA’s ceasefire announcement, KAS was illegalized and its former leaders arrested for “membership in a terrorist organization.” The Court, however, appears to have broadly overstated the role of KAS, which had lost influence by the early nineties (Egaña 1996: 461-62; Aulestia 1998: 142-43). According to ex-members, KAS, having formally dissolved in 1995, was at the time of its banning “an organization belonging to the past” (*Euskadi Información* Nov. 18, 1998). This, of course, did not prevent the allegedly defunct group’s illegalization and the prosecution of its former leaders.

The illegalization of KAS and *Egin* impacted the movement’s capacity for internal coordination and external communication during the 1997-1999 Lizarra-Garazi effort, though the impact was limited given KAS’s apparent ineffectiveness and *Egin*’s rapid replacement. Furthermore, the creation of the coalition Euskal Herritarrok, the 1999 dissolution of Herri Batasuna, and its reformation as Batasuna the following year were, according to parliamentarian *cum* ETA leader, Josu Urrutikoetxea, attempts “to dodge the banning of HB” (*Euskadi Información* Oct. 21, 1998). These efforts were futile, as Euskal Herritarrok and Batasuna were declared illegal along with Herri Batasuna in 2003.

When ETA declared its “permanent” ceasefire in 2006, virtually every movement organization had been criminalized. During the 2006-2007 peace effort, suppressing movement leaders’ political activities was the focus of the judiciary, especially for Judge Fernando Grande-

Marlaska, who replaced Garzón on the National Court while the latter was on sabbatical in the United States. Grande-Marlaska's actions against Batasuna began within days of ETA's March ceasefire declaration when he ordered Batasuna spokesperson Arnaldo Otegi, then under house arrest, detained for membership in a terrorist organization. Though Otegi was quickly released on bail, he along with other Batasuna leaders were ordered in June to appear in court to face new charges for collaboration with and membership in a terrorist organization. Grande-Marlaska also prohibited party demonstrations and ordered police to prevent a press conference in which the banned party was to unveil its peace strategy (Batista 2011: 90-91; Domínguez 2012: 168-69). Grande-Marlaska's actions were criticized by members of the legal establishment. Attorney General Luis Barrosa claimed that Grande-Marlaska's "procedural behavior gives rise to legitimate doubts over his impartiality" (*El País* Jun. 6, 2007), while Garzón and his French counterpart Judge Laurence Le Vert also criticized Grande-Marlaska's orders (Eguiguren and Aizpeolea 2011: 176). Beyond the impact that the judge's decisions had on Batasuna's ability to mobilize in support of ETA's ceasefire, his orders certainly undermined the credibility of the Zapatero government given that the 2005 secret ETA-Madrid agreement had guaranteed Batasuna's right to participate in "political life under conditions equal to that of other political and social forces" (*ibid.* 149).

Legal action against ETA and its allies escalated throughout 2006, as scores of old cases were reopened, bringing the total number of prosecutions against separatists to its highest level ever in the conflict (Whitfield 2014: 167). In October, as Batasuna was engaged in talks with other Basque parties, police raids were conducted against the *herriko taberna* network (*ibid.* 173). Additionally, an ETA delegate was arrested in France while travelling to Geneva for an official meeting with Spanish delegates (Domínguez 2012: 162). Given the close cooperation

between French and Spanish security forces, many suspected that this arrest was part of a broader strategy by intransigent sectors of the Spanish establishment to torpedo the ongoing peace process. Zapatero made efforts to restrain the judiciary—replacing some intransigent judges close to the conservative Popular Party and ordering prosecutors not to pursue new charges against separatist politicians (*ibid.* 156-57)—but ETA and its allies were not swayed by the prime minister’s claims that “judicial independence” limited his control over the judiciary.

Batasuna was limited in its ability to mobilize in support of ETA’s ceasefire, though party leaders retained some agency, evidenced by the October 2006 talks with Basque socialists and moderate nationalists. Separatists received unexpected aid in their efforts from establishment actors. In direct response to Grande-Marlaska’s orders against Batasuna, Patxi López, head of the Basque wing of the Socialist Party, met publicly with Otegi in May 2006, while Judge Garzón rejected formal appeals from rightwing organizations to prevent the meeting (Whitfield 2014: 173). Garzón also authorized Basque Nationalist Action—an historic party that had been a founding member of Herri Batasuna, but retained a separate organizational structure following HB’s transition into a formal political party—to run in elections in 2007 despite being “contaminated” by the presence within the party of members of Batasuna (*ibid.* 182-83). Of course, nearly half of Basque Nationalist Action’s candidates were barred by electoral commissions and courts from running due to their ties to Batasuna (*Gara* June 7, 2007). These injunctions had little impact on peacemaking, as ETA torpedoed the peace process the previous December with its Madrid airport bombing. The state, having tried negotiations, now instituted its “Plan B,” escalated criminalization, which amounted to what separatist human rights activists labeled “a permanent and undeclared state of emergency” (Behatokia 2007: 2)

Since ETA's 2010 ceasefire declaration, repression has continued, though there have been openings, the most significant of which were the authorization of the electoral coalitions Amaiur and EH Bildu, in which separatists participated, and of the party, Sortu. In 2011, separatists announced Sortu's formation, which the Supreme Court quickly declared illegal. The following year, however, the Constitutional Court reversed the party's banning. Other rulings suggest this de-escalation may extend beyond the Constitutional Court. In 2014, the National Court absolved 40 alleged members of the youth group Segi, ruling that the militants demonstrated no "dependency on or complementarity with ETA" nor "active militancy or integration in the armed group" (*El País* Jun. 11, 2014). In 2015, the relatively conservative Supreme Court overturned the convictions of five alleged members of Segi, ruling that evidence indicated only "mere affiliation" with the banned youth group (*Diario Vasco* Nov. 24, 2015). In 2016, the National Court absolved five members of the internationalist group, Askapena—the successor to the criminalized organization Xaki, which had a decade earlier been ruled to be the "international affairs wing" of ETA.

These reversals may suggest de-escalation, but much of the previous decade's regime remains in effect. The 2011 Bateragune conviction is the most obvious example. In 2012, however, the Supreme Court overturned the convictions for "membership in a terrorist organization," while maintaining their convictions for collaboration, a charge which the Constitutional Court upheld in 2014 (*El Mundo* May 9, 2012). Also controversial was the 2014 *herriko tabernas* decision convicting 35 of the 43 accused and resulting in the closure of 111 bars, eight years after the charges were initially filed. Additionally, the prisoners' aid association, Herrera, founded in 2012, was ruled by the National Court to be "an authentic tentacle of ETA" and 18 of its directors were arrested in 2013 (*El Mundo* Oct. 1, 2013). In 2015, three of the

group's treasurers were convicted for financing ETA and 16 lawyers associated with Herrera were arrested that year on money-laundering and fraud charges. In 2016, 47 individuals associated with Herrera were on trial (*Noticias de Gipuzkoa* Apr. 23, 2016). There have also been numerous arrests of separatist youth activists. Within a month of ETA's ceasefire declaration, fourteen militants were arrested for allegedly attempting to reform the banned youth group Segi (*Diario Vasco* Oct. 10, 2010). Legal efforts have been levied against Sortu as well. In 2013, Sortu leader Iker Rodrigo Basterretxea was charged with "incitement to terrorism," though he was absolved in 2015 by the National Court—further demonstrating the contradictory counterterrorism approach in the emerging post-ETA context.

British Anti-Terrorism Law and Peacemaking in Northern Ireland

There are two critical differences between the British and Spanish counterterrorism regimes. First, a series of "temporary" and "emergency" laws were instituted to combat the IRA and other paramilitary groups and, as in Spain, these powers gradually became more or less permanent (Neal 2012). British counterterrorism strategy, however, did not fully stabilize after 2000, at which point the IRA was beginning the process of decommissioning. In Spain, on the other hand, broadened counterterrorism constrained peacemaking beginning in the late nineties when peace efforts began in earnest. Second, both Spanish and British law embraced actor-focused anti-terrorism legal approaches. The United Kingdom, however, in practice restricted its definition of "proscribed organizations" to the IRA's military units, leaving Sinn Fein leaders, as well as IRA commanders, free to act with relative impunity. This stands in marked contrast to the criminalization of radical Basque separatism. The relative freedom that IRA and Sinn Fein

leaders enjoyed allowed the republican movement to effectively navigate the peace process, whereas persistent repression hindered Basque efforts to emulate the Irish success.

This section examines how a restricted counterterrorism approach positively shaped the Irish peace process. First, I consider the development of British and Irish anti-terrorism law focused on combatting “proscribed organizations,” particularly the IRA. I then examine the relatively limited repression levelled against political republicanism and the restricted targeting of movement leaders by security forces. I next consider the nature of legal reforms relating to prisoners and to unsolved political murders that emerged from the peace process as further indicators of the narrow scope of the British approach. Finally, I examine the more concerted counterterrorism effort against the Real IRA to highlight the relative impunity that Provisional IRA and Sinn Fein leaders enjoyed throughout the conflict.

The Development of British and Irish Anti-Terrorism Law

Insurrection in Northern Ireland has historically been combatted with “emergency” or “temporary” laws established by the British Parliament. The most sweeping example of such legislation was the 1972 Northern Ireland (Temporary Provisions) Act. The Act made Northern Ireland a military protectorate under the Secretary of State’s direction—though it did not define the nature of the conflict nor identify its unlawful combatants. Instead, the Act focused on establishing the parameters of direct British rule. To normalize the situation and foster a political settlement, the Terrorism Act was passed in 1974. Though the Act never defined “terrorism,” it identified “proscribed organizations” as the target of the legislation’s measures.

Proscribing organizations is an uncontroversial “British tradition” (Walker 2011: 1408). The original IRA, for example, was banned in 1918. The legislation of the seventies and eighties continued this proscribing model. The 1974 Act established mechanisms for proscribing organizations and prosecuting individuals for membership, while also making public support for proscribed organizations a minor crime subject to a maximum of three months’ imprisonment. The Act also officially proscribed the Provisional IRA—along with the Ulster Volunteer Force and the Irish National Liberation Army. The 1989 Prevention of Terrorism Act increased the penalties for membership in proscribed organizations, as well as for forms of collaboration, including fundraising and public displays of support (Blake 2012: 104).

The Republic of Ireland maintained much stronger provisions that criminalized IRA membership, as proscribing organizations has long been a permanent feature of Irish law. The 1939 Offenses Against the State Act defined “unlawful organizations” as groups advocating violence to alter the Irish constitution. The Act made membership in an unlawful organization a crime and authorized possession of an “incriminating document” as proof of membership unless evidence to the contrary was provided (Offenses Against the State Act, art. 24). In 1972, the Dáil amended the Act, placing further burdens on the accused in disproving membership. The Act was again amended in 1976 to prevent group spokespeople from appearing in the media—denying republicans a right they still enjoyed under British law in Northern Ireland (Wilkinson 2011: 53-54).

British and Irish law created actor-focused rather than action-focused tools to combat the IRA. In the United Kingdom “terrorism” itself was not defined until the 2000 Terrorism Act (Neal 2012). Defining terrorism, of course, proved unnecessary to combatting the IRA, as the actor-focused measures enabled effective counterterrorism. But in practice British efforts largely

targeted the rank-and-file of the IRA, rather than IRA leaders. Similarly, the Irish government, despite maintaining stronger legal provisions, sparingly used these against IRA members, due to the political implications of overzealously targeting republicans (Mooney and O'Toole 2003: 261). This narrow focus allowed IRA and Sinn Fein leaders to remain largely unmolested by security forces, despite their being notorious public figures. Sinn Fein and IRA leaders were subject to repression, albeit of a much less severe form than that faced by Basque separatists.

Targeting Political Support

Provisionalism's political wing was largely unimpeded in its development since the 1973 legalization of Sinn Fein in Northern Ireland. The 1974 Act targeted public displays of support for the IRA, but there were few parliamentary provisions that criminalized political republicanism. Indeed, it was not until 2006 that the British Parliament criminalized acts that "glorify the commission or preparation (whether in the past, in the future or generally) of such acts or offences" and statements that "could reasonably be expected to infer that what is being glorified is being glorified as conduct that should be emulated by them in existing circumstances" (Terrorism Act 2006). Under this law, the "war news" regularly featured in *An Phoblacht/Republican News* throughout the conflict could easily have been criminalized for glorifying IRA violence. But such provisions were weak or nonexistent during the Provisionals' war. There were, however, some instruments to impede political republicanism.

The most significant tool used against Sinn Fein was censorship. As with proscribing organizations, the Republic of Ireland instituted the policy long before the United Kingdom. The 1960 Broadcasting Authority Act gave the Minister for Posts and Telegraphs expansive leeway

in prohibiting content of “any particular matter or of any particular class” (Broadcasting Authority Act Sec. 31:1). In 1971, the Minister authorized banning “any matter that could be calculated to promote the aims or activities of any organization which engages in, promotes, encourages or advocates the attaining of any particular objectives by violent means” (Maillot 2005: 74-75). In 1974, the Fine Gael government banned the broadcasting of interviews with Sinn Fein officials, preventing the marginalized party from communicating with the Irish public (Akenson 1994: 418). In the months prior to the IRA’s 1994 ceasefire, the Irish government allowed the ban to lapse (Coogan 2000: 653-54). As a result, Gerry Adams became a regular and persuasive presence on Irish televisions throughout the peace process.

The United Kingdom was relatively late in censoring Sinn Fein. The 1981 Broadcasting Act allowed the government to submit requests to Parliament to prohibit broadcasts. But it was not until 1988 that these powers were enacted against Sinn Fein, when Parliament approved a measure authorizing the party’s censorship, which Margaret Thatcher claimed would “deny terrorists the oxygen of publicity” (Connelly 2012: 107). In practice, the ban was farcical: in televised interviews Adams’s voice would be muted and subtitled, or actors would be hired to dub his voice. The ban was lifted immediately following the IRA’s 1994 ceasefire announcement—sending Sinn Fein yet another signal of peacemaking’s boons (Sparre 2001).

Sinn Fein faced other hurdles in Northern Ireland. The Local Government Act of 1972 prohibited individuals who had served more than three months in prison from taking municipal seats, preventing former IRA members from holding local office as Sinn Fein representatives. With the 1981 election of IRA hunger striker Bobby Sands and Sinn Fein’s subsequent growth, new restrictions were imposed. The 1981 Representation of People Act prevented anyone who had been sentenced to more than twelve months in prison from taking seats in the House of

Commons, while the 1989 Elected Authorities (Northern Ireland) Act disqualified municipal candidates that refused to renounce proscribed organizations such as the IRA (Walker 2011: 378-79). Of course, Sinn Fein's professionalization and the emergence of new cadres untainted by association with the IRA limited these measures' effectiveness.

Targeting Movement Leaders

Though Sinn Fein faced harassment from security forces, the party and its leadership remained relatively unmolested in comparison to their Basque counterparts. If republicans were targeted by security forces, it was for direct participation in the commission of crimes. Indeed, IRA leaders were relatively unhindered by police efforts. In 1983, chief-of-staff Ivor Bell was arrested on evidence provided by an informant, though the case against Bell eventually collapsed (Moloney 2003: 384). Bell would be the only IRA military leader arrested and prosecuted until Real IRA founder Mickey McKevitt was arrested and convicted in the Republic of Ireland for "membership in an illegal organization" and "directing terrorism" in 2003.

A farcical illustration of the relative freedom that IRA leaders enjoyed is the case of Thomas "Slab" Murphy, the IRA chief-of-staff and its principle military commander along the border regions. Murphy was well-known to security forces: he had been detained numerous times in the early eighties and his farm was raided in 1989. But no concrete evidence could be found linking Murphy to IRA crimes. In 1987, the Irish newspaper *Sunday Times* alleged that Murphy had directed IRA bombings in England. Murphy sued for libel in Irish courts. Though initially successful, the civil verdict was overturned on appeal. During the appeal hearing, two notorious republican informants—both of whom were later murdered—testified that Murphy was

indeed the IRA's chief-of-staff. On this evidence, Murphy's libel suit was overturned (Harnden 1999: 441-46). Murphy, however, never faced criminal charges.

In 1990, Sinn Fein's director of publicity Danny Morrison was arrested during a police raid on a house where an uncovered IRA informant was being held, making him the only Sinn Fein leader detained and successfully prosecuted for a violent crime. The arrest of such a high-profile republican was a blow to the nascent peace efforts (Moloney 2003: 335-36). It was particularly damning in that a well-known republican political leader was directly tied to a violent act—a feat that police had until then been unable to achieve. There had been concerted efforts to connect Sinn Fein leaders to IRA activities. In the early eighties, courts prosecuted republican and loyalist paramilitaries based on evidence provided by “supergrass” informants. Police and prosecutors were especially determined to link Adams and other Sinn Fein leaders to the IRA, offering informants large sums of cash for information—to no avail (Coogan 2000: 519). Indeed, republican leaders such as Gerry Adams and Thomas Murphy came to be known as “IRA godfathers” in that, like Italian-American *cosa nostra* dons, they cunningly maintained their distance from criminal activities, thereby avoiding prosecution (Bell 2000: 22).

It is likely that republican leaders remained free from prosecution due to political decisions made by British governments. Leaders such as Adams were seen as potential moderating forces within the republican movement, and thus as essential to peacemaking. During the 1972 London-IRA talks, British officials were impressed by Adams's acumen, believing that he would guide republicanism's politicization and bring the IRA's campaign to an end (Sharrock and Devenport 1997: 101). Sinn Fein's 1973 legalization was intended to facilitate this process. Additionally, recently released documents indicate that in the late eighties the British government refused requests from the Royal Ulster Constabulary to ban Sinn Fein. Despite

knowing that the “membership and command structure of [Sinn Fein and the IRA] is closely related and inter-locked,” the Thatcher Government decided that proscription would be “inappropriate and ineffective” (*Belfast Telegraph* Dec. 30, 2015). Furthermore, British law did not provide strong instruments to charge Sinn Fein leaders with “glorifying terrorism” or vaguely defined “collaboration.” A combination of political decisions and legal restraints enabled Sinn Fein leaders, as well as IRA commanders, to operate unhindered, which ultimately allowed them to participate in and positively shape the peace process.

Legislating Peace

The narrow focus of British counterterrorism is apparent in the legislation passed by the British Parliament during the peace process, which focused on the status of paramilitary prisoners and on unsolved crimes of the conflict. Regarding prisoners, blanket amnesty was rejected, as it would have been opposed by mainstream parties with no ties to armed groups. But some mechanism to ensure the release of prisoners was crucial for preventing the collapse of the loyalist and republican paramilitary ceasefires. In 1998, Parliament passed the Northern Ireland (Sentences) Act, establishing procedures for approving and overseeing the release of prisoners on a case-by-case basis. The Act created conditions for release, including having served one-third of the sentence and determination of the likelihood of returning to violence upon release. As a result of this Act, 447 paramilitary prisoners were eventually freed (Walker 2011: 12). But the Act only applied to those convicted prior to April 1998—thus preventing the future release of dissident republicans and loyalists.

The British Parliament also addressed the concerns of the victims of political violence and their families with the 1999 Location of Victims Act, which provided for locating the conflict's "disappeared" through the creation of the Commission for the Location of Victims to which individuals could confidentially provide information without fear of prosecution. The Act established safeguards for those proffering information, including limiting the use of forensics in exhumations and prohibiting the use of information provided to the Commission in criminal proceedings—though other evidence could still be used to prosecute these crimes (*ibid.* 522). Victims of the conflict's violence may, of course, still want to see perpetrators brought to justice. In the absence of total amnesty, prosecution for killings committed during the Troubles remains a potential threat to peace in Northern Ireland.

Counterterrorism and the Real IRA

In contrast to the impunity enjoyed by Provisional leaders, armed dissident republicans have been subjected to a more severe counterterrorism regime since their 1998 emergence. The 2000, 2006, and 2011 Prevention of Terrorism Acts expanded policing and prosecutorial powers, as well as extending over the entire United Kingdom the framework that had until then only been applied in Northern Ireland (Neal 2012). Dissident republicans and the Real IRA in particular have been decimated as a result of this legislation (Moran 2009: 182). Furthermore, dissidents did not benefit from the legal reforms that facilitated the Provisional IRA's disengagement.

Certainly, the ever-fragile peace process provided cause for dismantling the Real IRA. Irish and British security forces acted immediately to thwart dissident violence (Mooney and O'Toole 2003; Sanders 2011). In response to the Real IRA's 1998 Omagh bombing, the British

Parliament passed the Criminal Justice (Terrorism and Conspiracy) Act, which allowed for the conviction of members of proscribed organizations based solely on police testimony. The Republic of Ireland similarly targeted the Real IRA, charging its militants with membership in an illegal organization. In 1998, the Offenses Against the State Act was amended to allow an individual's silence during interrogation to be presented in court as an "inference" of guilt (Dickson 2012: 192-94). In 2003, Irish authorities arrested and charged the Real IRA's founder Mickey McKevitt for membership in an illegal organization and for "directing terrorism," for which he was convicted in 2006. Scores of other Real IRA members have been arrested throughout Ireland for similar charges, severely undermining the group's operational capacity. In Northern Ireland, seven alleged members of the group were charged in 2012 with "directing terror," a charge which had never been levelled by British prosecutors against Provisionals (*The Associated Press* May 19, 2012). Political dissidents, however, have not been targeted for legal action—though British law now provides powerful instruments for targeting political support.

Dissident republicanism remains a marginal phenomenon, due in part to dissident leaders having been targeted more fiercely than those of the Provisional IRA, whose commanders acted with relative impunity. Nevertheless, the basic contours of Troubles-era counterterrorism remain in place, though now broadened beyond the limitations crafted during the Irish Troubles. On the one hand, British and Irish authorities continue to seek to dismantle armed groups through now expanded actor-focused legislation. On the other hand, authorities refrain from targeting nonviolent dissidents, a strategy that secured Sinn Fein's commitment to nonviolent politics.

Conclusion

The nature of the “terrorist organization” as a legal construct shaped the divergent outcomes of Basque and Irish peace efforts. Spanish anti-terrorism law’s broad focus, manifested in the expanding definition of “ETA,” constrained separatist efforts to mobilize supporters behind a peace initiative. The United Kingdom’s more restricted focus, on the other hand, facilitated Sinn Fein’s peacemaking efforts and the IRA’s disengagement. Sinn Fein leaders were able not only to participate in the peace process, but to shape and profit from it.

Scholars of violent conflicts and their resolution have often focused on the law as a tool for peacemaking, rather than a barrier to it (cf. Meron 1994; Noll 2003; Goodale and Merry 2007; Cede 2008). This may stem from the primacy of civil wars in the study of violent conflicts. In civil wars, the rule of law often breaks down, at least in those areas under insurgent control (Tilly 1978; Wickham-Crowley 1987). Thus, the law is often an *outcome* of peace processes in the form of peace agreements and reformed constitutions. In low-level “terrorist” conflicts, however, the law as an institution, though challenged, is often strengthened through legislation granting expanded powers to police, prosecutors, and judges. These empowered agents of the law often prove a hindrance to resolving or transforming such conflicts.

The law provides police, prosecutors, and judges with weapons in the struggle against violent insurgents, as well as institutionalizing legal constructs and making them real in their consequences. The law also shapes the possibilities for conflict resolution by limiting or facilitating the actions of the political wings of insurgent movements. In the Basque case, the law limited the separatist movement’s capacity for peacemaking as such efforts developed in the late nineties, when the judiciary shifted its focus from action to association (Whitfield 2014: 102-103). Proscribing organizations was the initial focus of this approach, but by the time of ETA’s 2006 ceasefire, the judiciary escalated its efforts against movement leaders and prevented their

political activism, often through detention and imprisonment. Since ETA's 2010 ceasefire declaration, however, the repressive approach has become ambiguous and contradictory. There are indications of de-escalation, though much of the previous decade's counterterrorism regime remains, now augmented by the criminalization of certain forms of nonviolent protest following the 2011 anti-austerity protests. The judiciary's impact on peacemaking has been such that an exacerbated ETA once asked, "With whom must we negotiate? The National Court?" (Domínguez 2012: 178).

In the Irish case, the law positively shaped peacemaking. The restricted focus of anti-terrorism law provided Sinn Fein leaders and Army Council members room to structure and navigate the peace process. Furthermore, the 2000 Terrorism Act and subsequent legislation encouraged the IRA's disengagement by altering the security environment. Were the Provisional IRA to return to armed struggle, it would likely suffer the same fate as dissident armed groups under the expanded counterterrorism regime. Nevertheless, Irish peace rests on fragile legal grounds. There has been no amnesty, making investigation and prosecution potential threats to peace. In 2005, the Police Service of Northern Ireland formed the Historical Enquiries Team to investigate over 3,000 unsolved murders from the Troubles, though it was dissolved in 2014—allegedly because of budget cuts. The Stormont House Agreement of 2014, however, established the Police Service's Historical Inquiries Unit with full power to prosecute Troubles-era crimes. As the 2014 detention of Gerry Adams demonstrated, the rule of law continues to be a threat to peace in Northern Ireland.

Broad targeting has immediate negative impacts on peacemaking, but it may ultimately be conducive to long-term conflict transformation by producing divisions within politico-military movements. States may offer concessions to insurgent political actors, i.e. de-criminalization and

legalization, in exchange for abandoning armed allies. This strategy may provoke more violence in the short term, but criminalizing the movement's political wing may cause nonviolent allies of armed groups to see armed struggle as detrimental to the overall struggle. Criminalization thus can provide leverage during peace processes. Indeed, concessions such as legalization may be more appealing to states as they do not entail direct "concessions to terrorists," but can instead be framed as proof of democracy's power.

This, however, does not appear to be the strategy of the Spanish state, the repressive capacity of which has been expanded in response to the 2011 anti-austerity protests and the resurgence of Catalan nationalism. In 2014, Parliament passed a controversial "gag law" that imposed heavy penalties for protesting outside of government buildings, burning the Spanish national flag, and insulting police officers or disseminating their photographs. Additionally, the judicial response to recent Catalan initiatives indicates that the Spanish high courts have not softened their stance vis-à-vis self-determination as a legal possibility. In 2013, the Constitutional Court prohibited a planned referendum on Catalan independence that had been approved by Spanish parliament. The Spanish Attorney General later filed criminal charges against Catalan President Artur Más for disobeying the Court, while the far-right public employees' union Manos Limpias filed a formal petition for Mas's prosecution for sedition (*El Mundo* Jun. 8, 2015). Catalan nationalism's unprecedented vigor has undoubtedly exacerbated hostility toward radical Basque separatism among the more intransigent sectors of the Spanish political establishment, the security forces, and the judiciary. Their opposition, after all, is not to this or that nationalism, but to separatism per se. From the perspective of the Spanish state, concessions to beleaguered Basque separatists would only encourage invigorated Catalan separatists.

CONCLUSION

The comparative analysis of Irish and Basque insurgent peacemaking efforts demonstrates that the inter-organizational structure of politico-military movements facilitates or hinders conflict transformation. Of critical importance are the centralization of movement authority and the organizational influence wielded by political leaders over the military wing. These inter-organizational structures were, of course, not built for peace. The centralized Irish republican and the decentralized Basque separatist models were both designed for bolstering and augmenting low-level attritional armed campaigns in vastly different political fields and security environments. The primary goal in both cases was revolutionary victory, not negotiated settlement. Inter-organizational structures nevertheless shaped the peacemaking efforts of both movements: one could act as a relatively unified agent, the other could not. The “pragmatism” of Irish republicanism and the “intransigence” of Basque separatists can only be understood in the context of the inter-organizational constitution of each movement.

Many analysts argue that “political will” is essential for effective peacemaking (Spector 1998, 2004; Wilkinson 1999; Zartman 2001; Neumann 2007). In addition to the concept’s ambiguity, “political will” alone does not explain much. There are always “hawks” and “doves,” “militarists” and “politicos,” “purists” and “pragmatists” within political organizations and movements (Tilly 1978; DeNardo 1985; Irvin 1999). The balance between factions matters to the extent that organizational structures provide one or the other faction with capacity and influence. Political will is mediated through organizational structure.

Political will certainly played a role in the Irish and Basque cases, but it cannot provide an explanation for their divergent outcomes. In the Irish case, many republicans, especially the IRA's rank-and-file, did not see peace as the immediate goal of Sinn Fein's engagement with rivals and opponents. The 1994 "TUAS Document" illustrates the ambiguity surrounding the 1993 IRA ceasefire. Pan-nationalism was the ceasefire's explicit purpose: "republicans at this time and on their own do not have the strength to achieve the end goal. The struggle needs strengthening most obviously from other nationalist constituencies led by SDLP [*sic*], Dublin government [*sic*] and the emerging Irish-American lobby" (Republican Movement 1994: 1). But the document's title indicates that this cessation of violence was to be temporary. Sinn Fein leaders publicly claimed that the acronym "TUAS" stood for "Totally Unarmed Strategy," but among republicans it was known to stand for "Tactical Use of Armed Struggle" (Aughey 2002: 10). Indeed, the return to violence in 1996 demonstrates that the movement and its military wing were not yet willing to make peace. But Sinn Fein's political success and the fallout of the 1998 Real IRA bombing in Omagh forced many hardline Provisionals, including some in leadership positions within the IRA, into fully supporting the peace process (Tonge 2004: 677-678). Republican peacemaking efforts were designed as cautious endeavors to minimize and manage movement divisions, indicating that movement leaders were well aware of militarism's hold among republicans.

Despite skepticism concerning Basque insurgent sincerity vis-à-vis peacemaking (Mees 2001, 2003; Alonso 2004, 2013), the separatist movement in fact embraced a negotiated settlement as early as 1975 (Ibarra 1987). Indeed, by the early nineties Herri Batasuna leaders were warning that "there has been an overemphasis on negotiations. We have seen them as a solution to all our problems" (Herri Batasuna 1994: 36). Since 1995, the armed group and the

broader movement have abandoned the maximalist preconditions for negotiations established in the 1975 KAS Alternative and now see negotiations as a means for compelling the Spanish state's "recognition of the territoriality of the Basque Country" and of "the Basque right to decide," code for self-determination (ETA 1995). The movement's political wing has been sincere in its peacemaking efforts, devising peace strategies and adequate organizational structures to foster engagement. ETA's sincerity, on the other hand, has always been suspect. But the commitment to armed struggle among the group's membership—and indeed among many of its commanders—has faded in recent years. In the aftermath of the failed 2006-2007 ceasefire, ETA members revolted against the militarist leaders who torpedoed the peace effort, accusing them of having "produced a notable internal erosion of the credibility of the Organization" (*El País* Sept. 29, 2009). ETA's remaining militarists found themselves not only alienated from the rest of the movement, but from ETA's rank-and-file as well (Domínguez 2012: 254-59)

There is no reason to believe that Irish republicans were intrinsically more pragmatic than Basque separatists and no reason to hold that separatists were more intransigent than sensible republicans. Political will for peace existed within both movements for decades and at various levels. Therefore, political will has little explanatory purchase. Organizational form and inter-organizational movement structures, however, can explain how political will translates into credible and effective peacemaking.

In the following, I look at issues left largely unexplored in this dissertation. I consider first the current status of peace and peacemaking in both Northern Ireland and the Basque Country. I also analyze through the social movement perspective developed in this research ETA's ongoing disengagement as an alternative pathway toward peace. I then consider the factors that shaped the stances of the British and Irish states vis-à-vis peacemaking. I examine

British “flexibility” and Spanish “intransigence” in relation to state strategic interests and symbolic commitments, as well as the respective political histories and economic conditions of the United Kingdom and Spain. Finally, I consider how the findings of this dissertation regarding centralization and the effectiveness of political structures can be applied to other violent conflicts, particularly cases of guerrilla warfare.

Keeping the Peace in Ireland

The peace process in Northern Ireland has proven remarkably successful. After decades of conflict, a durable peace has been established. This success, however, rests on fragile grounds. Indeed, the power-sharing project was suspended four times between 1998 and 2007 and was not fully implemented until nearly a decade after the Good Friday Agreement. The IRA’s foot-dragging on decommissioning and ensuing unionist outrage stalled the creation of the power-sharing government. But official verification of IRA decommissioning was announced in 2005 and the following year the IRA declared the end of its armed struggle. In 2007, the main nationalist and unionist parties signed the St. Andrews Agreement, reinstating the Northern Ireland Assembly.

The settlement remains precarious. In 2015, the Assembly was brought once again to the verge of collapse as the result of a pair of killings in Belfast that appeared to indicate that the IRA had not gone away. In May 2015, a former IRA commander and leader in the group’s Direct Action Against Drugs (DAAD) campaign was killed in what many suspected was a politically motivated murder (*The Guardian* Sept. 12, 2015). In September of that year, the primary suspect in the killing, former Provisional IRA and DAAD member, Kevin McGuigan, was himself

murdered, allegedly on the orders of the Army Council. The “official” republican explanation for the murders centers on a decades-old grudge harbored by McGuigan against Davison (*The Guardian* Sept. 15, 2015), though there have been reports that both Davison and McGuigan were killed in a dispute related to the “Mafia-style criminality” of the supposedly disbanded IRA (*Belfast Telegraph* Sept. 20, 2015). An investigation by the Northern Ireland Office determined that the Army Council indeed continued to function albeit with a “wholly political focus” (Northern Ireland Office Oct. 2015). Unionists remained outraged, viewing the IRA’s continued existence in any form as a violation of the peace agreement. But the Assembly was not suspended and the controversy has died down—for now.

These murders and the Army Council’s alleged persistence are especially threatening given Sinn Fein’s electoral ascent since the Good Friday Agreement. In Northern Ireland, this came at the expense of the moderate nationalist Social Democratic Labour Party, which since 2001 has been overtaken by Sinn Fein in the competition for Catholic votes (Evans, Tonge, and Murray 2000; Tonge 2003; Evans and Tonge 2013). In 2007, Sinn Fein became the second most popular party in Northern Ireland and formed a power-sharing government with the hardline Democratic Unionist Party. In 2010, Sinn Fein received the most votes of any Northern Irish party in the UK parliamentary election—a feat unimaginable just ten years prior. In the Republic of Ireland, Sinn Fein’s ascent has been more politically destabilizing. Since the 2008 financial crisis, Sinn Fein has risen in popularity, despite the Irish political establishment’s efforts to link Gerry Adams in particular to IRA murders (Keefe 2015). Given the undeveloped Irish left and Labour’s ties to the scandal-plagued establishment, Sinn Fein’s appeal to working class voters as uncorrupted outsiders has made it the third party in Irish politics and its most vocal oppositional force (Finn 2016).

Violent dissident republicanism has not proven a threat to the peace. While there have been spikes in activity, the general level of violence has been declining since 2001 (Tonge 2013: 15). Police action and organizational fractionalization have hindered the development of dissident armed groups, including the Real IRA (Morrison 2013; Whiting 2015). In 2012, the remnants of the Real IRA and the relatively effective Republican Action Against Drugs, joined with other dissident micro-groups to form the “New” IRA. But security officials estimate that the combined membership of all violent dissident groups is in the low hundreds (*The Irish Times* Aug. 18, 2016). The weakness of violent dissident republicanism is a reflection of its marginal political support: in a 2010 poll, only 14% of Northern Catholics sympathized with dissident groups (*The Guardian* Oct. 6, 2010). Dissident republicans have also been unsuccessful in developing political organizations. In recent years, new groups have emerged—the Republican Network for Unity founded in 2007 and éirígí founded in 2009—but they remain as marginalized as older organizations such as Republican Sinn Fein and the 32 County Sovereignty Movement (Tonge 2012; Bean 2012).

Throughout the process, the British state has remained a relatively impartial guarantor, compelling the commitment of all parties regardless of political orientation. This has, of course, required forcing Sinn Fein—and the IRA—to fulfill obligations, albeit without imposing unrealistic demands that would undermine the settlement. The British government cunningly managed various IRA infractions—the 1999 Florida gun-running scandal; the 2004 Northern Bank robbery; and the 2005 discovery of a Stormont spy ring—assuaging hostile unionists and pressuring cagey republicans to hold the settlement together, as it continues to do up to the present. Indeed, it is likely that London exerted pressure on the Police Service of Northern Ireland during Gerry Adams’s brief detention in 2014. The Irish government has similarly played

a critical role as guarantor, but political competition from Sinn Fein has complicated Dublin's ability to act as an impartial steward (McDermott 2014).

Of course, Brexit may have created previously unthinkable difficulties that could undermine the peace settlement, as the European Union facilitated the design and implementation of its cross-border elements. Despite both countries being EU members, Britain and Ireland maintained tight border controls throughout the conflict to hinder the IRA, which used southern Ireland as a logistical base. The peace process entailed normalizing the border in line with EU standards. EU membership also softened the impact of all-Ireland institutions and the Republic's limited involvement in Northern governance. Furthermore, a borderless Europe influenced republican thinking on Irish unification within the EU framework. British mediators appealed to republican interest in unification within the EU during secret talks, allegedly telling Martin McGuinness, "We are committed to Europe. Unionists will have to change. This island will be one" (O'Brien 1999: 294).

The consequences of Brexit—which was rejected in Northern Ireland by 56% of voters—remain uncertain. Northern Ireland stands not only to suffer economically from the re-establishment of the border, but also to lose direct EU financial support. Between 2007 and 2013, Northern Ireland received £2.4 billion in EU funds (Meagher 2016). In the Republic, Brexit poses political challenges for the two dominant parties, Fianna Fáil and Fine Gael, both of which have suffered politically due to their disastrous stewardship of the Irish economy since the 2008 financial crisis. As Britain is the Republic's primary trading partner—and the historic dumping ground for surplus Irish labor—the economic fallout of Brexit will likely further damage the credibility of the Irish political establishment.

Sinn Fein, in contrast, may gain from any Brexit fallout. Support for Irish unification in the North collapsed following the financial crisis and ensuing economic deterioration of the Republic (Gillespie 2012). A post-Brexit rebound in Northern Irish support for Irish unification would benefit the party. Brexit's economic impact could also benefit Sinn Fein directly in the Republic, where it is now the third most popular party, largely due to its pro-working-class and anti-austerity platform. Republicans have seized on Brexit as an all-Ireland issue: Martin McGuinness has called for the governments of Northern Ireland and the Republic to devise for the entire island of Ireland a "special EU status" (*The Guardian* Oct. 17, 2016). If the economic fallout of Brexit is significant, this appeal might resonate throughout Ireland.

Peace without a Settlement in the Basque Country

On September 5, 2010, ETA declared its fourth major ceasefire and in 2011 it announced the "definitive cessation of armed activity." ETA has since taken a series of steps towards disengagement. In 2013, the International Verification Commission was formed, comprised of experienced mediators and credible international figures, to oversee the decommissioning of ETA's arsenal in a semi-official, clandestine process (Comisión Internacional de Verificación Feb. 21, 2014). ETA announced in July 2014 that it had fully dismantled its operational structures and had created a "technical-logistical" apparatus to direct decommissioning, while group members had been reassigned "to ETA's political tasks, including dialog" (*Gara* July 20, 2014). In February of that year, the Commission announced that ETA's verified disarmament had begun (Whitfield 2014: 294). After legal difficulties in Spain forced the IVC to step back from active involvement, French Basque activists seized the initiative in late 2016 to work with

ETA on disarming. In April 2017, these activists led French police to ETA's remaining arms dumps. ETA thereafter declared itself an "unarmed organization," though it has yet to formally disband.

As the above indicates, the decommissioning process has not been entirely unilateral and informal. According to ETA leader David Pla Marín—who was himself arrested in September 2015—ETA had been allowed to operate semi-formally in an unnamed European country for sixteen months to work with international figures in designing the disengagement process, receiving the Zapatero Administration's approval and later Prime Minister Rajoy's "consent." Rajoy allegedly dispatched an intermediary to meet with ETA officials to assess the group's progress, though he was not debriefed afterwards (*Gara* Dec. 12, 2015).

Since 2010, counterterrorism and repression have persisted, albeit incoherently as Spanish courts have become increasingly divided over maintaining the movement-focused counterterrorism regime. The relatively liberal Constitutional Court's overturning of the relatively conservative Supreme Court's ban on Sortu is the most significant indication of divisions, though there have been numerous rulings reducing or even overturning sentences of nonviolent separatists that have received less attention outside of Spain (Whitfield 2014: 101-102).

The European Union has also become involved in normalizing the political situation by overturning the so-called "Parot Doctrine," which was devised by the Spanish judiciary to ensure that ETA members remain in prison for life. In 1995, the National Court ruled that the revised Spanish Penal Code limited the amount of time an individual could remain in prison to thirty years. In 2006, the Supreme Court ruled that the thirty-year maximum did not apply to crimes

committed before the 1995 decision and that those convicted for these crimes would have sentence reductions—e.g. for good behavior or participating in rehabilitation programs—deducted from their overall sentences, rather than from the thirty-year maximum set by the National Court (Llobet-Anglí and Masferrer 2015: 45-48). As ETA members routinely receive sentences of hundreds of years, the doctrine entailed life in prison for many. In July 2012, the European Court of Human Rights decreed that the Parot Doctrine was a violation of prisoners' rights and therefore an infringement on European Union doctrine, which supersedes Spanish law.

The Human Rights Court's ruling threatened to free dozens of ETA's most notorious militants, including former commander Santiago Arróspide. In late 2014, the National Court ruled that, in accordance with the 2008 EU Framework decision on the principle of mutual recognition of judgments in criminal matters, all time served in any EU member state must be included in the thirty-year maximum. Arróspide, who had served ten years in a French prison, should therefore have been released in 2013. The Court ordered his immediate release. But he was quickly arrested and charged with directing the failed assassination of the attorney general in 1987, for which he was found guilty and sentenced to fourteen years in March 2015. In upholding this conviction, the Supreme Court rejected the National Court's interpretation of the 2008 Framework decision, halting the release of scores of prisoners (*Noticias de Gipuzkoa* March 10, 2015).

Arróspide's case is indicative of what former Interior Minister Jorge Fernández Díaz called "judicial engineering," whereby legal mechanisms are used to prevent the release of ETA members (*El País* Mar. 20, 2013). The conservative government of Mariano Rajoy has fully embraced this approach. Indeed, the administration's contradictory stance on the "Nanclares Path," a program designed to facilitate the defection from ETA and "social reinsertion" of

individual prisoners willing to break with the group, demonstrates the current government's reactive and often incoherent judicial engineering. The Interior Ministry initially streamlined the Nanclares Path to encourage defections, but, following ETA's 2011 cessation of armed struggle, the Rajoy government has attempted to undermine the entire process to prevent the release of ETA members—even those who had publicly denounced the group.

Following ETA's 2007 return to violence, the Zapatero government instituted the current pathway based on two models of "social reinsertion" developed in the eighties to facilitate the release of ETA Politico-Military members and later those of ETA Military. This resulted in the reinsertion of nearly two hundred prisoners and fugitives by the end of the decade (Clark 1990: 162). The system introduced in 2007 was more formalized and court-driven than previous models, as the 1995 Penal Code gave judges greater power over sentence reductions. A 2002 reform further stipulated that those convicted of terrorist offenses were to formally renounce their association with armed groups and officially ask forgiveness from victims as a precondition of receiving any benefits or remissions (*El País* April 26, 2012). The Zapatero Administration added further stipulations: supplicants were now to also formally acknowledge the legitimacy of their convictions and offer to collaborate in police investigations prior to authorization by the Interior Ministry and the National Court for transfer to Nanclares prison in the Basque Country to complete the process of rehabilitation. The program, however, only drew 27 of the over 500 jailed ETA members and by 2015 only 9 of these had been transferred to the Nanclares prison for the final phase of their reinsertion into society (*El Mundo* March 16, 2015).

The failure of this mechanism is due partly to the Rajoy Government's shifting and contradictory stewardship. The government initially streamlined the program to attract more prisoners. Rather than requiring formal renunciations and collaboration with police, a "clear,

solemn, and public” denunciation of ETA was deemed sufficient for initiating rehabilitation (*El País* Apr. 26, 2012). In recent years, however, the Administration has systematically prevented supplicants from completing the process and opposed the sentence reductions, coming into conflict with the judiciary in the process. In 2015, the National Court authorized the release of Vincente Lasarte, a former ETA commander and Nanclares graduate well-known for his expulsion from ETA for criticizing the group’s 1999 return to violence. The Interior Ministry fought Lasarte’s release, insisting that he had not formally repented nor had he been required to collaborate with police (*El País* Mar. 16, 2015). That is, Lasarte had followed the administration’s streamlined process.

The law may be a long-term impediment to political normalization and the final disengagement or disbandment of ETA, as recent developments in Arnaldo Otegi’s case indicate. Otegi was released from prison in March 2016 and was immediately nominated to head EH Bildu’s electoral list for Basque parliamentary elections in September. The attorney general, who had fought to prevent Otegi’s release, vowed to thwart his candidature, though Otegi was ultimately barred from running by a Basque electoral commission, as his parole prevents him from holding office until 2021 (*El Mundo* Aug. 24, 2016). Time will tell if he becomes the “Basque Gerry Adams.” Perhaps there is no longer need for one.

ETA’s Disengagement as an Alternative Pathway to Peace

As of this writing, there has been no political settlement to the Basque conflict and no successful “peace process.” Nonetheless, there is a kind of “peace,” a product of ETA’s semi-unilateral disengagement in the face of continued counterterrorism and escalated intra-movement pressure.

Basque politics has entered the post-ETA era, despite the opposition of the current government and the Spanish right. ETA has yet to officially disband, but it is perhaps only a matter of time—or a change of government—before it does. It is, of course, unlikely that a Socialist administration, even one backed by the leftwing Podemos party along with Basque and Catalan nationalists, would accept Basque (or Catalan) self-determination. Indeed, the PSOE and Podemos were unable to form a coalition government in 2015 due to opposition of Socialist leaders to Podemos's qualified support for Basque and Catalan self-determination (*Newsweek* Dec. 30, 2015). But Socialists have less incentive to perpetuate a war on terror in the absence of terrorism than does the ruling Popular Party, which counts on the political support of nationalistic security force personnel and organizations representing ETA's victims.

The ongoing disengagement of ETA is not, as often stated in media and academic accounts, a simple matter of the group's defeat at the hands of police. Clandestine armed groups, after all, rarely desist from violence or disband through police action alone. A combination of pressures, including political and social, generally produces their demise (Crenshaw 1991; Jones and Libicki 2008; Cronin 2009; Weinberg 2012). Indeed, armed groups often weather these pressures and persist for years. The Spanish political class and media have predicted the imminent defeat of ETA since the early nineties. As is the case in many counterterrorist struggles, arrests of ETA "leaders" and "commanders" were often heralded as harbingers of the group's demise (Egaña and Giacomuzzi 2012: 91-98, 154-162). Yet ETA persisted—largely due to the durable forms of support provided by the broader separatist movement.

Durable social support, however, may not be absolutely necessary for organizational persistence, as demonstrated by the experience of the Greek anarchist group 17 November (Kassimeris 2001). ETA could similarly persist as an organization without the support of a

broad-based movement if the group were to retain a hard core of supporters and potential recruits. This is what has occurred in Northern Ireland where dissident armed groups persist due marginal support of young marginalized working class Catholics (Tonge 2004, 2012; Sanders 2011). Given the high youth unemployment in Spain, ETA could persist for another generation. Finally, the April 2017 handover of its arsenals suggests that the group had the weaponry to continue armed struggle for some time. Yet ETA has opted for disengagement.

ETA has certainly been decimated in recent years by police action, but decimation has been a chronic problem for the group since the 1992 arrest of its entire leadership by French police (Giacopuzzi 2002: 9-10). After its official return to armed struggle in 2007, however, ETA found reconstituting its organizational and operational capacity increasingly difficult (Domínguez 2012). The group would, of course, need only the barest structure and minimal capacity to continue its existence, much like the various dissident “IRAs.” ETA’s campaign would be strategically ineffective, though ETA’s violence has been strategically ineffective for decades. Strategic efficacy has been less imperative than keeping the struggle’s flame going. Like dissident republicans, ETA sought to persist as the “avant garde” of the struggle for independence, thus maintaining its hegemonic position within the separatist movement. Action, not effective action, may be all that is required to achieve these ends.

ETA’s ongoing disengagement can be understood through the social movement perspective developed in this research. First, ETA initiated its current disengagement due to pressure from its movement allies. This pressure had been mounting for decades, as intra-movement opposition to ETA grew with each broken truce, while ensuing repression against the movement’s political wing further exacerbated tensions, increasing ETA’s alienation from its allies (Zallo 2009: 81). As the movement debated what was to become the nonviolent platform

Zutik Euskal Herria, ETA wrote to movement leaders that it was “greatly irritated that there is an ongoing process of debate that has not included ETA” (Domínguez 2012: 285). In 2009, Ekin, with ETA’s blessing, released the *Mugarri* document, which, while acknowledging that conditions favored political action, insisted that armed struggle remained “one of the principal active strategies of the *abertzale* left” (Ekin 2009: 39). But *Mugarri* swayed few, demonstrating ETA’s waning influence within the movement.

Second, movement decentralization and organizational autonomy have paved this pathway toward peace and political normalization. The decentralization of movement authority—and ETA’s exploitation of this decentralization in the form of its veto over peacemaking—made the Irish model all but inapplicable, as indicated throughout this dissertation. This designed decentralization was compounded by forced decentralization through criminalization. Criminalization furthermore altered the terms for ETA’s disengagement. The movement’s legalization, rather than Basque self-determination, is now the goal of peacemaking.

Finally, throughout this entire process—as in the Irish case—movement unity has been critical. Given the fractious history of radical separatism during its formative years, as well as the relatively high level of cohesion maintained since the eighties, movement unity has always taken precedence over peacemaking. In 1989, 1999, and 2007, the political wing of the movement did not abandon ETA after the group ended its ceasefires, opting instead to “accumulate forces” for the next peacemaking effort. ETA’s confidence in continued movement support certainly encouraged the group in vetoing these past efforts. But movement cohesion cuts both ways. As ETA’s continued violence threatened to fracture the movement for the first time since the early eighties, the group faced a simple choice: maintain armed struggle or maintain the movement (Murua 2015). ETA has thus far sided with the movement.

The Commitments of the British and Spanish States

The arguments I have developed in this dissertation stress the inter-organizational form of insurgent movements in shaping peacemaking efforts, which has been underplayed in the literature. But I do not argue that inter-organizational movement form alone determines peacemaking outcomes. The British and Spanish states powerfully shaped peacemaking in Northern Ireland and the Basque Country. The roles of these states have been largely a “missing variable” in this dissertation, which has focused almost exclusively on politico-military movements and insurgent peacemaking. The behavior of the states were starkly different in the two cases: The British were relatively flexible, the Spanish more intransigent. Of course, these differences have long-standing roots in the political and legal histories of the two countries and their experience not only with “terrorism,” but with democracy as well (Lister and Otero-Iglesias 2012). This difference in pragmatism and intransigence can also be explained by considering the strategic rationality and symbolic commitments of the British and Spanish states.

In terms of strategic interactions, the relatively effective IRA was seemingly able to bomb the British to the negotiating table, whereas ETA’s more limited violence could not compel Spain into sustained engagement. Refusing to engage politically was not an optimal strategy for the British, whereas refusal may be rational for the Spanish state facing a decimated ETA. Of course, the Northern Irish conflict had deescalated by the time the Irish peace process began in earnest. In 1972 there were 480 killings, but by 1992 this number had dropped to 88 (Sutton Index of Deaths 1994). Furthermore, the British government indicated during the height of the conflict that it was quite capable of absorbing insurgent violence. In 1972, Secretary of

State William Whitelaw reportedly informed IRA representatives, “We can accept the casualties [of IRA violence]...we probably lose as many soldiers to accidents in Germany” (Coogan 2000: 393-394). The United Kingdom could therefore absorb the IRA’s reduced violence in the nineties. Finally, though the IRA claimed its 1993 ceasefire was initiated from a “position of strength,” the organization had by then become plagued by informers, which limited its capacity for violence (Harnden 1999; Alonso 2001, 2004; Dudai 2012; Leahy 2015). But IRA violence was more intense than that of ETA—perhaps just intense enough to compel Britain into engagement. ETA has been less capable of deploying widespread violence, a decline that began in the late eighties (Giacopuzzi 2002: 9-14; Calleja and Sánchez-Cuenca 2006: 46-47). ETA’s coercive leverage has decreased with each failed peace process and ensuing repression, making engagement and negotiation less attractive or even necessary in Madrid’s view.

The preference for engagement or repression is rooted as well in the symbolic commitments, particularly nationalist commitments, of the states involved in the conflicts. Acknowledging self-determination in Northern Ireland was a small price for the British government to pay for peace. As Northern Ireland’s strategic importance ended with the Cold War—the IRA no longer being seen as a potential tool for Soviet machinations against Anglo-American interests (Neumann 2003b: 17-40)—the region’s “Britishness” could not guarantee union, especially given the declining significance of religion in British and English identity (Tilley and Heath 2007). Britons largely viewed the conflict in Northern Ireland as an “Irish problem” and support for the continued British presence in Ireland declined throughout the conflict (Hayes and McAllister 1996). From the Spanish perspective, in contrast, Basque self-determination is far more dangerous. This fear is a symptom of the deeply entrenched official nationalism within the Spanish political establishment—a nationalism identified as inherently

and militantly democratic (Muro and Quiroga 2005; Cebrián 2011). The struggle against ETA and radical separatism, furthermore, has been essential to the construction of Spanish democratic nationalism as a bulwark against the supposedly archaic and violent nationalisms of the peripheries (Núñez 2001, 2004, 2010; Egaña and Giacoppuzi 2012). Thus, Basque nationalism, not just ETA and its radical separatist allies, threatens the national integrity of Spain, as well as its democratic identity. Combating ETA shores up the Spanish state's nationalist-democratic bona fides, while engagement is dangerous to the extent that it strengthens Basque nationalism by legitimizing radical separatism.

These symbolic differences are reflected in the differing conceptualizations of the respective conflicts. While both conflicts have been deemed “terrorist” by the political and legal establishments, there are differences in how their root causes and political natures are understood. The United Kingdom, as well as the Republic of Ireland, has long recognized the political roots of the conflict—and therefore the need for a political settlement, evidenced by the near ceaseless effort since the early seventies to craft some mechanism to end the Troubles. Even Margaret Thatcher, who generally viewed the conflict as a matter of security and “terrorism,” engaged in concerted political resolution efforts, albeit without the participation of republicans (Newsinger 1994, 1995). In Spain, on the other hand, there is widespread denial that a “Basque conflict” exists (Whitfield 2014: 7-14). From the perspective of many Spanish politicians, there is no Basque conflict, only ETA's terrorism—augmented, perhaps, by Basque nationalism's inherent racism (cf. Conversi 1989; Elorza 1994; Aranzadi 2012).²⁶ This has resulted in less

²⁶ The Basque question is of obvious importance in Spanish politics, but it is crucial to distinguish this from the recognition among political elites that there exists a *conflict* over the Basque Country's status (Whitfield 2014: 10-14). The official Spanish nationalist position is that the 1978 Constitution and the 1979 Basque Statute of Autonomy “solved” Spain's historical problems and are now the only mechanisms through which the Basque question can be addressed, thereby preventing “conflict” over the issue. Separatist “terrorism,” in this reading, exists beyond the pale of Spanish politics, and is therefore not a legitimate “conflict.” In recent years, separatists have highlighted the

willingness to engage in political efforts to hasten ETA's disengagement. Of course, efforts to end the conflict have been taken by Socialist governments, though instituting a durable process has been hindered not only by ETA's intransigence, but by that of the Spanish right and much of the security and legal establishment, which identify with official state nationalism (Lacasta 1997; Taibo 2007). ETA's complete defeat—and presumably that of radical Basque separatism or even Basque nationalism—is for much of the Spanish political elite the only pathway to peace within Spanish democracy.

British “flexibility” and Spanish “intransigence” are not inherent features of either state's nationalism, but rather products of political history and material conditions. First, nationalism is a far more contentious issue in contemporary Spain due in large part to its destabilizing impact throughout the twentieth century, a product of the contentious interactions between Basque and Catalan nationalists, on the one hand, and Spanish nationalists, both Catholic traditionalist and liberal centralist, on the other. Furthermore, the destabilization wrought by nationalist conflicts cannot be separated from the class struggle in Spain. Anarchism has a bloody history in Catalonia, while modern Spanish socialism's contentious roots are in the Basque Country. Given the complexity of political struggles in Spain, official state nationalism has been a tool for normalization and repression since the Primo de Rivera dictatorship of the twenties. The century-long institutionalization of official nationalism imposes powerful constraints on state and political actors, limiting flexibility in negotiating with Basque and Catalan nationalists.

contradiction between the Spanish establishment's denial that a Basque conflict exists—and thus its refusal to participate in mediation of resolution efforts—and the Spanish state's acknowledgement of the “conflict” between the Colombian government and the FARC and its support for the ongoing peace process in Colombia.

Apart from the Irish Troubles, nationalism was not a major point of conflict in the United Kingdom during most of the twentieth century, much as class conflict was more attenuated in comparison with other Western nations. This is not to argue that British or English nationalism played no role in shaping the Irish conflict: Margaret Thatcher certainly approached it from a particularly *British* position. But nationalist commitments to Northern Ireland were less important than democratic stewardship with the “consent” of the Northern Irish. Of course, in response to the recent Scottish referendum, much of the British establishment demonstrated a territorial commitment to Scotland quite different from that expressed in relation to Northern Ireland during the peace process. Had the process occurred today, the British government, whether Tory or Labour, might have responded less flexibly to Irish nationalist demands.

Material interests also shape both conflicts. The Basque Country and Catalonia represent two of Spain’s core industrial, commercial, and financial centers, along with Madrid. The GDP of Catalonia, €199,797 million in 2014, is the highest of any region in Spain, while the Basque Country and Navarre combined have the second highest GDP (€57,807 million) (Instituto Nacional de Estadística 2015). A change in the status of either region would have significant consequences for the Spanish economy, though Catalan independence certainly represents a larger threat. Indeed, the resurgence of Catalan nationalism in the wake of the 2008 financial crisis has been a clear indication for the Spanish establishment of the economic peril embodied by separatist nationalism. Despite the considerable trade, financial, and taxation powers wielded by the autonomous governments, both Basques and Catalan nationalists perpetually struggle with Madrid over expanding economic competencies. In recent years, these struggles have taken on an increasingly separatist tone.

The Northern Irish economy has historically been more industrialized than southern Ireland, but because of the conflict and de-industrialization, the region has relied heavily on subventions, both from the United Kingdom and, since the nineties, the European Union. Indeed, economic assistance and development have been central to establishing peace in Northern Ireland (Byrne and Ayulo 1998; Byrne et al. 2010). Public funds, furthermore, played a key role in driving republicans to rethink armed struggle. Beginning in the late eighties, the British government quietly channeled grants and funds to Sinn Fein-controlled community organizations, signaling to republicans the economic benefits of political normalization (Bean 2007). Despite investment and the “peace dividend,” Northern Ireland continues to produce a lower economic output and the highest public spending rate in the United Kingdom (Office of National Statistics 2015). As indicated above, Brexit may have a profound impact on Northern Ireland’s economy, in terms of EU investment and trade with the Republic of Ireland and continental Europe.

Material interests thus shape Spanish intransigence and British flexibility. Basque and Catalan nationalism, which are grounded in part by a regional sense of economic superiority, pose concrete threats to the Spanish economy. The 2008 financial crisis severely impacted Spain, particularly in the less developed south where financial speculation and cheap credit fueled a housing boom. The resurgence of Catalan nationalism and the ongoing normalization of Basque separatism thus threaten the struggling Spanish economy. Northern Ireland, in contrast, has a lower rate of growth relative to the rest of the United Kingdom and is a drag on British public spending. The British government can not only afford to be more flexible in relation to the region’s status, but would in fact gain economically from Irish unification. Material interests thus

shape the possible strategies of sitting British and Spanish governments vis-à-vis nationalist movements

These factors interacted to facilitate peacemaking in Northern Ireland and constrain it in the Basque Country. State decision-making is certainly a critical factor in explaining disengagement from armed struggle and conflict transformation, as well as in the development of politico-military movements in the first place. The state, after all, powerfully shapes the political field and the possibilities for action within it (Tilly 1978; Bourdieu 1989; Tarrow 1996; Fligstein and McAdam 2011). As such, the state contributes to the structures of social movements. Republican centralization and separatist decentralization were shaped by the political and legal structures of the fields in which they developed. British (and Irish) accommodation enabled the centralization of republicanism, while Spanish (and French) repression prevented the separatist movement from implementing such structures. The intra-movement structural possibilities for effective insurgent peacemaking cannot be divorced from the actions of the state, whether accommodating or repressive.

Insurgent Centralization and Politicization in Armed Conflict

In the Introduction, I distinguished clandestine armed groups from guerrilla armies to contextualize and situate my arguments within a particular type of violent conflict: low-level “terrorist” struggles. Clandestine armed groups, lacking the capacity for territorial control that guerrilla armies possess, often rely on nonviolent movement allies to both perpetuate and ultimately end their violent struggles. Guerrilla armies are by design and geography less dependent on political allies, thus their limited interest in forming parallel broad-based

movement structures. Applying the findings of this research to cases of guerrilla conflicts *tout court* is impossible, at least regarding the impact of allied movements on conflict trajectories. Nevertheless, this dissertation's emphasis on organizational structures has implications beyond the low-level conflicts involving clandestine armed groups. Thus, the findings presented here can inform our understanding of peacemaking in the context of guerrilla warfare. The centralization of both organizational and inter-organizational authority and the existence of a parallel political apparatus and leadership provide insights in explaining why certain guerrilla armies prove to be effective peacemakers and why others prove to be poorly suited for peacemaking.

The centralization of authority has been a key concern of guerrilla theorist-practitioners. Indeed, it may be that the ambitious revolutionary goals of guerrillas and the complexity of guerrilla warfare make centralization essential for effective decision-making and directing the expansion of the struggle (Selznick 1952; Molnar et al. 1963), though centralization can also provide states with a convenient target in the form of a centralized leadership body and territorial headquarters (Findley and Edwards 2007: 586-587). Centralized control may also be limited to bolster the effectiveness of local units. Mao ([1937] 2014), though viewing centralization as necessary for guerrilla warfare, argued for a mixed model of strategic centralization and tactical decentralization (213). This model of mixed authority structures is often a matter of contingency rather than design. The original IRA was officially centralized under the direction of General Headquarters in Dublin. As the 1919-1921 War of Independence wore on, effective rural commanders operated with almost complete autonomy, while GHQ struggled to bring units under its control (Townshend 1979: 321-322, 336). This uneven centralization contributed to the IRA's fracturing and the onset of the 1921-1922 Irish Civil War. Of course, centralization may be key for effective guerrilla warfare, but it is not necessary for the construction and maintenance

of guerrilla armies, which can be decentralized (Gerlach 1971; Allan and Stahel 1983; Adamsky 2009). Furthermore, centralization is not only imposed upon organizations by the necessities of the struggle, but is also shaped by the group's ideology and experience, as well as preexisting social ties among militants (Weinstein 2006: 158).

Organizational structures have not been widely taken into account in relation to peacemaking in civil wars, but analysts have demonstrated how the structure of guerrilla armies determines conflict trajectories and insurgent effectiveness (DeNardo 1985; Kenney 2007; Frisch 2012). There is no immediate link between centralization and peacemaking for clandestine armed groups or guerrilla armies. Indeed, centralized guerrilla armies may be more committed to the path of violence. For example, Weinstein (2006) finds a link between centralization and opportunistic guerrilla armies that cannot rely on ideological commitments to enable effective coordination and discipline among cadres. Centralization in such cases does not automatically lead to politicization and may even preclude it to the extent that it undermines other organizational goals, i.e. economic profit. Thus, it may be that while centralization enables effective peacemaking, the existence of political structures may be a more crucial factor, as essential for peace-seeking guerrilla armies as it is for peace-seeking clandestine armed groups.

The politico-military model of guerrilla warfare in which the army is merely the "military arm" of the vanguard party, was once a doctrine of communist insurgency. Mao was the most prominent proponent of this design, though the contingencies of warfare and occupation limited the Communist Party's influence over the Red Army until the waning days of the revolution (Lewis 1978). A similar process occurred earlier in Russia, as contingencies of civil war led to a militarization of the Bolshevik organization under Lenin and Trotsky (Kipp 1985). By the sixties, however, the politico-military model had been abandoned. Latin American

revolutionaries, from Che Guevara to the Tupamaros saw no need for separate political and military structures or for the former's control over the latter (Loveman and Davies 1997: 18-19; Beckett 2001: 170). The guerrilla army was now to be the vanguard. This vanguard, of course, continued to require organized logistical and political support. Many effective guerrilla armies thus create parallel "civilian" structures, whether for organizational survival or to administer territories under their control (Wickham-Crowley 1987; Goldman 2013). The existence of "underground" structures in urban areas is often necessary for "housekeeping" functions—from financing to recruitment—that require operating in hostile urban environments (Molnar et al. 1963). Furthermore, civilian or urban structures may be critical for insurgent victory. According to Wickham-Crowley (1992), the success of Cuban and Nicaraguan revolutionaries stemmed in part from their alliances with nonviolent political organizations operating in cities.

Islamist insurgents have been less concerned with forming associated political parties, but have nevertheless developed "political" structures in a broader sense. Islamists were, in fact, influenced by the Leninist conception of the vanguard, though they reinterpreted it in line with Islamic doctrine (Moore 2014: 7-8). The vanguard concept in Islamist circles furthermore evolved in ways parallel to its development within Marxist circles. Sayyid Qutb was the first to adopt the model, though he did not define it as a military organization, but rather as an ascetic elite operating within Muslim societies, a model followed by the Muslim Brotherhood in Egypt (Watson 2005: 40-41). The Brotherhood in the fifties maintained a military arm, albeit subservient to the organization's politico-religious elite (Rinehart 2013: 44-48). During the latter half of the twentieth century, this model of an ascetic vanguard was transformed into the *mujahedeen*-as-vanguard. Both al Qaeda and the Islamic State see themselves as the global Islamist vanguard, the avant-garde of all jihadist struggles (Vertigans 2016: 47). Political

structures have been a secondary concern or an imposition of newfound territorial control. A further complication in the development of a “political apparatus” among Islamists concerns the religious character of these insurgencies. While the violence-wielding group may be the self-designated “vanguard,” the highest authority within many jihadist organizations is a religious council, *shura* (Khosrokhavar 2015: 139-141). These shura may provide political—or rather clerical—leaders more accommodating to nonviolent politics than the military commanders who are often identified as “leaders” by Western security experts.

The lack of a “political office” has complicated NATO attempts to engage with the Taliban. In 2013, the Taliban opened such an office in Doha and in 2016 reaffirmed the office’s authority as the exclusive entity authorized to negotiate in its name (*Dawn* Jan. 25, 2016). This late political development is common among guerrilla armies and often coincides with the opening of engagement and negotiations (Krause 1996: 304-305). Indeed, the entire process of conflict resolution and the implementation of peace settlements in civil wars is often problematized to the extent that armies must be transformed into parties (Allison 2006; Kovacs 2008; Dudouet 2009). This transformation does not simply entail committing to the “political path,” but requires the organizational restructuring of guerrilla armies (Manning 2004: 58). These organizations, after all, are no better suited to “politics” than are clandestine armed groups.

The cases of Hezbollah and Hamas are suggestive vis-à-vis applying the findings of this current research. The two organizations are unique in two regards. First, they represent transitional organizational forms, having developed from clandestine armed groups embedded within broader politico-military structures into viable guerrilla armies and proto-states (Childs 2011; Mohns 2011; Berti and Gutiérrez 2016). Second, the two represent a particular form of the

inter-organizational structure of insurgent movements in that a third wing devoted to social services augments the political and the military (Robinson 2004; Berman and Laitin 2008; Grynkewich 2008). Hezbollah and Hamas, and especially their military arms, are relatively centralized and hierarchical (Gleis and Berti 2012: 186), though Hamas is more decentralized and its military and political wings are more autonomous than those of Hezbollah (Berti 2013: 89). The existence of politico-military structures has certainly contributed to the political success of Hezbollah and Hamas (Wither 2009: 24-25), but the relative differences in centralization have been identified as a key factor in making Hezbollah a more effective negotiating partner than Hamas (Byman 2006: 411; Neumann 2007: 137-138).

This concern with organizational form may be moot as many students of late modern “terrorism” claim that armed groups have rejected classic organizational models in favor of “flattened” networked forms (Arquilla and Ronfeldt 2001; Sageman 2004). Others, however, argue that clandestine armed groups have always combined hierarchical structures with a considerable degree of cell-level autonomy and fluidity (Zulaika and Douglass 1996; Shapiro 2005; Kenney 2007; Helfstein 2009; Jackson 2009). As Mayntz (2004) argues, clandestine armed groups should be considered *hybrid* organizational forms in that “the addition of network elements to a basically hierarchical structure is held to be necessary to maintain operational effectiveness in the face of constant threats of discovery and repression” (12). Indeed, this hybrid form is not exclusive to clandestine armed groups, but has been a principle feature of guerrilla armies as well. As hybrid organizations, these violence wielding-groups are highly adaptable.

There is little reason to believe that organizations—much less movements—will be replaced by “networks.” Indeed, the experience of al Qaeda following the September 11th attacks illustrates this. The group was initially designed as a tightly compartmentalized, hierarchical

organization, but its decimation following the US invasion of Afghanistan forced the group to adopt a more decentralized form (McAllister 2004; Mishal and Rosenthal 2005; Sageman and Hoffman 2008). According to one al Qaeda strategist:

America today is facing a huge problem with Clausewitz's theories. The latter are premised on the existence of a centralized hostile power with a unified command. Assuredly, the mujahidin, with the al-Qa'ida organization in their vanguard, believe in decentralized organizations. Thus the enemy cannot ascertain the center of gravity, let alone aim a mortal blow at it. (quoted in Zabel 2007: 10)

The “networked” al Qaeda soon appeared everywhere. The West proved enthusiastic participants in this al-Qaedaization, identifying “ sleeper cells” and “terror networks” that had no ties to al Qaeda beyond personal fantasy and internet clicks (Curtis 2004). Osama bin Laden boasted of the West’s unwitting role in co-producing this virtual organization: “All that we have to do is to send two mujahedeen to the furthest point east to raise a piece of cloth on which is written al Qaeda, in order to make generals race there to cause America to suffer human, economic and political losses without their achieving anything of note” (quoted in Mohamedou 2006: 104).

But this decentralized networked form proved ineffective. Al Qaeda Central, lacking any real organizational authority, could not control its autonomous “affiliates,” whose actions in Iraq and Syria tarnished and later challenged al Qaeda’s reputation as the vanguard of global jihad. More importantly, this networked form was at best a begrudging adaptation. Bin Laden’s personal letters suggest that the group’s leaders were frustrated by their lack of control and tried unsuccessfully to micromanage the virtual organization through public pronouncements and authorized intermediaries (Combatting Terrorism Center 2012). Advances in communication technologies and internet-based methods for illicit financing have certainly offset many of the organizational dilemmas faced by historic violence-wielding organizations, but networks have not replaced organization in waging violent insurgency. The “bunch of guys” model (Sageman

2004) is well suited for staging single attacks (Asal and Rethemeyer 2008). It is not, however, designed for sustained armed campaigns.

Actual violence-wielding organizations continue to operate. Some are clandestine armed groups comparable to the IRA and ETA, including many al Qaeda and Islamic State “affiliates” throughout the Arab and Muslim world. Some retain nonviolent “fronts”—e.g. Pakistan’s Lashkar-e-Taiba and its allied charitable organization Jamat ud Dawah—though many of these have no real political structures and are likely micro-groups aspiring to become durable organizations. Others are transitional or hybrid groups, such as Hamas and Hezbollah, which retain political structures through their transition from clandestine armed group to guerrilla army; while other groups, such as the Kurdistan Workers’ Party, move back and forth between clandestine political violence and guerrilla warfare, augmented by political agitation. Many more are guerrilla armies—including the Revolutionary Armed Forces of Colombia and the Taliban. These guerrilla armies vary, especially in terms of the development of their political structures. Sunni Islamist guerrilla armies appear to have relatively undeveloped political structures—though religious shuras in many ways take on the function of a political (or at least unarmed) leadership, and the necessities of guerrilla governance have forced some of the more militaristic groups to adopt “civilian” structures. The Islamic State, for example, was a purely militaristic organization during its inception and development as al Qaeda in Mesopotamia, but it has nevertheless developed specialized administrative structures that can serve as quasi-political wings—or at least provide credible personnel for political tasks.

That is, of course, assuming there is political will to disengage from violence. But even the most hardline of jihadists are not fundamentally opposed to “politics.” According to *The Management of Savagery*, widely seen as the Islamic State’s strategic manual, jihadists must

have an “understanding of the rules of the political game of our opponents and their fellow travelers, and striking [*sic*] a balance between confrontation and cooperation in accordance with sharia politics” (Naji 2006: 37). Thus, despite their supposedly millenarian and nihilistic ideologies, even the most purist of jihadists sees some utility in politics, so long as it is in line with religious doctrine. Peacemaking, a fundamentally political task, is certainly not un-Islamic. It is likely that the Taliban will in the near term engage in some form of peacemaking with NATO and the Afghan government, as will Hamas and Hezbollah with their adversaries. The organizational and inter-organizational forms of these insurgencies and movements will shape their effectiveness as peacemakers in line with the specific nature of these insurgencies and associated organizational demands. Furthermore, ongoing conflict and uneven democratization in the Arab and Muslim worlds, as well as elsewhere, may provide fertile grounds for the rise of new clandestine armed groups and politico-military movements. Egypt, given its history of both armed and unarmed Islamist contention, is a prime candidate for such development. These groups will be very different organizations than the IRA and ETA and though they will be embroiled in much more intense and widespread insurgent conflicts, their forms will nevertheless shape the effectiveness in waging these violent conflicts—and perhaps in ending them as well.

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