



What is EAE-ANV (Basque Nationalist Action)?

The programmatic principles of EAE-ANV appear on the statutes officially registered in 1976, where it is said (2nd art.), in literal transcription, “since 1930, EAE-ANV is a patriotic political party with no profit motive, that takes into account the traditional and historic values of the neighbouring people and whose objectives are the achievement of autonomy for the Basque Country and determined action aimed at setting-up a well-balanced and democratic society, as fair as possible and which condemns violence”.

Therefore, EAE-ANV is a political party different from Batasuna, it is legal and it is registered at the Register of Political Parties of the Spanish Ministry of Home Affairs.

Brief history of ANV from its foundation to the banning

Basque Nationalist Action (ANV) formally became a political party on 30th November 1930 in the city of Bilbao (Basque Country) with the proclamation of what would be known as its founding charter, the “Manifesto of Saint Andrew”.

ANV was created in a period in which the Basque nationalism and the nationalist parties, such as the Basque Nationalist Communion (Comuni3n Nacionalista Vasca) and the Basque Nationalist Party (Partido Nacionalista Vasco), were considered to be a conservative and denominational. In that situation, Saint Andrew Manifesto meant a real political earthquake.

The manifesto begins with a call to the Basque People, continuing with an introduction in which the Basque Nationalism is accused of suffering from a growth crisis and of not having been able to seek an ideological progress to connect the postulates of the founder of the nationalism, Sabino Arana, with the modern needs of the country.

According to the program of ANV, the essential ideological basis was the effective and efficient definition of the personality of the Basque Country and its right to freely decide its future. The unique condition to be an active member of this party is to accept this premise. Its performance rule was to collaborate with any party or institution that recognizes and accepts the Basque differential fact. Lastly, given the fact that the Basque people represent a different nationality which is not politically constituted, ANV agrees:

With regard to the Basque Country:

- to take care of the spreading of the Basque language, as well as of every sign of cultural identity that define the Basque People as people.
- to work for the country's political and administrative cohesion.
- to favour the resolution of particular problems in each area affecting the ownership of the land. Contacts capital work...

-to collaborate with any Basque party that advocates the restoration of the rights of the Basque Country or that aims to create a State less unitary than the current one.

With regard to Spain:

-to collaborate with those parties that recognize the differential fact of the historical nationalities, try to create a State less unitary than the current one, guarantee the individual rights, guarantee a legal order away from any dictatorship or arbitrariness, settle the social problems with justice and reduce the army to the sphere of its own function, abolish the jurisdiction law, aim a democratic system as the one in which the Basque Country wants to live.

On 12th April 1931, the Second Republic was declared in the Spanish State. Since then and throughout the whole Republic, ANV was basically a pro-Basque-statute party; a party in favour of the creation of a statute of autonomy for the Basque Country within the framework of the Federal Republic. All its strategies was devoted to the achievement of a Statute of Autonomy for the country.

Thus, it took part in the three legislative elections of the Republic with the autonomy as its program: in 1931, through the project on the Society of Basque Studies (Sociedad de Estudios Vascos) in favour of a statute for the four Basque provinces; in 1933, having the Statute been approved by referendum and lastly, in 1936, with the passing of the Statute of the Popular Front (Frente Popular).

In order to get the Basque statute, it carried out a policy of election alliance that was not constant.

Therefore, in the municipal elections from 12th April 1931, it formed an alliance, the Antimonarchist Bloc (Bloque Antimonárquico), with progressive and socialist republicans.

The programmatic basis of this bloc would be:

- commitment for popular sovereignty and for democratic rights.
- respect for the regional features and the right that this be expressed in the statute of autonomy.
- need of a change in the State's structure by abolishing an outdated and corrupt monarchy and establishing a democratic and liberal republic.
- the separation of the Church and the State.
- reduction of the length of the military service.
- improving the conditions of the working and the most disadvantaged sectors.

ANV obtained 8 councillors in the province of Gipuzkoa and 71 in Biscay.

In the general elections held on 28th June 1931, in the province of Gipuzkoa, ANV took part within the antimonarchist and republican-socialist bloc.

The antimonarchist bloc agreed the following:

- to support the Republic.
- an agreement of principles so that the project of the statute could progress.
- the separation of the Church and the State and the laicism in each and every aspect: conscience, education...
- to recognize the linguistic reality of the country.
- to develop the individual and collective rights.
- to reduce the length of the military service.
- to create a public Basque university.

In 1933, ANV campaigned in favour of the Statute of Autonomy which was voted and passed on 5th November 1933.

In the general elections of 1933, ANV stated the idea of an autonomous front, and it managed and defended a project of a statute which was passed by a plebiscite in the Spanish Parliament.

On 18th July 1936, some generals led a coup revolted under the directions of General Francisco Franco and General Mola. ANV went into the streets immediately, together with communist, anarchist and socialist soldiers, to defend the republican legality and the Basque liberties.

On 7th October, after the Republican Parliament harassed by the coupist army had passed Basque Statute, Mr. Aguirre took the oath of office as *Lehendakari* (President) of the Basque Government and he formed a government of national agreement. ANV took part of the aforesaid Basque Government with the figure of Counsellor (minister) Gonzalo Nardiz.

At the same time, ANV members formed four *Gudari* Battalions (Basque soldiers) which fought against the coupist criminals. In this strife, more than 550 members of the party died. Most of these were mayors, councillors or political leaders.

After losing the Civil War, the ANV members who survived and were not jailed marched into exile, among them, Gonzalo Nardiz. He was the Agriculture councillor of the Basque Government in exile and he also participated in the Republic Government in exile.

Many members of Basque Nationalist Action (ANV) exiled to France, where they soon found the Nazi advancing through French land. Many confronted this movement and became members of the maquis. Within their work in the fight against Nazism, we should mention the creation of a Basque unit -the Gernika Batallion-, within the 8th Foreign and Moroccan Mixed Regiment of the Free France Army, a battalion under the command of ANV Commander Mr. Kepa Ordoki.

During Franco's regime, ANV worked in exile and secrecy in order to promote the end of the dictatorship and to obtain Basque liberties.

In December 1976, after the death of Francisco Franco and still in secrecy, around 200 members of ANV carried out the II Congress. In this assembly, a new National Committee is established with the objective of reorganizing the party, becoming legal, regaining its headquarters, etc.

The most important step taken in the congress was reaffirming everything they agreed in 1936: recognizing the judicial and political personality of the Basque Country, the existence of a national unity of seven provinces, the right to self-determination within a frame of democratic freedom and independence.

They also established that ANV shall make use of all the resources at hand, so that the Basque Country would be able to have a socialist and *abertzale* (patriot) party. Socialism became the ideological line of the party.

On 14th April 1977, the Ministry of Home Affairs of the Spanish Government legalized the party.

In June 1977, within the framework of the general elections for Spanish Parliament, ANV decided to take part in them by forming election lists in the provinces of Biscay and Gipuzkoa.

During the IV Congress of the Party (on 17th December 1978), it was decided to empower the movement called Popular Unity (Herri Batasuna in Basque), along with other left nationalist parties and individuals.

Although ANV promoted the creation of Herri Batasuna, they disagreed in some questions. Such is the case of the crucial debate about institutional participation. But ANV did not stop to repeat its certain bet for the national unity of leftist parties; although it recognized that ANV had a critical presence within the core of HB, as it always stressed its ideological principles.

In the VI Congress, Herri Batasuna was strengthened, but ANV kept its own personality within Herri Batasuna, at the local level and in the directing board of the party (the National Board). After the disappearance of LAIA, ESB and HASI (the left nationalist parties which formed HB) ANV was the only party with direct presence in the National Board.

A party which received compensation by the Spanish State for the assets seized by Franco's Government

Basque Nationalist Action, under the protection of the Law 43/1998, from 15th December, on Restitution or Compensation of assets and rights seized under the application of the rule on political responsibilities to political parties between the years 1936 and 1939, requested to the government of the Spanish Kingdom the payment of different sums, in relation to the many real estates and current accounts belonging to it during those years (1936-1939).

The Ministers Council, through the agreement from 27th July 2001, decided to return a part of what was seized.

This request was carried out before the Ministers Council by the Presidency Minister of that time, nowadays President of the Popular Party, Mr. Mariano Rajoy. He applied the norm on political responsibilities from 1936, which the PP government promoted.

Basque Nationalist Action did not agree with the resolutions of the Ministers Council and it made a contentious-administrative appeal before the corresponding court of the Spanish Supreme Court. The Court issued the verdict on 7th April 2003 in which it was partially estimated the presented lawsuit. The total amount received by the EAE-ANV from the Spanish Government, under the execution of Law 43/1998 from 15th December, on Restitution or Compensation of assets and rights seized under the application of the rule on political responsibilities to political parties between the years 1936 and 1939, were 695,901.37 €, (684,298.12 euros in 2001 and 11,603.25 euros in 2003). Recently, the Spanish Government issued a new rule to prevent ANV from being paid the assets which it has still not received.

A party that in view of the illegalization of pro-independence and leftist parties decides to participate in the elections

Local elections in the Spanish State and elections in the Ceuta and Melilla Assemblies were called by the Royal Decree 447/2007 from 2nd April.

In view of that all the Basque pro-independence and leftist political parties had been illegalized by the Spanish government, ANV decided to participate in the elections as a nationalist and leftist offer, due to its historical commitment with the country.

On 1st May 2007, the candidacies proclamations presented by EUSKO ABERTZALE EKINTZA-ACCIÓN NACIONALISTA VASCA (Basque nationalist Action) to the electoral processes were published in the Official Bulletins of Navarre, Biscay, Alava and Gipuzkoa.

A party partially illegalized in the local and regional elections

On 4th May 2007, the State Counsel, on behalf of the Government of the Spanish Kingdom, presented a written document establishing a contentious-election appeal, under the protection of the 49th article of the Organic Law of the General Election Regime, against the agreements of proclamation of candidates performed by the Election Boards of the Area of the Provinces of Alava, Gipuzkoa and Biscay on 30th April 2007, which were published in the official bulletins of Alava, Gipuzkoa and Biscay on 1st May 2007, in relation to almost half of the candidacies presented by the EUSKO ABERTZALE EKINTZA-ACCIÓN NACIONALISTA VASCA (EAE-ANV) political party.

In an Order from 5th May 2007, the Special Court of the Spanish Supreme Court ruled out over the pretensions of the Public Ministry and the State Counsel, and it agreed to estimate the issues deducted by the State Counsel and the Public Ministry, revoking the proclamations of 133 candidacies of the Eusko Abertzale Ekintza-Acción Nacionalista Vasca (EAE-ANV).

In a written statement from 9th May 2007, the procedural representation of the EUSKO ABERTZALE EKINTZA-ACCIÓN NACIONALISTA VASCA appealed before the Constitutional Court with an assistance appeal and the Constitutional Court ruled sentence on 10th May 2007 and decided to deny the assistance appeal presented by EUSKO ABERTZALE EKINTZA-ACCIÓN NACIONALISTA VASCA (EAE-ANV)."

It is worth mentioning that on 17th May 2007, the General State Prosecutor pronounced in Madrid during the so-called "Information Breakfast", organized by the press agency Europa Press, a conference in which he analyzed the revoking process of the ANV candidacies. During this conference, the General Prosecutor expressed his doubts over if "we've gone too far", in relation to the revocation of 133 candidacies presented by ANV and he finally admitted that it "is possible that we've gone too far, but it has already passed", since the State Counsel, as well as the General Prosecution, feared that the Constitutional Court had protected some lists.

Electoral results of ANV

The 78-year-old party which was illegalized in 133 out of 257 towns kept its electoral proposal by presenting in an ordinary manner at those towns where it was not considered illegal and by submitting the illegalized ballot papers wherever it had been banned. Said ballot papers were considered by the Electorate Commission as spoiled ballot papers. It is worth mentioning that ANV was prevented from presenting to regional assemblies, province capitals and main

urban centres all over Euskal Herria, which implies that up to the 80% of Basque citizens did not have the option to vote for ANV.

The result was clear:

- ANV obtained 200,000 votes**
- That is to say, the 14% of all votes.**
- Standing for 45 mayoralties**
- In short, 400 local positions.**

Action brought before the European Court of Human Rights against the voidance of 133 candidatures in the last May elections

Eusko Abertzale Ekintza-Acción Nacionalista Vasca brought an action before the European Court of Human Rights against the sentence passed by the Spanish Constitutional Court, on 10th May 2007, denying the protection requested against the Supreme Court Order, on 5th May 2007, which declared void a total of 133 candidatures presented in the last May elections.

The action brought to the European Court of Human Rights states that the Spanish Court violates three of the articles of the European Agreement on Human Rights: the 10th article freedom of expression; the 11th article 11 on freedom of association and the 13th article on effective appeals. Besides, in the case of parliamentary elections of Navarre, the **3rd article of the Protocol no.1** of the agreement which is only of application in the elections of a legislative body, which states the obligation to carry out elections that “shall guarantee the freedom of expression” was infringed.

The disproportionate effects which the illegalization of BATASUNA (which took place in the year 2003 after passing a law on *ad hoc* parties whose only purpose was that of doing away with Basque independence ideals) is having disproportionate effects. The members, affiliates or people with positions of the illegalized party do not have the right to choose. On the other hand, “sudden contamination” was applied to the social and political group. Consequently, electoral groups formed by people of the illegal BATASUNA were declared void. Thus, the effects of the illegalization reached thousands of Basque inhabitants and they did not respect pluralism of ideas and opinions. The court declared that ANV is not a successor of BATASUNA, but it is in part co-opted by it, opening by these means new opportunities for illegalization.

Contrary to the jurisprudence of the European Court of Human Rights about the illegalization of the political parties, the Spanish Supreme and Constitutional Courts did not assessed if the serious effects the illegalization (such as the voidance of the candidatures) had on fundamental rights and freedoms came as an answer to a “vital social need”. The Constitutional Court has not carried out an analysis of each of the voided candidatures. Therefore, Public Prosecutor of

the Spanish State declared “maybe we have gone too far, but it has been worth” and he showed the political nature of the action against EAE-ANV, as well as the lack of judicial arguments, which could justify such a serious measure.

ANV decides to run for general elections and the government has been pushing a complete ban on it

On 12th October, EAE-ANV declared in Pamplona its intention to run for the 9th March election for the Spanish Parliament. It stated that it was running for elections to take the request of independence to Spain and to shout out loud and clear that the Basque Country is a nation, and as such, it deserves its rights. It aimed to join forces to work in different fields, in order to recover all the rights of the Basque Country. These rights shall be openly developed within a new framework, a framework which shall open doors to independence, at the expense of new frauds. By making public a Manifesto*, it commits to taking said manifesto to all the corners, companies, schools, cultural associations, sports clubs of the Euskal Herria, among others and to advance in the path to independence all together.

The Spanish Government fosters the banning of ANV in view of the risk of its presence in the general elections

These last months have left us with many pictures and very enlightening data about the acting of the Zapatero Government: they have illegalized ANV candidates, deprive communities at town halls from their popular will, general councils and parliament of Navarre, there have been more than 200 arrests, they have sent to prison a complete political board (BATASUNA), the National Audience of Spain has sentenced political and social activists and journalists to 500 years of imprisonment, the Civil guard has savagely tortured pro-independence Basques, criminal police has killed another relative of a Basque who was in prison, the situation inside the jails is getting harder, they have prohibited acts in favour of the rights of the prisoners and we have witnessed the police hitting a Basque citizen with showing no mercy or pity for him ... and they are preparing the illegalization of our party. The Spanish Government has neatly decided to proceed to the illegalization of a party of over 78 years of history, simply because it wishes to put a stop to the Basque pro-independence movement. They want to prevent the Basque supporters of the independence movement from having representatives in the Spanish Parliament.

This can only be done by a very sick State, a State which democratically is very sick and weak. The fight against the independence movement has got them blinded and they do not mind making a clown of themselves at all, they want to finish with the independence movement whatever it takes. But it will be in vain.

The only crime of our mayors and elected positions is that of being the political representatives of our Town Halls. Our crime is that of working in the institutions in favour of independence and socialism. Our only crime is that of fostering

ordinances in favour of our language, the Basque, our institutions, organizing popular ballots about the high-speed train. Our only crime has been that of putting to work an alternative waste management system or fostering protected housing. Our only crime has been that of working for independence. Because of those crimes, we received 200,000 votes in the elections of 27th May 2007.

Call

The infringement of rights in Europe is reaching a point which is beyond consideration, only comparable to the situation of Kurdistan under Turkish occupation.

Under this light, we would like to make a call to European progressives and democrats, so that they do not stay silent facing this situation. To grow interest in raising the veil of this Spanish State, which in the name of a supposed fight against terrorism carries out a total political war against its people, the Basque, who only wish to be the owners of their future. A total war where civil rights and basic political rights are not respected and violations to human rights happen on a daily basis. As an answer to all these attacks it is time to say "it's enough"! It is time to put an end to the idea that all is justified if it is against the Basque Country. It shall be done from all corners of Europe to start on a call to put an end to this repressive strategy and that the voices in favour of dialogue and negotiation brought to our country be heard, the Basque Country is a democratic framework by means of which we, the Basque, shall become the owners of our own future.

Appendixes

* MANIFESTO

1512, 2012; 500 years of Spanish invasion. 500 years, 500 reasons for the Basques to break chains from subjugation and open the door to Independence. History has shown that forced dependency has damaged us severely and that we can only develop our future as a people by owning of our present.

We are denied our identity; we are despised and they block the way freely decide to make us disappear as a nation. We are the Basque Nation and we will not renounce to it, although Spain and France cut our wings.

We were independent at Navarre until we were mutilated and left without a State. And later, they deprived us from our Charter, our last vestiges of Freedom. From then onwards, they have wanted to keep us subdued within the great Spain and brotherly France, managing the crumbs of decentralized regionalism. We are denied Autonomy, our guaranteed right to decision taking, and obviously, they repudiate our historical opportunity of offering this population the political solution to a conflict which is over 500 years old now.

There is no other way, their way is the abysm way. They don't have the slightest right to deny the Basque Country its legitimacy and a will to choose freely. In our hands the tomorrow is, because we are the key, which will open the doors to independence without asking for permission.

Our ancestors knew that the only way not to be subdued by foreign nations was the reaction of the State, i.e. along the centuries, they have hold onto independence. Nowadays, in the middle of the 21th century, we are faced with the very same dilemma, but we have learnt our lesson well. That is why we proclaim a sound YES to Independence.

We must create our own State and we will mark the path to it. It is the best way to express the power of the Basque society. Our identity, our *Navarrorum* language, the Basque Culture and the building of a social model from the left sheltered under the roof of a new State, independence will bring about freedom.

Thanks to independence we will leave behind the cruel and tough humiliation of subjection, we will open the doors to equality and justice for people, we will have our space in the world and our wishes will come true.

That is why we choose Independence and the creation of a Basque State. Anyway, we demand the equality of opportunities for all the political projects included the pro-independence ones. Independence has to be present in all political scenarios, that is why the next elections are so important. Illegalizing EAE-ANV or prohibiting its participation will infringe everybody's rights and all of the people that support the independence movement Only by acting together, all the people that support the independence movement shall guarantee the future of the Basque Nation and its Independence.

The time has come to take new steps, let's go!

***ANV the other nationalism**

As an abertzale and history fan I have always been interested in the ANV party, usually darkened by the big shade which PNV would project over it and where nothing seemed to exist within the frame of the Basque country. Acción was in a discreet second background, which seemed to point its irrelevancy until I could realize that the compromise acquired by such formation would exceed a lot the public reward it was given. Today, because of the unfortunate political parties law, which disturbs without tiredness the life of our country, a historical acronym has sprung up again over which darkness and lack of understanding spaces are still being projected. And this is because people ignore more that what they know and distort more than what they recognize in the Eusko Abertzale Ekintza-Acción Nacionalista Vasca (EAE-ANV).

The first thing which should be known about ANV is that it was created on the day of Saint Andrew (30th November 1930) in the Ronda de Bilbao Street, by a group of patriots who wanted to get into the new republican space, which appeared with a new image as opposed to the ones dictated in the JEL principle (God and Ancient Law). They would meet in the premises of the evening paper called *La Tarde* (The Afternoon) in the Correo Street in the Old Quarter. There, these people (A. Ortueta, M. Aio, J.D. Arana, J.I.Arana, Urrengoetxea, Olivares Larrondo, Uribeetxebarria, Uria, Areitioaurtena, Basterra, Garate, Guimón...) would elaborate what would be known later on as *Manifiesto de San Andrés* (Saint Andrew Manifesto) where a compromise with Euskal Herria was established and which recognized: self personality, the right to freely decide over the future, accepting all those who would recognize the differential Basque fact, promoting a solution to problems derived from the unequal wealth distribution. All within a frame of action where individual and collective rights would take precedence under the same conditions and democratic parameters.

At that time, nationalism was divided into two bands which would separate in the year 1921: Comución Nacionalista Vasca and Aberri. This breakage

occurred because of the different perspective which both sustained over how to conduct the national liberation fight. Comución was a possible formation, moderated and prone to get into agreements with Spain. Aberri, on the contrary, would manifest itself as intransigently pro-independence and its maximum leader, Eli Gallastegi, was exiled in Mexico.

Within both formations, an opinion current connected with the *Euzkadi* newspaper (directed by Ortueta and J.I. Arana) had appeared and for which nationalism had lost its essences during Primo de Rivera's dictatorship and needed a modernization before the future coming. It was necessary that the JEL slogan (*Jaungoikoa ta lege zaharra* in Basque) left by Arana would be set aside. Religion had to be separated from the political life. And the implantation again of Historic Rights for the defence of self-determination rights had to be substituted. The referent would no longer be the *Pacto con la Corona* (Pact with the Crown), but regaining the legacy which represented the European State of Navarre erased from the map by Fernando *el Católico* (Ferdinand II of Aragon, in English - 1512-1524)

Nevertheless, the majority of both executive boards would prefer not to get into dangerous matters and would limit themselves to trying to get used to the new situation. In Bergara, a new

reunification assembly was celebrated (16/11/1930) lacking all the self criticism on past differences. The renewal group was prevented from talking and this was the reason why they left the assembly and announce the creation of a new party to defend their postulates. ANV is not a PNV division. It was never part of the unified PNV. On 1st November (two weeks before the fusion) *Nacionalista* (Nationalist, in English), the promotion paper of ANV, was published. In the first issue, the name and proposals of the newly born party were explained. The people that would get together in the Old District were conscious of what was going to happen in Bergara. And in spite of a last attempt of agreement, they knew that their road would not lead to PNV directives.

What does ANV provide to the Basque nationalism and to the Euskal Herria?

A real ideological revolution.

They oppose the motto *Aberri ta askatasuna* to the JEL slogan. They substitute blood, race and surname purity to the idea that one becomes Basque by self decision; because of your feelings and because one wants to work for the freedom of the country (*it does not matter where you come from, but where we are going*). Instead of catholicism, they propose non-denomination; religion is a very intimate and personal feeling. They dissent with the Church as a fact power (what can we add to this when we still remember the attitude of the ecclesiastical hierarchy during the coup of 18th July 1936?)

Being opposed to the social doctrine of the Church which would renounce classes' fight, ANV demands a sentence against capitalism as the source of all inequalities and the petition of a social justice which would soothe those inequalities. Instead of a Basque Country separated in historical territories and many times confronted, a unified Basque Country is proposed. With a democratic action surrounding everything as a work method and the Basque as the national language. And its most precise slogan *A Free Country with Free Men*.

That was the ANV in its initial statement. Its lack of complete political-election development is due to their own tactic mistakes and a secular lack of economic means to sustain the project (*Tierra Vasca* had to be closed because of the boycott it was under).

In the year 1936 its social and economic conception was much more visible towards a non Marxist socialism, which could not also be developed because two weeks after there was a military coup. From the very first moment, the *ekintzales* (Action soldiers) turned to the fronts of Irun, Peñas de Aia, Oiartzun... in order to face, along with anarchist soldiers, socialists and communists the columns of Carlist militias that would come from Leiza and under the command of Colonel Behorlegi. They were the only nationalists (along with a small group of mountaineers under the command of Mikel Alberdi). ANV was there defending the legality of the republic but, especially, the democracy and freedom of the Euskal Herria. In the first line, the four battalions followed and these were the units with more deaths in the fight against the enemy (along with the CNT), which shows the compromise that ANV had, a small party, without many resources, but full of will in favour of its freedom. Its presence in the Basque Government and its compromise after Franco's death with the left and democratic positions are the guarantee of our Eusko Abertzale Ekintza-Acción Nacionalista Vasca.

Maybe after reading this article, all of us get to know a little bit more *what* ANV is.

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Author of: *ANV, el otro nacionalismo* (ANV, the other nationalism), **Txalaparta, Tafalla, 2005.**