DEMOCRATIC LEGITIMACY THROUGH THE LENS OF NATIONAL IDENTITY: THE BASQUE COUNTRY AND SPAIN

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ABSTRACT

In the decades emerging after the creation of the liberal multicultural thesis in the 1990s, it has become increasingly apparent that various obstacles have greatly obstructed the development of pluralist and multicultural policies with Western liberal democratic states. Such policies have largely stagnated or regressed, and there has been a noticeable reemergence of majority nationalism and what has been termed 'majority backlash.' On the other side, these issues have only increased the sense of illegitimacy of these states from the perspective of minority communities, especially national minorities in multinational states. This thesis utilizes poststructural and agonistic democracy theories to consider and theorize how liberalism's insistence on impartiality and rationality makes it struggle to account for tensions which emerge symbolically around identity, primarily in this case, national identity. This thesis highlights how these tensions around identity manifest in the real world by conducting a discourse analysis on two distinct national groups within one nation-state – Spain and the minority Basque nation. Examining diverging narratives regarding the constitution of the *demos* and the characteristics assigned to it during this period underscores the problematic assertion of universality in liberal democratic theory by first outlining the significance of the symbolic dimension of democratic representation and legitimacy. It is thus argued that the role of majority nationalism in liberal democracies cannot be sidestepped or ignored in multicultural and pluralist theories of democracy due to its foundational role in legitimating liberal democratic order.

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Chapter One: Research Problem

Traditional pluralist theories of democracy presumed liberalism capable of handling and representing a wide diversity of perspectives (Blokland 2011, 241–74; Touraine 1997, 16; Dahl 1989, 163–72; Kymlicka 1996; Mathieu 2022, 5–6). However, the widespread re-emergence of nationalisms and theories of agonistic democracy suggest that liberal democracies based on individualism, impartiality, and rational consensus have left unaddressed or struggle to account for tensions around national identity, especially regarding the inclusion of minority voices. Such tensions continue to persist lead to a significant lack of legitimacy in liberal democracies across the world, particularly, though not exclusively, in multinational states (Tockman 2017; A. G. Gagnon 2023; Doyle 2024; Basta 2021). This thesis aims to highlight problematic aspects of liberal democratic governance which makes attempts at resolving multinational conflicts seem stagnant and often counterproductive. Contemporary poststructural ontological and epistemological interventions into democratic theory offer a new perspective on these issues and can provide some answers as to why these conflicts persist, and why political pluralism (Mouffe 2013, 124–26; Agarin 2020; Paxton 2020, 3–9; Wingenbach 2011, 181–98).

In the particular case of Spain, under and in response to the Franco regime, tension around national identity manifested most extremely in the Basque Country with the formation of Euskadi ‘ta Askatasuna (ETA), a violent organization founded on Basque nationalism. ETA grew out of opposition to the oppression of the fascist Spanish state; however, despite its transition to liberal democracy in the 1970s, ETA’s violence only increased and lasted into the early 2010s before finally disbanding (Whitfield 2014). Even with the organization’s disbandment and five decades into the establishment of liberal democracy, issues of national

identification and representation continue to play a significant role in Spanish politics, which have routinely led to legitimacy crises between the state and several substate nationalities (Hierro 2020; Núñez 2020; Zabalo and Iraola 2022; Zabalo Bilbao and Odriozola Irizar 2017; Anwen Elias 2015; Gillespie 2017). This thesis conducts a critical discourse analysis of news media between 2003 and 2004, when ETA was still active and when several political events and initiatives led to considerable discourse on the nature of the conflict. Given conflicting national identifications, and their widely differed historical experiences with the central state and its institutions, how do the Spanish and Basque public spheres conceptualize the nature of democratic legitimacy? Answering such questions can help explain why liberal democracies often struggle to maintain legitimacy in the eyes of minority communities and affirm the complexity of legitimacy in democratic regimes.

The period of analysis in this case between 2003-2004 saw the Basque Lehendakari, Juan José Ibarretxe, propose a plan that significantly disrupted the political status quo around questions of Basque self-determination and sovereignty in Spain. In the most general sense, it foregrounded a key political cleavage in Spanish politics concerning its fundamental values – between centralism and regionalism. The former being a historical remnant of the nationalist Franco regime, while the latter comes from republican reformers and substate nations, who played a crucial role in pressuring for the democratic transition in the 1970s (Lecours 2007, 84–86). More specifically, the plan forced an uncomfortable discussion around topics haunting Spain since the transition – about who 'the people' are, what fundamental values they strive for, and the nation's supposed 'indivisible unity' as outlined in the constitution. The Ibarretxe Plan thus propelled ideological and symbolic issues revolving around national sovereignty and identity to

the centre stage of political salience (Lecours 2021, 106–11; Whitfield 2014, 140–51; Keating and Bray 2006, 361).

Examining diverging narratives regarding the constitution of the *demos* and the characteristics assigned to it during this period underscores the problematic assertion of universality in liberal democratic theory by first outlining the significance of the symbolic dimension of democratic representation and legitimacy. This thesis then aims to highlight the intricate connection between legitimacy and nationalism within liberal democracies and the adverse effects it can have on pluralism. Conducting a discourse analysis on contentious discussions in print media surrounding symbolic questions of nationhood, sovereignty, and national identity in Spain reveals the everyday intersubjective discursive narratives and/or legitimation stories employed by national majorities in democratic regimes to sustain and reproduce its hegemony and exclusions in institutions. It is thus argued that the role of majority nationalism in liberal democracies cannot be sidestepped or ignored in multicultural and pluralist theories of democracy due to its foundational role in legitimating liberal democratic order.

Literature Review

This thesis aims to make apparent the role national identity can play in legitimating liberal democracies, which often remains undervalued or presumed irrelevant in liberal democratic theory due to its supposed basis of rationality and legality (Schecter 2013, 44-50). For instance, liberal scholars, including original theorists of multiculturalism, often suggest that national minorities can be accommodated on the condition that they follow the rules of liberal democracy, i.e. individual autonomy and impartiality (Mathieu 2022, 5–6; Kymlicka 1996; 2010). They presume that liberalism can act as an impartial mediator between groups in democracy.

However, this ignores or underestimates the degree to which liberal democratic states hold implicit foundations and biases in coloniality and preference toward exclusionary, mono-national arrangements favouring the national majority and a particular 'way of life,' which very often represent a deeply entrenched majority nationalism (A. G. Gagnon 2023; 2021; Boucher, Guérard de Latour, and Baycan-Herzog 2023, 535–36; Doyle 2024; Tockman 2017; Núñez 2020).

Democratic theorists criticizing the liberal perspective often highlight these biases that favour the national majority. Yet, their solutions to ethnic and identity conflict often rely on those same liberal assumptions – by moving to interest-based politics, they assume impartiality is possible through such arrangements (Agarin 2020a; Wolff 2002; Harder 2020). In contrast, Mouffe (2013; 2005; Mouffe and Martin 2013) and critical discourse analysts (Wodak and Meyer 2015, 1–22) have highlighted impartiality as an impossibility in the context of socially and intersubjectively constructed realities. Thus, the result in democratic theory literature is that the issue of majority nationalism is often sidestepped, ignored, or not taken seriously enough, and in the contemporary situation in Europe and North America, it has been made clear that ignoring majority nationalism has only resulted in the explosion of so-called 'majority backlashes' (Eisenberg 2020; 2022; Basta 2021; Naresh 2024; de Waal and Duyvendak 2022). Billig's (1995; 2017) work and others on the banal reproduction of nationalism have highlighted how the 'Us vs Them' dynamics of nationalism continue to remain relevant to the point of becoming naturalized in society and governing institutions and that the idea of a 'post-national' state is more an example of the established hegemony of majority nationalism, than a genuinely impartial and civic identity (Calhoun 2017; Billig 2017; McCreanor et al. 2017). In this sense, moving to an interest-based form of politics or focusing all discussion on instrumental concerns

does little more than naturalize and depoliticize an entrenched majority nationalism and its manifestation in state institutions, making its exclusion invisible and pluralism harder to accomplish.

Nationalism in this thesis is understood as functioning principally around exclusions and helps shape our lived realities, legitimizing and delegitimizing certain power relations above others (Mills 2004, 10–14; Wodak and Reisigl 2015, 26; Connolly 2002). A particular discourse becoming hegemonic shapes what may seem impartial, common-sense, or natural rather than reflecting an objectively determined universal reality (Mouffe and Martin 2013, 122, 210; Larsson 2015, 176; Law 2007, 602). From this perspective, nationalism is not solely a 19th-20th century phenomenon and something that will fade away in the 21st century (Gellner 1983; Hobsbawm 1992). Nor is nationalism something particularly unique in its form. Instead, it is a particular ontic manifestation of the ontological process of us-building/community-making and defining the 'Other' or 'Them,' which is exterior to Us (Vulović and Palonen 2023). It is thus theorized that the liberal nationalist thesis that argues modern liberal democratic states can function as impartial (or sufficiently impartial) mediators is fundamentally flawed in that it ignores the ontological reality of 'Us vs Them' dynamics and the social processes of community-making which shape them (Brubaker, Loveman, and Stamatov 2004, 166–67). Such theories often presume too readily the possibility of a true universal civic identity, but as scholars have pointed out, this only obfuscates the significance of power relations, which inevitably favours the 'Us' over the Other (Spencer 2014; Yack 1996).

This issue of community building and othering is especially pertinent in the context of multinational democracies, such as Spain. In these circumstances, nationalist sentiment, which imagines a unified and whole *demos,* is significantly more controversial and constantly

destabilized by the fact that there are multiple and competing identity discourses. Thus, political conflict emerges between majority and minority nationalist communities over "whose story gets institutionalized" (Basta 2021, 46). Multinational scholars such as Basta and Gagnon (2023) highlight how minority nationalists in Spain often view state institutions not as impartial mediators but as being captured by the sentiments and narratives of the majority nation, while majority nations feel threatened by the idea that their institutions represent more than one national identity. Thus, the degree to which these conflicts have been so consistently polarizing and salient in Spanish politics, particularly with regard to the Basque Country, which has had a sustained level of political violence well into democratic consolidation, makes Spain a particularly rich location from which to conduct empirical and theoretical investigations into issues of national identity and democratic legitimacy.

Furthermore, elucidating the legitimation mechanisms for democracy across national identities forefronts a central paradox in liberal democratic theory between the idea of universal human rights and the simultaneous need to define a *demos*, which, in belonging to a specific national people, must necessarily exclude all that is exterior to it (Mouffe and Martin 2013, 168–70). This is because the necessary process of exclusion in defining a *demos* mirrors the ontological requirement of exclusion in any form of community-making. This paradox has been discussed in the literature on nationalism, which outlines the intricate link between democratization and nationalism, which is often addressed in literature in the popular imagery of the 'Janus-face' of nationalism[1] (O'Leary 1997, 222; Nairn 1997).

This need to define a unified *demos* broadly aligns with the emphasis that recent constructivist accounts of representation have emphasized regarding the role of the symbolic dimension in democratic societies.[2] This thesis' understanding of democratic legitimacy takes a

great amount from such theories, specifically Ballacci's (2023, 4) work, which highlights how people create "representations that refer to an idea of the good society, or of the universals that constitute it; representations that they understand as constitutive of the way in which a society understands itself and whose meanings cannot be restrained to institutional [instrumental] aspect." Thus, subjects from different national identities are expected to discursively construct different narratives and representations as to what constitutes the *demos*, often through the nationalist language of 'Us' and 'Them,' which legitimizes differing conceptions as to the characteristics of legitimate democratic order. In other words, this thesis looks very specifically at how a democratic regime's legitimacy is often determined by how members of a national community perceive themselves and engender the representation of those beliefs and values (which are often nationalistically coded) symbolically through performatively constituting them as characteristic of the *demos,* then simultaneously attributing/distributing those values to the democratic state/system and its institutions[3] (Ballacci 2023, 6). The 'Coding' section of the methodology chapter highlights what this looks like in practice.

Accordingly, it is crucial to distinguish that the term 'democratic legitimacy' in this context should not be misunderstood as the legitimacy often discussed in the literature related to Pitkin's theory of democratic representation and who argue, for instance, about delegate vs. trustee representation (Dovi 2015; Harder 2020; Castiglione and Warren 2019). This thesis treats democratic legitimacy and representation as much more open and symbolic concepts – what is being discussed more fundamentally is how a *democratic state* is legitimated in practice. If we wish to speak about democratic legitimacy in the multiplicity of ways it can be understood, especially when the focus is on the effects national identity in its normative and political construction of the *demos* has on it, we cannot separate democratic legitimacy from broader

questions about the legitimacy of the exercise of state authority itself.[4] This is because, in the modern democratic context, when we define the *demos,* we are defining the collective body – the people – for which sovereign power is supposedly bestowed and from which the democratic state is obliged to represent, share, protect, develop, etc. the self-governing capacities of in its many institutions (Dahl 1989, 1; 93; 106). And these are the exact kinds of questions – of the constitution of the demos, of the location of national sovereignty, of what counts as a legitimate state authority in that context – that are consistently politicized in multinational states such as Spain, where the question as to the constitution of 'the people' is a much more politically charged question and not an already established and implicit assumption.[5] There is much more to democratic legitimacy than strictly electoral representation, as representation in democratic states is often a profoundly symbolic process embedded within questions of national identification, histories, and normative values that shape both who counts as sovereign and whether the state and its authoritative actions are perceived as in accordance with the sovereign will of that people (Ballacci 2023; Connolly 2002).

In terms of democratic theory, this thesis does not attempt to define any one definition of what constitutes legitimate democratic governance or a definition of the *demos.* Instead, it highlights the intersubjective complexity involved in constituting the *demos* and explores how its different conceptions shape understandings of legitimacy in democratic states. It is expected that what liberal democratic theory considers legitimate and universal is often more accurately the national majority's hegemonic identifications, which have become naturalized and for which their political dimension has been covered over. The ideological liberal view of democracy can thus be understood as one possible form or mechanism for legitimating a particular view of democracy, among possibly countless others. However, it is still necessary to provide some

theoretical ground as to what legitimation narratives we may expect to see come out in the data. Structural categories and subcategories were thus created to distinguish between narratives which highlight differing conceptions of where democratic legitimacy originates. These categories are all informed by previous literature on democratic theory and legitimacy and are outlined below:

The **liberal structural code** emphasizes such qualities as universal equality, individual liberty, civic identity, pluralism, consensus, etc. This mechanism was presumed to be present due to the liberal theory being so prevalent in the foundation of modern liberal democracies, and such sentiments continue to have an ideological function in justifying democratic state authority (Wingenbach 2011; Schecter 2013; Studebaker 2024). These codes tend to speak in abstract terms about the values of liberal democracy; in the data, they often appear as ideological commitments to a set of beliefs that tend to use very similar language as modern liberal theories, such as that of Rawls (1999) when he speaks of the need for an 'overlapping consensus' on constitutional essentials, or discussions of negative liberty associated with respecting individual liberty and pluralism (Berlin 1969).

The **functional structural code** was initially planned to relate more to ideas of efficiency and transaction in the economic sense. However, as the data gathering proceeded, it became increasingly clear that the code needed to be reworked to represent the discourse better. Economic narratives were, surprisingly, exceedingly rare; instead, what was much more common were arguments and narratives – especially from the Basque perspective – that centred fundamentally on key aspects of traditional liberal democracy: rule of law, human rights, separation of powers, etc. These narratives, while holding liberal roots, emphasize specific

characteristics and qualities that democratic states and their institutions are to possess if they are to be considered legitimately democratic; in this sense, they are functional arguments, and can easily be associated with the work of political theorists who are concerned about state legitimacy more broadly (Stilz 2019; Wellman 2020). They may still speak to liberal ideals, such as dialogue and agreement, but the crucial difference is that they emphasize its importance in relation to state function, stability, and/or transactional guarantees rather than focusing on normative or moral arguments that one may expect to here from more ideologically liberal positions.

In terms of subcategories, functional legitimacy can be seen along a spectrum, which is simplified into two distinct subcategories in the functional section: on one end are **procedural accounts**, emphasizing regular elections, representation (in the traditional liberal sense (Harder 2020)), and adherence to democratic norms and institutional rules as sufficient for legitimacy (Studebaker 2024, 20–21; Dahl 1989; Blokland 2011). This subcategory is informed by classic democratic theory literature, especially the work of Dahl, and the history for which democratic states have become established and legitimized over time. Since procedural accounts imbue legitimacy strictly to institutional procedures and norms, there tends to be an intricate connection made between the legitimacy given to procedures and norms by the people and the overall stability of the democratic state. If the legitimacy of the procedures is threatened, this naturally results in acute threats to stability, and therefore, to democratic backsliding and authoritarianism (Studebaker 2024, 20–22).

Comparatively, **substantive accounts** argue that legitimacy depends not just on formal procedures but also on securing collective political autonomy. For instance, Stilz (2019, 5)

speaks of 'collective self-determination' as just as important to legitimacy as purely procedural elements, arguing that 'people have an interest in seeing themselves as the authors of their political institutions… that their institutions reflect their priorities and values.' This sentiment is coded in the data as functional because the emphasis remains on institutional performance – on whether the state is capable of realizing the collective authorship and ends of the political community (Connolly 2002, 198). In this sense, substantiative accounts place weight not only on procedures, but on the *outcomes* of those procedures – we may have nominally democratic procedures and norms, but an important question to ask is if those norms actually serve to represent 'the people.' As the data shows in the results section, functional codes specifically addressing this substantive aspect of self-determination are especially common in Basque media.

Finally, with regard to the **affective structural code**, which plays primarily to nationalist sentiment and emotions such as fear (Basta 2021; Conversi 2020): affective codes are likely the trickiest to qualify and distinguish, especially when the material is coming from opinion columns in daily newspapers.[6] Generally, the legitimation mechanism in affective codes forefront either feeling and 'sense of belonging' to the *demos* and political community, and its public representation in institutions, or the sense of danger and threat presented by an irrational or barbaric Other (Calhoun 2017; Billig 2017; Martin 2016). These mechanisms tend to relate the most to nationalist sentiment; they may also rely on more explicit and extreme tropes of Us vs Them (Vulović and Palonen 2023).[7]

Wodak's (2017, 409–16) discussion on the discourses of nationalism is particularly effective here as a framework to follow for the **affective-nationalist subcategory**: Wodak highlights how nationalist discourse often relies on myths, memories, or events of the past, which serve to justify and legitimize political decisions made in the present. These past events

often imagine a "pure, original, and homogenous people" (Wodak 2017, 413), with foundational events and myths to be celebrated as objects of collective attachment and devotion. In this sense, this code is very much focused on those narratives and claims that serve a function in attempting to define and construct an 'Us' that is usually harmonious and homogenous. There is an additional affective code which does not rely on nationalist sentiment in this way but nonetheless relies extremely heavily on in-group and out-group dynamics (which tend to be indicative of nationalism regardless) as the legitimation mechanism.

Affective-general codes often present the 'Us' as either under threat, such as nominating themselves as 'defenders of democracy,' or as possessing an inarguable or definite 'common sense,' or as representing 'the truth.'[8] At the same time, the Other is an existential threat and fundamentally irrational (Martin 2016, 13). This code is best understood as distinct from the others based on the relative lack of substance to their claims – they may use terms such as 'democracy' and 'order,' but they are essentially empty signifiers that capitalize on the affective predispositions of the audience to reinforce a typically extreme Manichean dichotomy between the *demos* and the Other (Martin 2016, 13). In their most extreme, they may not even mention or outline an 'Us' at all, instead focusing solely on the vilification or barbarity of the Other.

Theoretical Framework

This section covers the ontological and epistemological background of the project. The importance of outlining this framework lies in the fact that the methods and methodology to be outlined afterward are significantly dependent on the ontological and epistemological presuppositions of the project (Shwartz-Shea and Yanow 2012, 3–5). The theoretical perspective of this thesis falls broadly in the realm of poststructuralism, taking many of its design choices

and presuppositions from interpretivist-constructivist perspectives (Schwartz-Shea and Yanow 2012; Larsson 2015). In essence, this framework presupposes "the 'discursive' nature of all actions, practices, and social formations" (Glynos and Howarth 2007, 109). Taking from a more radical reading of structural linguistics, meaning is created through language and derived from particular social discourses that themselves are defined by their relational difference (Glynos and Howarth 2007, 109-110; Laclau and Mouffe 2001, 108). The meaning of any identity is constituted through relational differences; in other words, we only know what 'father' means in relation to 'mother' or 'son' (Mouffe and Martin 2013, 68). Language does not represent a concrete point of origin but rather a system of differences with many possible second-order meanings grounded in particular social and cultural contexts and practices which are produced through semiotic acts (Munslow 2006, 32, 36; Eagleton 1996). This approach breaks with correspondence theory and common-sense realism, which presupposes the existence of a singular, pre-given reality 'out there,' independent of our perceptions and that meaning can be inferred directly from language unproblematically (Law 2007, 599-601; Munslow 2006, 22, 32). We rely on language as an intermediary tool to understand the world and shape our lived experiences (Eagleton 1996, 118), but language itself is socially and relationally contingent. Thus, reality is constructed – subject and objects do not have a fixed essence but are given their being by groups and individuals who create meanings and socially construct their world (Mouffe and Martin 2013, 69). Realities are only understood as independent, objective, and singular when *made* to seem that way (Law 2007, 602).

These constructed realities are social and intersubjective in the sense that they are situated in certain contexts (Larsson 2015, 176). Each practice has its own discourses with a

certain political character – they determine the meaning and distinctions for what is to be considered reasonable, unreasonable, common sense, and rational (Mouffe and Martin 2013, 121-122). Because discourses are organized and constructed by what they exclude (Mills 2004, 11), they are constituted by and constituted of power relations – they legitimized and de-legitimize certain perspectives (Wodak and Reisigl 2015, 25–26). Realities that are 'made' to seem singular and objective develop in the same way language is built constitutively through relational difference: from a particular social group's practices necessarily predicated on its difference to and exclusion of other practices. These realities become sedimented and hegemonic so that their political character is elided and deemed 'natural' (Mouffe and Martin 2013, 122, 210). However, even though a practice is deemed hegemonic, it still requires constant reproduction through semiotic acts in social discourse to remain natural and considered 'normal.'[9]

Understanding this hegemonic process is crucial when considering the case under investigation: in Spain, hegemony manifests in how political legitimacy and democracy are tied explicitly to legality and the constitution, which is considered sacred (Gagnon 2023, 12-15). This commitment to 'constitutional fundamentalism' enables the perpetual marginalization of autonomous communities' calls for self-determination and recognition of difference. Those who do not accept the hegemonic narrative are labelled as Others: their demands are 'nationalist,' 'disloyal,' or 'subversive.' In contrast, the Spanish state's discourse has become naturalized in its constitution and institutions to such a degree that its own nationalism and its exclusions are elided (Gagnon 2023, 12-15; Lecours 2007, 85-86; Zabalo and Iraola 2022). This process of naturalization is consistent with Billig's (1995) theory of 'banal nationalism' in that nationalist

attitudes and sentiments have become so ingrained they have become naturalized – unrecognized and unnoticed but still ever-present in everyday interactions (Calhoun 2017, 308–11).

However, the principle focus of this research is not on nationalism or its exclusionary tendencies per se since this phenomenon is more or less an ontological expectation within the framework. Instead, this project aims to outline the variety of ways national identification impacts and plays a role in legitimizing democratic regimes. It is expected that how different nationalities interpret the conflict and the narratives they create will often, in turn, implicitly or explicitly endorse a particular view of what constitutes and what counts as legitimate democratic governance.[10] In other words, I am not looking to confirm the theoretical orientation of this thesis but to utilize it to understand the logic and complexity of legitimacy in democratic states and its connection to hegemonic practices revolving around national identification.[11] It is for that reason that the years 2003-2004 were chosen since the announcement and ongoing discussion of the Ibarretxe Plan put questions of national identity and its role in Spanish democracy at the forefront of political discussion. A concrete example of what these narratives may look like in practice and how they will be coded and analyzed will be provided in the coding section of the methodology.

Overall, this perspective lends itself to a constructionist/interpretivist epistemology in the subjective sense and to a poststructural quality when accounting for the intersubjective construction of knowledge and meanings (Lincoln et al. 2011, 108; Larsson 2015). One may then presume this framework must be oppositional to any generalizing conclusions and instead rely exclusively on extreme particularity, but it is more apt to understand abstract generalizations, such as laws and mechanisms, as useful as long as one recognizes that the contextualized self-

interpretations (of the researcher and researched) that surround it *cannot* be bypassed (Glynos and Howarth 2007, 188; Lincoln et al. 2011, 103-104). Thus, within this framework's methodology, comparisons emphasizing similarities and differences play a large role in generating explanations. Such comparisons "must comprise thick descriptive interpretations of particular empirical phenomena, self-interpretations included" (Glynos and Howarth 2007, 206-207). Empirical generalizations in this view are not created from predictive criteria and variable testing to form casual laws but from a retroductive explanation of a particular problem, which may exemplify (though most often not straightforwardly) a related case under similar theoretical language which is made explicit and used to articulate both (Glynos and Howarth 2007, 189-190). Thus, I hold that much of the findings in this thesis can be applied to further understand other cases of similar background in multinational conflict. These could include, for example, Northern Ireland, but even further to cases of ongoing indigenous struggles in settler colonial states such as Canada, Australia, New Zealand, and Israel (Clavé-Mercier 2022; Eisenberg 2022; Boucher, Guérard de Latour, and Baycan-Herzog 2023; Rana 2015).

Lastly, it is important to emphasize the normative and axiological assumptions of the research. When taking seriously the intersubjective structure of knowledge, this necessitates the recognition of the active role of the researcher in interpreting the studied event and that they are also involved in the process of co-creating meaning and findings (Lincoln et al. 2011, 102-103; Shwartz-Shea and Yanow 2012, 41). It becomes necessary to make explicit these assumptions because without doing so is to imply that the researcher can act as a 'blank slate' – it assumes the researcher can be a non-biased, neutral interpreter; however, an interpretive-constructionist

methodology, which sees reality as built upon subjective meaning making processes problematizes the notion that such objectivity is possible (Schwartzshea and Yanow 2012, 98). Thus, as researchers are inevitably involved in the co-construction of meanings, reflexivity regarding the researcher's values and axiological commitments and how that can impact analysis becomes a significant and necessary acknowledgement (Lincoln et al. 2011, 115; Peers 2018, 270).

This thesis's commitment comes from a critical perspective based on valuing minority voices and challenging the injustices hegemonic paradigms create and make invisible by naturalizing their exclusions. Specifically, the critique is of the hegemony of liberal democracy and its often-invisible exclusionary tendencies, which reduce democratic quality when it comes to representing minority voices (Peers 2018, 270; Mouffe and Martin 2013, 123-124; Agarin 2020; Tockman 2017). Such a commitment follows quite closely with Peers' (2019, 270) description of poststructuralist research, which aims at explaining "how particular kinds of knowledge, spoken by particular kinds of people, within particular relations of power, come to be regarded as true, often at the expense of different knowledges of different people." In the context of Spain and this research, manifestations of naturalized power exist in how the status quo understanding of political legitimacy is tied explicitly to national identity reproduced and institutionalized in the state (Gagnon 2023, 12-15).

In Spain, the commitment to 'constitutional fundamentalism' within courts and state institutions enables the perpetual marginalization of autonomous communities' calls for self-determination by labelling their nationalist demands as 'disloyal' or 'subversive,' all of which is done while the Spanish state refuses to recognize its exclusionary nationalism, affirmed in its constitution (Gagnon 2023, 12-15; Lecours 2007, 85-86; Zabalo and Iraola 2022). Thus, part of

this research is to expand on previous work that has documented such phenomena and connect it to an intersubjective and constructionist framework that considers what Lincoln and Guba describe as the 'everyday consciousness of reality' from politics to media and literature (Lincoln, Lynham, and Guba 2011, 105; Calhoun 2017). Discourse analysis can thus make apparent how these power relations manifest in everyday discursive structures, in this case, the media, while also recognizing that discourses are organized "principally around practices of exclusion" (Mills 2004, 11). Therefore, the research follows the aim of critical discourse studies to "make power relations explicit that are frequently obfuscated and hidden" (Wodak and Meyer 2015, 19). Overall, these theoretical and axiological commitments follow from Glynos and Howarth's (2007, 155–61) concept of hermeneuticist social science research. The researcher's role is thus to produce 'contextualized self-interpretations' off of the self-interpretations of actors (in this case, print columnists in Spain), which help to render implicit (legitimation) practices explicit by identifying the underlying (discursive) logics that govern them.

Thus, taking from these critical discourse approaches at the beginning of this project, 'interpretations' was presumed to be the word used to label the various views expressed by authors in the media and for which their words and phrases were to be coded. As the data gathering continued, and in moving between theory and the data repeatedly over time, it became more apparent that the word 'interpretations' did not capture a crucial quality of these discourses, especially from constitutionalist media. Since this research is concerned ultimately with legitimation stories and specifically their connection to political struggles over national sovereignty, the views expressed by media are not simply interpretations – they serve a political purpose. Because they have a political *function*, whether that be to legitimize or delegitimize the current order, I have chosen to label the codes in this thesis as *narratives.* In the first place, the

word *narrative* implies a much stronger political dimension than interpretation, which works in the context of both spheres, Basque and Spanish. Secondly, as will be highlighted in the discussion chapter, the legitimation stories told by constitutionalist media hold a striking resemblance to Glynos and Howarth's (2007, 130; 145-148) conceptualization of 'fantasy' and their responses to threats to the status quo resemble the kinds of ontological insecurity when the unity of their national identity appears to be under threat.[12] Thus, narrative is the term that is used nominally throughout this thesis to reference the various stories and perspectives found in codes, which has the aim of legitimizing or delegitimizing democracy and the *demos.*

Methodology

This section is split into three subsections: The first covers the project's overall design concerns in connection to the theoretical framework; this involves questions regarding social context and the time period of analysis. The second section covers the unit of analysis question and determines which 'texts,' or print media outlets, will be analyzed. Finally, the third provides a preliminary look at how these texts will be coded. Before proceeding, while discourse has already been discussed at length in the theory section, it is important to provide a summarized definition so that what is being analyzed is clear: a discourse in the broadest sense may be considered a grouping or categorizing of certain semiotic acts with a common theme. In this case, the acts being considered are limited to linguistic communication, such as speech or writing, or what is broadly labelled as 'text' in discourse studies (Mills 2004, 4). However, discourses are not typically grouped simply for their thematic consistency, as if existing in a vacuum; instead, they develop in relation to a broader social context and specific fields of social action (Wodak and Reisigl 2015, 27). Discourses and the semiotic acts practiced within them

shape and are shaped by the narratives we construct in a fluid process; this process is what makes subjects, objects, and events real and significant – it gives them *meaning* (Mills 2004, 46; see Brubaker, Loveman, and Stamatov 2004 for the cognitive manifestation of this phenomenon). Because they shape our sense of reality, these meanings mediate social forces and produce specific effects within a social context. As discussed, the exclusion of other discourses is one such example and a defining feature of discourse – what words, phrases, and practices are considered acceptable and sanctioned versus those not is the product of hegemonic social structures and power relations which are constituted by and constitutive of a wide array of discourses within a society that reproduces the hegemonic order. Consequently, then, the presence of discourse necessarily implies the presence of power relations – semiotic acts and the discourses surrounding them are the site of social struggle where hegemony is perpetuated or challenged in a dynamic and fluid process (Wodak and Reisigl 2015, 25-26). Discourses have large tangible effects on the world by influencing our perceptions and experiences, making them a worthwhile subject of study for social and political conflicts and events.

Design

How do Basque and Spanish public spheres frame the nature of Spanish democracy? How do they justify and legitimize that perspective? The purpose of asking these questions relates directly to the theoretical framework: discourses constitute our realities and legitimize certain power relations – they are embedded within a social, political, and historical context. Semiotic acts within a discourse can stabilize or change existing social structures (Wodak and Meyer 2015, 7). That is all to say that conducting an analysis of discourse requires understanding the social context in which it is embedded. This emphasis on context is consistent with the

discourse-historical approach, which has a central principle that puts a special focus on historical embedding (Wodak and Reisigl 2015, 31). However, this historical embedding does not imply a consistent, objective History in which these discourses are embedded in. Instead, scholars who champion this approach often discuss how "texts are frequently the sites of social struggle, in that they manifest traces of a range of ideological struggles for dominance and hegemony" (Wodak and Reisigl 2015, 26). Traces in a text are often intertextual – they link to other texts through allusions and metaphors, certain historical events, relations of power, and/or commonplace narratives that frame and reframe their meaning, providing alternative interpretations (Wodak and Reisigl 2015, 28, Mills 2004, 137).

Therefore, it is crucial that before any data gathering, coding, or analysis takes place, an in-depth case study on the sociopolitical history of the Basque-Spanish conflict is conducted, as well as a discussion on the current social context under which the discourse is occurring. Doing so allows for recognizing intertextual nuances that may signal radically different meanings relevant to the historical and social context that could be missed if one is unfamiliar with said context. Additionally, data gathering, coding, and analysis were completed within the original language of the texts (Spanish), as the subtle connotations and meanings of words within one language often do not translate smoothly into others (see Guilherme 2019; Kuokkanen 1998). Importantly, this does not imply I am capable of discerning the totality of meanings and narratives that can be extrapolated from the texts analyzed; as discussed, I, like everyone else, possess a subject position that renders my textual analysis inextricably tied to my own subjective experiences, limiting my ability to grasp the totality of the situation. Nor is this expectation feasible regardless, considering the only data source analyzed within this project is opinion pieces in print media from select organizations, which greatly limits the range of narratives

capturable to those that already have enough support to be sanctioned in public discourse. However, this should not be taken as an empirical failing or something to overcome through more positivist design considerations. Interpretivist-constructivist research designs embrace these subjective limitations because they recognize that no methodology or method is truly neutral in this sense (Shwartz-Shea and Yanow 2012, 5).

Another important consideration for design is the timeframe. Since discourses are situated in social contexts, the time period from which print media articles were analyzed is restricted to a two-year period: 2003 to 2004. Given the degree of violence (11-M Madrid train bombing) and a substantial non-violent movement toward Basque self-determination (Ibarretxe plan), and the very controversial actions of the Spanish state (banning of Egunkaria, Batasuna) at the time, the Basque-Spanish conflict is expected to be highly salient and polarised in discourse, providing ample ground for research into different narrativizations. Additionally, the longer the period analyzed, the more likely the analysis is to be marred by the possibility of signifiers signalling radically different meanings in the context of different social circumstances and events. In other words, while texts and discourses are historically embedded, the meaning of words and their contextual use within them is never fixed (Glynos and Howarth 2007, 221; Mills 2004, 12). Furthermore, intertextuality highlights how these meanings are often transformative – de-contextualized and re-contextualized over time and in different contexts to bring about social change (see Wodak and Reisigl 215, 28; Mills 2004, 137). This process is expected to occur within the two-year period under investigation, primarily in relation to the social circumstances of the time surrounding the 2004 Madrid train bombing and the development and announcement of the Ibarretxe plan for Basque self-determination (Lecours 2021, 106–8). As such, grappling with the social context and the intertextual narratives involved in contextualizing the major

events that occurred from 2003 to 2004 already implies considerable research effort. Thus, in the interest of brevity and keeping a consistent focus, this two-year period provides a plethora of possible data for analysis while, at the same time, keeping relatively consistent the underlying social circumstances. As for what this data looks like, this next section deals with both the unit of analysis question and defines what texts will be coded and analyzed.

Unit of Analysis and Data Selection

Poststructural epistemologies tend to be criticized for their messiness due to the prominence given to subjectivity, but as the theory section discussed, this is because interpretivist epistemology is concerned with the messiness of social practice – of everyday and ordinary meaning-making processes. Therefore, more accurately, what is being described is not only subjectivity but *intersubjectivity* and intertextuality. Thus, while discourse analysis deals with subjectivity when coding and analyzing the meaning of speech acts by individuals, the discourse-historical approach is primarily focused on analyzing these acts in relation to their potential symbolic manifestation at the structural or societal level (Larsson 2015, 180; Wodak and Reisigl 2015, 25). For example, this may manifest in how Spanish nationalists, in speech and action, perpetuate the hegemonic view, idea, or concept that the Spanish constitution is a 'sacred,' all-encompassing document (Gagnon 2023, 12-15). What I am after, then, is an understanding of the multiple and different intersubjective discursive narratives involved in reproducing certain social structures and institutions (Howarth 2013, 9; Shwartz-Shea and Yanow 2012, 41).

Therefore, when deciding which texts to analyze, it is important to focus on linguistic communication mediums that are widely circulated across the social and cultural spheres under investigation. Within this criterion, there are many potential mediums through which semiotic acts can impact and be impacted by social discourses, such as television, news media, movies, literature, political speeches, etc. However, considering this is a master's thesis, focusing on one form of semiotic practice allows for more focused and, therefore, in-depth qualitative inquiry. As such, my project only dives into one potential genre of many – opinion pieces in print media. The specific focus comes from the fact that when the project was at its beginning, the goal was to utilize all forms of articles presented within print media; however, it quickly became apparent that opinion editorials offered the most varied and rich narratives of the conflict. This medium was selected for several reasons: most obviously, the relative ease with which this form of data can be located results in having more space to dedicate to questions of which and how many news outlets and organizations to analyze (Shwartz-Shea and Yanow 2012, 68–69). In a democratic setting, due to their wide circulation and intended readability for large audiences, the frames and narratives found in print media articles can rather unproblematically be presumed to represent which discourses are sanctioned within the population and social context they are intended for. When it comes to analyzing news outlets with different intended audiences from different locations, we can presume they will present a variety of different narratives of the Basque-Spanish conflict. This process in interpretive research design is called 'mapping,' wherein the researcher accesses various data sources to map different intertextual readings and better grasp the variety of differences in interpretations (narratives) (Shwartz-Shea and Yanow 2012, 88–89).

Nevertheless, all these considerations lead to the conclusion that in order to code a wide array of different narratives, the media outlets selected should (1) have wide enough circulation so that their narratives or frames hold weight within the broader social context; (2) provide a comparison of narratives between the two national identities; and (3) capture a reasonably broad representation of different perspectives and narratives from within either national identity sphere, which, in the political context of Spain will largely revolve around centralism versus regionalism (Lecours 2007, 84–86). In accordance with these concerns, the media outlets under investigation include, on the Basque side: Deia, which is labelled as Basque nationalist and centrist; and El Correo, which is Spanish nationalist, conservative, and centralist. On the Spanish side, some of the two most popular newspapers in Madrid are El País, which is center-left and centralist, and El Mundo, which is center-right and centralist.[13] While this selection is far from perfect, it is expected to provide a reasonable degree of diversity of possible narratives as they relate to either national identity.[14]

Coding

Coding is an essential step in this project in organizing and categorizing the different narratives of the Basque-Spanish conflict, which will be uncovered through archival research on print media articles. This process allows for the generation of explanations and inferences. In terms of how codes are selected: however many relevant narratives that can be identified within an article that are reasonably distinct[15] will indicate how many narratives are coded. This is because the research aims to uncover the *variety* and *differences* of narratives and frames – not necessarily to outline the prominence of certain mechanisms within the discourse, since this is an ontological expectation in the context of hegemony. As for selecting which articles and data to code and

analyze, I used my judgment on their relevance to the research question. This was primarily achieved by searching in each organizations' archive for keywords such as *'democracia'* or '*nacionalismo,'* then, articles were coded based on whether or not the discussion was deemed relevant to the national question under study. In practice, it was often the case that during this period, opinion pieces discussing national sovereignty and the Ibarretxe plan were extremely prevalent, even in Spanish media. In order then not to overload the dataset and come out with thousands of codes, opinion articles were limited to three per month for each organization; often the result of this was that the first three articles the search algorithm presented with keywords including '*democracia'* or *'nacionalismo'* were selected.

To justify this coding method, it is important to note that complete random selection of texts and/or sampling is largely inappropriate since the aim of this research is not necessarily generalizability. Instead, this project's principal interest is understanding meaning-making in a particular social site and context. In interpretive research design, "the interpretive documentary wants not just any text but *those that matter (or mattered) to the agents under study*" (Shwartz-Shea and Yanow 2012, 70). Thus, the aim is not to identify a verifiable or objective reality at play but to expose and map the multiple narratives and their relation to how democratic legitimacy is reproduced. How articles were chosen is thus only partially random in the sense that articles were found via keyword searches and selected based on whether or not the discussion within the article is relevant to the topic of Basque and Spanish national conflict. The most relevant topics tend to be direct discussions of the Ibarretxe Plan, of rulings of courts often to do with the 'everything is ETA' policy (see case chapter), or of reform of the constitution or the Gernika Statute in response to the conflict.

As for how narratives are coded from these articles, *versus coding* was used. Versus coding aims to identify the dichotomies and binary oppositions that are constituted through discourse. Versus coding is a particularly effective way to highlight and parse out the divisions that exist in "cross-cultural or intercultural conflict and opposing norms and values" (Saldaña 2016, 137), which is perfectly suited to the conflict over national sovereignty in Spain since centralism vs. regionalism constitutes such a key political divide in discourse. Versus coding takes paragraphs, sentences, or phrases and separates them into binary oppositions of Us vs. Them to highlight most directly the conflicting power issues at play. As discussed, discourses function principally around what they exclude, and this is also the case with nationalism in its construction of identity and the *demos*; Wodak (2017, 404) states: "nationalism always has an inclusionary and exclusionary logic." Versus coding utilizes this ontological phenomenon (form) to succinctly capture the variety of narratives or legitimation stories (content) from which it manifests at the ontic level through semiotic acts and discourse.

Versus codes are created using the *In Vivo* method, which takes verbatim what was said in the text by cutting and pasting words, phrases, and/or sentences directly from the texts. These In Vivo codes were sorted in the first order according to which organization it came from. Within reason, there is no strict limit to the length of an In Vivo code – some narratives may be straightforward and require little context outside of a few keywords, while others may need close to a whole paragraph to outline the sentiment expressed. Additionally, while claims are coded in this method as phrases when it comes to outlining in a versus code the Us and the Them, it will not be limited to whether they appear together within one sentence or one paragraph but rather on the basis of the idea and argument being framed or conveyed in the article as a whole. For

instance, if an opinion piece spends the first three-quarters of the article describing the characteristics of Spanish democracy positively and, towards the end, places in opposition to that the Ibarretxe Plan, this would be coded as one claim.

Once all coding is completed, the second coding stage begins by taking the versus codes and categorizing them into structural codes (Saldaña 2016, 98–99) at a higher level based on the characteristics they emphasize in their narrative when they legitimate their view of democracy. These structural codes are informed by previous research on political legitimacy, as mentioned in the literature review, such as affective, liberal, and functional, as outlined in the literature review. As the data-gathering process proceeded and patterns and themes started to appear in the codes, structural codes were further broken down into subcategories based on the findings, which were also informed from the literature.[16] Lastly, subcategories are broken into common themes in the results section, and the way those themes are utilized is outlined separately for each news organization to highlight differences. This second-order coding method takes from both focused and pattern coding methods, (Saldaña 2016, 239–43) intending to help connect repeating and common frames within the data and weave together a coherent narrative as part of the theory-building process.

In precise terms as to how, during the categorizing process, these structural codes were made to be as distinct and consistent as possible, particularly concerning affective structural codes vs liberal or functional ones, a general rule of thumb was followed: the question to ask about whether a code is affective or not is where the locus of legitimacy is placed. For instance, imagine that in an opinion editorial, a writer places in the ‘Us’ democratic values of openness, inclusion, and respect for pluralism, while the ‘Them’ paints the picture of outside nationalists as

an exclusionary ethnic nationalist movement, using words and phrases that carry heavy emotional baggage. Such a code would likely still be placed in the *liberal* category because the locus of democratic legitimacy comes from the normative liberal values placed in the 'Us,' while the Other is painted as illegitimate for not upholding – or directly threatening – those values. This presentation is not so uncommon considering the source material we are dealing with – opinion pieces in media often rely on such charged rhetoric, which plays to the affective predispositions of the audience to make their point. Ultimately, what these structural codes aim to accomplish is to parse the underlying values and mechanisms that they fundamentally attribute to the *demos*. That being said, this requirement is not rigidly set in stone. There are circumstances where codes which are very liberal in their 'Us' attributions may utilize such heavily affective language placed in contrast that it is hard to justify counting the legitimation mechanism as liberal. In those cases, they are typically placed in the affective-general subcategory.

For a short example of how codes were categorized, we can look at a 2004 article in El Mundo reported on a PNV (Basque Nationalist Party) representative, Josu Erkoreka's, statement on the King's Christmas speech, which called for preserving the "unity" of the Spanish lands (*El País* 2004). Erkoreka responded by stating that the speech was framed:

> in the patriotic-constitutional orthodoxy that, among us Basque nationalists, provokes a certain skepticism… that unity is not given in itself… but can only be achieved through convincing, and, therefore, requires the willingness of those lands which is democratically expressed and passes through the representatives of those lands [my translation][17] (*El País* 2004).

In this instance, the passage may be versus coded as "the willingness of those lands which is democratically expressed and passes through the representatives of those lands" Vs. "the patriotic-constitutional orthodoxy that, among us Basque nationalists, provokes a certain

skepticism" and placed in the liberal structural code since it frames the conflict concerning common tropes of liberal democracy surrounding electoral representation as the legitimating feature.

This chapter covered the central research problem for this thesis – the potential inability of liberal democracies to address concerns of multinationalism and of dealing with a plurality of national identities in the state due to its preference towards a mono-national identity that attempts to unify the *demos* into a homogenous whole. The literature review put these concerns in conversation with previous literature on multiculturalism and on theories of democratic legitimacy, specifically focusing on the role of the symbolic dimension. The theoretical framework took these issues and put them into the context of a post-structuralist epistemology concerned with how discourse is structured and its impact on reproducing certain hegemonic social and power relations. Lastly, the methods section brings that theoretical framework into action with a research design that aims to uncover the exclusions created through discourse in the Basque case by analyzing print media archives and using versus coding to emphasize where each political community attributes value to the *demos.* The next chapter now covers the crucial context and history of the case.

Chapter Two: The Basque Case

As aforementioned, discourses are embedded within a historical and political context. This section thus serves to provide the social, political, and historical background context necessary to more fully grasp the potential case-specific narratives, metaphors, and intertextual nuances that may appear within the texts analyzed. This chapter is organized as follows: it begins with a discussion and background on Spanish and Basque nationalism. The second section covers the most important political documents of the democratic transition relevant to the Basque Country – the 1978 Spanish Constitution and the 1979 Basque Statute of Autonomy. The third section then specifically focuses on the political situation leading up to and during the early 2000s period of Basque politics under study (2003-2005), which represents a radical turn of the traditionally moderate Basque Nationalist Party (PNV) presenting of the Ibarretxe plan and increasing antagonisms between sovereigntists (Basques) and constitutionalists (Spanish) (Martínez, Uria, and Arrospide 2016, 1019). Lastly, since this is a discourse analysis of news media, the final section dedicates space to considering the media environment at the time, including news organizations' perspectives and possible agendas. Furthermore, it provides context to the impacts of political violence on this environment prior to and during the analysis period.

Spanish and Basque Nationalism

Most of this section will be focused on the legacy of Franco's dictatorship on both nationalist communities and their characteristics throughout the democratic period and the late 20th century entering into the 21st. In the interest of brevity and following the theoretical framework, little

time will be given to discussing the potential origins of either Basque or Spanish nationalism outside of highlighting relevant discursive narratives and characteristics which have sustained themselves over long periods. Nationalism is understood here as a discursive construction of a political community, and discourses are fluid and dynamic – they are constantly changing, being defined and redefined (Kelsey 2017). Thus, what constitutes a discourse analysis of this sort is not an attempt to outline some form of historical continuity within a nationalist movement but how that movement or community and its frontiers are constructed and change over time – how they present themselves amid certain historical and political circumstances. That is not to say that Basque nationalism or Spanish nationalism does not have significant historical roots[18] that can be traced, but rather that how that history is understood, framed, and utilized in discourse to legitimize specific perspectives and narratives of nationalist and democratic politics is more pertinent to the research question.

Regardless, it is worth spending some time outlining the long history of Basque society to the Spanish state in brief to help grasp why Basque identity remains salient and distinct. A common discursive trope utilized by the nationalistically oriented members of Basque society often points to the existence of historical *fueros* (foral rights) as representing a degree of regional authority recognized by the monarchy in the 17th century that was later stripped away by Spain's regressive centralism (Mansvelt Beck 2005, 46). A lesser form of a constitution between the Crown and the local body was common in Europe at the time, with the main difference being the scale at which these foral rights were conferred in the Basque regions, providing significant fiscal autonomy and affecting an area more akin to a province than a local township. The effect of provincially based forals was such that local divisions were obfuscated by the degree to which the administration was uniform throughout the province. Thus, with the modernizing turn of the

19th century, Jacobin style centralization and liberalization came a heavily contested process in Spain, as the Basque provinces already possessing a larger degree of centralization compared to local regions. This lead to the provinces taking the side of the traditional monarchical vision of the Country, which would supposedly include maintaining the foral rights the Crown had originally conferred to the region (Lecours 2007, 48-50). the Carlist wars caused by this split within Spain meant that the development of the centralizing state never manifested fully and was incomplete compared to other European states.

It was not until the end of the 19th century, however, where the emergence of a political movement based around national/ethnic identity, distinct from the rest of Spain, really develops. A lot of the movement toward nationalism began with the political publications and appearances of Sabino Arana, who dedicated much of his life to defining a new nationalist ideology within Basque society that was separate and distinct from the traditional Carlist vision (Conversi, 1997, 55-60). It is in this sense that Basque nationalism is quite unique in that it was in fact heavily influenced by the contributions of a single individual in Sabino Arana, who would go on to found the PNV, giving the organization lasting legitimacy in the eyes of Basque nationalists (Lecours 2007, 88). It is also not a coincidence that this nationalism develops in the background of industrialization, which saw wealth and economic growth – along with it, economic immigration and wager labourers – especially pool into the Basque provinces. It is in the context of this rapid industrialization the socialist fervent in factory work became increasingly pronounced, and the upper and middle classes saw increased demand in the desire for the historical foral rights as a means to manage the expansion (Conversi 1997, 50-51). It was in the failures of these political movements surrounding access to foral rights for economic reasons and

traditionalist Catholic and anti-liberal factions that increasingly saw the upper echelons drawn to into the nationalist side as a means to consolidate political power.

Over the course of the 20th century, the PNV increasingly gained in popularity, and was forced into exile or clandestine operations alongside various nationalist organizations, such as journals, in response to the centralizing dictatorships of Primo de Rivera and Franco. As repression mounted from these regimes, nationalist sentiment tended to follow in resistance, especially in Catalonia and the Basque Country. Scholars have thus noted that a significant factor for the emergence of minority regional nationalism within Spain is due to the cultural displacement and attempted assimilationism of these dictatorial regimes (Conversi 1997, 73-78). The history of the 20th century for Basque nationalists is thus heavily influential in their opposition to the state, in which they view its extreme nationalist and centralizing character as not having been foregone, and instead continuing to manifest in various ways in the actions of the state and politicians post-Franco.

During the Franco dictatorship specifically, the Basque language, *Euskara,* was banned alongside various forms of Basque cultural expression including the use of Basque names, theatre, literature, and folklore (Muro 2008, 158–60). The most radical stream of Basque nationalism involving political violence, whose leading organization was ETA (Euskadi ta Askatasuna, or Basque Homeland and Freedom), originally came into formation out of this extreme cultural repression and was consistent in its goal toward obtaining independence from Spain (Whitfield 2014). The violence of this organization prior to democratization was presumed to end with the death of Franco and his dictatorship, yet ETA's killings increased dramatically during the transition and were still significantly higher a decade into democracy than before (Muro 2008, 241). In contrast to the more center-right perspective of the PNV, ETA and those

who orbit it tend to hold left to far-left political views, and its ideology can be understood as a mix of Basque nationalism, Marxism, and Third Worldist struggle (Muro 2008, 158). Since 1960, ETA's death toll sits slightly above 800, peaking in the beginning of the democratic period with 100 killed in just 1980 and the overwhelming amount of killings occurring during the democratic period overall (Mansvelt Beck 2005, 177–78). Over time within the democratic period, support for ETA has significantly declined. While in 1981 a "total rejection" of ETA was endorsed by only 23% of the Basque population, by 2006 this was 61% (Muro 2008, 210). Declining support for ETA's violence within the Basque nationalist movement has been argued as the primary cause leading to an indefinite ceasefire in 2011, and its complete dissolvement in 2018 (Zulaika and Murua 2020). However, though there was a decline in support for direct political violence, the political arm of ETA, which has presented itself through various political parties over time (Herri Batasuna, Euskal Herritarrok, Batasuna), has maintained a consistent presence within Basque autonomous elections hovering around 10-20% in popular vote from 1980-2005 (Lecours 2007, 96). Additionally, support for independence from Spain remained relatively high and consistent from 1979 to 2006; only once did 'strong' support for independence dip under 30% in 2001, being otherwise stable at around 35-40% for nearly three decades (Muro 2008, 213).

Radical Basque nationalism, due to its connection to left-wing ideologies, has become more colloquially known as the *izquirda abertzale* (patriotic left, abbreviated to IA). The term IA (referred to as radical Basque nationalism throughout this thesis) consists of more than a strict reference to ETA. While ETA was considered the leader of the movement, there are several political organizations and social groups which surround the IA that either support ETA directly or provide tacit support while distancing themselves from violence (Muro 2008, 36–37). One

particularly significant organization is the trade union LAB, which has ties to the IA and the more radical side of Basque nationalism (Muro 2008, 167).

On the other hand, the more moderate side of Basque nationalism presented by the PNV defends the right to self-determination and the 'right to decide' its position within the Spanish state, though more often than not, due to electoral strategy, these demands have been quite vague in nature (Lecours 2007, 1–4). Scholars who have studied the Basque nationalist movement have highlighted the "two souls" of the PNV; since democratization, the PNV has been committed to working within the institutional framework of the Basque Statute of Autonomy but also unwilling to ever forego outright the idea of further self-determination leading to independence (Whitfield 2014, 67). This ambiguity on the party's future goals and possible connection to ETA has consistently troubled its relationship with more mainstream parties within the Spanish political system (Mees 2015, 52; Whitfield 2014, 67–68). Overall, the more moderate platform and "yes but no" balancing act has been extremely electorally successful since democratization; between 1979 and 2005, the PNV never failed to obtain a plurality of votes in parliament and form government (Lecours 2007, 95–96). Within the specific context under study, however, moderate Basque nationalism represented by the PNV went through a particular phase of radicalization, which made its future goal of independence more explicit, aligning them closer to radical nationalism and ETA, though this was partly done in an attempt to reign in the violent aspects of the movement (Mees 2015, 42–51). This controversial move by the PNV culminated in the development of the Ibarretxe plan, which will be covered in this chapter's third section.

Today, the traditional territories of the fueros manifest as the three modern Basque provinces: Álava, Guipúzcoa, and Vizcaya (Mansvelt Beck 2005, 46-47). Navarra is another territory which was its own foral province, and despite Basque nationalists, especially radical

nationalists, insistence that Navarra is part of their country, the public of Navarra decided on their own statute separate from the three Southern Basque regions (Moreno 2001, 88). Basque nationalists call these three territories plus Navarra Hegoalde or the southern Basque provinces representing the Spanish provinces, while Ipparalde represents the northern provinces in France, which are tied to Euskal Herria due to the presence of Basque language. Altogether, the northern and southern Basque provinces plus Navarre represent the Greater Basque Country, *Euskal Herria, or Euskadi* which has been a discursive reference for future unification mainly for radical nationalist. During the period of study however (2003-2004), both radical and more moderate Basque nationalists aligned on a future unified Basque state (Lecours 2007, 103–5). In the late 1990s, the PNV and *Eusko Alkartasuna* (EA or Basque Solidarity, originally an offshoot of the PNV in the 1980s) met with ETA and agreed to cooperate on the construction of Euskal Herria and the unification of the seven Basque provinces (Lecours 2007, 104).

Another common discursive referent is the Basque language, which has often been central to constructing Basque difference and nationality (Lecours 2007, 28). The existence of a distinct language has informed a variety of nationalist claims, viewing the Basques as "original people," "the first Europeans," and as a homogenous entity. Language is far from the be-all-end-all for nationalist sentiment. Basque nationality can manifest a strong symbolic identity rather than a linguistic or clearly cultural one. Some areas within the Basque territories overwhelmingly speak Spanish and yet vote for the PNV, identifying with moderate Basque nationalism; language thus appears more explicitly important to radical Basque nationalism and ETA than its moderate counterpart (Mansvelt Beck 2005, 157; Muro 2008, 35, 143).

Lastly, we may note a disconnect in Basque nationalism regarding its inclusionary/exclusionary nature. For instance, one national symbol less clearly exclusionary is

the oak tree. Guernica, a town in Vizcaya, has become a symbolic place for Basque nationalism. The big oak surrounded by a complex of buildings with nationalist designs, including a museum and congress hall, represents the tree under which the king of Spain swore an oath to the fueros (Mansvelt Beck 2005, 158). The oak leaf has thus been used by nationalist parties and is also found on the uniforms of Basque police. In contrast, other symbolic acts relate more clearly to the exclusionary nature of nationalist constructions: the official anthem of the Basque Country, composed by Arana, who were much more explicit with exclusive rhetoric, is titled initially "Hymn to the Basque Race" (Mansvelt Beck 2005, 158–59). On the more radical side, democratic politics have been continuously disrupted throughout the 90s and 00s by the continued presence of ETA, which has targeted Spanish party offices and intimidated their politicians; this expanded to include civil servants, prosecutors, and academics (Muro 2008, 204); additionally, journalists for Spanish media organizations have also been targeted, three people directly related to the media were assassinated and between 1992 to 2002 and 140 journalists were persecuted (Martínez, Uria, and Arrospide 2016, 1008). This reality of violence made the Basque Country quite unsafe, especially for politicians associated with the PP. Yet the official rhetoric of Basque nationalist parties, whether radical or moderate, often paints Basque society as inherently pluralistic and accommodative towards difference (Mansvelt Beck 2005, 160–61). Though the violent actions of ETA by the 90s onward became increasingly unpopular and caused public outrage among the Basque population itself, there was still significant indifference or defense for some of their actions. When a young PP councillor, Miguel Blanco, was assassinated by ETA in 1997 some Basque nationalists were quick to dismiss the problem with the phrase '*algo habrá hecho'* (he must have done something) (Whitfield 2014, 84).

There is thus a disconnect between the often-inclusionary rhetoric of nationalist parties and the on-the-ground exclusionary practices of nation-building – the internal 'unity' of the Basques is more a discursive myth than a reality, and those who do not identify with Basque nationalism or see themselves as Spanish are quite likely to feel excluded or fearful in such an environment. Importantly, this paradox or Janus-face of nationalism between its ability to create group coherence and unity in a supposed universality and its inevitable exclusionary practices is far from a unique characteristic of Basque nationalism. As mentioned in the theoretical framework, such practices are typical of political community-building – a political frontier, or 'Us' and 'Other,' must be established (Vulović and Palonen 2023). Whether Spanish or Basque, 'civic' or 'ethnic,' nationalism, like all political boundaries and identities, requires a constitutive outside (Mouffe and Martin 2013, 184). Thus, the paradox of exclusionary practices yet universalizing rhetoric can be mirrored in that of Spanish nationalism, with the primary difference being that it is hegemonic and naturalized within Spanish institutions where its exclusionary nature tends to be eluded. Not only does its exclusions become naturalized, but the very idea of a majority nationalism tends to become more banal and implicit – those who identify with being Spanish no longer need to support or espouse it is so openly, its practice has become default, everyday (Calhoun 2017; Billig 1995).

Spanish nationalism holds another similarity to Basque nationalism in that both have two separate mainline visions of nationalism. While the Basques have the distinction between moderate and radical/violent, Spanish nationalism has the distinction between a conservative/Francoist definition and a more democratic/progressive understanding of the Spanish nation.[19] This distinction can be highlighted especially in the rhetoric of the two largest parties in the Spanish parliament: respectively, the Popular Party (PP), and the Spanish Socialist

Workers' Party (PSOE). The overall sense here is that the conservative perspective tends to utilize a similar discourse to the Francoist dictatorship, which was obsessed with the integrity and dominance of the Spanish nation and centralization. In contrast, the more progressive version of Spanish nationalism is associated with the democratic turn and is more favourable toward decentralization (Muro and Quiroga 2005).

Popular history in Spain would suggest that Spanish nationalism has, for the most part, disappeared; however, upon closer inspection and as the theoretical framework highlights, Spanish nationalism and its exclusions are ubiquitous – both its conservative and progressive streams exhibit practices of us-building and othering (Muro and Quiroga 2005). It is more so the case that Spanish nationalism, whether conservative or progressive, has had to adapt to the new circumstances of the democratic period. Although its defenders argue that Spanish nationalism does not exist in this democratic landscape, its presence is most obviously felt by its dissenters in Catalonia, Galicia, and the Basque Country as permeating Spanish institutions and ingrained into its constitution and laws (Núñez 2017). The remaining part of this section will discuss the appearance of banal Spanish nationalism and its discursive repertoire.

As Nuñez (2017, 482) puts it, whether conservative or progressive, Spanish nationalism exhibits a shared 'internal other,' sub-state nationalism within Spain's borders is a routine critique from politicians, academics, and journalists. The extremely visible form of exclusion and othering present in the fascism of the Franco dictatorship, which labelled sub-state nationalists as 'unnatural,' has passed more into critiques of the supposed 'ethnocentric' nature of these movements (Núñez 2017, 482). Spanish nationalists often paint sub-state nationalists as opposed to the constitution and its established rule of law, which is seen as sacred and often completely unchangeable due to its all-encompassing legitimacy (A. G. Gagnon 2023, 12–15). This

idealizing comes even though the forming and enacting of the democratic constitution was far from a neutral process and appears quite illegitimate to Basque nationalists, as will be highlighted in the next section.

Regardless, Spanish nationalists often cite the supposed objectivity and impartiality of the constitutional consensus and the sub-state nationalists' lack of commitment to it as exhibiting an irrational, essentialist and ethnocentric worldview which is regressive and retrograde in a modern, globalized world (Núñez 2017, 482). Discourses which paint Spain as civic, plural, and democratic in comparison to peripheral nationalisms seem to have been particularly effective as a discursive counterpoint to the violent actions of ETA (Muro and Quiroga 2005, 23). While the statement that violence is inherently undemocratic is a wholly legitimate and reasonable message, a problem arises in that this discourse has been used to mask the political dimension of the conflict: ETA's violence is framed as strictly irrational – it has no context – political or otherwise. ETA and radical nationalism thus become something only to fight and eradicate. Questions as to the potential illegitimacy of the state and context of the political aspects of the conflict, which has and may continue to breed further conflict, are denied space in Madrid's newspapers (El País and El Mundo); in contrast, such context is consistently mentioned and emphasized in the Basque press (excluding El Correo) (Martínez, Uria, and Arrospide 2016, 1020).

Whether in the Basque Country in the 2000s or, more recently, Catalonia in the 2010s, attempts by sub-state nationalist movements to amend the constitution or to obtain greater autonomy through statute or constitutional reform have been met with fierce resistance by constitutionalists in Madrid (Gillespie 2015, 7). However, criticism of these movements often does not stop at constitutional and statute questions. Resistance by the Spanish right-wing often

goes as far as to criticize and attack linguistic policies in the Basque Country and Catalonia aimed at protecting their distinct language as the "persecution of Castilian," "a first step in the Balkanization of the Spanish nation," and labelling these nationalists as "totalitarians… seeking to impose a monolithic culture on citizens" (Núñez 2017, 154). At the same time, Spain's management of the Basque Country throughout the democratic period can be characterized as an attempt to promote the Spanish nation and identity; all the while, politicians refuse to view these actions as nationalist (Lecours 2007, 158–59). Thus, in much the same way as Basque politicians use rhetoric, Spanish politicians often speak to Spain's plural and integrative character, proud of its diversity and cultural roots, when on the ground experience presents an alternative reality.

This rhetoric is especially notable from the center-left Spanish Socialist Workers' Party during the Zapatero administration from 2004-2010 (Núñez 2017, 157). In their manifestos and speeches, Spain's deep plurality of diverse cultures, languages, and identities is painted as its primary strength. At the same time, any discussion on the constitutional status of these languages is absent, as Seixas (2017, 158) states, "though this discourse appeared to integrate vernacular languages symmetrically and without hierarchy only one language was supposed to have universal projection… in fact, some socialist intellectuals and leaders openly rejected the plural Spain formula for lacking a precise statement of elements common to all Spaniards." Additionally, left-wing leaders often defend the territorial integrity of Spain. While this desire to maintain territorial integrity has a certain nationalistic sentiment inherent, it has often instead been framed as 'patriotism' or 'loyalty to the constitution' (Núñez 2001, 152). Thus, in the same way, as Basque nationalism attempts to identify and create a false unity of Basque nationalism in the Basque Country, Spanish nationalists often paint a picture of a false unity within Spain toward the Castilian language and identity. The discursive trick of taking nationalist sentiments

and ideals and turning them into ‘patriotic’ civic discourses is common across both the left and right of Spain and also consistent across liberal democratic regimes with multinational dimensions that seem incapable of recognizing majority nationalism as anything but universally legitimate due to its civic nature, often compared to a sub-state ethnic and regressive nationalism[20] (A. G. Gagnon 2023; 2021; Nootens 2018).

Nuñez (2001, 726–27) in his extensive work on studying Spanish nationalism has noted how this liberal civil discourse focused on universals such as individual rights appears during a particular period of Spanish democratization: when the old Francoism fell there was a need for a new political legitimacy that sidesteps the traumatic memory of the civil war and Franco. The 20th century Spanish philosopher Ortega y Gasset has been particularly useful in establishing this new discourse post-Franco, which in his book *Espana Invertebrada* (1921) presents in an historically deterministic manner a “common project for all Spanish peoples… which enabled them to coalesce into a superior unity” (Núñez 2020, 727).[21] These sentiments have continued well into current day discourses with popular intellectuals such as Juan-José Solozáble, who states that the constitution had taken in its account the reality that Spain is a ‘true nation’ created by a ‘structure of coexistence’ coming from shared historical experiences and cultural practices (Núñez 2001, 727). These discourses have become quite hegemonic in the Spanish political sphere since the end of Francosim, even being consistently repeated since 1979 in annual Christmas Eve broadcasts on television by the king of Spain, Juan Carlos, who spoke of the ‘unity of all Spaniards,’ and of a ‘common project for life together.’ *Convivencia* can be found plastered all over these post-Franco discussions – it is used by the king in his speeches, by Spanish intellectuals promoting a deterministic and shared Spanish cultural history, and even in the preamble to the Spanish constitution itself; that is all to say, the word holds much baggage

when it is used in discussions around national identity, which will be discussed in the results and discussion chapters.

Ultimately, the sustained violence and support for a more radical Basque nationalism in ETA's political arm (though during the period in question, it is attempting to asset more independence, the radicalization of the PNV in the 2000s, and the inability of Spanish institutions to even consider constitutional amendment despite the presence of internationally legitimated liberal democratic institutions are some of the main reasons for the selection of this case. Previous research and still more recent research on multinational democracies has stressed the importance of depoliticizing ethnic and cultural identities (see A. G. Gagnon 2021, 106 for critiques of this argument; see Agarin 2020b; Wolff 2002; Harder 2020 for those who argue for this solution), yet as this section has hopefully shown, attempts to depoliticize identity differences by Basque or Spanish parties often serve only to make invisible its exclusions while putting forward a false universality. The attempt to move to interest-based politics and leave aside identity differences, according to Mouffe (2013, 124), is the typical move of liberal rationalism, which "is to erase its very conditions of enunciation and deny its historical inscription." In other words, foregoing ethnic and identity differences in favour of supposedly 'impartial' interest politics ignores the historical inscription of the majority nationalism's 'symbolic order'[22] in state institutions. Thus, a discourse analysis of Spanish and Basque news media can potentially help illuminate how national identity can influence everyday perceptions and biases as to what constitutes democratic legitimacy – what is the significance of the constitution, what does it symbolize, and for whom?

The 1978 Spanish Constitution and the Basque Statute of Autonomy

As mentioned, the democratic constitution in Spain is often the discursive referent that Spanish nationalists use to legitimize the current status quo while delegitimizing sub-state nationalist perspectives. It is thus essential to provide context to the circumstances and outcomes involved in creating and establishing the constitutional order within Spain. This process can highlight how majority nationalist perspectives become institutionalized and naturalized within the state. This section also briefly discusses the creation and characteristics of the Basque Statute of Autonomy, which is made possible through the *Estado de las Autonomías* outlined in the Spanish constitution.

In many ways, the transition to democracy accomplished by Spain is quite remarkable. With a long history of political instability and with Franco's dictatorship being one of the most prolonged and repressive regimes in Europe's history, it took only three years after Franco's death in 1975 for Spanish political elites to negotiate the replacement of a fascist dictatorship with a constitution setting the foundations for a parliamentary democracy (Sánchez-Cuenca 2020, 32). As such, the transition has often been idealized and used as an example for conducting successful democratic transitions in Latin America and Eastern Europe (Muro 2008, 190). Of particular difficulty was the large presence of Francoist forces in leading positions from the bureaucracy to the judiciary – if the democratic opposition were to succeed, it would require a delicate balance of appeasement for hardliners and the careful enactment of popular demands for democracy (Vallés 2020, 172–73). Yet there was a constant risk of the anti-democratic, Francoist military taking full control of governance via a coup. Additionally linked to those concerns is a general risk of violence, which made the public cautious to fully and openly support sweeping changes, was the still lingering memory of the 1936-1939 Spanish Civil War (Vallés 2020, 173).

Despite all this, large-scale protests did occur and created much pressure towards democratization. It is perhaps no surprise then that most Spaniards feel proud of the transition for its successes, with over 75% saying so even amid the economic crisis in 2012 (Sánchez-Cuenca 2020, 33). Scholars have often termed this transition a "politics of consensus" that had garnered support from virtually every party involved in the process (Muro 2008, 159). More recent scholarship, however, has highlighted that the 'consensual politics' that have described the transition are somewhat mischaracterizing what occurred: Sánchez-Cuenca (2020, 33–34) notes that the consensual period really only lasted from 1977-78 during and immediately following the first democratic elections and that actual negotiations were largely absent, with most of the political reforms being carefully controlled by Francoist elites who were primarily responding to growing pressure from civil society; at the same time, there was still a significant degree of political violence and state repression occurring under the transition, from strikes to demonstrations.

Most of the democratic transition before this period followed Franco's death from 1975-77. Thus, the transition was heavily influenced and managed by Francoist elites in power, who were primarily responding to pressures from civil society and who were unwilling to 'rupture' with Francoism (Sánchez-Cuenca 2020, 37–39). The constitution was signed and established then only within what is considered a 'short-lived consensus period' within the first six months of the first democratic elections held in 1977. Its creation was heavily influenced by Francoist elites who now held leading positions of power in these new democratic institutions within the winning right-wing *Unión de Centro Democrático* party and the more marginal hardline Francoist *Alianza Popular* party (Núñez 2001, 722–23).[23] The result is that the constitution reflects many of those preexisting tensions within the Spanish political system between the

center and the periphery (Moreno 2001, 17). In essence, two different ideas of Spain are captured within the document: one version – what is understood as the republican position – views Spain as a plural nation with diverse peoples who hold multiple nationalities; on the other hand, another views the whole of Spain as a monolithic and indivisible national body (Moreno 2001, 81). The result was the creation of Article VIII of the constitution titled *Estado de las Autonomías* (State of the Autonomous Communities).

The article gives Spain a clear federal texture but does not go as far as to establish itself as one. Instead, the *Estado de las autonomías* never outlined a clear division of power between regions and the central state, and the result is a very asymmetrical form of federalism. Article VIII created a mechanism through which any region[24] could engage in dialogue to create a Statute of Autonomy, which would need to pass within the territory through popular referendum and be arbitrated by the *Tribunal Constitucional* (Constitutional Court), and then approved by the *Cortes* (Spanish parliament) (Moreno 2001, 81–83). Article VIII thus represents the need to address and accommodate the plural nature of Spain, while most other parts of the document, especially Article II, constantly reference Spain as the sole nation.

Article II states specifically that the constitution is "based on the indivisible unity of the Spanish Nation, the common and indivisible fatherland of all Spaniards. The right to autonomy for all nationalities and regions which form it and of solidarity among them is acknowledged and guaranteed." The precise difference between 'nation' and 'nationality' is unclear in the document itself. However, parliamentary discussion around its meaning at the time suggests nationality only refers to 'cultural and linguistic community.' Regardless, there are no other mentions of 'nationalities' within the document; instead, much space is given to reinforcing the supposed 'integrity' of the nation (Núñez 2001, 723). The constitution also outlines that Castilian has

official status within Spain while recognizing the co-official status of regional languages within their territory. The power imbalance is clearly present here; how this plays out in Spanish civil society is typically that "Spanish citizens have a duty to know Castilian, but only the right to use and know the sub-state languages." Although the need to maintain territorial integrity and distinct preference over a specific language holds underlying nationalist sentiment concerning the deterministic and homogenous understanding of the *demos* and its territorial connection,[25] this sentiment has instead often been framed by liberals and left-leaning Spanish politicians as 'patriotism' or 'loyalty to the constitution' (Núñez 2017, 152). Why and how these nationalistic ideas have been rationalized, and their sentiments naturalized has already been highlighted in the previous section regarding the false universalism attributed to the Castilian language and national identity in the post-Franco era.

Thus, despite the constitution being a significant shift toward decentralization within Spain, the document still holds considerable fault lines conducive to future conflict between the central and peripheral nationalisms. Such conflict was immediately apparent in moderate and radical Basque nationalist reactions to the constitution. For the PNV, the constitution was immediately unsatisfactory because of its ambiguities toward self-determination, which was the PNV's key goal. This ambiguity resulted in the PNV calling for its supporters to abstain from the constitution's referendum vote. The more radical side of Basque nationalism in ETA saw the democratic state as wholly illegitimate in its foundation, as little more than an illusion for the Francoists behind the regime (Whitfield 2014, 24–25). To them, the new democratic regime simply put a new face to an old tendency within Spanish nationalism – that of its obsession with centralization and the homogenizing of its identity. ETA's political arm, Herri Batasuna, thus urged its supporters to vote "no" to the referendum. The result is a combined disproportionately

high abstention rate (roughly 45% turnout, compared to most other regions between 60-70%) and lower support from those who did vote, ranging from 63-71% in the Basque provinces compared to the 88 percent average in the rest of Spain (Lecours 2007, 88–89). This disproportionate lack of support for the constitution in the Basque Country most clearly represents the legitimacy gap continuously mentioned throughout this section regarding the Spanish constitution and how it is viewed across both national identities. It also represents a key divide in Basque politics between moderate and radical nationalism that eventually culminated in the confrontational and radical approach by the PNV in the early 2000s. Regardless of this specific divide, however, it was the PNV that showed itself to be the premier political force within the region, given its organizational history and connection to Sabino Arana (Lecours 2007, 88).

The passing of the constitution quickly led just one year later to the creation of the Basque statute of autonomy, also known as the Gernika statute, which included many of the previous privileges of the *fueros*. The unique development of the *conciertos económicos* is of specific interest, as it provides the three Basque provinces and Navarra with a uniquely high degree of fiscal autonomy, which is not provided to any other autonomous community (Gray 2015). The passing of the statute was considerably less controversial and is seen as a much more legitimate document. However, to many radical nationalists and even many in the PNV and leading labour unions (especially during the period under study), much is still missing, most obviously regarding the right to self-determination and language (Lecours 2007, 90–91). While the PNV saw the statute as a much more legitimate basis for the Basque Country's political future with Spain, the radical nationalists made political moves in an attempt to express their demands to the Spanish state in return for disarmament. In early 1978, radical nationalists introduced the KAS alternative, which explicitly included self-determination/national

sovereignty for the Basque Country, reunification of its territories, and the legalization of pro-independence political parties (Whitfield 2014, 54–55). Spain rejected the alternative without much consideration, citing that the KAS alternative being a pre-condition to ending violence was unacceptable. Nevertheless, the proposal and quick rejection of the KAS highlight a tendency in Spain's interactions with ETA.

While ETA was willing to negotiate, attempts at negotiations were almost always characterized by an unflinching resolve by the Spanish state to never address the grievances of radical nationalists and instead to view and label ETA solely as irrational actors without any political concerns or context underlying their actions. This reaction was especially notable when the PP held government from 1996 to 2004. A statement by two PP members, Ignacio Cosidó and Oscar Elía, captures their attitude most plainly: "democratic resolve, an absolute refusal to pay any political price to ETA or cede a millimetre to blackmail by terror, and the firm conviction that there could be neither dialogue nor negotiation with terrorists" (Whitfield 2014, 82). The Spanish government in the democratic period often utilized counter-productive strategies involving practices reminiscent of the Franco regime, including the direct involvement of individuals who were a part of that same regime; as a result, while the Gernika statute was approved by 95 percent of those who did vote in the referendum, the abstention rate remained very high at 41 percent. The central division within Basque society was thus left unaddressed and would continue to remain an ever-present issue ripe for confrontation for decades to come (Whitfield 2014, 51–52).[26]

Although this section aims to highlight many of the issues surrounding the transition and constitution that have continued to negatively impact the relationship between the Basque Country (and more broadly, peripheral nationalism in Spain) and the Spanish state, it is

important to recognize that the 1978 constitution is far from a failure. In many ways, the document is quite remarkable in what it manages to accomplish under the circumstances and constraints at the time of its writing. Republican reformers were essentially playing with fire, under constant worry of the potential for Francoist hardliners to reinstate the national Catholicism of Franco, which was precisely what the military attempted in 1981[27] (Muro and Quiroga 2005, 21–22). There is also the ever-present traumatic memory of the civil war underlying these discussions, which makes confrontation with these long-lasting issues unnerving to many. The document also forced a reorganization of discourse around plurality within the state – Francoists could no longer hold publicly the national Catholicist views of the centralizing Franco regime, which meant a significant decline of its presence in political discourse.

In that same sense, however, one should be incredibly cautious as to attribute to these documents a degree of legitimacy they did not and do not have – both the 1978 constitution and the Gernika statute were passed under conditions in which significant portions of the political community did not have a proper say in its establishment, and were instead quite purposefully left out of the discussion due to concerns of potentially irreconcilable demands. Indeed, contextual circumstances made their inclusion extremely difficult and provided some semblance of justification for their absence. Still, ultimately, their exclusion from the process categorically invalidates the claim that these documents were created through a negotiation between all parties, *never mind* a broad consensus. The most controversial issues at the center of Spanish politics were largely side-stepped, and some parties were denied basic access to the very deliberation table. To suggest that these documents represent a consensus, as constitutionalists often claim, is ahistorical and problematic.

Such a suggestion is problematic specifically in the sense that despite the fact those historical concerns about the immediate threat in Franco hardliners have long since passed, it has become something of a taboo even to imply amending the constitution or recognizing its biases, which are now embedded within Spain's democratic institutions. In many ways, the Spanish nationalist discourse of Franco has moved from its most explicit displays to a much more banal 'patriotism' and 'loyalty to the constitution' (Núñez 2017, 152–53). This sentiment exists despite the clear nationalistic foundations of the document, which "emerged from an explicit cultural and historical determinism," (Núñez 2020, 481) and that views the *demos* as a culturally and politically unified nation formed centuries ago. Constitutionalists, whether Spanish or Basque, also extend many of those same sacred characteristics to the Gernika statute, since it is seen as very much connected to and the result of the constitution during the transition period (Keating and Bray 2006, 355).[28] Such nationalist myths are particularly beneficial to the legitimation stories of the national majority, which aim to represent and preserve their nationalism in state institutions (Turner 2020; Wodak 2017).

This constitutional fundamentalism has worsened the prospect of addressing issues within Spanish democracy that continue to delegitimize the state in the eyes of national minorities.[29] For instance, the judicial system is known for being a weak point in Spanish democracy, as its positions are appointed by parliamentary majorities, resulting in clearly partisan judicial politics (Colomer 2020, 162). These appointments include crucially eight of twelve members of the Constitutional Court, which rules over jurisdictional questions involving the *Estado de las autonomías* (Humlebaek 2014, 179–80). Thus, typically only the constitutionalist big tent parties (PSOE and PP) are able to select and appoint judges, which require 60 percent support in parliamentary chambers. The result is that appointments are heavily politicized and bargained

over between the PSOE and PP, which then tend to exhibit favouritism towards centralization and prioritize the state over regions, leading to further delegitimization in the eyes of minority nations who see these appointments as politically charged, and not impartial. These legitimacy issues apply to many other institutions and aspects of Spain's democratic system, including the electoral system, which was created by a Francoist hardliner prior to the development of the constitution, which has majoritarian biases and favours rural, conservative districts (Sánchez-Cuenca 2020, 40–41). The system is still in place today with minor tweaks.

The constitution has become something of a critical battleground for center-peripheral nationalist conflict – while the center places a sort of idealized, all-encompassing legitimacy on the document, Basque and Catalan nationalists have shifted over time from accepting their statutes as legitimate to outright contesting the legitimacy and democratic credentials of the constitution, suggesting it requires amending (Hierro 2020, 501; Mees 2015; Anwen Elias 2015; Crameri 2015; Muro 2009). Multinational scholars have stressed the importance of opening up these 'sacred' documents to dialogue between majority and minority nations and allowing for equitable recognition of other national identities within a state (A. G. Gagnon 2021, 110; Basta 2021; Keating and Bray 2006). Thus, a central problem for Spain as a multinational state appears to be the discourse and rhetoric that have coalesced around the constitution in the decades following democratization.

The PNV's Radical Turn and The Ibarretxe Plan (1998-2004)

Since democratization, the PNV has typically relied on an electoral strategy that requires a certain degree of ambiguity in terms of the future goals of the party regarding self-determination. This ambiguity was also necessary regarding its relationship to ETA; the PNV never

unambiguously condemned ETA's violence nor provided a strong defense for their actions (Lecours 2007, 95–97). These actions served the party's big tent ambitions, which aimed not to alienate more radical-leaning nationalists who were lukewarm on the use of violence and the more moderate nationalists who saw radical nationalism as illegitimate. This strategy, however, significantly shifted in 1998 and lasted for roughly a decade. The PNV moved from an ambiguous position to one dubbed the 'sovereigntist' position due to the signing of two political pacts – the declaration of Barcelona and the Lizarra agreement (Lecours 2007, 101). This section thus covers what spurred this change in the PNV, its immediate consequences, and how these events inform the key political cleavages and concerns in the period under study.

Before 1998, the PNV and Basque government had made it known that they intended to work within the Statute's confines to realize the Basque Country's future. This was confirmed with a declaration by the parliament in 1990 that stated the statute "represents for Basque citizens a valid framework for the progressive resolution of the problems of Basque society and for the national construction of Euskadi" (Jáuregui 2006, 249). The decision was likely due to the ambiguity within the statute that, while it did not provide self-determination, it also did not reject its possibility in the future (Jáuregui 2006, 242–43). As the 1990s progressed, however, growing dissatisfaction with the Spanish state and its slow and often hesitant attitude to devolving powers originally outlined in the Basque statute fuelled in the moderate Basque nationalist mainstream a distaste for the political status quo; at the same time, ETA's continuous and mounting failures highlighted to many radical nationalists the need for a 'democratic alternative' (Whitfield 2014, 129). This political climate, plus the appointment of certain leaders in the PNV who were more radical in their approach with the Spanish state, made the period between 1998 and 2004 ripe for political confrontation. The beginning of this shift is

characterized by the signing of two major agreements by the PNV: the Lizarra agreement and the Barcelona Declaration.

The latter was a declaration made alongside the other historic sub-state nationalist parties, Catalonia's CiU and Galicia's BNG, calling for the recognition of the 'plurinational' character of Spain rather than its insistence as a mononational country (Lecours 2007, 101–2). The Lizarra agreement is even more consequential as it was an agreement made between the PNV, HB, EA, and many surrounding nationalist organizations, including trade unions. Specifically, the trade Union ELA, which has been politically close to the PNV since democratization declared in 1997, in conjunction with similar statements by the more radical trade union, LAB, that the "statute is dead" (Casanova 2007, 418). This declaration was in response to the Spanish state's slow and frustrating implementation of statute provisions, some of which still had not been implemented at all despite the statute being signed nearly two decades ago (Jáuregui 2006, 243). Outside of growing dissatisfaction in the public and interest groups putting pressure on the party, the PNV saw the Lizarra agreement as a viable option for several reasons. For one, polarization between Basque and Spanish nationalism[30] grew with the shaky legal grounds under which twenty-three HB members were imprisoned and Basque nationalist newspaper *Egin* was banned in 1998 (Whitfield 2014, 86–87). Furthermore, the previously established Ajuria Enea Pact in the 1980s, which called for a complete rejection and refusal to engage with any form of violence by the moderate Basque parties, appeared to do little more than stagnate political progress; under the pact, violence continued uninterrupted, and the political conflict between the PNV and the state was also stagnated (Mees 2015, 44). HB, under the new leadership of Arnaldo Otegi, had also come to accept the necessity of dialogue between the more moderate parts of the movement and aimed explicitly to distance themselves from ETA and its disastrous strategic decisions in recent

years and to look for a democratic alternative to resolving the conflict with Madrid (Whitfield 2014, 84–87). All of these movements took place around the same time as the success of the Good Friday agreement in Northern Ireland, which provided optimism for the prospect of peace and the end of violence in the Basque Country, which was even more resonant as moderate nationalist elites and especially the HB, which had direct lines of communication with Sinn Féin (Lecours 2007, 102; Whitfield 2014, 87).

The key aim of the Lizarra agreement was thus for peace and political normalization, but alongside that, since the document was between nationalists and for nationalists, the PNV also agreed to more explicit radical nationalist aims of seeking unification with the seven provinces and sovereignty (Mees 2015, 42). Four days after signing the agreement, ETA declared a 'unilateral' and 'indefinite' ceasefire. The agreement was quite a shock to the system and status quo, and the near decade-long coalition between the PNV and the PSE (Socialist Party of the Basque Country) came to an abrupt end (Whitfield 2014, 89–90). Now, instead of relying on the moderate PSE to support a majority in the Basque parliament, the PNV relied on the support of the more radical nationalist parties and formed nationalist-only coalitions. Another disconnect was created when the PSE attempted to pass a motion that would require parliamentarians to swear respect to the constitution and statute, which the PNV and EA voted against (Lecours 2007, 101). Thus, the already shaky relationship between regionalist and centralist parties became even more polarized. While the original hopes of the agreement – the end of political violence and normalization of politics – were most certainly a failure, since ETA continued to experience pressure from the state and only fifteen months later cancelled the truce and ceasefire, killing 23 people in the year 2000 alone. They cited in restating armed conflict the "PNV's reluctance to overcome the limits of regional autonomy and progress towards Basque

sovereignty" (Mees 2015, 43). The general discourse around the agreement by Spain was that ETA had used the PNV, and by more right-wing media that the PNV colluded in or was complicit in allowing ETA to reorganize and gather strength during the ceasefire; however, the campaign against ETA and the PNV by more centralist forces, whether media or parties, only resulted in the entrenchment of the polarization between the two groups (Mees 2015, 43–44).

Only furthering this polarization and tension, the PP government and Spanish courts went on the offensive against radical Basque nationalism. In 1998, the definition of terrorism was expanded from requiring direct involvement in the use of explosives or arms to encompassing surrounding organizations working toward a "common criminal goal" (Bourne 2018, 6–7). The result was that throughout the early 2000s, nearly a dozen organizations adjacent to ETA were suspended or banned entirely. These sweeping bans became known quite infamously as the 'everything is ETA' policy. The nationalist newspaper *Egin* was closed in 1998, and its radio station, *Egin Irratia*, was suspended, citing that they were "the media apparatus of ETA" (Bourne 2018, 7).

In response and resistance to the PP administration and its hard line stance on Basque nationalism, the 2001 Basque election had a massive turnout with over 600,000 Basques voting for the PNV-EA coalition, which was roughly 15-20 percentage points higher for the PNV than the previous three elections (Lecours 2007, 96). The result was a simple majority that would often require the votes of EH to forge majorities (Mees 2015, 46); fortunately for the PNV, the continued attacks on Basque nationalism led to the consolidation of its more radical elements. The candidate up for *Lehendakari* (President of the Basque Country) was Juan José Ibarretxe, who, due to the polarization around Basque nationalism and its mobilizing effect, became the protagonist of Basque nationalism for the coming years (Mees 2015, 46–47). The fact that the

political side of radical Basque nationalism, EH at the time, had lost roughly half their seats in the Basque Parliament and the aftermath of 9/11 just months after the election resulted in a growing sentiment that political violence and the previous complicity by nationalists was becoming a detriment to the movement. A new optimism was spreading with the split in Batasuna of Aralar after 9/11, which was committed to non-violence (Whitfield 2014, 113). They saw the potential for a non-violent political solution to their nationalist goals, and Ibarretxe would lead this movement for the coming years.

With Aznar administration still in government at the time, the 'everything is ETA' policy continued. In 2003, another well-known newspaper, *Egunkaria*, was forcibly closed by Spanish authorities for its supposed ties to ETA. These closures were often accompanied by prosecutions of individuals, commuting lengthy prison sentences to those suspected of having ties to ETA; many of which cases failed to meet up to legal scrutiny when challenges were presented a decade later (Whitfield 2014, 101–3). *Egunkaria*'s editor and several journalists claimed they had been tortured and maltreated when they were arrested, and in 2010 the state's case against *Egunkaria* was dismissed, and the allegations of the journalists sustained (Whitfield 2014, 102).[31] Around that same time beginning in 2002, the Spanish Parliament began the drafting and approval of the 'law on political parties,' which facilitated the banning of all political parties that had 'alleged' (often declared without evidence) ties to ETA, including HB, Euskal Herritarrok (EH), and Batasuna[32] (Bourne 2015). Producing further tension, the centralist parties explicitly campaigned against Basque nationalism in regional elections while the current prime minister from the PP party, José Aznar, equated the PNV to ETA and attacked Basque nationalism as a whole[33] (Whitfield 2014, 97).

Basque nationalists saw the rhetoric by the constitutionalist parties and media as direct attacks on their identity, which caused a rallying effect, fuelling the more openly confrontational position the PNV took for the first half of the decade. The Spanish state had essentially, in contradiction with many democratic norms and, to the dismay of international observers, disenfranchised 10-15 percent of the Basque electorate on shaky legal grounds. In 2003, the PNV accused the Spanish state of violating human rights, and polls at the time indicated that four out of ten Basques felt true democratic elections were impossible due to the impositions of constitutionalists (Whitfield 2014, 104). Banning Batasuna and other political parties which represented the more radical aspects of Basque nationalism not only alienated parts of the Basque electorate further from Spain but also appeared to be blatantly a poor strategic decision. Considering that the political side of the IA was making clear pushes toward conflict resolution and peace, especially seen by the actions and rhetoric of Batasuna's spokesperson Arnaldo Otegi, who was crucial to peace processes post-2005. The ban did little more than ratchet tensions further (Whitfield 2014, 112–13).

With Ibarretxe as the head of government until 2005, and the relationship between the state and the Basque Country only further deteriorating, and many of the powers in the statute still not devolved and stuck in a perpetual deadlock, the PNV decided to focus on reconfiguring their relationship to the state. In an attempt to appease a majority of Basques, the PNV focused their sight on a political path to co-sovereignty with Spain, which has become known as the 'Ibarretxe Plan' (Gillespie 2017, 411–12). Like the Lizarra agreement, the Plan was first presented in 2002 as the combined reflection of many organizations surrounding Basque nationalism, from trade unions to civil groups and political parties (Keating and Bray 2006, 347). In 2003, the Basque government fully presented the Plan for the first time, and one of its main

points was the declaration of 'free association' of the Basque Country with Spain.[34] The Ibarretxe Plan aimed to bring into the discussion and establish the Basque Country's right to self-determination, which was never realized in the Constitution or Statute. While at times it isn't entirely clear what that means, the Plan did specify powers that were to be devolved, such as adding a Basque passport, further devolvement of administrative powers, and some form of direct representation in the EU (Whitfield 2014, 114). Despite weak threats to conducting an illegal referendum in the Basque Country, all of these issues were to be addressed, and were addressed, in a very institutionalized manner – the plan was to proceed as usual, first through the Basque parliament and then onward in the Spanish Cortes. The Plan was very much an attempt to bring into conversation nuanced discussions about sovereignty and nationhood, and its exact outcome was not entirely clear, landing somewhere between a co-sovereignty arrangement and a complete re-articulation of Spain as a multinational and confederal state depending on how one wishes to interpret its words (Lecours 2007, 107). The EA, part of the governing coalition with the PNV at the time, was more explicitly outspoken about independence, stating the Plan acts as a "step towards the final objective of independence for the Basque Country" (Keating and Bray 2006, 355).

After the Plan had narrowly passed in 2004 with a majority thanks to three votes from radical nationalists in EH, Ibarretxe presented the Plan in the Spanish parliament in 2005. As was expected, however, the Plan was quickly rejected by the PP and PSOE and only garnered support from the other peripheral historic nationalist parties in Catalonia and Galicia (Mees 2015, 47). This was already to be expected as José Luis Rodríguez Zapatero, the current Prime Minister at the time, made it clear that he had no intention of negotiating the proposal, and the PP considered the proposal to be illegal, labelling it "the Plan of ETA," "anti-Basque," and "racist" (Keating

and Bray 2006, 355). An important takeaway from the Ibarretxe Plan and the debates around it involves the fact that, in large part, the focus of discussion was never on the actual statements and claims within the Plan itself but on broader political questions where the Plan's opponents firmly placed all democratic legitimacy on the constitution, and stating any other conception is inherently problematic. As Keating and Bray (2006, 361) state, "In our review of party positions, we observed that none of those opposed to the Plan respond directly to what it actually says. Debate has focused on the legitimacy of nationalism and the different understandings of sovereignty and self-determination." The Ibarretxe Plan thus represents the primary reason the time period from 2003-2004 was chosen. Along with the already present degree of polarization dating back to the late 1990s, the Ibarretxe plan further propelled questions of self-determination and sovereignty between two national communities within democracy to the center of political debate. The final section of this chapter briefly covers some characteristics of the media organizations being analyzed and their specific circumstances during this polarized period.

The Media Environment

This last section provides a general overview of each media organization's characteristics and political positions. the media environment under the study period. Additionally, some space is dedicated to discussing the impact of ETA on journalism and the 2004 Madrid train bombing. The purpose of highlighting their characteristics is to gain a rudimentary understanding and expectation of potential biases in their editorial line.

El Correo is the first Basque media organization being analyzed. The organization was originally established in 1910 and was named El Pueblo Vasco. The organization survived through the Franco dictatorship in part because of its forced merger in 1938 with a Falangist

publication titled El Correo Español. It is published in Bilbao and belongs to a larger media conglomerate which also owns El Diario Vasco and ABC (center-right Basque and Spanish news outlets) (Armentia and Caminos 2011, 147). El Correo is center-right in political leaning and tends to be critical of Basque nationalism while accepting the Basque Statute of Autonomy and the Spanish Constitution as the legitimate basis of Spanish democracy. The publication in 2000 had an active audience of about 591 000 out of a voting population of roughly 1.8 million (Armentia and Caminos 2011, 147–48).

Deia was established in Bilbao in 1977 with the end of the Franco regime in a period where Spanish media was going through a restructuring away from active support for dictatorship to alignment with democratic values (Martínez, Uria, and Arrospide 2016, 1014). Since its creation, the organization has been understood as having a position quite close to the PNV, and often directly supports the PNV and their actions. Like the PNV, they tend to support furthering autonomy and sovereignty but act pragmatically and are generally moderate in their political position. Deia's active audience in 2000 amounts to roughly 109 000 (Armentia and Caminos 2011, 148). Deia has thus generally remained quite distant and critical of ETA's violence while also not endorsing the counter-terrorism used by the state (Martínez, Uria, and Arrospide 2016, 1024).

El País is the best-selling newspaper in Spain and was founded in Madrid in 1976 at the end of the Franco dictatorship. El País leans politically to the center-left, quite close to the PSOE, with an active audience of 1.4 million in 2001 out of a voting population of roughly 34 million (Armentia and Caminos 2011, 148–49). With an active audience of 1 million in 2000, El Mundo is the center-right counterpart of El País founded in Madrid but later than most other organizations – in 1989. El Mundo was established when the PSOE held power consecutively for

fourteen years. Thus, part of the organization's mission was to provide an oppositional voice and political criticism to the socialist administration (Arrese, Artero, and Herrero 2009, 22). However, since both El País and El Mundo represent the more constitutionalist side of the political cleavage leading up to the period under study, they were both involved in the polarization and growing tensions between autonomous regions and the Spanish state.

These organizations were a part of the campaign against Basque nationalism after the Lizarra agreement had failed and ETA returned to violence. As Martínez, Uria, and Arrospide (2016, 1018) state, "a clear editorial line was established: *The PNV must be expelled from public institutions for reasons of democratic hygiene.*" The media's response targeting Basque nationalism was not without its justifications. ETA had a history of targeting the Media (Mansvelt Beck 2005, 181, 200). Even as recent as 2000, ETA assassinated the El Mundo columnist José Luis López de Lacalle, and only a year later, they assassinated Santiago Oleaga, the financial director of El Diario Vasco (Martínez, Uria, and Arrospide 2016, 1020). Add on the failed Lizarra pact being perceived as the PNV aiding the return of ETA, the association between the two became strong and caused extreme tension in the media environment, characterized as 'trench journalism' (Martínez, Uria, and Arrospide 2016, 1017–19).

This polarization was only furthered by the 11-M Madrid train bombings which occurred 10 days out from the 2004 election, and which killed 191 people and injured over 1500 (Meade and Pineda 2024, 2–3). Without evidence to back the claim and only a short few hours of the bombing, the current Prime Minister, José María Aznar of the PP, demanded the UN Security Council condemn ETA as responsible for the attack; furthermore, two days later, still without a complete picture of the responsible party, the Foreign Minister Ana Palacio "instructed all ambassadors to confirm ETA's responsibility" (Meade and Pineda 2024, 9). However, just the

day before, Spanish intelligence services were already theorizing the involvement of Islamic fundamentalists rather than ETA; additionally, the political branch of ETA, recently illegalized, came out with a statement that denied responsibility, which the public had less reason to doubt out of hand, as ETA was known for admitting responsibility for their attacks (Meade and Pineda 2024, 9; Muro 2008, 228). It was later confirmed that ETA had not perpetrated the attack but rather Islamic extremists in response to Spain's participation in the Iraq war. Unsurprisingly, the public felt manipulated by what was perceived as an attempt to cover up the link of the attack to the wildly unpopular engagement in the Middle East by blaming ETA (Meade and Pineda 2024, 3; Muro 2008, 228–29). This political blunder cost the PP dearly, as days out from the 2004 election, polling went from predicting a strong majority for the PP, to the PSOE under Zapatero's leadership winning handedly (Whitfield 2014, 133–34).

With all this context in mind, we may note most crucially that broader civil society, especially these media organizations, play an important role in perpetuating the constitutional status quo. As Whitfield (2014, 135–36) puts it, "institutions that might elsewhere be independent – the judiciary, think-tanks, the media – remained staunchly beholden to political masters… Overall its (Spain's) politics were suffused by an unwritten agreement to uphold the consensus on core issues established during the early days of the transition." There are many potential and likely co-constitutive causes as to why this is the case – the traumatic memory of the civil war, the lingering shadow of military dictatorship, the list goes on. Importantly, however, while these historical circumstances are certainly relevant, this asymmetric power relationship should not be understood as unique to Spain itself,[35] but rather a common occurrence in multinational democracies which fundamentally politicize the often tacit acceptance of the notion of one nation-one state (Lluch 2021, 125–28). The next section thus

brings in the analysis of these media organizations to unpack the discourses of the two opposing sides of the 'national question.'

This chapter covered several crucial historical and political events that provide crucial context to the discourses outlined in the results section below. It began by discussing the contours and appearance of Basque and Spanish nationalism today while providing some historical context for their emergence and reproduction. Then, specific focus was put on the transition period out of Francoism in the latter half of the 1970s, with a heavy emphasis on the 1978 constitution and how the actual process took place in reference to the myths surrounding its establishment. The final two sections cover the present political dynamics between the introduction and development of the Ibarretxe Plan, the 'everything is ETA' policy from the Aznar administration, and the 11-M train bombing.

Chapter Three: Results and Discussion

Throughout the data gathering for this thesis, it became increasingly apparent that the original assumptions regarding the structural codes would be insufficient, and changes would have to be made to present the discourses accurately. Though such changes were expected, as mentioned in the methodology, what was particularly unexpected was the pervasiveness of one specific structural code—the liberal one. While other codes were undoubtedly present, such as purely affective codes or the surprisingly rare functional arguments surrounding economy, almost all discourse seemed underpinned by a liberal perspective in some way.

For example, affective codes were expected to legitimize primarily through emotional content. In its most extreme versions, this could manifest as a discourse that envisions the

conflict between the Basque Country and Spain as Manichean in nature. And while some discourse plays into those extreme dichotomies quite directly without outside reference, it is more often the case that such dichotomies included in the 'Us' reference in some way to liberal democratic institutions, norms, or ideology. Editorials in Madrid media often utilized the 1978 constitution and its legacy of 'consensus-building' as their legitimation source while at the same time representing the Basques as a reprehensible Other – as an ethnic nationalism, totalitarian and exclusionary. The result is that while the affective content is still present, such arguments tend also to speak to a kind of procedural democratic legitimacy one might expect to hear from Dahl (Blokland 2011, 149–61), or in other cases utilize language the likes of Habermas, which speaks to a kind of 'constitutional patriotism.[36]' Thus, it can be pretty tricky to disentangle the underlying nationalist myth and the use of the affective predispositions of the audience from the normative arguments about legitimacy that one often finds presented in liberal democratic theories. Several steps were taken during the transition from the data-gathering stage to the categorizing and theming stage to ensure that the structural codes and their subcategories held meaningful distinctions, and these have been mentioned earlier in the coding section and restated in short form in Table 3 for quick reference. In doing so, categorizing the codes became much more consistent and made it considerably easier to recognize the primary legitimation mechanism.

Tables 1 and 2 below provide a quantitative outline of the codes based on subcategory and organization. The total number of codes placed into subcategories is **517**, with a little under 50 being cut due to quality or repetition/redundancy. Tables 1 and 2 imply some immediate points of analysis. For instance, the center-right organization El Mundo heavily leans into affective discourses, especially nationalist ones, which is expected of an organization that PP

supporters are typically to read; on the other hand, there is a surprising degree of liberal codes present in El Correo, making up over 40% of their total codes, which could be due to El Correo readers, who are typically constitutionalist, feeling underrepresented in Basque politics, and thus making liberal demands toward a more pluralistic society. There is also a clear discrepancy in the functional-substantive category, which is overwhelmingly dominated by Deia and almost never mentioned elsewhere. Regardless, it is essential to note that a simple quantitative analysis of these codes does not grasp the nuances and intricacies of the subcategories and the qualities they often share in terms of the function and purpose of the narratives they construct, especially in constitutionalist media.

This chapter is structured as follows: sections are separated by subcategory, and each section contains a brief summary of the themes and their general characteristics, followed by a table which provides a consolidated/synthesized version of the codes from each organization as they manifest in themes, and then finally a more qualitative written section. The written section provides some examples of codes representing the themes and a discussion of exceptions if necessary. I have translated all the codes used as examples in these sections into English for easy access.

Table 1: Quantitative outline of codes by organization

	EL CORREO	DEIA	EL MUNDO	EL PAÍS
Liberal-ideological	60 (43%)	26 (21%)	29 (21%)	41 (36%)
Functional-procedural	24 (17%)	29 (23%)	25 (18%)	22 (19%)

Functional-substantive	2 (1%)	21 (17%)	3 (2%)	7 (6%)
Affective-nationalist	27 (19%)	31 (25%)	49 (36%)	27 (24%)
Affective-general	28 (20%)	18 (14%)	31 (23%)	17 (15%)
Organization Total	**141 (100%)**	**125 (100%)**	**137 (100%)**	**114 (100%)**

Table 2: Quantitative outline of codes by subcategory

	LIBERAL IDEOLOGICAL	FUNCTIONAL PROCEDURAL	FUNCTIONAL SUBSTANTIVE	AFFECTIVE NATIONALIST	AFFECTIVE GENERAL
El Correo	60 (38%)	24 (24%)	2 (6%)	27 (20%)	28 (30%)
Deia	26 (17%)	29 (29%)	21 (64%)	31 (23%)	18 (19%)
El Mundo	29 (19%)	25 (25%)	3 (9%)	49 (37%)	31 (33%)
El País	41 (26%)	22 (22%)	7 (21%)	27 (20%)	17 (18%)
Subcategory Total	**156 (100%)**	**100 (100%)**	**33 (100%)**	**134 (100%)**	**94 (100%)**

Themes for each subcategory were also developed, excluding functional-substantive due to its rarity and near exclusive presence in Deia. Themes can be thought of as organizing the data into the implicit topic (though this is sometimes more explicit, especially with the liberal-ideological themes) based on repeated ideas found across different organizations and writers

(Saldaña 2016, 200–202). Another way to think of themes in this context is to relate back to the theoretical framework and discussions on the intersubjective structure of knowledge, meaning, and reality. For instance, while categorizing all codes into their structural categories, I found a pervasive narrative device used across constitutionalist papers in the liberal code, which constructed an image of the Basque Country as immensely diverse and plural. The phrase *'la realidad plural'* was extremely common, often used to contrast a Basque nationalism which wishes to paint over this pluralism with its unitary nationalist conception of the Basque Country (see Table 4). Themes are thus summarizations of narratives of the conflict, often with an implicit overarching topic, that have been intersubjectively mediated and which are commonly used as legitimation stories and narratives that bridge across organizations and aim to legitimate the current order. The exception here is that rather than using these intersubjective narratives to legitimate the current order, Basque media (Deia) tends to flip these narratives to delegitimate the current order – instead of Basque nationalism being exclusionary, it is the Spanish state that refuses to take the pluralism within the country seriously. Lastly, in a few situations, some themes were only present within one organization, and this was almost always Deia in relation to the functionalist codes. Table 3 below briefly describes the themes and characteristics of each subcategory and outlines; for a more substantive discussion, see the coding section:

Table 3: Brief description of each subcategory

Subcategory	Description

Liberal-Ideological	Liberal ideological codes are those primarily emphasizing a normative or moral imperative that one might expect to hear from astute followers of some of the twentieth-century liberal scholars. They may emphasize, as Rawls does, the importance of building a strong consensus on the foundations of the democratic system (theme 1). Like Berlin, they may emphasize some form of deep pluralism inherent in the society and the need to respect that (theme 2). Or they may project a more generic universalist and individualist message common in liberal political thought (theme 3)
Functional-Procedural	Can appear similar to the liberal-ideological code in some circumstances, especially in reference to theme 2 (procedures and negotiating within institutions). The main difference that separates the two is that these codes don't emphasize the normative or moral importance of concepts such as dialogue, but rather discuss them primarily as necessary for the efficiency, functionality, stability, etc. They also tend to emphasize the significance of certain democratic procedures to legitimate democracy, particularly the judicial system (theme 1). Additionally, there are unique narratives within this subcategory that can only be found in Deia.
Functional-Substantive	A more substantive version of the functional-procedural code, which tends to emphasize more than simply the existence of legitimate procedures, but which tends to question outcomes of those procedures. And most importantly in this context, an additional function that democratic institutions require to be legitimate – the realizing of collective self-authorship or determination.
Affective-National	Affective nationalist codes do not emphasize any of the above-mentioned characteristics to any great degree, and which have an emphasis on affective content, which in this case is primarily feeling and sense of belonging to a unified group. These codes are about Us-building – they tend to focus on constructing narratives of a shared political past or culture (theme 1), of a unified and homogenous in-group, and a shared telos (theme 2), or as an identity under threat of being destroyed (theme 3).
Affective-General	Affective general codes are all other codes which primarily rely on affective sentiment to construct their narrative, but which don't emphasize, in a more typical nationalistic fashion, Us-building. In this way, most affective-general codes are very focused on the generation fo fear in the defining of an Other or Them that presents a threat to a typically vaguely defined Us (theme 1), or in presenting the Other as an entirely irrational actor who cannot be reasoned with, and which must be destroyed or silenced (theme 2).

Liberal-Ideological

Liberal ideological codes emphasize the normative and moral importance of traditional liberal democratic values. Thus, many of the arguments made in this subcategory tend to exhibit similarities to both Rawls (1999) and Berlin (1969), which speak about consensus and pluralism. Due to its basis in ideological commitments, the themes outlined in this subcategory are often highly interrelated and quite consistent across organizations: for instance, an extremely common trope from all constitutionalist/centralist media is describing Basque society as highly pluralistic and diverse (theme 2) and placing, in contrast, a Basque nationalism that is prone to exclude outside voices in its movement. In response to this stated pluralism were calls for building a strong consensus or for a recognition of the value of dialogue (theme 1), which Basque nationalism cannot accomplish because its movement is based on a collective ethnic identity rather than an individualistic and universal liberal conception (theme 3). On the other hand, authors in Deia flipped this narrative by arguing that Basque society respects.

Table 4: Liberal structural code results

Subcategory	**Themes**	**El Correo**	**Deia**	**El Mundo**	**El País**

Liberal ideological	**1. Consensus building**	The search for a political solution for coexistence VS. The confrontational and disintegrative character of the Ibarretxe Plan, meant for nationalists only	The rich debate and dialogue taking place within Euskadi on its sovereign status and how to bring an end to the violence VS. The excessive reaction by the state and Spanish nationalists, determined to shut down debate, making peace impossible	The development of a climate of consensus, similar to that of the Gernika statute, between all members of Basque society VS. The confrontational and disintegrative character of the Ibarretxe Plan, meant for nationalists only	A unitary commitment to collaboration and consensus by all forces VS. The Ibarretxe plan as a sovereigntist and exclusive political project, deepening divisions rather than creating dialogue or consensus
	2. Respecting Pluralism	**Overwhelmingly common narrative.** The open, integrative, and pluralistic reality of *Euskadi* (not Spain necessarily) VS. an ethnic and/or exclusionary Basque nationalism which cannot accommodate this diversity	Spain understood as a diversity of nations, languages, and cultures with differing interests VS. the prejudiced idea of Spain that refuses to admit difference, imposed from above by Madrid.	The large percentage of non-nationalist and constitutionalist Basque citizens VS. the demands of the nationalist half, which aim to impose their beliefs on the other half of the population	The complex and 'plural reality' of Basque society VS. the demands of the nationalists, which aim to impose their ideology on the entire Basque public
	3. Individualism as a safeguard	Basque nation as composed of citizens, individual and free to be different VS. an identitarian, assimilationist, and/or tribal Basque nationalism, which aims to eliminate difference	**Too uncommon to generalize**	Spanish citizens, imbued with universal individual rights to be treated equally under the law VS. the instrumentalization of identity struggles and citizenship as an ethnic criterion by Basque nationalists	The Basque people as citizens (often undefined) VS. history, language or geography as a nebulous and essentialist source of rights which see the Basque people as a predetermined political subject

pluralism deeply and that it is the Spanish state and regressive Spanish nationalism that is making dialogue and consensus impossible, with the exception of theme 3 being largely absent.

Theme 1, **consensus building**, is consistently found across all organizations, with only subtle differences in how they frame the discussion, which is described in Table 3. In general,

this theme focuses on the normative value of reaching or building a political consensus on the issue, while the Other was framed as confrontational or intolerant. These codes were often stated very plainly. For example, here are narratives coming out of El País and El Correo:

> "the principle of consensus" Vs. "the plan of their lehendakari"[1]
>
> "Consensus and very broad majorities" Vs. "fracture and division"[2]

Another way this theme manifested is in discussions about the desire to have open dialogue:

> "the alternative that the Lehendakari has ruled out is one of open and transparent debate" Vs. "the defects of the proposal [the Ibarretxe Plan] which reflects a serious degradation of the quality of democracy in Euskadi"[3]

Codes from Deia mirror this narrative nearly identically, with the roles reversed:

> "He [Ibarretxe] insists on that open spirit – of debate of all ideas in freedom and without violence" Vs. "even though he knows that he is preaching in the desert of incomprehension and political arrogance… and despite the excessive reaction of Spanish nationalists"[4]

Theme 2, **valuing pluralism**, was a particularly common narrative, especially in El Correo. Framing the Basque Country as plural in this manner is more often than not explicitly used as a means to deny the Ibarretxe Plan as having any legitimacy based on its incapability to represent the beliefs of its diverse populace. What the makeup of this plural makeup looks like was often left rather abstract or vague; in rare cases and mainly in El Correo, there could be reference to 'non-constitutionalists' as this alternative voice that is underrepresented by the Plan:

> "the strength that demonstrates the plural nature of Euskadi" Vs. "the identity-based objectives of nationalism"[5]

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[1] José María Ruiz Soroa, "Estimado Señor Imaz," *El País*, January 6, 2004.

[2] Alberto Surio, "No Veo al PNV Con Flexibilidad Para Dar Con Una Salida Que Contente a Todos," *El Correo*, January 12, 2003.

[3] Josep Lluis Sureda, "Los Ciudadanos Vascos y La Democracia," *El País*, January 2, 2004.

[4] "DIÁLOGO PARA LA CONVIVENCIA," *Deia*, January 1, 2004.

[5] Javier Zarzalejos, "Huir Del Estatuto," *El Correo*, July 18, 2004.

Undefined Vs. "The Ibarretxe Plan is contradictory to the plurality of Basque society"[6]

There is an exception here, however – on rare occasions, some opinion articles in constitutionalist media would place the blame on the Aznar administration or the state for failing to realize plurality:

> "Plurinational Spain" Vs. "In my opinion, the issue of plurinationality has been Aznar's great failure"[7]
>
> "a plural understanding of Euskadi" Vs. "the state does not want to resolve it plurinationally"[8]

This framing is typically the same as seen in Deia, though the plural messages are more implicitly stated:

> "Problems are not solved with a change of government or parliamentary majority, we lack the culture to understand the positions of the other" VS. "the imposition of the culture and history of the other, this other as pronounced from Euskadi, which is clearly Madrid"[9]

Lastly, theme 3, **Individualism as a safeguard**, is a relatively common framing device coming from constitutionalist media (especially El Mundo) and virtually non-existent in Deia. In a similar fashion to theme 2, this theme utilizes classic liberal ideals of civic identity, citizenship, and individualism as a means to reject and delegitimize the claims of a collective and regressive Basque nationalism:

> "creating a shared democratic identity of free and equal citizens educated in universal values" Vs. "instead of instrumentalizing it [democratic identity] to obtain political benefits through its manipulation"[10]

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[6] "No Se Bajan," *El País*, March 22, 2004.
[7] Marcal Sintes, "De La Obsesión al Fracaso," *El Mundo*, January 25, 2004.
[8] Ramón Zallo, "La Crítica Rutinaria al Nacionalismo Vasco," *El Correo*, December 23, 2003.
[9] José Uriarte, "MÁS CULTURA" MAS EDUCACION," *Deia*, April 1, 2004.
[10] Fernando del Rey Reguillo, "¿Qué Hacemos Con El Archivo?," *El Mundo*, June 24, 2004.

> "An issue that affects individual rights that are inviolable, a right as basic as everyone being treated as equals before the law" Vs. "They [Basque nationalists] intend to replace it with a norm in which 'the Territories' take precedence over the people"[11]
>
> "Euskadi as a Basque nation of citizens" Vs. "assimilationist and exclusive [Basque nationalism] that defines the Basque in a restrictive and impoverishing way"[12]

Functional-Procedural

The most diverse subcategory in terms of the differing narratives and focuses of each organization. The functional structural code is based on the theoretical work done by those concerned with state legitimacy more broadly (Stilz 2019, Wellman 2020), but who also tend to include in their theory democratic values. In their most general sense, these codes overall emphasize the establishment, maintenance, and/or corrosion of democratic norms and rules, but there are large differences in where value is placed. For instance, while constitutionalists speak of an abstract need to respect 'the rules of the game' and 'reform' rather than 'rupture' (theme 2) or to 'obey' the decisions of courts and the legal system (theme 1); articles in Deia were focused on themes of 'institutional capture' – the way in which the rules are inherently unjust, have already been broken, and/or have been appropriated by authoritarians, linking their arguments to discussions about the concrete actions of state institutions and actors. The specific intricacies regarding Deia are discussed in the written section of this subcategory since they are not easily captured by the thematic summary, which highlights the more generalizable themes. Looking at Table 4's themes, one can surmise that both spheres clearly emphasize the importance of certain procedures, whether that is legal order or institutional dialogue between elites. However, there is a significant difference in how each sphere attributes legitimacy to those procedures and

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[11] Rosa Diez, "El Tahúr de Ajuria Enea," *El Mundo*, February 4, 2003.
[12] Rafael Aguirre, "Implacables," *El Correo*, February 27, 2003.

institutions. Constitutionalist media discussions about these institutions start with an implicit assumption that these institutions are just, and that therefore one must obey the rules and work within its established channels.[37] It is only in Deia where one can find discussions that involve concrete discussion about whether the state and those institutions are legitimate – whether those institutions do the minimal work of securing human rights or whether they meet the functional requirements for democratic legitimacy, such as separation of powers. Space will be made at the end of this section, after examples of the themes are briefly discussed, to highlight some of the codes which speak to these concerns.

Table 5: Functional structural code results

Subcategory	**Themes**	**El Correo**	**Deia**	**El Mundo**	**El País**
Functional-Procedural	**1. Upholding legal order**	The consolidated legal and political framework and a democratic culture dedicated to dialogue and compromise VS. A Basque nationalism aimed at 'rupturing' with the current system, questioning its very foundations	Respect for rule of law and human rights for ***everyone***, including Batasuna, Egin, and ETA members VS. The misuse of supposed democratic institutions by Spanish state and its politicians, disregarding rule of law and separation of power, and the false impartiality of the judiciary	Obeying and defending the rule of law (Estado de Derecho) established by the constitution and upheld by the Spanish courts, and the validity of their decisions (in regard to everything is ETA policy) VS. The Ibarretxe Plan, which breaks current law and is antidemocratic in its approach	The judicial systems recent decisions (in regard to everything is ETA policy) as valid and impartial, and which must be complied with VS. An antidemocratic Basque nationalism, which cares more about the establishment of its own sovereignty rather than respecting the limits outlined by rule of law and court decisions

2. Procedures and negotiating within institutions	A culture dedicated to reform through pact and compromise between democratic forces VS. Fervent Basque nationalism, impractical and disinterested in communicating and agreement, preferring confrontation and 'rupture'	The development of political mechanisms and laws to solve the national conflict VS. The Spanish governments authoritarian actions, which prolong conflict and make communication impossible	**Too uncommon to generalize**	Respect for democratic procedures and the 'rules of the game,' to create dialogue VS. Unilateral decisions made by the PNV in the Ibarretxe Plan ***OR*** the constitutional court, which aims to halt democratic dialogue

Theme 1, **Upholding legal order**, is likely the most consistent idea, especially by the Madrid-based organizations. These discussions were particularly relevant in mid-2003, during the period in which Batasuna was banned, when the decision to ban the party was viewed internationally with concern, sparking questions of breaches of certain democratic rights (Whitfield 2014, 104). Constitutionalist media often highlight a desire or explicit obligation to comply with and defend these institutions and their norms, which is often juxtaposed to the potential threat and consequences of not following these rules, that of 'rupture' in a vague sense, or of the latent threat of catering to ETA terrorists. Below are some examples:

> "The vote of these five judges in favor of the constitutionality of the law removes any doubt of bias in the ruling" Vs. "this unanimity undermines the credibility of the Basque nationalist discourse about the unconstitutionality of the law"[13]
>
> "In the face of what is coming, there is only room for rule of law, application of the law, without complications or flinching" Vs. "it is clear that the PNV and ETA have already decided on the convergence of their projects"[14]

[13] Javier Tusell, "Diálogo En Euskadi," *El País*, June 26, 2003.
[14] Cayetano Gonzalez, "La Hora de Un Pacto de Estado," *El Mundo*, May 14, 2003.

> "The defense of the current legal-political framework" Vs. "Basque nationalism aims to provoke these consequences to justify its sovereigntist flight, which aims to shift the blame of an inexorable rupture onto others"[15]

However, they may still rely on presenting the rule of law as neutral and impartial and instead place in contrast to those ideals the current PP administration; this narrative was only significantly present in El País, likely due to its proximity to the PSOE, which main opposition is the PP:

> "if it's the Ibarretxe Plan, the rule of law has the necessary mechanisms and resources to stop it" Vs. "Aznar and his ministers evoke and use the concept of the State as a shield, a threat, or a weapon… For Aznar, the State is an instrument of power that extends beyond or within borders"[16]

This theme is somewhat uncommon in Deia, however, in the times it was mentioned, much emphasis was placed on the importance of fairness, whether that be stating how legitimate democratic legal institutions ought to function or pointing out unjust actions:

> Undefined Vs. "it is not a surprise that the Spanish justice system uses different standards in this regard: swift and forceful trials against the terrorists, drawn-out procedures and leniency for state officials who have been carried away by their zeal… ultimately pardoned on humanitarian grounds"[17]

Theme 2, **procedures and negotiating within institutions**, can be quite broad in its application, as procedures in a democratic system can reference a whole number of different processes. On the constitutionalist side, however, there are a few main ideas that capture most of the focus from that sphere, and they tend to be quite abstract – a general demand that everyone must follow or respect 'the rules of the game,' and another related idea that emphasized reform, typically of the Statute, over the supposed 'rupturing' aims of Basque nationalism:

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[15] "Estatuto de Ruptura," *El Correo*, October 26, 2003.
[16] Joan B. Culla I Clará, "El Estado," *El País*, October 9, 2003.
[17] Mikel Sorauren, "¡Que Se Pudran En La Cárcel!," *Deia*, February 1, 2003.

> "The commitment to the path of reform, of common sense" Vs. "against the path of rupture, against the path of no return, of revolutionary violence"[18]
>
> "The culture of federalism, based on compromise, agreement, and a willingness to present problems legally Vs. "the attitude of nationalism, reluctant to renounce its demand for self-determination and to find accommodation in a political space that is not exclusive"[19]
>
> "Respect for the rule of the game, for a legal-political framework determined by the Constitution and the Statute of Autonomy" Vs. "the anti-democratic nature underlying the Ibarretxe Plan"[20]

In rare cases, sometimes constitutionalist media would print opinion pieces that did come to question the ideological positioning of Spanish nationalism:

> "I'm not Basque, I'm Andalusian; I'm not nationalist, I'm a universalist. However, Ibarretxe's plan seems to me a dignified path against a mountain of political demagoguery in which there's no room for anything" Vs. "If the Constitution is a problem, why do our politicians cling to it?"[21]

Narratives presented by Deia, while discussing often similar concerns to do with procedural mechanisms, often relate them to much broader concerns about whether the state is meeting minimum procedural criteria or state guarantees of human rights:

> Undefined Vs. "It is sarcasm to speak of democracy when the government has every intention of crushing dissent"[22]
>
> "The separation of powers is the basic pillar of any self-respecting democratic system" Vs. "recently, we are witnessing a judicial system completely controlled by the executive branch, lacking any margin of independence or independent decision-making beyond that dictated by the Spanish government"[23]
>
> "Basque citizens" Vs. "constitutional rhetoric and the shameless use of empty references to the rule of law, the minimal characteristics of what had been are are its fundamental elements are blurred: Seperation of Powers, Presumption of Innocence, Preservation of

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[18] Joseba Arregi, "Día de La Patria Vasca," *El Correo*, April 11, 2004.
[19] Juan José Solozábal, "Nacionalismos e Integración," *El Correo*, March 7, 2004.
[20] Cayetano Gonzalez, "Palabra de Vasco," *El Mundo*, September 24, 2003.
[21] "El 'plan Ibarretxe'," *El País*, August 7, 2003.
[22] Mikel Sorauren, "¡Que Se Pudran En La Cárcel!," *Deia*, February 1, 2003.
[23] "DESLEGITIMACIÓN DE DOS PODERES," *Deia*, July 2, 2003.

> the Political Party System, Freedom of the Press, exquisite respect for Human Rights and Civil Liberties"[24]

Functional-Substantive

Functional-substantive codes emphasize ideas of self-determination, political autonomy, and self-authorship of political institutions as essential requirements to democratic governance. A significant majority (over 60%) of the codes in this subcategory come from Deia specifically; and although this subcategory appears to only make up a small percentage of the total codes, it highlights one of the most central divides between the two national spheres and how they understand Spanish democracy. Since this subcategory is so specific, and there are so few codes within it coming from constitutionalist media, there will be no thematic summary presented. Instead, the written section goes over specific examples and outlines the discussions within Deia.

A common theme presented in Deia in this subcategory is, in some sense, a more advanced version of the Deia codes in the functional procedural regarding separation of powers and human rights. If this were to have a title like the other themes, it would likely be 'institutional capture.' These narratives tend not only to suggest that the state does not meet minimal functional requirements but that the very foundations imply that the state serves a purpose that is counter to the concerns and interests of the Basque people and that the repressive outcomes the state produces are purposeful in this sense. The narrative is thus that the Spanish state is seen as wholly illegitimate because its foundations and function is not in accordance or shared in with the sovereign will of the Basque people:

> "Euskal Herria" Vs. "it is sarcastic to claim that the Basque Country should accept a constitution that reaffirms what those disastrous figures [Francoists] did, with whom, it seems, no one in Spain wants to identify with these days, despite the fact that many of

[24] Karmelo Sáinz de la Maza, "Solución Civil o Tutela Militar," *Deia*, March 1, 2003.

> those who lead the Spanish state, including the highest institution that represents it, were their collaborators"[25]
>
> "The victims of Francoism" Vs. "It took twenty-five years and three-party governments for the victims of Francoism to achieve partial recognition from the Spanish parliament. Partial because a quarter of a century after the dictator died in that bed, the party that supports the current government continues to deny them even their right to exist, continues to insult them and their memory as it has for forty years"[26]
>
> "Euskadi… Basque taxpayers and citizens" Vs. "If the Basque language is not perceived as its own, what is the Spanish state doing in Euskadi? What good is Spain to Basque taxpayers and citizens if it neither defends their interests, in this case linguistic interests, within or outside the state borders?... There is only room, then, for a single national community and a single language: Spanish or Castilian"[27]

Another theme that appears in Deia codes is one more focused on the demand self-determination and self-authorship in institutions, which Spain appears incapable of accurately addressing:

> "It [the Ibarretxe Plan] seeks to make the identity of the Basque people visible in what is perhaps its first and strongest sign: that its right to freedom and political organization is owed to no one but itself. It is a sovereigntist, not a secessionist, proposal. It affirms the sovereignty and right to self-determination of the Basque people" Vs. "the 'nom liquet' argument [by constitutionalists] is not valid"[28]

In the extremely few instances where constitutionalist media did speak to these more substantive concerns either to do with self-determination or recognition, they tended to be somewhat in line with the narratives expressed in Deia. However, because they are so rare, and often come only from guest writers, or even anonymous letters to the editors (as is the example), from the Basque Country in Madrid papers, they do not represent to any significant degree a substantial perspective:

> "A modern and developed nation like ours [the Basque Country] must have the opportunity to decide on its political future" Vs. "Does Spain feel so insecure that it

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[25] Mikel Sorauren, "¡Que Se Pudran En La Cárcel!," *Deia*, February 1, 2003.
[26] Juan Carlos Latxaga, "Revival de Naftalina," *Deia*, December 2, 2003.
[27] Inaki Anasagasti, "Los Catalanes Dispuestos a Saltar La Barrera," *Deia*, August 3, 2003.
[28] José Ramón Scheifler, "Talantes y Proyecto de Estado," *Deia*, August 2, 2004.

> trembles in the face of a draft? So lacking in resources that it finds itself in diapers if it were to lack a subservient Euskadi? So undemocratic that it would forget its 700 000 supporters?"[29]

Affective-Nationalist

The affective nationalist subcategory is likely the most straightforward and consistent. Codes in this subcategory emphasize the political community's construction in ways which primarily rely on some form of underlying nationalist sentiments, such that they imagine a shared past/future of the *demos* and the myths that legitimize it (Wodak 2017). These codes focus on constructing the political community or 'Us' as a means to legitimate or delegitimate the current democratic order. Constitutionalist media are remarkably consistent in these discussions; thus, their themes tend to overlap a lot since they utilize the same objects in their narratives across them. This overlap is particularly the case with themes 1 and 2; with minor differences, they all inscribe the 1978 constitution (sometimes including the Gernika statute) with a myth-like quality (theme 1), which provides a guiding principle or common project of consensus/coexistence for the nation (theme 2). In these instances, the legitimating mechanism has less to do with liberal or functional ideals and often more with feeling and affective sentiment that, in constitutionalist media, creates a sense of belonging to the nation and, further, the democratic order representing that nation and its sovereignty. Deia, on the other hand, was much more focused on rallying nationalist sentiment and Basque identity by appeals to shared history and enemies, often pointing to the repressive machinations of the Spanish state. Theme 3 is specifically for codes which speak to anxiety about an identity under attack from an Other, which threatens to disrupt its perceived stability.

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[29] "El Plan de Ibarretxe," *El País*, September 2, 2003.

Table 6: Affective nationalist code results

Subcategory	Themes	El Correo	Deia	El Mundo	El País
Affective-nationalist	**1. Origins and mythologizing the past**	The broad consensus at the core of the untouchable and sacred 1978 constitution and Gernika statute, which sets the foundation for social coexistence for all Spaniards VS. The disloyalty to the constitution exhibited by Basque nationalists, who want to 'liquidate,' 'rupture,' and/or disregard the constitution	The long and hard fight throughout Basque history for the national cause of independence, ***or*** for the desire to seek real recognition and coexistence in a plural society VS. The Spanish state and its attitude towards pluralism, which has been the source of tension and conflict for centuries	The constitution as the foundational reference point for any discussion about the nature of Spanish civil life and politics VS. The unconstitutional and anti-Spanish nature of the Basque nationalism, which does not respect	The constitution, and by extension the Gernika statute, as the unconditional and totalizing founding of the Spanish political community, both achieved through a strong consensus VS. attempts by Basque nationalists to 'subvert' coexistence, and break with the established consensus
	2. Constructing a shared telos	The constitution as 'our' civic and common project, based on a shared coexistence, patriotism, and love for the country VS. Basque nationalism as an exclusive project, which functions like a dictatorship, aiming to 'dislocate' coexistence	*Euskadi* as a passionate people dedicated to dialogue, progress, and coexistence ***or*** to recovering freedom through their own state VS. The attitude of the state and/or Spanish nationalists, which limit dialogue and have excluded and subjugated the Basque people	The common and unified desire and conviction for 'constitutional coexistence' all Spaniards share VS. The disloyalty of Basque nationalists and the PNV which plan to rupture coexistence	**Too uncommon to generalize**
	3. Identity anxiety	**Too uncommon to generalize**	The defense and value of Basque collective identity, culture, and language VS. The harassment by Spanish nationalist media, which are deployed to discredit and vilify the Basque people and nationalist movement, and the governing institutions, which want to silence/exterminate the Basque people	The unified, and harmonious Spanish nation, shared and supported by many different cultural traditions VS. Those who are an 'enemy of Spain,' who question the 'integrity of the nation,' and do not defend or wish to break the unity of the country and strip it of its identity for an insatiable plurinationalism	The already existing and established friendly consensus/coexistence between the Basque Country and Spain, represented in the Gernika statute VS. A radical Basque nationalism which denies this coexistence and is inventing conflicts in an attempt break with coexistence

Theme 1, **origins and mythologizing the past**, sees an almost unanimous application in constitutionalist media, which, as their name suggests, utilize the constitution and the myths surrounding its foundations as the legitimating mechanism. In these codes, the constitution is often treated as a sacred symbolic object that represents a past event where a broad consensus was created to form the democratic state and to mediate the social relations within it. While one may see this theme and think of some liberal scholars, such as Habermas and constitutional patriotism, putting these narratives in the context of the case and the discussion of the formation of the 1978 constitution makes it clear that these narratives of consensus are much more akin to nationalist mythmaking than anything else. The main difference with this theme compared to the liberal theme of consensus building is thus that these narratives imagine an already existing homogenous consensus, rather than proclaiming the value of consensus and the need to build it:

> "The broad consensus that was at its [Spanish democracy] origin" Vs. "Disdaining this broad consensus"[30]
>
> "The consensus surrounding the constitutional monarchy, later democratic" Vs. "it [that consensus] distances itself from any nationalism, whether Basque, Catalan, or Spanish… which has been residual and artificial, even when it triumphed after the Civil War"[31]
>
> "The constitution legitimizes dominion to the extent that it establishes and exhausts it" Vs. "there is no room for any extra-constitutional title or form of manifestation of public power that the constitution does not provide" [32]

Within these same conversations, which uplift the constitution with an all-encompassing legitimacy, it is also common to find El Correo and El País attributing that same status to the Gernika Statute:

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[30] "Esclarecedora Encuesta," *El Correo*, November 30, 2003.
[31] Jose Mario Marco, "La Ideología Del Centro Derecha Español," *El Mundo*, January 7, 2003.
[32] Juan José Solozábal, "Poder y Deber," *El País*, January 30, 2003.

> "Christians know well that in the beginning was the Word… the Basques also know as far as Euskadi is concerned, that in the beginning was the statute" Vs. "its [the Ibarretxe Plan] wording is in practice the sum of countless unilateralism, impositions without further ado on the contracting party"[33]
>
> "There is no alternative to the Statute" Vs. "the dynamics opened by the Basque government do not broaden the existing consensus at each stage"[34]

On the Basque side, the Constitution is never mentioned in these conversations. Instead, the focus is on historical martyrs and/or individuals associated with the Basque nationalist cause and their historical legacy:

> "Poets, like Lizardi, who elevated the social prestige of that glorious language [Basque]. Who, upon being shot by those who had risen up against the law, knew how to forgive and become a symbol of historical legitimacy that would develop decades later" Vs. "dead at 38, he is not even given the benefit of the doubt. Insulting adjectives have been hurled at his career and ideology"[35]

Theme 2, **constructing a shared telos**, is the most common narrative device used in this subcategory on both sides, though it can sometimes overlap quite easily with theme 1 since often nationalist calls to an imagined past are used to legitimate the present and future of the nation's continued existence. The theme is distinct in specific ways in that its narratives emphasize the actions of the present and usually demand a particular way of acting within the current democratic order. Constructing the *demos* as holding a shared commitment to common projects helps to imagine a unified and homogeneous national whole in the civic nationalist sense. Nevertheless, such statements tend to be connected to the same nationalist myths of the past seen

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[33] Miguel Aguilar, "Euskadi Más o Menos," *El País*, December 20, 2004.

[34] Alberto Surio, "El Estado Sólo Asumirá Competencias Vascas Bajo Circunstancias Extremas," *El Correo*, August 25, 2003.

[35] Josu Jon Imaz, "Sabinianos Ejemplares," *Deia*, December 1, 2003.

in theme 1, which is often the constitution in constitutionalist media. There is also often a more explicit connection made to the Gernika Statute in these narratives, which seems to be used to connect this shared goal and commitment between Basques and Spaniards:

> "Building our future in freedom… the starting point for this was the Statute of Gernika" Vs. "the totalitarian or nihilistic revolutionaries in search of the new man, the new society, the pure society"[36]

> "The civic and constitutional cause that so many have defended to the limit of devotion" Vs. "this metamorphosis of socialism determined to build imaginary national communities"[37]

The word *Convivencia* (coexistence) is particularly common. Such wording also has its legacy in the speeches and writing of the King during Christmas broadcasts and Spanish intellectuals, as mentioned in the case section, which abstracts a commonly shared telos. Basque nationalists from this narrative can thus be painted as 'disloyal' or 'uncommitted' to this common project for coexistence:

> "The Basques who defend the Constitution as a place of freedom, progress, and coexistence Vs. The Basque nationalist terrorists"[38]

> "Constitutional coexistence" Vs. "the disloyalty committed by the Basque government and the PNV by promoting a plan to unilaterally break up constitutional coexistence"[39]

Deia, on the flip side, utilizes sentiments expressed in theme 1 often to rally a very explicitly nationalist message and cause:

> "Let us not confuse our national cause with the conflicts that arise around us; our cause is Basque national independence, and nothing else. Our dead, our martyrs, will not have been in vain; they gave us the measure of their devotion to the homeland Vs. "All our

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[36] Joseba Arregi, "Política Hipotecada o Política Liberada," *El Correo*, September 18, 2004.
[37] Javier Zarzalejos, "La Fotocopia Fallida," *El Correo*, December 27, 2004, sec. Opinión.
[38] José María Calleja, "Zapatero, Ibarretxe y Arregi," *El Correo*, July 31, 2004.
[39] "UN PROPOSITO DISCUTIBLE, UN CAMINO EQUIVOCADO," *El Mundo*, November 29, 2003.

> harm comes from our political relations with Spain - 'Basque, banish from your mind and your heart every Spanish idea and affection' – Sabino Arana"[40]

Theme 3, **identity anxiety**, is a little more distinct than the other two in that it tends to focus more on the anxiety and fear experienced by members of the in-group when their identity feels threatened in some way. In this sense, this theme shares similarities with the affective-general code, but the main difference is that these codes still primarily rely on more explicitly nationalist narratives in that their claims are centred around ideas of homogenous identity and the myths and narratives that inform them. With the constitutionalist media, this is often expressed in reaction to the actions of Basque nationalists, who aim to destroy or water down the symbolic signifiers of Spanish national identity highlighted in the above two themes, such as the constitution and 'coexistence,' often this anxiety is somewhat implicit:

> "Both the PSOE and the PP have rightly emphasized that Ibarretxe's message fosters 'despair' among half of Basques who are not nationalists" Vs. "the sovereignty proposal is not an effort 'to achieve peace,' but rather an attack on coexistence"[41]

> "The pluralism of our country has been recognized and even partially institutionally invented in recent decades to an overwhelming extent, which has already fed up most Spaniards" Vs. "The only ones who don't tire of the autonomous drug are the nationalists"[42]

> "The Spanish" Vs. "the tribes and guerrillas I mentioned earlier don't want a constitution, but rather a quarrel, and to replace the flowing, mixed, and harmonious Spain with a monster that no longer needs to be called Spain"[43]

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[40] José Miguel Urbistondo, "Gora Euskadi Askatatuta!," *Deia*, February 3, 2003.
[41] "MENSAJE DE DESESPERANZA DE IBARRETXE PARA 2003," *El Mundo*, January 2, 2003.
[42] Fernando Savater, "Desenredar España," *El País*, September 1, 2003.
[43] Francisco Umbral, "¿Qué Constitución?," *El Mundo*, May 14, 2004.

This theme may also manifest in denials that there is a conflict in the first place, that the Ibarretxe Plan is an unfounded aberration that does not represent the true harmony/coexistence already established within Spain:

> "I have the impression that Basque coexistence within Spain is already very friendly" Vs. "The Lehendakari insists that his plan is not a plan for rupture but for coexistence"[44]

On the Basque side, these concerns tend to be even more explicit in their anxiety. In Spanish narratives, the anxiety is evident in that they imagine a world in which Spain's identity is being liquidated or watered down by the actions of Basque nationalists, yet they maintain a certain degree of confidence that their identity is secure either by suggesting that Basque demands are overblown or denying outright their claims. Narratives in Deia, on the other hand, showcase a much more explicit and existential worry about assimilation into the more dominant and institutionally powerful Spanish nationalism:

> "Let this reality serve to help the judges understand once and for all that, in defence of the Basque language, when a newspaper is published, ikastolas [Basque elementary schools] are created, or other business initiatives related to Basque culture are promoted, there is a reality much deeper than the obsessions on display in this case [Banning of Egunkaria]: the reality of a people who have long struggled against the extermination of their language and culture, which is an attempt to exterminate their own collective consciousness as a Basque people" Vs. "when I skim through other Spanish media outlets, and the ideological contraband that the judge attributes to Egunkaria, compared with the blatant anti-Basque militancy of so many newspapers, it seems like a macabre joke when one remembers the attack on the Basque-speaking newspaper"[45]

Affective-General

This subcategory contains the most extreme codes and dichotomies. Since this code focuses on affective content that does fall immediately into the nationalist category because it does not

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[44] Imanol Zubero, "Convivencia Amable," *El País*, August 9, 2004.
[45] Carlos Garaikoetxea, "Solidaridad Con Los Responsables de Egunkaria," *Deia*, December 3, 2004.

construct a clear political subject, these codes tend to focus on constructing a very clear frontier or Other, which threatens a typically unnamed or vaguely defined Us. This involves demonizing the other as irrational/living in falsehoods (theme 1) and/or fantasizing about the Other as an existential threat, often through the use of colourful imagery or allusions to people and events that generate fear and anxiety, such as Stalin (theme 2). These themes are quite consistent across organizations and tend to play into each other often, especially between El Mundo and El País, which both used language to paint the picture of Basque nationalism as pre-modern, barbaric, and/or tribal. On the other hand, Deia painted Spanish nationalism as a pervasive and fascistic threat aimed at the annihilation of difference.

Table 7: Affective general code results

Subcategory	**Themes**	**El Correo**	**Deia**	**El Mundo**	**El País**
Affective-general	**1. Asserting truth and rationality**	Having the courage and commitment to 'tell the truth,' and represent common sense VS. Nationalism which falsifies history and is devoid of reason and morality	Democratic Basque nationalism VS. A deeply rooted Spanish nationalism, where Spanish citizens are fed propaganda and lies by Spanish media and the nationalist dogmatism and anti-historical constitutionalism of Spanish intellectuals and institutions	The constitution and its rules VS. The tribalism and religious zeal within Basque nationalism, which manipulates historical facts, anti-modern and reminiscent of the Middle Ages	Democratic dialogue and consensus (more often undefined) VS. The 'nonsense,' 'blindness,' lack of logic of the Ibarretxe Plan and Basque nationalism, centered around regressive ethnic ideas and myths of ancestral roots and blood, based on pre-liberal foundations reminiscent of the Middle Ages

2. Mobilizing fear	Civic discourse and discussion VS. The barbarity and tribal/ethnic attitude of Basque nationalism which spreads like a 'cancer' and has an exterminationist and 'stalinist' quality	Democratic Basque nationalism VS. The still existing Francoist and totalitarian state, which disregards human rights and controls the media, alongside a Spanish culture characterized by a spirit of intolerance, and a desire of annihilating difference	'Defense of democracy' VS. The intricate link between moderate Basque nationalism and ETA, which aims to destroy democracy and practices the 'ethnic-cleansing' and extermination of constitutionalists in the Basque Country against constitutionalism	Presenting arguments through reason and dialogue to create peace (more often undefined) VS. The absolutism of ethnic and exclusionary nationalism, incapable of being reasoned with and which is concerned primarily with establishing its hegemony

Theme 1, **asserting truth and rationality**, was a common theme across all organizations. In this theme, rhetoric and narratives are created that label the other as irrational or living in falsehoods. For example, the very discussions brought from the Plan and the Plan itself are '*disparate*,' meaning ridiculous, absurd, nonsense, etc., in constitutionalist media.[46] In these cases, because they play to extremes in such a way, they often appear rather clearly as denials that the national question and the Ibarretxe Plan are permissible or even thinkable questions because they originate from irrationality. Or, alternatively, that dialogue and debate are made impossible by this irrationality. This can manifest quite straightforwardly by stating it outright:

> "The defence of democratic values" Vs. "Basque nationalism spreads its tentacles, ultimately corrupted by its selfishness and falsehood"[47]

[46] Eduardo Uriarte, "De Imprevisible, Nada," *El País*, June 10, 2003.
[47] Enrique Villar, "Se Extiende La Gangrena," *El Correo*, July 22, 2003.

> "the consensus reached at the time of the Gernika Statute" Vs. "Understanding the politics of the Basque Country requires a great attempt at coherence in which logic often fails"[48]
>
> "The victims of those who suffer from the terrorism of an organization that, let's not forget, pursues nationalist aspirations" Vs. "Indifference to objective truth is encouraged, sealing on world from another"[49]

By painting Basque nationalism in this way, constitutionalist media can place their extremism and irrationality against an 'Us' that is capable of discussion and consensus:

> "Dialogue and debate" Vs. "nationalism, taken to the extreme, ceases to be a political movement and becomes a religion, and like religion, it has its saints, its martyrs, its commandments, its Bible, its apostles"[50]
>
> "the ability to replace it [the Gernika Statute] through peaceful means" Vs. "The theoretical basis of the Ibarretxe Plan, sugar-coated with appeals to respect and dialogue, is a reaction coming from the Middle Ages"[51]

On the Deia side, the emphasis is usually on the biases and the propaganda perpetuated by Spanish media and intellectuals, thus painting the Spanish populace as having been fed lies which inform their views on Basque nationalism:

> "Basque society identifies with Ibarretxe" Vs. Spanish citizens, suffering the effects of severe media intoxication, do not understand how it is possible that the Lehendakari is the target of terrible criticism and insults outside of Euskadi and, at the same time, is the most appreciated politician in the Basque Country"[52]

Theme 2, **mobilizing fear**, includes all those Manichean narratives which use very extreme dichotomies to distinguish between in-group and out-group. In this sense, the code functions very similarly to theme 1 in that the aim is to present the Other as completely irrational

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[48] "Pelota de Batasuna," *El País*, December 20, 2004.
[49] Rogelio Alonso, "Una Insultante Negativa," *El Correo*, February 10, 2004.
[50] Ferrer Molina, "La Beuna Gente de ETA," *El Mundo*, August 9, 2004.
[51] Eduardo Uriarte, "Del Parlamento a La Campa," *El País*, October 1, 2003.
[52] José Ramón Blázquez, "¿Por Qué Convence Ibarretxe?," *Deia*, August 3, 2003.

and incapable of being a party with which dialogue is possible. One may find that in the 'Us' part of these codes, either liberal or functional arguments, but note that they were placed into this section due to the severity at which they distinguish between the two sides. These narratives are more about playing to the affective sentiments of the audience to illicit fear of the Other. Constitutionalist media tend in these narratives to paint Basque nationalists as possessing some form of authoritarian ideology, or engaging in reprehensible acts:

> Undefined Vs. "Tribalism (or nationalism, or religious fundamentalism) doesn't change; it only updates its signs and slogans, obsessively repeated until they become the mantra of massacre"[53]
>
> Undefined Vs. "What remains fascist is the fact that a person says that a great democratic achievement is dead [statement by LAB about the Gernika Statute]"[54]
>
> Undefined Vs. "the practice of 'ethnic cleansing' in the Basque Country"[55]

Deia utilized similar rhetoric in painting the Spanish state, particularly the continuous presence of Francoists within it.

> "The Basque Community" Vs. "Indeed, not only Fraga Iribarne, but other distinguished leaders of the major Spanish parties boast of being a continuation of Francosim. Furthermore, there is reliable documentation of these leaders' written support for the anti-democratic ideology defended by Francoism"[56]
>
> Undefined Vs. "the annihilating spirit that has historically characterized Spanish culture"[57]

Discussion

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[53] Federico Jimenez Losantos, "Siembra de Odio," *El Mundo*, April 7, 2003.
[54] José María Benegas, "Salvar El Estatuto," *El Correo*, October 26, 2003.
[55] "Y Testimonios de Limpieza Étnica," *El Mundo*, February 26, 2003.
[56] José Luis Orella Unzué, "Vascos Sin Papelees," *Deia*, June 1, 2004.
[57] Mikel Sorauren, "¡Que Se Pudran En La Cárcel!," *Deia*, February 1, 2003.

Keating and Bray (2006) in their research on the rhetoric of politicians and party positions in response to the Ibarretxe Plan, noted how, despite all the discussion and debate around the Plan that occurred, little to none of it focused on the actual content of the Plan. Instead, the debate centred around symbolic ideas – different understandings of sovereignty, self-determination, and nationality. If there is anything to take from the results presented above, it appears to be a very similar point – rarely, if ever, was it the case that the claims and narratives presented by the media, especially constitutionalist, were anything but attempts to police the boundary over what Spanish and Basque identity is, and what conversations are acceptable within that space with regard to sovereignty and who and what the values of 'the people' are, affirming the degree to which symbolic representation plays into democratic legitimacy (Ballacci, 2023). Because this issue has been framed so clearly on symbolic lines, I have decided to focus primarily on the division between Basque and Spanish (constitutionalist) media in this chapter. While there are notable differences between constitutionalist media in some specific ways (such as the relatively high percentage of liberal ideological codes in El Correo, or the more qualitative fact that El Mundo's rhetoric was noticeably more extreme and affectively charged), what this discussion will focus on is how national identity so clearly presents a primary fault line for the differences in these legitimation stories and their function.

As is immediately evident from the results, many different narratives have been used to frame the conflict in specific ways and to identify particular procedures or values attributed to democracy. Yet, in another sense, those narratives have certain consistencies depending on which national sphere the narrative comes from. This distinction is most notable in the functionalist section, where the specific procedures and criteria they use to legitimate/delegitimate the democratic state are quite divergent. Spanish media seems to care

much more about the populace accepting the procedures and rulings of established institutions such as the Supreme Court as the condition for legitimacy, but Basque media often focuses on whether the establishment or outcomes of those institutions are legitimate in the first order. In this way, we can already see differences in how one's national identity and its relation to the state and its institutions (i.e. proximity to power) impact legitimacy discourse.

Narratives presented in Deia were heavily geared toward presenting alternative understandings of Spanish institutions than mainstream Spanish press; they speak of the anti-historical narratives of Spanish intellectuals and politicians when it concerns the constitution and democracy. In a more impersonal sense, Deia narratives speak of the state itself and its illegitimacy due to its founding influences in Francoism, often with constant historical references to its dictatorial legacy, and highlighting similarities between the Franco regime and the democratic regime. In complete contrast to these narratives in the constitutionalist media, which, in the presence of normative liberal claims about the value of pluralism, were also narratives suggesting that the Constitution or the Gernika Statute were foundational texts that did exhibit some form of 'broad consensus' that had already managed to capture the supposed deep pluralism described. Take, for example, these two codes from the same article; the first was placed in the liberal ideological subcategory, and the second in the affective nationalist:

> "the interests of a plural and diverse society [Basque society]" Vs. "the PNV allowed itself to govern everyone from an exclusivist conception of the country"[58]
>
> "the broad consensus that was at its origin [Spanish democracy]" Vs. "disdaining the broad consensus that was at its origin"[59]

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[58] *El Correo*. 2003. "Esclarecedora Encuesta," November 30, 2003.
[59] *El Correo*. 2003. "Esclarecedora Encuesta," November 30, 2003.

What this suggests is that many of these liberal arguments are often not entirely sincere in the sense that they *only* genuinely care deeply about those values and wish to see them realized in institutions. One may argue that the Spanish population broadly holds these values as essential and foundational, but we cannot enter the heads of individuals. What we can do is highlight the *function* of these narratives, which legitimize the current order by relying on the embedded nationalist investments and myths of the majority. It is not simply that Basque nationalism cannot represent the plural interests of the whole Basque population but that such claims are often accompanied by their own nationalist narratives that explicitly or implicitly claim at the same time that, actually, *their* own values and investments already do genuinely represent this plural nature, or do genuinely enable this broad consensus in society, or do genuinely create the space for dialogue and debate, or do genuinely represent the 'Truth,' and so on and so on.

Thus, in terms of function, there is often little difference between whether a narrative presented in constitutional media utilizes extreme affective rhetoric, labelling Basque nationalists as Stalinists, or more liberal and moderate rhetoric that argues nationalism cannot account for pluralism. Both narratives tend to be nationalist legitimation stories – they ultimately aim to legitimize the current order using assumptions grounded in nationalist thought.[38] The former is more explicit in its nationalist underpinnings in that it legitimizes through myths of a common people and telos, while the latter obfuscates its nationalism by primarily delegitimizing attempts at alternative ways of thinking about sovereignty and nationhood, such as arguing that the other does not hold liberal values while implying that the current order does (this being implicit only if the liberal narrative comes from an article that contains no mention of those nationalist myths, which are rare). What I mean to highlight with these observations is how all of these legitimation stories, despite their differences in terms of the values they attribute to the *demos* and to

democracy, are often intricately linked to national identity. Despite all the different ways Spanish media perceives and attributes specific values to the *demos* and democracy, there is a constant underneath these differences. While this is most obvious when one looks at the affective nationalist codes when they explicitly rely on nationalist myths, this nationalism still presents itself in various ways within the liberal and functional codes that are often much more implicit.

How nationalism manifests in those liberal codes has already been described, but how does it play out in functional codes? First, the narratives presented in Deia highlight the degree to which the Francoists have influenced the democratic transition and how they perceive that influence continuing into today and existing in Spanish institutions. While these narratives hold some clear affective weight in that they rally nationalism within the Basque Country against a threatening other, there is, ultimately, empirical validity to the claim. As the case section shows, the democratic transition and its founding document were indeed largely developed and managed by Francoists. There are legitimate concerns to be had by minority regions over the Spanish state and its institutions, who have either directly experienced or who have heard of the experience from their families of the violent repression conducted against them during the dictatorship. These concerns and complaints by minority regions have not faded away over the recent decades either; Catalonia, in the 2010s, went on to plan an illegal referendum demanding independence from the Spanish state after a constitutional court ruling in 2010 reneged several changes to their statute reform in 2006 to do with their identity as a nation within Spain (Bremberg and Gillespie 2022, 103). There is thus a large existing legitimation deficit in Spanish institutions, especially in the judicial system and the constitutional status quo, in the eyes of national minorities.

These are points and concerns we might expect to see made within Basque media, and indeed, they are, but they are nearly non-existent in Spanish media. Quite the opposite, Spanish

media tends to presume a sort of impartiality or fairness within Spanish institutions, as shown in both themes in Table 5. When discussing court rulings that banned Basque political parties and media organizations, there are constant references to Spanish citizens' obligation to 'respect the rules of the game,' to 'obey' court rulings, or to 'defend the rule of law.' These narratives often appear straightforwardly as a rehashing of those liberal procedural theories of democracy from the twentieth century. Democratic legitimacy is prescribed based on the degree to which the people accept the procedures and believe them to be sufficiently just or effective. Certain expectations are therefore placed on the *demos* by those who *already* believe, often implicitly, the 'rules of the game' to be fair and impartial – that each citizen has the duty or obligation to accept these rules and to foster this 'democratic culture,' which allows for engaging in open debate and dialogue (see table 5). Herein lies the issue with such legitimation narratives – either the premise remains hidden, and they uncritically assume that the procedures are just and effective without taking into account the real concerns levied at them by minority regions within the state; or, when they do attempt to justify the procedures, in a similar fashion to the liberal ideological codes, they tend very rapidly to fall back on the kind of nationalist myths one may see in the affective national subcategory – i.e. the procedures are legitimate because they were developed in a broad consensus (constitution), or because 'we' already exist harmoniously and are united in our common project of coexistence.[39] Either way, the procedures and 'rules of the game' are legitimated, and any attempt to suggest otherwise unlocks the possibility of branding those who do not accept these narrative demands as 'anti-democratic,' 'confrontational,' or as aiming to 'rupture' with the system.

When constitutionalist media create these narratives, they serve the function not only of legitimating the current order but also reproducing the hegemony of the nationalist majority.

Such discourse has the express effect of making dialogue impossible. Primarily because such discourse, loaded with nationalist presumptions and myths, implies that there is no discussion to be had on the topic in the first place. Affective nationalist and affective general codes showcase this denial most explicitly in how they legitimate the in-group around nationalist myths or shared values that are supposedly uncontroversially universal or in how they delegitimate the out-group by claiming those who reject or even imply that the hegemonic status quo is not fully legitimate are irrational authoritarians or barbarians lacking reason. Yet, as argued above, those exact mechanisms operate in the liberal and functional structural codes as well, often in a much more implicit manner. These results thus corroborate what theorists of banal nationalism have also noted when it comes to how national majorities in states like the US "think they have no nationalism, but only patriotism or calm and sensible civic feeling. Nationalism is seen mainly in other places and in extremists" (Calhoun 2017, 20). This observation is also at play in the results of this research, especially as it pertains to how the national majority in Spain presume certain qualities of the *demos* and the democratic system without question. For instance, one of the examples presented in theme 3 of the liberal ideological subcategory has this quality that Calhoun outlined:

> "An issue that affects individual rights that are inviolable, a right as basic as everyone being treated as equals before the law" Vs. "They [Basque nationalists] intend to replace it with a norm in which 'the Territories' take precedence over the people"[60]

In this liberal code, a hidden premise exists in that it is already presumed that the institutions that execute these rights have executed them in a fair manner that treats everyone as equals. This premise becomes most apparent when looking at how the actions of Basque nationalists are

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[60] Rosa Diez, "El Tahúr de Ajuria Enea," *El Mundo*, February 4, 2003.

framed as *replacing* this supposed already existing fair and just structure. Yet this hidden premise is precisely what Basque media frames as a central issue, as is especially notable in their functional narratives, which center on the degree to which Francoists influenced those institutions and how they continue prosecuting Basque institutions and individuals unfairly.

One may argue about how fair the Spanish judicial system is in informing how legitimate or how serious we should take these Basque narratives, but that is not necessarily the point of these observations. Whether Basque nationalists are justified normatively in their critiques of the state is not the concern of this thesis. Rather, these observations show the degree to which Spanish media (more broadly, the national Spanish majority, including politicians, as Keating and Bray (2006) note) appears incapable of even having a conversation over these concerns in the first place and the degree to which that incapability is tied to embedded and banal nationalism and democratic legitimacy. This is especially the case in discourse around the Ibarretxe Plan. The Ibarretxe Plan was a relatively modest attempt at a political discussion that included many concrete concerns and jurisdictional demands despite its often-vague claims to free association and self-determination; it was presented in a context in which discussion had stagnated since the Statute passed in 1979, with many of the jurisdictional powers described in that document not devolved, despite growing discontent in the Basque Country. Regardless even of all these points, the Plan went through very standard institutional channels and procedures – it was well understood that once the Plan passed in the Basque Parliament, it would move on to the Spanish Cortes, where it would be overwhelmingly likely to be immediately shot down by the constitutionalist parties who have an overwhelming majority compared to the regional parties. The Plan never represented the kind of existential threat perceived by constitutionalist media as seen in many of their codes.

Since the Plan went entirely through standard institutional channels, we might hope in an ideal situation that both interested parties could come together to read carefully over the Plan and to come to some form of agreement as to what terms are acceptable, which may need to be reworked, and which are unworkable. This is very far from what occurred; the rhetoric and narratives highlighted within this research that focused so heavily on symbolic issues were just as pervasive and overwhelming as they were between politicians and party positions on the Plan (Keating and Bray, 2006). Concrete discussion of potential policy solutions or jurisdictional questions was subordinated to the overwhelmingly symbolic discussion. Either around the abstract values one attributes to the *demos*, where those values come from, and who holds the legitimate authority/sovereignty to support those attributions, or through narratives aimed at generating fear in the Spanish populace over a perceived barbaric, antidemocratic and authoritarian nationalism manifesting in the Basque Country. An apparent reason why these discussions dominated politically is that these jurisdictional policy questions don't exist on their own – they are intricately connected to questions of sovereignty, national identity, and the makeup of the *demos.*

Article II of the Spanish constitution firmly establishes 'the indivisible unity of the Spanish nation,' it imagines a unified and homogenous whole, nationalistically, with a shared political past (Núñez 2020, 480–81) that Spanish intellectuals, politicians, and media frequently frame as the foundation for 'our constitutional coexistence.' As discussed in the literature review, these nationalist myths constitute a hegemonic discourse in Spanish democracy – they inform what is to be perceived as impartial, common sense, or natural (Mouffe and Martin 2013, 122, 210). This national imaginary serves the critical purpose of creating a stable *demos*, as is presented in the classic Janus-face conception (O'Leary 1997, 222; Nairn 1997). However, when

the Ibarretxe Plan was announced and presented demands based on the supposed mistreatment by the Spanish state and civil society of the Basque Country, such as free association with Spain, the unified *demos* suddenly did not appear so unified, stable, or consistent. The symbolic foundation of that national identity, which provides a consistent sense of identity for the national majority – a kind of ontological security – is questioned to the extent that such actions are perceived as an existential threat rather than instrumental issues (Basta 2021, 47-48).[40]

What these observations suggest is that these symbolic questions cannot be sidestepped when we want to consider ways of constituting a democratic state and its *demos* in a plural manner that is capable of addressing such issues as multinationalism. In his foundational work on liberal multiculturalism, Kymlicka (1996) focused on the degree to which liberal individual rights can be squared with autonomy and group rights. In his discussion of accommodating 'non-liberal minorities,' Kymlicka (1996, 163-171) assumes that the majority within liberal democracies is liberal because they genuinely hold certain values, such as individual rights, freedoms, and justice. His worry is that some minorities may not have these same values and that it may raise issues of intolerance between liberal and illiberal communities. In more recent literature concerned with advancing pluralism and multiculturalism, where Kymlicka is often still cited, interculturalists developed out of the 'failures' of multiculturalism (Amanuel Elias, Mansouri, and Sweid 2021; Vertovec 2010; Zapata-Barrero 2017); they prioritize communication and developing common bonds among diverse populations, often at the interpersonal level. While such research advances multiculturalism positively, it still does not address the mechanisms of exclusion that national majorities within democratic state institutions produce, as has been highlighted in this thesis.

What such theories should not leave out of consideration is the possibility that national majorities in liberal democracies may not be liberal in the most genuine sense. Majorities can often utilize and invoke liberal democratic norms and values, not necessarily out of genuine appreciation of them, but rather as narratives that help to legitimize and reproduce the hegemony of the political order and status quo (Eisenberg 2020). For example, in this research, the Spanish media often nationalistically creates in-groups and out-groups when it paints *our* judicial institutions and constitution, which represent liberal values of universalism, impartiality, civil dialogue, and openness, as *already* fully legitimate, in contrast to ethnic and regressive Basque nationalism, which aims to destroy those values. Such narratives represent a 'have your cake and eat it' logic – they want to imagine their own society and democracy as open, plural, and diverse and as having already fully realized and constituted those values while simultaneously being very hostile – even fearful – of opportunities to realize those supposed values (Glynos and Howarth 2007, 147).

Spain and the Basque Country are certainly a more extreme case, and perhaps majority nationalism manifests so clearly due to how young of a democracy it is. It only exited a dictatorship fuelled by extreme centralizing nationalism roughly five decades ago, and at the time the data was gathered, two and a half. However, this should not be taken to mean these mechanisms of majority nationalism are only significant in such circumstances. This thesis aimed, first and foremost, to highlight the degree to which modern liberal democracies rely on nationalism to define the *demos* and the potential adverse effects that arise from those exclusions. Theorists of banal nationalism and multinationalism have researched a multitude of liberal democratic states and have highlighted how majority nationalism continues to play a significant role in those societies, especially in how it remains a constant obstacle to pluralism in

settler colonial states such as Canada and New Zealand (McCreanor et al. 2017; Calhoun 2017; Basta 2021; Gagnon 2023). Even further, Rana (2015) has highlighted how, in a very similar manner to this case, discourse in the US around the constitution has shifted from its historically extreme nationalism to a civic nationalist narrative, which allows the American national majority to attribute the Country's foundations and imagine the *demos* as already liberal and pluralistic, such that any attempts to suggest systemic change by disenfranchised minority populations to those foundations or the democratic system can be labelled irrational, identitarian, or authoritarian.

What these examples highlight is the degree to which the problems majority nationalism poses for pluralism in liberal democracies, in terms of how they exclude others from dialogue to legitimize a majority nationalist hegemony that makes discussion on how to address those issues impossible, are not exclusive to Spain's unique circumstances. This conclusion aligns with some of the most recent multicultural literature, which has been reckoning with the increasing prevalence of majority backlash that seems so consistently widespread across Western liberal democracies (Eisenberg 2020; Naresh 2024). This effect seems even more pronounced today in terms of immigration, where not only does the public seem to exhibit a kind of demographic anxiety, but even democratic theory scholarship worries about a 'diluting' of the majority identity (de Waal and Duyvendak 2022). While theorists, intellectuals, and the media in these states may refuse to call these concerns and narratives nationalist, perhaps settling instead for some calm sense of 'patriotism,' what this research has shown, alongside past theories of banal nationalism, is that majority nationalism in its hegemonic institutionalization operates in a much more implicit fashion, yet its effects remain as destructive as ever in terms of enabling plural societies. Thus, this research points in a more concrete direction at potentially where majority

backlashes originate from and argues for taking seriously the role of nationalism in constricting attempts at furthering pluralism and/or multiculturalism.

Conclusion

This thesis has aimed to examine and outline two specific mechanisms operating within liberal democracy: the degree to which democratic representation and legitimacy are symbolically instantiated around conceptions of the *demos* and sovereignty and the degree to which those symbolic concepts are tied to nationalism. It has specifically delved into how this process occurs in every day, intersubjective practices in the discourse of differing national groups. As the results show, there are a multitude of different narratives with different conceptual focuses (liberal, functional, affective) that have been utilized to discuss the national conflict between Spain and the Basque Country. However, what remains constant across these various narratives are their underlying nationalist assumptions regarding the characteristics of the *demos*, its supposed unity, and the myths that imagine it as such. While these assumptions are most apparent in the affective structural code and in Basque narratives which center around Basque identity, they are present in nearly all structural codes, and they play an important role – especially in constitutionalist media – in legitimizing the current order and delegitimizing any imagining of alternatives ways of viewing sovereignty, nationhood, or the *demos*.

Thus, this thesis has made explicit the often implicit and naturalized nationalist underpinnings of the national majority and its hegemony. With nationalism embedded to such a degree, critical discussions over sovereignty and nationhood in multinational circumstances are continuously obstructed by the anxieties presented by the national majority over the ontological security of their identity. Furthermore, the discussion mentioned how such processes might play

out in other states that do not have multinational conflicts, but experience increased immigration and, as a result, see majority backlash. By re-establishing the role nationalism plays within liberal democracy in its very foundations (i.e. in the very way the democratic order/state is legitimated as appealing to 'the people' or the *demos*), this thesis argues that it cannot be side-stepped or ignored in theories of multiculturalism and pluralism which wish to create plural societies.

Endnotes

[1] Nationalism in this context is understood as a necessary vehicle for establishing who 'the people' are, and defining the inside and outside of the democratic sphere (Mouffe and Martin 2013, 171).

[2] This understanding of representation expands from the more traditional focus on forms of substantive representation originally outlined by Pitkin to include forms of symbolic representation. Instead of solely choosing between individualist and instrumental delegate and trustee relationships in democratic elections, this thesis is primarily concerned with representation as "'standing for' the ideal or essence of a political community" (Ballacci 2023, 3). The symbolic idea of an 'ideal essence' represented in the state and its institutions aligns quite readily with Basta's (2021, 4-10) work which has highlighted how significant a role the symbolic dimension plays in multinational federations.

[3] This constitutive act by the people is also, importantly, co-constitutive in the sense that once state institutions themselves take on these identifications, and as they become inscribed and hegemonic within them, "the state constantly draws upon these investments in its definitions and resolutions of public issues" (Connolly 2002, 199), which inevitably narrows the sphere of acceptable discourse and representations available.

[4] This is informed explicitly by perspectives from indigenous and de-colonial scholars who have come to criticize the unquestioned statist assumptions of much liberal multicultural and democratic literature. They argue that Western coloniality is embedded within liberal political theory and ideology; that its understanding of democracy and justice often relies on an ahistorical view of the liberal state as neutral arbiters, undermining discussions of the real underlying power relations at play and the state's involvement in the perpetuation of those relations (Boucher, Guérard de Latour, and Baycan-Herzog 2023, 535–36; Coulthard 2014; Tockman 2017).

[5] For instance, the Ibarretxe Plan, which occurs during the period under study, specifically forefronts these discussions during the research period, displacing and destabilizing any possibility of depoliticizing questions of national identity and sovereignty from democratic governance (Keating and Bray 2006).

[6] Critical discourse analysts have specifically pointed out how, when it comes to media discourse, there are very often simultaneous dynamics at play at once, which include ideological tensions, affective dispositions and practices. And that, even more broadly, that emotion is a fundamental aspect of discourse and meaning-making – it cannot be separated from it (Kelsey 2017, 517–18). This complexity makes disentangling and distinguishing affective codes from liberal and functional codes a much trickier task than one might presume.

[7] This does not mean that the heavily affective language of Us vs. Them will be forgotten when coded into the liberal category. These considerations are taken up in the discussion when looking at how the Us vs. Them is constructed across both structural codes and national identity.

[8] In poststructural theories, appeals to 'truth' and 'common sense' in discourse are typically signifiers of the hegemonic/symbolic order. Those who study affective discourses from this theoretical perspective have highlighted how these discourses split the world into good vs. evil, and utilize disgust, fear, or horror to play to the affective investments of the majority in the hegemonic status quo (Martin 2016, 13–15).

[9] (for examples, see Clavé-Mercier 2022; Corntassel, Win, and T'lakwadzi 2009; Comack and Bowness 2010; Goeman 2008). Many of these examples specifically look into the way that liberal democracies have naturalized specific ideals for what constitutes legitimate political discourse or 'way of life' and how it has been used to 'paint over' difference to perpetuate state oppression of indigenous communities.

[10] This connection is termed 'interdiscursivity,' whereby one can observe that discourses on one topic (the national question in Spain) frequently refer to topics of other discourses (the constitution of the *demos* and its representation in the democratic regime) (Wodak and Reisigl 2015, 28).

[11] The use of the term 'logic' here is very purposeful. I take from Glynos and Howarth's (2007) work which bases a social science methodology for poststructural research built upon 'logics.' Logics here help to unpack and understand how hegemony in social relations is manifested, how it is sustained, and how it is questioned.

[12] Fantasmatic logics and/or narratives serve the purpose of covering over the political dimension of political practices. In other words, their role is to "actively contain or suppress the political dimension of a practice" and this is usually in the context of social practices which "seek to maintain existing social structures by pre-emptively absorbing dislocations, preventing them from becoming the source of a political practice" (Glynos and Howarth 2007, 145). In this sense, their concept of fantasy fits quite well with this thesis' understanding of symbolic legitimacy and representation in liberal democracies, considering fantasmatic logics are quite literally legitimation narratives understood in its symbolic constructing, and as reproducing an already instantiated hegemony. In the context of this thesis' case, the dislocation is represented by the Ibarretxe Plan, and the claims by Basque nationalists, which challenge the supposed impartiality and universality of Spanish nationalism. The 'fullness' of Spanish identity is thus put into question, and fantasmatic logics are employed and are "articulated by means of a narrative in which an external obstacle or enemy is deemed to be a threat to an already existing fullness or harmony" (Glynos and Howarth 2007, 151), this supposed fullness or harmony being the Spanish constitutional consensus, and the nations 'indivisible unity.' My understanding of legitimation takes much from Glynos and Howarth's theory stated here, but little room is provided to discussing it in-depth outside of this note, both due to space constraint and the complicated nature of the theory, with all its jargon. If the reader is curious as to understand this theory further, please read the full text (Glynos and Howarth, 2007).

[13] For more information on the respective media organizations, see the section on 'The Media Environment' in the case chapter.

[14] Originally, this selection included Gara, another news organization in the Basque Country with a more left-nationalist perspective, and that was often associated with ETA. Due to constraints primarily due to gaining access to archives, this could not be accomplished. Deia was chosen to represent the Basque side primarily due to its connection to the PNV and the mainstream of Basque nationalism surrounding the party, which was especially ubiquitous at the time of the study.

[15] If a writer in an editorial, for instance, consistently presents the same interpretation several times, defining the Us and Them the same, the extra instances will not be codes. But if the interpretations changes even slightly, and emphasis is placed on other aspects in the Us or Them, then it will be coded separately.

[16] A theme, as Saldaña (2016, 199) describes it, "is an *extended phrase* or *sentence* that identifies what a unit of data is *about* and/or what it *means*." Themes are helpful in that they take repeated and related ideas and organize them based on a common implicit topic; see the results section for examples. In the case of this research, the In Vivo codes produced during data gathering are only quantitatively categorized down to the subcategory level for each structural code. This is primarily because themes are considerably looser than subcategories – some codes, for instance, place in the 'Us' a different theme than they place on the 'Them.' In this sense, themes should not be mistaken as codes (like the structural codes) themselves but as a means to identify recurrent ideas or 'scripts' that go across multiple sources. Additionally, themes should not be misunderstood as substitutes for a full, in-depth qualitative discussion – themes do not capture the entirety of the data holistically. The use of themes in this research

is meant to help provide an overview of the results at a glance – to summarize and make coherent the general findings of the research data before in-depth analysis and discussion.

[17] The original statement reads: "Sobre la invocación del Don Juan Carlos a la 'unidad solidaria de las diversas tierras de España, el representante del PNV dijo que se enmarca 'en la ortodoxia patriótico-constitucional que a los nacionalistas vascos nos suscita un cierto escepticismo'. 'Esa unidad -opinó- no viene dada por sí misma, ni se establece a través de la imposición, sino que sólo se puede conseguir desde la persuasión, y, por tanto, requiere una disposición favorable de esas tierras y pasa por una expresión democráticamente expresada de los representantes de esas tierras'."

[18] For works that outline the historical roots of the conflict, see (Lecours 2007; Whitfield 2014; Conversi 1997; Zirakzadeh 1991).

[19] This distinction between two streams of nationalism is more of a useful narrative simplification that is often made than an objective and consistent difference – nationalist worldviews are complex and often involve a mix of many different streams of thought involving ethnic, civic, cultural, and/or political aspects.

[20] See (Yack 1996; A. Gagnon 2023; Simonsen and Bonikowski 2020; Piwoni and Mußotter 2023) for criticisms and discussion on why the comparison between civic and ethnic nationalism is somewhat of a false dichotomy. Furthermore, see (Núñez 2020, 480–81) on the cultural foundations and ethnic aspects within Spanish nationalism.

[21] The next section in this chapter on the Spanish constitution highlights how this determinism has found its way into the Spanish constitution, making it hegemonic and institutionalized.

[22] This idea of the symbolic order within multinational democracies is outlined by Basta (2021) in his discussion on the symbolic importance of the state. This would entail such concepts such as the sacredness of the constitutional order in Spain, which, as the second section in this chapter highlights, clearly favours recognition of the majority nationality over peripheral nationalisms.

[23] The UCD won the first election by a narrow margin, making the leader of the UCD, Adolfo Suárez, the first democratically elected Prime Minister of Spain. Suárez was the General Secretary to Franco's political party, and while he was much too young to have been involved in the civil war, did represent to many liberal reformers a continuation of Francoism. From there, the 'consensus' politics that created the constitution was formed from a parliamentary committee of 6 politicians, three from the UCD, and one from each the PSOE, the far-right Alianza Popular party, and the Catalan nationalist party (Sánchez-Cuenca 2020, 39–41). The communist party originally had a politician also involved, but they soon abandoned the committee, giving Francoist soft and hardliners overwhelming influence in the development of the constitution, covering four out of six members.

[24] The Basque Country and Catalonia especially expressed a desire to have distinct relations and statutes with Spain due to the unique historic nature of their cultural heritage compared to other regions. This desire has been described by the sub-state nationalists as *hechos diferenciales* or differential fact. They were, and still are, quite opposed to the idea of having constitutionally similar devolved powers to other regions. Thus, to some extent these concerns were immediately addressed within the constitution, likely due to the presence of Catalan nationalists presence in the drafting process (the PNV was not involved), which lead to a Specific fast-tracking mechanism for drafting and approving a Statute of Autonomy that was provided for the 'historic nationalities' (Basque Country, Catalonia, Galicia) (Lecours 2007, 84).

[25] See (Erk 2007; 2017) for discussions on the connection between territorial congruence, nationalism/ethnolinguistic divisions, and the creation of a demos.

[26] Additionally, over the decades since the establishment of the Gernika statute, the transfer of competencies has been slow and often depended on whether the PNV's votes in the Spanish parliament were necessary to maintain a minority government for the PSOE or PP (Gillespie 2017, 412).

[27] The 1981 coup resulted in both the PSOE and PP attempting to pass a 'harmonization' law (LOAPA) just two years later, hoping to appease the still present remnants of the reactionary Francoist military (Conversi 1997, 94:146–47).

[28] The Gernika statute's automatic association with the constitution is most seen in conservative Spanish nationalists and constitutionalists. For example, Keating and Bray (2006, 358), when studying discourse around the Ibarretxe Plan, have shown how Basque nationalists saw the Plan as a reform of the statute, while PP supporters saw it as a rupture with the constitution itself. From this perspective, the Gernika statute is thus seen as a logical extension of the Constitution.

[29] For examples of how this has affected nationalist political movements in Spanish regions, see (Lecours 2021; Ayotte 2024)

[30] Another important event that influenced this polarization and likely played a role in advancing the movement toward peace was the kidnapping and murder of a young PP councillor, Miguel Ángel Blanco, in 1997 (Whitfield 2014, 80).

[31] Allegations of torture from Spanish authorities, both by ETA members and others who were alleged to be connected to the organization, came to be a relatively common during this period. For a long time, it was very difficult to verify many of these claims, as most cases were not investigated, and if they were, they were often dismissed or overturned. In 2004, however, the UN Special Rapporteur on torture conducted an investigation and found that, while not a regular practice, torture was 'more than sporadic and incidental' (Whitfield 2014, 127).

[32] EH was a renamed version of HB intended to avoid legalisation, which was then refounded as simply Batasuna in 2001 (Whitfield 2014, 92; Bourne 2015, 333).

[33] This was accompanied by an anti-terrorism pact signed by the PP and PSOE in 2000 that declared that the PNV and EA were no longer democratic parties for their complicity in ETA's violence and attempt to negotiate with terrorists. The PP also called for the expulsion of the PNV from the Centrist Democrat International group in the European Parliament, which was successful (Mees 2015, 45–46).

[34] Space was made to allow for the three French Basque provinces or Navarra to join if they requested.

[35] This is especially notable with regards to the courts of multinational federations, which seem deeply engaged with and have a stake in the centralized and unitary vision of the state in the United States, Canada, and Spain (Lecours, Brassard-Dion, and Laforest 2021, 193).

[36] See (Núñez 2020, 481–91) for a brief history of the use of 'constitutional patriotism' in Spanish political discourse. Potential arguments can be made here that the use of the term in public discourse is largely disconnected from its liberal theoretical and philosophical roots in Habermas' work and that, therefore, this is not actually liberal. While it is the case that these ideas are quite disconnected from those roots, I will argue that this is unimportant mainly because its use in public discourse in this way is primarily symbolic and ideological, not analytical or descriptive. The purpose of signifiers like 'constitutional patriotism' or 'constitutional loyalty' is not to outline clear arguments as to *why* one should hold to a constitution but rather to provide an aesthetic of internal unity and correctness for the in-group (the national majority), which in turn perpetuates the already established legitimacy of that group and its representation of itself in institutions (see Ballacci 2023 for representation as "standing for"). The in-group is liberal – civic, and tolerant, while the out-group is conversely illiberal – nationalist, subversive, and totalitarian, as I will show in many of the codes extracted from Madrid media. Such discourse is resolutely liberal because, although it does not engage in the kind of conversations real liberal theorists are having, it quite openly aims to engage with and activate the ideological underpinnings of its intended liberal audience.

[37] This sentiment is clearly expressed in classic functionalist views of democratic legitimacy. Taking from Rawls, Stilz (2019, 3) mentions a 'natural duty' to comply with just institutions that constrain our actions. Furthering this connection is an aspect mentioned in the coding section about the link between functional accounts of legitimacy and stability. Because so much importance is placed on the legitimacy of the institutions, if their legitimacy is threatened, there is an implicit association with threats to stability. This worry about potential instability is undoubtedly seen in the way constitutionalists negatively frame in a very emotive manner the Ibarretxe Plan as leading to 'rupture' and breaking with the current order.

[38] This may not immediately appear the case when comparing some liberal arguments to more affective nationalist ones, in terms of those liberal codes and narratives that desire some abstract and unconcreted desire for building consensus. But I would argue that this does not actually change the function of those liberal narratives to any great degree. While the affective nationalist narratives make much more explicit connections to concrete

nationalist myths as providing legitimacy, liberal codes primarily do this legitimation through delegitimizing alternatives (in this case the Ibarretxe Plan). Thus, what is different here is the mechanism, not the function.

[39] Nationalist sentiment can also manifest in other ways here, particularly in terms of how they define the Other. We can look to some of the codes in the affective general subcategory, where the Ibarretxe Plan or Basque nationalists are labelled as representing some form of falsehood or irrationality, which tend to carry with it the implication that those who the plan is targeted at (Spanish state/society, for which the opinion piece defends) represent rationality, truth, common sense, etc.

[40] One could argue that the complete rejection of alternative ways of viewing the symbolic by the national majority may be instrumental in the sense that maintaining control over the symbolic for the majority certainly implies some form of material benefit. From a liberal perspective, a national majority is much more likely to feel safer and more secure if they share a common consensus, otherwise one may always worry of the threat of civil war. Issues arise from this perspective when one already assumes there *is* a common consensus that has already been decided and that is closed off to any reinterpretations – this is what nationalism tends to do, and what appears the case with Spanish nationalism in this research. There is also rational in the sense of functional economic reasons why the national majority may refuse to address concerns to do with independence, especially considering how wealthy the Basque Country is relative to many other regions within Spain.

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