The Ending of ETA Terrorism: Lessons to Learn and Mistakes to Avoid from Northern Ireland

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Theme: Lessons learned from the experience in Northern Ireland regarding the end of IRA terrorism, in view of the possibility of the ETA terrorist organisation putting an end to its campaign of violence.

Summary: The cease-fire of the ETA terrorist organisation has given rise to a new scenario which, despite the optimistic appraisals it has naturally given rise to, continues to present important challenges for the Spanish State. The communiqué made public on 22 March did not announce the disappearance of the organisation; hence its continued existence requires appropriate governmental responses to achieve the definitive eradication of terrorism. In this stage of the fight against terrorism, the experience of Northern Ireland provides valuable lessons about the procedures to be followed in order to ensure that the terrorist organisation's weakness—which is the cause of the truce—should result in its total and genuine disappearance. The way in which the British and Irish governments handled the process, following the IRA’s formal cease-fire in 1994, has facilitated the perpetuation of the terrorist organisation which, even today, is still involved in illegal activities at the service of its political wing, Sinn Fein. It is therefore appropriate to set out the errors that have been committed in the Northern Irish context, in order not to repeat them in Spain, particularly when some insist on taking the Irish example as a reference, often establishing a parallelism between both scenarios with scant rigour and misrepresenting the issues at stake.

Analysis: The so-called ‘peace process’ in Northern Ireland has been taken as a reference point by numerous politicians and journalists in Spain, who seek its application to the Basque question. Many of them assume as a premise a ‘happy end’, understanding that the process guaranteed the end of IRA terrorism and the organisation’s disarmament. For this reason, they are suggesting that the process initiated with ETA’s cease-fire will demand a pragmatic approach similar to that of the British and Irish leaders. They subsequently assume that the process leading up to the end of ETA will be lengthy, tough and difficult, although they insist that under no circumstances will democracy pay any political price in exchange. Nevertheless, the interpretation that many of these observers make of the Northern Irish peace process ignores the fact that both the British and Irish governments finally allowed political advantages to be gained from terrorism. Others make use of that reality to anticipate and justify the Spanish government's making concessions, with a view to an assumed necessary practicality for solving the Basque conflict. Thus, the insistence on the Northern Irish model might serve as an excuse for legitimising what could become a counterproductive anti-terrorist policy regarding ETA if the parallelism between the two processes continues to be established without due rigour.

A Happy End to the Process in Northern Ireland?

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First, one should question the generalised assumption of a ‘happy end’ to the process in Northern Ireland which emerges so often for the purpose of comparison. The enormous political and social polarisation present today in Northern Ireland, where self-government has been suspended since the autumn of 2002 and where geographic segregation between communities has not ceased to increase, raises serious doubts when it comes to making such a falsely positive and exaggerated assessment of the Northern Irish process. It is very convincing to attribute these consequences to a misguided management of the process following the IRA’s cease-fire, setting a precedent that should be avoided in our country. Contrary to those who praise the pragmatism of the British and Irish Prime Ministers, Tony Blair and Bertie Ahern, their own public statements show how terrorism has managed to recover, albeit partially and through political means, what it lost to police action. In January 2005, Ahern acknowledged in the Irish Parliament that in the attempt to integrate Sinn Fein in the system, the criminal activities in which the IRA was still involved were deliberately ignored. One year earlier, Blair had affirmed that a situation in which the representatives of the will of the people would be compelled to share the government of Northern Ireland with a party like Sinn Fein –linked to a still-active terrorist group, namely the IRA– should not be tolerated. The British Prime Minister’s apparent ultimatum had been pronounced several years earlier in a speech he made in October 2002 in which he also demanded the end to the tolerance of paramilitary activities as well as the same law for everyone to be applied to everyone in the same way. Although he later declared that, from that moment on, a crime is a crime, time has shown that the IRA’s crimes are considered in a different light.

Political, legal and even moral impunity, derived from such an attitude, has not ensured the desired disappearance of the terrorist organisation; instead it has benefited the Republican’s propaganda objectives, favouring the legitimisation of those who have been able to condition the political system, thus weakening the constitutional authority. These concessions have been criticised by the representatives of the Unionist community for years. However, their claims have been ignored time and time again by the British and Irish governments, on the basis of their belief that the political strengthening of Sinn Fein would ensure the continuity of the IRA’s cease-fire. This contradictory behaviour, which to a large extent is still being maintained, has sent a harmful message to public opinion: Sinn Fein can condition political normalisation, despite its failure to comply with the rules of the democratic game. This has contributed to strengthening Sinn Fein at the ballot box, while weakening those parties which, up until the last elections, had had a majority backing from Nationalist or Unionist voters, namely the SDLP (Social Democratic and Labour Party) and the UUP (Ulster Unionist Party). All of this has occurred while the Republican movement, represented by Sinn Fein and the IRA, has become ‘one of the largest and most sophisticated criminal gangs in the world’, as acknowledged by the Northern Ireland Office Minister Ian Pearson.

The IRA’s criminal activities are not restricted to Mafia-type activities which some consider inevitable after decades of violence. The serious nature of such crimes is often minimised by its favourable comparison with the IRA’s renouncement of its campaign of systematic assassination. However, the successive reports drawn up by the Independent Monitoring Commission (IMC) –entrusted with monitoring the cease-fire of the terrorist groups in Northern Ireland– confirm that the IRA continues to obtain financing and continues to collect intelligence, placing its illegal activities at the service of Sinn Fein’s political strategy. Thus, Sinn Fein has opted for the political route but without renouncing the contribution of the IRA’s illegal activities. The IRA remains at the service of the political party and ensures it continues to benefit from the never-fulfilled promise to make the organisation disappear, as the latter objective is the source of the concessions to those who supposedly should bring it about. In other words, the political route taken is by no means democratic, as the political party operates with the criminal, logistic and financial support of an illegal organisation, giving rise to a scenario that is highly seductive to ETA
and Batasuna. For this reason, the effectiveness of the fight against terrorism should be evaluated not only according to the reduction of violence as a consequence of the terrorist organisations tactical reasoning—given its state of weakness and decline—but also taking into account the capacity of its political wing—and hence of the organisation itself—for coercion and control which it can apply to bring pressure to bear on political institutions and society itself if it receives a backing and legitimisation which are as totally unnecessary as they are damaging to the State’s interests.

The Northern Ireland Secretary’s assessment of the report published in February by the IMC shows the hazards for Spain’s democracy if it replicates a model such as this, which undeniably seems attractive to ETA and Batasuna. In the opinion of Peter Hain, the report showed that the IRA is moving in the right direction as there have been no ‘murders’ or ‘bank robberies’. ‘Compared to where we were ten years ago, there has been a sea change’, he added. That substantial improvement can be questioned if it is set in the appropriate context, weighing up in due manner the influence that criminal acts such as those described can have on the political system and on democracy. More than ten years after the IRA’s cease-fire, the British government has accommodated its democratic system so that the illegal activities of a terrorist organisation can be viewed as acceptable, as long as they do not go beyond a certain threshold, assassination, which in any case terrorists do not consider it wise to cross, given the new national and international context which is unfavourable to them. It should also be noted how in total contradiction with the guidelines set by the IMC itself, the report also supports the removal of economic sanctions against Sinn Fein, which had been imposed as a result of various incidents that proved its close involvement with the terrorist organisation. Hence, after a period of ‘decontamination’ and despite these links being common knowledge, it accepted the removal of ant penalisation. In this way, the political wing lost all incentive to separate from the terrorist organisation, maintaining the dynamics that had become customary over the past few years. The IMC’s task is based on certain basic democratic principles, one of which is that it is unacceptable for a political party and, more specifically, for its leaders to express their commitment to democracy and law while their attitudes indicate the contrary. It also considers that political parties should not benefit from their association with illegal activities. However, the IMC acknowledged that the IRA continues to be active, carrying out criminal activities which, authorised by its leaders, served the political strategy of Sinn Fein, thereby exposing the inconsistency of a behaviour based on ignoring the repercussions of the association between the terrorist group and its political representatives.

A Permanent Cease-Fire?

ETA’s recent declaration of a cease-fire has been compared to that of the IRA in 1994. It has been mistakenly asserted that the term ‘permanent’ used by ETA on this occasion replicates the term used on that occasion by the Irish terrorist group. The idea of this is to transmit the message that, this time, ETA’s cease-fire is really final and irreversible. However, it is totally untrue that the IRA used the same expression back then, as it spoke rather of ‘a complete cessation of military operations’. Neither should the fact that ETA has introduced the term be taken as conclusive proof that the organisation is going to disappear from the political scene. To the contrary, this episode shows how useless it is to focus on the analysis of communiqués issued by terrorist organisations which are also responsible for many other declarations in which they constantly justify the unjustifiable assassination of human beings carried out by their activists.

The words of terrorist groups can be interpreted in different ways, depending on the wishes of those who interpret them. Beyond mere rhetoric, what should really be exacted from the terrorist organisation are objective deeds that unmistakably prove its total disappearance and dissolution. This is what the experience in Northern Ireland would recommend, a place where constantly, over more than ten years, the promising and
successive announcements of the IRA have been qualified as ‘historic’ despite the fact that, even today, the terrorist group is still active. It is true that the IRA has renounced its campaign of systematic assassinations, as a result of the high political and human costs that these generate. Nevertheless, and as has been underlined by the IMC, the IRA ‘has adapted itself to the new times’. So, as has already been mentioned, the IRA continues to obtain financing and continues to collect intelligence, placing its illegal activities at the disposal of the political strategy of Sinn Fein, all with the authorisation of leaders who simultaneously direct both organisations.

It is for this reason that the declaration made last July, in which the IRA announced the end of its ‘armed struggle’ was to a good degree redundant, even though it is still being used in our country to back the conclusion of an assumed ‘happy end’ of the process in Northern Ireland, a conclusion that has no bearing with reality. The IRA’s announcement was praised almost unanimously, ignoring the fact that the terrorist organisation had already abandoned its so-called ‘armed struggle’ years ago, aware of how ineffective it was after thirty years of murdering without achieving its objectives. However, those in charge of the IRA did not renounce, either then or earlier, to keeping the terrorist group alive as a means of exerting pressure, with which it could coerce society and politicians alike, promising on the one hand its disappearance but conditioning this to Sinn Fein’s receiving political concessions. This strategy has given rise to numerous instances of deception, with the British and Irish Prime Ministers being counterproductively lenient towards the political wing of the terrorist organisation. It would come as no surprise if ETA and Batasuna were to seek a similar scenario and hence the need for the Spanish government to be firm in its demands, among others, on disarmament and the total dissolution of the organisation. These demands should be met and rigorously verified before even considering holding any discussions on prisoners and other political issues, such as allowing Batasuna to become legal again. This would prevent the terrorist organisation from coercing the other players, while at the same time giving Batasuna an incentive to demand from ETA its real disappearance.

The opposite opinion is held by some who, mistakenly in my opinion, uphold that firmness will only push ETA into readopting violence. In this respect it is useful to ask oneself if it really can go back to its systematic assassinations and expect positive results from doing so. A return to terrorism is not plausible in such a clearly unfavourable national and international context. These changing circumstances, brought about by the decline in its life cycle, along with the significant weakness of its operational and organisational framework, resulting from effective political, police and judicial pressure applied over recent years, has undermined the efficiency of terrorist violence, making it inadvisable to use it. It is true that ETA is still capable of using assassination once again, but it seems that it is aware of the high political and human costs that would be incurred for both its organisation and for its framework. It is for this reason that the pressure applied on ETA and its network, including its political wing, continues to be the most valuable factor for ensuring the future eradication of terrorism. Hence, the cease-fire of the terrorist organisation should not be compensated by legalising Batasuna. A return to legality of a party to replace the banned Batasuna can only come about when it complies with the democratic conditions imposed by the law, with the organisation’s unequivocal disappearance and disarming being an indispensable factor.

Following the Northern Ireland model, it can be seen how some sectors interpret apparently encouraging gestures as unmistakable signs of ETA’s will to put an end to violence, even though they in no way involve the organisation’s disappearance or disarming. In defence of this point of view, they argue that it is not realistic to exact such obligations from ETA and that time will gradually make the organisation irrelevant. However, this merely contributes to feeding a dynamic whereby the terrorist organisation ceases to be a burden for Batasuna, as it is precisely the existence of the organisation
and the promise of its disappearance that guarantee certain benefits to its political wing. As a consequence of this logic, the organisation is freed of the pressure that should be applied to it, transferring the responsibility to maintain the cease-fire onto politicians and citizens who thus find themselves coerced into accepting conditions which are not fully democratic. It is completely intolerable for an illegal organisation to continue to exist, maintaining itself inextricably linked to a political party, despite the formal declarations of its leaders backing the democratic process, in contradiction with its antidemocratic behaviour and with the fact that it benefits from its existence. As the example of the IRA confirms, the mere existence of a terrorist organisation is a form of coercion that should never be tolerated as acceptable.

Are Disarmament and the Freeing of Prisoners Necessary?

The impunity and leniency that have characterised the process in Northern Ireland have made the disarming of the IRA, announced last year, totally ineffective. Although presented almost unanimously as a grand gesture, the way it was done prevented it from fulfilling the objective that motivated this demand in 1995: convincing the victims of IRA terrorism of its unmistakable will to put an end to violence. The delay in disarming and its methodology hampered the generation of confidence sought by this measure. Contrary to what many observers have argued, the disarming of the terrorist organisation and the methods by which it should be achieved were vital for the success of the process of eradicating terrorism. There were three gestures of disarming prior to the last one, which took place in September 2005. None of them was carried out in a way that, as was required, allowed the disarming process to be truly effective. This is gathered from the words of Martin McGuinness himself when, on the eve of the disarming process in October 2003, he acknowledged that the previous acts had not been carried out under ‘convincing’ conditions, hence admitting the need for ‘transparency’, so that the steps taken by the IRA would not cause any ‘disappointment’. The Canadian General John De Chastelain, entrusted with the decommissioning of the weapons, also stated that since 1999, in his contacts with the IRA, he had been insisting that unless the disarming were ‘visible’, there would be doubts about the terrorist group’s good intentions, concluding therefore that such doubts rendered the disarmament process ineffective. Despite that, the same errors were committed again in October 2003 and September 2005. The only difference between the two was that, on the final occasion, a Protestant clergyman and a Catholic priest were present at the decommissioning process. Even then, no inventory of the weapons or photographs of them were made public, as had been requested beforehand. However, this sole distinction was insufficient to ensure the required visibility and transparency.

The clergymen present were not the ones the Unionists had proposed, but others who replaced those the IRA had rejected. The Catholic replacement was particularly unfortunate, as it was Father Alec Reid. Presented in Northern Ireland and the Basque Country as a generous peacemaker, Reid lacks the necessary trust of the Unionist community, as his goal for many years had been to set up a pan-nationalist front in which the non-violent Nationalist parties would form a coalition with those who had defended terrorism. In this way, insisted Reid, the terrorist group would give up violence, in exchange for a dangerous legitimisation that would turn the weakness of the organisation and of its political wing into their strength. It is, therefore natural that the Unionists should have had no confidence in someone who had defended for the IRA something that it would seem he is also defending for ETA: that terrorist organisations, once they cease in their campaigns, should obtain what they were unable to achieve because of their campaigns of violence, but which they can now achieve precisely as a result of terrorism. In other words, through a subtle mechanism of coercion and manipulation, terrorism would finally prove effective, despite the public claim that the opposite is the case.

In this respect, it can be seen how the Unionists’ criticism regarding the method of
disarmament has been ignored to a large degree, making evident the contradictions in
British policy that benefit the IRA and Sinn Fein by granting them their previously denied
legitimacy. This can be seen from De Chastelain’s declaration announcing that
decommissioning lacked the required ‘transparency’, but that the fact should be accepted
as ‘the IRA said it was not going to happen’ because it would not allow decommissioning
to transmit an image of ‘humiliation’ or ‘guilt’. Hence, the terrorist organisation’s standpoint
was considered to be realistic while, in exchange, it furthermore gained the pledge that
terrorists on the run would be able to return to their homes with total impunity. The
declarations of Peter Hain, the Northern Ireland Secretary, were particularly alarming as
he stated that the measure was ‘painful’ for the victims, but ‘necessary to close the door
on violence’. However, the polemics that arose following the announcement of the
initiative, which was widely rejected, made it necessary for the British government to
withdraw it, in the expectation of a more favourable climate of opinion towards its adoption.

In this context, the early release of prisoners belonging to terrorist organisations has
proved ineffective, feeding a logic that leads to the dangerous legitimisation of violence by
favouring a narrative of the conflict based on the diffusion of responsibility of those
engaged in terrorism. This dynamic has led to a leniency that has strengthened those who
used terrorism: the prisoners are no longer prisoners, even though the terrorist
organisations continue to exist and to extort. At the same time, the victims –who are still
claiming justice and redress– are presented as a necessary and inevitable evil, with the
injustices practiced against them acquiring justification and reason. This is how their
memory is corrupted, ignoring that the majority of society never sank into terrorism
despite suffering it, thus removing all incentive for respecting democratic values. The
release of prisoners underestimated how these factors would decisively affect the political
sphere. Nevertheless, the current situation in Northern Ireland, characterised by
institutional paralysis and deep political and social polarisation, shows that a democracy
cannot operate with such a deficit. That is why the Northern Ireland’s Victim’s
Commissioner Bertha McDougall –widow of an RUC reservist murdered by the INLA (Irish
National Liberation Army)– has underlined that society in Northern Ireland will be
incapable of progress unless the authorities deal with the needs of the victims.

The demand by victims in Northern Ireland that cases still to be resolved should be re-
opened has finally led the police into declaring that this is the right thing to do. This
attitude shows, first of all, the social need for justice and redress and how the lack of
either is an obstacle to normality and coexistence. It also shows how absurd it is to free
convicted prisoners while announcing that other criminals will be brought to trial if
sufficient evidence is found, but only in order that they, too, can be freed from prison
immediately afterwards. It is likewise inconsistent to announce, as was the case in
November 2005, the passing of a law that would grant impunity to those who still had
indictments pending with the justice system as a result of their terrorist actions and who
are currently on the run, a measure that seriously affects the human rights of the victims.
Finally, as has already been pointed out, this project had to be withdrawn given the
widespread opposition to it. A differential feature in the case of the Basque country would
make the consequences of such impunity even worse, as the violence of the ETA group
has not been met with ‘retaliatory terrorism’, as civil society has always responded with a
pacifism which would be totally unappreciated. In this way, certain individuals would find
in not complying with the law a stimulus to transgress it and resorting to violence, possibly
also favouring violent reprisals by certain citizens, given the unfair immunity of those who
breach the rule of law.
Conclusions: At times, there are calls for studying the causes of exogenous terrorist phenomena while ignoring the aetiology of ETA’s own terrorism, ie, the ideological absolutism of fanatical individuals who seek the violent imposition of a Nationalist concept. By ignoring these causes and accepting a model for the ending of terrorism which includes concessions such as those described above, the very eradication of terrorism can be undermined. ETA and Batasuna are not separate entities but, rather, instruments of a movement seeking the same goals. Both ETA and Batasuna long for power which, paradoxically, could be facilitated by the State by considering that a tactical renunciation of violence is genuinely equivalent to an authentic metamorphosis of the terrorist movement and its disappearance.

In our country there is a trend to limit the political price the State would have pay with regard to ETA prisoners, arguing that political circumstances will have changed and that the ultimate goal of peace demands it. Hence, certain tactical moves by ETA, among them the announcement of the halt in its terrorist activities within a context of weakness in which the reactivation of assassinations would not be very profitable, could pave the way for a scenario in which, under the pretext of changed ‘political circumstances’, the essential principles of democracy and of the struggle against terrorism would be abandoned, including the dictum included in the resolution of Congress that ‘violence does not have a political price’. This is what would happen if the separation of powers, on which our democratic system is based, were ignored in order to afford penitentiary benefits with the excuse that certain measures are politically unavoidable if the ‘peace process’ is to move ahead.

Analysis and assessment of the initiatives adopted in Northern Ireland show how mistaken it is to relinquish the objective demands that would clearly prove a terrorist group’s unmistakable will to put an end to violence. They also confirm the need to corroborate that the government is rigorously fulfilling its promises regarding the verification of a total disappearance of the terrorist organisation, without granting concessions to its political wing that would permit it to carry on. As a result, disarmament and total dissolution respond to realistic and practical demands that should be satisfied and rigorously corroborated prior to contemplating any discussion about prisoners and other political issues –such as the removal of the ban on Batasuna– which would prevent the terrorist organisation from coercing the other parties involved. This model would give an incentive to Batasuna to demand from ETA its genuine disappearance and would facilitate the restoration of consensus among the main democratic parties.

It is true that certain declarations made by political representatives insist that the ‘absence of violence’ should be clear in order to progress in the so-called ‘peace process’. Such public declarations should be upheld, avoiding the temptation to gradually lower demands, despite any previous appearance of firmness. Thus it can already be seen how Batasuna has been attributed peaceful intentions and a certain detachment from ETA, despite evidence to the contrary, to the point where it has even been suggested that its legalisation would be possible merely with a formal declaration against violence. This would allow a political party inextricably linked to ETA to find a verbal formula that would enable it to overcome its illegitimacy despite maintaining its links with the terrorist organisation, thus mocking the anti-terrorist policy that first led to its being declared illegal. Those proposing this approach in the event of perceiving an apparent distancing between Batasuna and ETA, seem to assume a certain ‘ambiguity’ to be effective and necessary in order to advance the so-called ‘peace process’. This is the same mistake that was made in Northern Ireland, where ambiguity became destructive. It was based on the incoherent behaviour of the British and Irish governments even though, initially, they did establish demands of Sinn Fein, demands which seemed firm at the time they were imposed, only to be gradually abandoned. This dangerous lack of consistency has seriously damaged the credibility of both governments, weakening their authority and, by contrast, benefiting
Sinn Fein, by transmitting the message that the party –recognised by all as the political wing of a still active terrorist group– can condition political normality despite failing to comply with democratic rules. At the same time it has facilitated its electoral growth by signalling to the voters that the strengthening of Sinn Fein ensured the maintenance of the IRA’s cease-fire.

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