



Routledge Studies in Extremism and Democracy

DEMOCRATIC DILEMMAS

WHY DEMOCRACIES BAN POLITICAL PARTIES

Angela K. Bourne



ROUTLEDGE

Democratic Dilemmas

This book examines how democratic communities resolve dilemmas posed by anti-system parties or, more specifically, the question of why democracies take the grave decision to ban political parties. On the one hand, party bans may 'protect' democracies, usually from groups deemed to undermine the democratic system or its core values, territorial integrity or state security. At the same time, banning parties challenges foundational democratic commitments to political pluralism, tolerance and rights to free speech and association. The book probes the deliberative processes, discursive strategies and power politics employed when democratic communities negotiate this dilemma. It examines discourses of securitization and desecuritization, preferences of veto-players, anti-system party orientations to violence, electoral systems and the *cordon sanitaire* as alternatives to party bans, and incentives for mainstream parties to cooperate, rather than ban, parties to achieve office and policy goals. It does so with reference to case studies of party bans, legalizations and failed ban cases in Spain (Herri Batasuna and successors), the United Kingdom (Sinn Féin and Republican Clubs) and Germany (Socialist Reich Party and National Democratic Party of Germany).

Angela K. Bourne is an associate professor at the University of Roskilde, Denmark.

Routledge Studies in Extremism and Democracy

Series Editors: Roger Eatwell

University of Bath and Matthew Goodwin, *University of Kent*.

Founding Series Editors: Roger Eatwell, *University of Bath* and Cas Mudde, *University of Antwerp-UFSIA*.

This new series encompasses academic studies within the broad fields of 'extremism' and 'democracy'. These topics have traditionally been considered largely in isolation by academics. A key focus of the series, therefore, is the (inter-)relation between extremism and democracy. Works will seek to answer questions such as to what extent 'extremist' groups pose a major threat to democratic parties, or how democracy can respond to extremism without undermining its own democratic credentials.

The books encompass two strands:

Routledge Studies in Extremism and Democracy includes books with an introductory and broad focus which are aimed at students and teachers. These books will be available in hardback and paperback. Titles include:

The Populist Radical Reader

A Reader

Edited by Cas Mudde

The Far Right in America

Cas Mudde

Routledge Research in Extremism and Democracy offers a forum for innovative new research intended for a more specialist readership. These books will be in hardback only. Titles include:

38 The Darkest Sides of Politics, II

State Terrorism, "Weapons of Mass Destruction," Religious Extremism, and Organized Crime

Jeffrey M. Bale

39 Democratic Dilemmas

Why Democracies Ban Political Parties

Angela K. Bourne

40 When Does Terrorism Work?

Diego Muro

www.routledge.com/politics/series/ED

Democratic Dilemmas

Why Democracies Ban Political Parties

Angela K. Bourne

First published 2018
by Routledge
2 Park Square, Milton Park, Abingdon, Oxon OX14 4RN

and by Routledge
711 Third Avenue, New York, NY 10017

Routledge is an imprint of the Taylor & Francis Group, an informa business

© 2019 Angela Bourne

The right of Angela Bourne to be identified as author of this work has been asserted by her in accordance with sections 77 and 78 of the Copyright, Designs and Patents Act 1988.

All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

Trademark notice: Product or corporate names may be trademarks or registered trademarks, and are used only for identification and explanation without intent to infringe.

British Library Cataloguing-in-Publication Data

A catalogue record for this book is available from the British Library

Library of Congress Cataloging-in-Publication Data

Names: Bourne, Angela K., author.

Title: Democratic dilemmas : why democracies ban political parties / Angela K. Bourne.

Description: Abingdon, Oxon ; New York, NY : Routledge, 2018. | Series: Routledge studies in extremism and democracy | Includes bibliographical references and index.

Identifiers: LCCN 2018009398 | ISBN 9781138898011 (hbk) | ISBN 9781315708836 (ebk)

Subjects: LCSH: Political parties—Law and legislation. | Representative government and representation. | Democracy.

Classification: LCC K3270 .B68 2018 | DDC 324.2/04—dc23

LC record available at <https://lcn.loc.gov/2018009398>

ISBN: 978-1-138-89801-1 (hbk)

ISBN: 978-1-315-70883-6 (ebk)

Typeset in Times New Roman
by Wearset Ltd, Boldon, Tyne and Wear

To Anthony and Samuel

Contents

<i>List of figures</i>	ix
<i>List of tables</i>	x
<i>List of abbreviations</i>	xii
Introduction: pluralism, tolerance and the proscription of political parties	1
1 Theory and research design: from ‘militant democracy’ to security discourse, institutions and democratic competition	15
2 Ban regimes and banned parties in Spain, the United Kingdom and Germany	40
3 Herri Batasuna and its successors: from ‘terrorist threat’ to carrier of a ‘Copernican shift’ from violence	54
4 Sinn Féin and Republican Clubs: from terrorist pariah to republicanism’s pathway out of violence	84
5 The Socialist Reich Party and National Democratic Party of Germany: from ‘militant democracy’ to declining anti-system party threats	114
6 Electoral systems as an alternative to party bans	143
7 Party bans and government formation	175
Conclusion	203

viii *Contents*

<i>Appendix 1: main features of electoral systems in Spain, the United Kingdom and Germany</i>	219
<i>Appendix 2: government formation in Spain, the United Kingdom and Germany</i>	226
<i>References</i>	239
<i>Index</i>	264

Figures

3.1	Mortal victims of ETA, 1968–2010	63
3.2	ETA attacks (other than assassinations), 1970–2010	63
4.1	Number of deaths in Northern Ireland, Great Britain and Ireland due to conflict in NI	102
4.2	IRA attacks and assassinations, 1970–2011	103
4.3	Official IRA attacks, 1971–79	103
5.1	Politically motivated right-wing crimes and extreme-right crimes in Germany, 1990–2016	129
5.2	Violent crimes attributed to extreme right in Germany, 1990–2016	130
5.3	Murders and attempted murders attributed to extreme right in Germany, 1990–2016	130

Tables

I.1	Parties subject to ban proceedings in Europe, 1945–2015	4
1.1	Summary of party ban cases and case selection criteria	20
1.2	Alternatives to party bans, objectives pursued and indicators of effectiveness	32
2.1	Failed party bans, illegalization and legalization of parties in Spain	44
2.2	Proscription and legalization of parties in Northern Ireland and the United Kingdom	48
2.3	Proscription of parties and failed party bans in Germany	52
6.1	Average electoral system disproportionality at state and regional levels in the UK, Spain and Germany	146
6.2	Electoral system effects: HB and successors, Congress of Deputies, Basque and Navarrese parliaments, 1977–2015	154
6.3	Electoral system effects: Sinn Féin in the UK House of Commons (1950–2015), Northern Ireland Parliament (1922–72) and Northern Ireland Assemblies (1982, 1996, 1998–2017)	157
6.4	Electoral system effects: Republican Clubs/The Workers Party in the UK House of Commons (1974–2015) and Northern Ireland Assemblies (1982, 1996, 1998–2017)	160
6.5	Electoral system effects: Socialist Reich Party (1950–52)	167
6.6	Electoral system effects: National Democratic Party of Germany, Bundestag (1965–2017) and Länder (1990–2016)	168
6.7	Effectiveness of legal thresholds in marginalizing the NPD, 1990–2017	171
6.8	Summary of electoral system effects on marginalization of anti-system parties	173
7.1	Ranking of Herri Batasuna and successors in Penrose-Banzaf Index following elections for Spanish and Basque parliaments, 1993–2016	184
7.2	Minimum winning coalitions and minimal connected winning coalitions involving Herri Batasuna and successors in Spanish and Basque parliaments, 1993–2016	186

7.3	Ranking of SRP in Penrose-Banzaf Index following elections in Bremen and Lower Saxony, 1951	194
7.4	Ranking of NPD in Penrose-Banzaf Index following elections in Saxony, 2004 and 2009, and Mecklenburg-Vorpommern, 2006 and 2011	195
7.5	Electoral systems effects, <i>cordon sanitaire</i> and the marginalization of HB and its successors, Sinn Féin, Republican Clubs, SRP and NPD	199
7.6	Partisan party-ban-veto-players and coalition potential of banned, legalized and subjects of failed party ban proceedings	201
C.1	Findings of party ban cases (expectation of literal replication)	205
C.2	Findings on legalization of banned party cases (expected theoretical replication)	210
C.3	Findings on failed party ban cases (expected theoretical replication)	214
A1.1	Electoral systems in Spain, Basque Country and Navarre	219
A1.2	Electoral systems in the United Kingdom and Northern Ireland	220
A1.3	Electoral system in German Bundestag	221
A1.4	Electoral systems in Länder where the Socialist Reich Party contested elections, 1950–52	222
A1.5	Electoral systems at Land level where the National Democratic Party of Germany contested elections, 1990–2017	223
A2.1	Governments formed in Spain, Basque Country and Navarre, 1977–2017	226
A2.2	HB, its successors, and coalition formation	228
A2.3	Governments formed in the UK and Northern Ireland, 1945–2017	234
A2.4	Governments formed in Bremen and Lower Saxony, 1951, after SRP electoral breakthrough and in Saxony, 2004–14, and Mecklenburg-Vorpommern, 2006–16, after NPD electoral breakthrough	236
A2.5	SRP and coalition formation	237
A2.6	NPD and coalition formation	238

Abbreviations

AfD	<i>Alternative für Deutschland</i> (Alternative for Germany)
AVT	<i>Asociación Víctimas del Terrorismo</i> (Association of Victims of Terrorism)
BMI	Bundesministerium des Innern (Federal Interior Ministry)
BNG	<i>Bloque Nacionalista Galego</i> (Galician Nationalist Bloc)
CC	<i>Coalición Canaria</i> (Canarian Coalition)
CCa PCN	<i>Coalición Canaria – Partido Nacionalista Canario</i> (Canarian Coalition – Canarian Nationalist Party)
CDC	<i>Convergència Democràtica de Catalunya</i> (Democratic Convergence of Catalonia)
CDU	<i>Christlich Demokratische Union</i> (Christian Democratic Union)
CiU	<i>Convergència i Unió</i> (Convergence and Union)
CP	<i>Coalición Popular</i> (Popular Coalition)
Cs	<i>Ciudadanos</i> (Citizens)
CSU	<i>Christlich-Soziale Union</i> (Christian Social Union)
DB	Deutscher Bundestag (German Federal Parliament)
DiL	<i>Democràcia i Llibertat</i> (Democracy and Freedom)
DP	<i>Deutsche Partei</i> (German Party)
DRP	<i>Deutsche Reichs-Partei</i> (German Reich Party)
DVU	<i>Deutsche Volksunion</i> (German People's Union)
EA	<i>Eusko Alkartasuna</i> (Basque Solidarity)
EAE/ANV	<i>Eusko Abertzale Ekintza/Acción Nacionalista Vasca</i> (Basque National Action)
EAJ/PNV	<i>Euzko Alderdi Jeltzale/Partido Nacionalista Vasco</i> (Basque Nationalist Party)
EB-IU	<i>Ezker Batua-Izquierda Unida</i> (United Left)
EBB-IU	<i>Ezker Batua–Berdeak</i> (United Left–Greens)
ECHR	European Convention of Human Rights
ECtHR	European Court of Human Rights
EE	<i>Euskadiko Ezkerra</i> (Basque Country Left)
EH	<i>Euskal Herritarrok</i> (Basque Citizens)
EH Bildu	<i>Euskal Herria Bildu</i> (Basque Country Unite)
EHAK/PCTV	<i>Euskal Herrialdeetako Alderdi Komunista/Partido Comunista de las Tierras Vascas</i> (Communist Party of the Basque Homelands)

EPA	Northern Ireland (Emergency Provisions Acts)
ERC	<i>Esquerra Republicana de Catalunya</i> (Republican Left of Catalonia)
ERC CatSí	<i>Esquerra Republicana de Catalunya–Catalunya Sí</i> (Republican Left of Catalonia–Catalonia Yes),
ETA	<i>Euskadi Ta Askatasuna</i> (Basque Homeland and Liberty)
FAP	<i>Freiheitliche Deutsche ArbeiterPartei</i> (Free German Workers Party)
FCC	Federal Constitutional Court
FDP	<i>Freie Demokratische Partei</i> (Free Democratic Party)
Greens	<i>Bündnis 90/Die Grünen</i> (Alliance 90/The Greens)
HASI	<i>Herriko Alderdi Sozialista Iraultzailea</i> (People’s Socialist Revolutionary Party)
HB	<i>Herri Batasuna</i> (Popular Unity)
INLA	Irish National Liberation Army
IU	<i>Izquierda Unida</i> (United left)
IRA	Irish Republican Army
KAS	<i>Koordinadora Abertzale Sozialista</i> (Patriotic Socialist Coordinator)
KPD	<i>Kommunistische Partei Deutschlands</i> (Communist Party of Germany)
LOREG	Ley Orgánica 5/1985, de 19 de junio, del Régimen Electoral General (Organic Law on the General Election Regime)
MLNV	<i>Movimiento de Liberación Nacional Vasco</i> (Basque National Liberation Movement)
MSI	<i>Movimento Sociale Italiano</i> (Italian Social Movement)
NPD	<i>Nationaldemokratische Partei Deutschlands</i> (National Democratic Party of Germany)
NI	Northern Ireland
NICRA	Northern Ireland Civil Rights Association
NSDAP	<i>Nationalsozialistische Deutsche Arbeiterpartei</i> (National Socialist German Workers’ Party)
NSU	<i>Nationalsozialistischer Untergrund</i> (National Socialist Underground)
PA	<i>Partido Andalucista</i> (Andalusian Party)
PAR	<i>Partido Aragonés</i> (Aragonese Party)
PDS	<i>Partei des Demokratischen Sozialismus</i> (Party of Democratic Socialism)
PEGIDA	<i>Patriotische Europäer gegen die Islamisierung des Abendlandes</i> (Patriotic Movement against Islamicization of the West)
PP	<i>Partido Popular</i> (Popular Party)
PSE EE (PSOE)	<i>Partido Socialista de Euskadi-Euskadiko Ezkerra (PSOE)</i> (Socialist Party of the Basque Country – Basque Country Left (PSOE))
PSOE	<i>Partido Socialista Obrero Español</i> (Spanish Socialist Workers Party)
PTA	Prevention of Terrorism Acts

xiv *Abbreviations*

REP	<i>Die Republikaner</i> (The Republicans)
SA	<i>Sturmabteilung</i> (Storm Troopers)
SDLP	Social Democratic and Labour Party
SPA	Civil Authorities (Special Powers) Act (Northern Ireland) 1922
SPD	<i>Sozialdemokratische Partei Deutschlands</i> (Social Democratic Party of Germany)
SRP	<i>Sozialistische Reichspartei Deutschlands</i> (Socialist Reich Party of Germany)
UA	<i>Unidad Alavesa</i> (Alavese Union)
UPN	<i>Unión del Pueblo Navarro</i> (Union of the Navarrese People)
UPyD	<i>Unión, Progreso y Democracia</i> (Union, Progress and Democracy)
USHICOG	US High Commissioner for Germany
UUP	Ulster Unionist Party
UV	<i>Unió Valenciana</i> (Valencian Union)
UVF	Ulster Volunteer Force

Introduction

Pluralism, tolerance and the proscription of political parties

The democratic dilemma of party bans

Banning a political party is a grave act for a democracy. It contradicts fundamental commitments to freedom of expression and association, pluralism and tolerance. It distorts the posited level playing field of democratic competition and disrupts the articulation and representation of citizen preferences. The party ban is the harshest of myriad penalties, strategies and manoeuvres that may be employed to marginalize undesired political projects. It is usually the mark of tyranny. Yet at some point in the twentieth century many democratic states in Europe and North America – long the bastions of democratic politics – have banned a political party.

Party bans are justified as a means to protect democratic practices or the state itself. With very few exceptions, proscribed parties are anti-system parties representing communists, the far right, ethnic minorities or religious movements. They are typically banned for promoting authoritarian political forms and violent regime change, undermining democratic commitments to equality and pluralism, serving the interests of a foreign power, undermining the territorial integrity of the state, or some combination of these. Oftentimes, the ban addresses the fear – instantiated by the paradigmatic errors of Weimar Germany and the Nazi's rise to power through constitutional means – that democracy may be abused by 'enemies' of the status quo. Democracy, as Loewenstein put it in his 1937 appeal against fascism, may become the 'Trojan horse by which the enemy enters the city' (Loewenstein, 1937, 424).

Avineri has argued that the end of the Cold War, successive waves of democratization and, in Europe at least, the security umbrella of closer economic and political integration, make the party ban increasingly redundant (2004, 2). It is true that fascist and communist parties are no longer the primary targets of ban proceedings as they were, for instance, in the interwar and early post-war periods, and in the case of communist parties following the collapse of the Soviet Union (Bourne and Casals Bértoa, 2017). Nevertheless, challenges to liberal democratic institutions, values and practices are still channelled through the party system, for example, through parties appealing to religious fundamentalist, neo-fascist or racist programmes or parties representing insurgent, paramilitary

2 Introduction

or ‘terrorist’ organizations. Indeed, as Niesen (2002) suggests, decisions to ban parties in contemporary democracies tend to be justified as measures to protect civil society from harm to minorities, individual political rights or the rights of future generations, rather than as a tool to tackle subversion. Bligh similarly distinguishes between traditional Weimar-inspired ‘militant democracy’ rationales, focusing on parties that seek to abolish democracy wholesale, and more contemporary party-ban rationales focusing on parties that incite hatred and discrimination, that support violence and terrorism and that challenge the identity of the state (2013, 1321).

The continuing importance of party proscription in democratic states is also apparent from its treatment in international law. Party bans are regulated by various international charters on human rights, including the 1948 Universal Declaration of Human Rights, the 1953 European Convention on Human Rights (ECHR), the 1966 International Covenant on Civil and Political Rights and the 1966 Convention on the Elimination of all forms of Racial Discrimination (Tomuschat 1992; Brems, 2006a). In Europe, the jurisprudence of the European Court of Human Rights (ECtHR) has been particularly influential. Its rulings have established the doctrine of ‘militant democracy’, which permits, under certain conditions, restrictions on rights of anti-democratic actors where this is necessary for the protection of democracy itself (Harvey 2004; Brems 2006a).

Anti-system parties may thus continue to pose an acute dilemma for democracies: Banning a party may help to defend democracies from their ‘enemies’ but proscription risks undermining foundational liberal democratic commitments to free association, free speech and the representation of all citizens in the public sphere.

Democratic states respond to the dilemma in different ways. A study of party bans in European democracies in the post war period conducted by Bourne and Casals Bértoa (2017) illustrates this point. The study showed that the majority – 20 out of 37 – European democracies surveyed had banned a party at some time during that period. Table I.1 lists banned parties and banning countries included in Bourne and Casals Bértoa’s survey. It shows that parties of similar types were banned in some democracies, and in some distinctive historical contexts like the Cold War, but not others. Fascist, neo-Nazi and far-right parties have been banned, stripped of political rights or forced to dissolve in Italy, Germany, Austria and the Netherlands (and outside Europe, in Israel). Such parties have not, for instance, been banned in Sweden, Denmark or Britain. During the Cold War, communist parties were banned, or subject to ban proceedings, in Germany and Greece (and outside Europe in Australia and the United States). After the collapse of the Soviet Union, communist parties in Russia, Latvia, Lithuania and Ukraine also faced proscription. Yet communist parties in Italy and France, at their peak both highly successful electoral parties, were not subject to ban proceedings. Nor was the successful Czech Communist Party of Bohemia and Moravia proscribed in the post-Soviet period. Furthermore, while Sinn Féin, the political wing of the Irish Republican Army, was banned in 1956 and legalized in 1974, Herri Batasuna and various successors serving as the political wing of

the terrorist group *Euskadi Ta Askatasuna* (ETA, Basque Homeland and Freedom) were legal in the democratic period except for the ten years between 2003 and 2012. Separatist and/or minority nationalist parties have also been banned in Turkey and Bulgaria.

This variation in responses to anti-system parties raises the principal puzzle I explore in the book: *Why do some democracies respond to the dilemma posed by anti-system parties by banning them, while other democracies do not?* Answers to this question not only provide insights into the practical steps taken in democratic states to deal with anti-system parties, and the impact of varying institutional arrangements, political cultures and actor constellations on public decisions of constitutional significance. It also provides opportunities to probe the deliberative processes, discursive strategies and political strategies employed when democratic communities negotiate inherent tensions in foundational commitments to tolerance and pluralism. In this book, I explore these issues through empirical case studies of anti-system party bans in the United Kingdom, Spain and Germany. These are countries which have recently proscribed, or considered proscribing, anti-system parties (Spain and Germany), where proscription has been an important part of state responses to paramilitary violence (Spain and the United Kingdom), or where ban decisions take place against a backdrop of the legacy of authoritarian rule (Spain and Germany).

More specifically, the book examines the proscription of radical Basque nationalist parties, *Herri Batasuna* (HB, Popular Unity), *Euskal Herritarrok* (EH, Basque Citizens) and *Batasuna* (Unity) in 2003. *Herri Batasuna* had been legal and participated in elections at state and regional levels for around two decades prior to this. These parties were banned for integration in the terrorist group ETA, which pursues a separate Basque state incorporating provinces in France and Spain. The book also examines the legalization of the radical Basque nationalist parties in the form of *Bildu* (Unite) in 2011 and *Sortu* (Create) in 2012, following ETA's declaration of a definitive cessation of armed struggle.

The fate of the republican parties, *Sinn Féin* (We Ourselves) and its (temporary) successor Republican Clubs in Northern Ireland (1922–72) is also addressed. *Sinn Féin* was banned in 1956 and the Republican Clubs were banned in 1967 for integration in the terrorist group, the Irish Republican Army (IRA). Republican organizations pursued the incorporation of Northern Ireland into the Republic of Ireland. In 1972, following increasingly violent sectarian conflict in Northern Ireland between the (Irish) nationalist and Catholic community, on the one hand, and the (British) unionist and Protestant community on the other, the United Kingdom suspended Northern Ireland's devolved institutions and ruled the territory from Westminster. *Sinn Féin* and the Republican Clubs were legalized almost immediately afterwards, eventually allowing *Sinn Féin* to play a major role in the process leading to the IRA's renunciation of armed struggle.

The German case study permits analysis of proscription proceedings against parties of the extreme right. The Socialist Reich Party of Germany (SRP, *Sozialistische Reichspartei Deutschlands*), effectively a Nazi successor party, was banned in 1952, soon after foundation of the democratic Federal Republic of

Table I.1 Parties subject to ban proceedings in Europe, 1945–2015

<i>Countries</i>	<i>Banned parties (year)</i>	<i>Ideological orientation</i>
Austria	German National Socialist Workers Party (1945)	Extreme right
	National Democratic Party (1988)	Extreme right
Belgium	Flemish National Union (1945)	Extreme right/substate nationalist
	Parti Rexiste (1945)	Extreme right
	Flemish Block (2004)	Extreme right/substate nationalist
Bulgaria	United Macedonian Organisation/Ilinden-Pirin (2001)	Substate nationalist
Croatia	Serbian Democratic Party (1995)	Substate nationalist
Czech Republic	Workers' Party (2010)	Extreme right
France ¹	Nationalist Party (1959)	Extreme right
	Proletarian Left (1970)	Extreme left
	Revolutionary Communist League (1973)	Extreme left
	Enbata (1974)	Substate nationalist
	Corsican Movement for Self-determination (1987)	Substate nationalist
	Radical Unity (2002)	Extreme right
Germany ²	Socialist Reich Party (1952)	Extreme right
	Communist Party of Germany (1956)	Extreme left
Greece	Communist Party of Greece (1947)	Extreme left
Italy	National Fascist Party/Republican Fascist Party (1947)	Extreme right
Latvia	Communist Party of Latvia (1991)	Extreme left
Lithuania	Communist Party of Lithuania (1991)	Extreme left
Moldova	Communist Party of the Republic of Moldova (1991)	Extreme left
The Netherlands ³	National Socialist Movement in the Netherlands (1945)	Extreme right
	National European Social Movement (1955)	Extreme right
	Dutch Peoples Union (1978)	Extreme right
	Centre Party '86 (1998)	Extreme right
Norway	National Gathering (1945)	Extreme right
Romania	Communist Party (<i>Nepeceristi</i>) (2008)	Extreme left
Slovakia	Slovak Community-National Party (2006)	Extreme right
Spain ⁴	<i>Herri Batasuna</i> (2003)/ <i>Euskal Herritarrok</i> (2003)/ <i>Batasuna</i> (2003)/ <i>Eusko Abertzale Ekintza</i> (2008))/Communist Party of the Basque Territories (2008)/ <i>Askatasuna</i> (2009)	Substate nationalist

Turkey ⁵	Turkey Comfort Party (1983)	Pan-Islamist
	United Communist Party of Turkey (1991)/Socialist Union Party (1995)	Extreme left
	Socialist Party (1992)	Substate nationalist
	People's Labour Party (1993)/Freedom and Democracy Party (1993)/Democratic Party (1994)/People's Democracy Party (2003)	Substate nationalist
	Socialist Turkey Party (1993)	Extreme left/(minority) nationalist
	Democracy Party (1994)	Substate nationalist
	Democracy and Change Party (1996)	Substate nationalist
	Labour Party (1997)	Extreme left
	Welfare Party (1998)/Virtue Party (2001)	Pan-Islamist
	Democratic Mass Party (1999)	Substate nationalist
	Democratic Society Party (2009)	Substate nationalist
UK	Sinn Féin (1956)/Republican Clubs (1967)	Substate nationalist
	Fianna Uladh (1956)	Substate nationalist
Ukraine	Communist Party of Ukraine (1991)	Extreme left
	Russian Bloc (2014)	Substate nationalist
	Russian Unity (2014)	Substate nationalist
	Communist Party of Ukraine (2015) ⁶	Extreme left

Source: data from Bourne and Casals Bértoa (2017). The 17 states in the survey that did *not* ban parties were Albania, Bosnia-Herzegovina, Cyprus, Denmark, Estonia, Finland, Hungary, Ireland, Kosovo, Macedonia, Montenegro, Poland, Portugal, Slovenia, Serbia, Sweden and Switzerland.

Notes

- 1 In France many small, rather obscure organisations have been banned and it is often difficult to distinguish between banned parties and associations. The list provided here is a sample.
- 2 In the case of Germany, the far-right Free German Workers Party and National List were excluded because the Federal Constitutional Court ruled that these were associations. (See Table 2.3).
- 3 It is a grey area whether Dutch People's Union is a party ban case. It was characterised as a prohibited association in 1978, but the Dutch Supreme Court later ruled that because it was not formally dissolved it could no longer be excluded from participating in elections.
- 4 This list of party bans in Spain does not include parties that were denied registration or party lists or lists of electoral coalitions banned prior to electoral contests (for more details see Table 2.1).
- 5 Party ban cases for Turkey only include those after 1983, the initiation of the longest period of (semi-) democratic rule in Turkish modern history.
- 6 The Communist Party of Ukraine was the same party banned in 1991 but permitted to re-emerge in 1993. The ban in 2015 was due to the party's separatist goals and for purportedly undermining constitutional values.

6 Introduction

Germany. In 2001, after a long period where the state took a more permissive stance on anti-system parties, the German government, the Bundestag and Bundesrat, initiated ban proceedings against the neo-Nazi National Democratic Party of Germany (NPD, *Nationaldemokratische Partei Deutschlands*). However, the German Federal Constitutional Court rejected the petition on procedural grounds. In 2013, the Bundesrat, representing Länder governments, relaunched ban proceedings against the NPD. While accepting the argument that the NPD sought to undermine the free democratic basic order, the Federal Constitutional Court nevertheless rejected the ban petition ruling that the NPD was not likely to achieve its goal.

In what remains of the introduction, I define the key concepts ‘anti-system parties’ and ‘party bans’, outline hypotheses explored and the methodological approach employed and present the main findings of the research.

Defining ‘anti-system parties’ and ‘party bans’

Defining ‘political party’ is notoriously difficult, given the range of historical and political contexts in which they operate and the various normative assumptions about functions parties ought to perform (Duverger, 1954, xiv–xv and xxii–xxiv; White, 2006). Nevertheless, it is necessary to adopt a working definition in order to distinguish the object of study – political parties – from sometimes very closely related phenomena such as associations, interest groups or insurgent groups.

One can begin with the criteria of self-identification; a political party, at the very minimum, is an association of people that claims to be a political party. Official recognition is also relevant for many of the parties considered here; a political party is an association that has been formally recognized as such, often through an official registration procedure. Beyond this, political parties can be defined with reference to certain distinctive goals and modes of behaviour. Political parties are typically organizations which, in Alan Ware’s (1996, 1–6) formulation, ‘seek influence in a state’, often, but not always, fielding candidates in elections in order to occupy positions in government at various territorial levels. They may formulate a programme of government, sets of preferred policies, future-orientated programmes for political change or simply serve as a vehicle for the political ambitions of individuals. They ordinarily pursue goals through non-violent and legal means, although some may secretly employ illicit means or have close links to violent or clandestine groups.

The task of defining anti-system parties is more complex, partly due to a tendency for this term to be used as a synonym for the more derogatory term, ‘extremist parties’. To be sure, some anti-system parties pursue ethically objectionable goals. However, to label all parties subject to party bans as extremist parties seems to prejudice questions about the justice of their exclusion or marginalization from the public sphere. A further difficulty for defining anti-system parties relates to the changing nature of the goals and rhetorical strategies pursued by parties outside the political mainstream. In the first few decades after

World War II, defining anti-system parties involved the identification of parties that clearly rejected the core institutions and values of liberal democracies. In 1966, for instance, Otto Kirchheimer distinguished between ‘loyal opposition’ and ‘opposition in principle’. Loyal opposition included groups which pursued goals in harmony with the constitutional requirements of the system, whereas ‘opposition in principle’ pursued goals ‘incompatible with the constitutional requirements of a given system’ (1966, 237).

Soon after, Giovanni Sartori (1976) developed the best-known conception of anti-system party (1976, 117–118). In broad terms, an anti-system party will ‘undermine the legitimacy of the regime it opposes’ (*ibid.*, 117–118). More specifically, an anti-system party ‘would not change – if it could – the government, but the very system of government’. Echoing Kirchheimer’s distinction, Sartori argues anti-system parties are not talking about an ‘opposition on issues’, but an ‘opposition of principle’. The anti-system party, then, ‘abides by a belief system that does not share the values of the political order in which it operates’ and is distinguished by the ideological distance between itself and mainstream parties. Anti-system parties may operate from within the system or from without and include parties dedicated to revolutionary preparation and activity, as well as those which are willing to play by the democratic rules of the game, at least in the short term.

One critique of these early conceptions of anti-system behaviour is that they fail to problematize orientations to violence, which is clearly an important part of what can make some parties problematic in democratic states. Linz’s distinction between ‘loyal and disloyal opposition’ is more instructive insofar as it focuses less on programmatic goals and relations with mainstream parties than on attributes which might undermine democratic regimes (Linz, 1978, 27–38). More specifically, ‘disloyal oppositions’ are anti-system parties which question the existence of a democratic regime and aim to change it. They are considered dangerous because they may take power or divide the population and cause civil war if, in a crisis, they can mobilize support, and if they cannot be repressed and isolated (*ibid.*, 27). Among other things, disloyal parties will not unambiguously and publically reject the use of violent means to achieve or maintain power and may employ a rhetoric of violence to mobilize supporters. This last facet of Linz’s concept of ‘disloyal opposition’ – that is, a party’s orientation to violence – is particularly useful because it permits consideration of an important means by which anti-system parties may undermine the legitimacy of the regimes they oppose.

Over time, however, definitions such as those offered by Kirchheimer and Sartori have become more problematic. When formulating their definitions, such scholars mostly had in mind the fascist and communist movements in interwar Europe, the remnants of Western European fascist movements that lingered after the defeat of the Axis powers in World War II and West European communist parties, which in countries like Italy, France and Finland, were relatively successful in elections. These were parties that appeared to participate in democratic politics in order to destroy the democratic system itself (Capoccia, 2002a, 11). In more

recent times, however, anti-system parties have often come to claim the mantle of democracy and sought to pursue their political goals through parliamentary means (ibid., 12). While there is room for reasonable doubt about the sincerity of some of these groups' proclaimed commitments to democracy, it is hard to deny that the ambiguity, internal contradictions and inconsistencies in the stated goals of some parties make it difficult to determine with certainty whether they embrace a clear cut anti-democratic ideology (Schedeler, 1996, 303).

Capoccia's (2002a) conception of ideological anti-systemness helps to address this issue. This concept departs from the observation that it would be possible to define anti-system actors as synonymous with anti-democratic actors if a clear definition of democracy is established alongside an indication of how an anti-system party violates or rejects this. To this end, Capoccia adopts Collier and Levitsky's (1997) definition of democracy as a political system that, at a minimum, includes: (a) fully contested elections, (b) full suffrage and an absence of massive fraud, (c) effective guarantees of civil liberties, underpinned by notions of political equality for all citizens regardless of religion, race, colour, age etc. and (d) elected governments with a strong capacity to govern. Capoccia does not seem to specifically address the issue of violence, but we might reasonably add the additional criterion (e) commitments to pursue parliamentary representation and government office through exclusively non-violent means. A final criterion, drawn from Backes' discussion of religious/secularist extremisms, could include (f) commitments to balance goals of religious freedom and secular foundations of the constitutional state (2010, 189). Essentially, if a party rejects one, some or all of these aspects of the liberal democratic system, Capoccia argues, it could be considered an anti-system party. In this book, I adopt Capoccia's (amended) conception of 'ideological anti-system parties' because it acknowledges the variety of ways in which contemporary political parties may challenge the foundational institutions, values and principles of liberal democratic politics.

I define the concept of 'party bans' as acts which subject parties to one of the following five measures. These forms of party ban vary in terms of the degree to which the targeted party is excluded from the public sphere. The most punishing form of exclusion is *dissolution*. It denies a party the right and means to participate in public life principally by disallowing participation in elections or holding office. The party's assets may be seized, its offices closed and the party leadership sanctioned. *Non-registration*, involves denial, by the state, of a new party's right to formally exist as a party, acquire associated privileges or to participate in elections. *Rights denial* involves the withdrawal of certain rights and privileges – such as the right to stand in elections – of already existing parties, even though the party as such may not be formally dissolved. A *lapsed ban* is a ban that has been undermined by the failure of the state to prevent a successor from taking on the mantle of a banned party. A *failed ban* occurs when at least one major institution of the state – government, parliament or the courts – formally approves a party ban but this is not sufficient to complete proceedings to finalize the ban.

Party bans are just one of a wide range of measures that can be employed against anti-system parties. Downs' (2012) and Capoccia's (2005) classifications of measures of defensive democracy are useful for conceptualizing the range of such measures. Downs identifies two strategies governments can use to deal with electorally successful 'pariah' parties – a strategy of disengagement ('clean hands') or one of engagement. Each of these strategies may involve more or less tolerant responses. Combining the disengagement/engagement dimension with the tolerant/militant dimension produces four types of strategy. Party bans are incorporated into a category of measures involving disengagement and intolerance, seen as a 'more aggressive' strategy involving 'overt political and legal attempts to isolate, restrict and repress and even ban the offending pariah' (2012, 31). In addition to party bans, 'ban/isolation' strategies can include a wide variety of legal and political measures, including manipulation of electoral rules, collusion among mainstream parties to reduce anti-system party success at elections or exclude their participation in government, and legal rules punishing offensive speech acts (like Holocaust denial), or displays of politically sensitive symbols (like Nazi paraphernalia). Alternative responses include '*ignore*' (disengagement and tolerance), which is a 'do-nothing approach' aiming to prevent an anti-system party from 'capturing the attention they crave' (ibid., 31–32). A strategy of '*co-option*' (engagement and militancy) occurs when 'the political establishment ... engages the pariah directly on the issue or issues fueling its electoral success and tries to aggressively combat the threatening party by recapturing the policy space' (ibid., 31). A final strategy is '*collaborate*' (engagement and tolerance) and involves agreement by mainstream and pariah parties to work together either prior to elections, for example in the form of electoral pacts, or afterwards in the form of coalition agreements or collaboration, to pass legislation (ibid., 46).

Capoccia's (2005) classification of measures of defensive democracy distinguishes between measures designed with (a) short-term goals, namely 'stemming the development of an existing challenge, to prevent it snowballing [and with the] declared immediate goal of democratic survival' and (b) long-term goals, which 'attempt to reinforce and stabilize the basic procedures and values of the democratic system' (ibid., 48). A second dimension of the typology distinguishes between measures that are predominantly 'exclusive-repressive' and those that are 'inclusive-educational' in nature (ibid.). Plotting these variables into a two-dimensional property space produces four 'polar strategies' of defensive responses to political extremism: Party bans are conceptualized as part of a strategy of *militancy* (short-term, repressive), a strategy which involves measures to 'curb *de jure* or *de facto*, the political and civil rights of certain subjects on the basis of their political opinions and activities, which have been defined as harmful to the survival of the democratic system'. Other measures in this category include restrictions on use of party uniforms or party militias, and regulation of rights of demonstration (ibid., 58). A second strategy is *purge* (long-term, repressive) which is

often adopted after the transition to democracy from an authoritarian regime, involve[s] enhancing the real or perceived legitimacy of the government by, for example, ensuring the systematic loyalty of bureaucrats or prosecuting authors of political crimes connected with the previous regime.

(Ibid., 49)

Education (long-term, accommodative) strategies ‘seek to strengthen democratic values and beliefs as well as democratic practices at different levels’ (ibid.). *Incorporation* (short-term, accommodative) strategies involve measures that ‘endeavor to bring into the system parts of the extremist opposition, thereby simultaneously weakening the extremist camp and increasing the legitimacy of the regime and the support for it’ (ibid., 49).

It is significant that both Downs and Capoccia conceptualize party bans as the most ‘militant’, ‘intolerant’, ‘aggressive’ or ‘repressive’ measure that can be employed against anti-system parties (see also Bleich, 2011, 87). There is also agreement among them that party bans are the most risky in terms of possible damage to the overall quality of the democratic system (Downs, 2012, 49; Capoccia, 2005, 59). It is this – the relatively repressive nature of party bans and its heightened risks for the quality of democracy in practice – that makes banning political parties the grave act claimed in the opening paragraph of the book. Moreover, it is these qualities that make the study of party bans especially pertinent for understanding how democratic states deal with anti-system parties and movements. For the reason that the stakes are so high when banning parties compared to alternatives, that decisions to ban parties can be considered the most extreme conditions in which democracies must negotiate their way through the dilemmas posed by the presence of anti-system parties.

Hypotheses and case selection

Given the relative frequency and political salience of party bans in democratic states, it is surprising how little systematic scholarly attention has been devoted to the task of explaining proscription. The literature on party bans mostly consists of country-specific studies identifying rationales for the proscription of individual parties (e.g. Auerback, 1954; Dyson, 1975; Franz, 1982; Niesen, 2002; Turano, 2003; Tardi, 2004; Dyzenhaus, 2004; Esparza, 2004; Iglesias, 2008; Corcuera *et al.*, 2008; Navot, 2008; Mareš, 2012). While providing useful insights into party ban rationales, these studies tend to take official rationales for party bans at face value, something that this research aims to problematize. Moreover, the topic has traditionally been dominated by the disciplines of law and political philosophy, which have addressed questions other than explanations for party bans. Legal scholars focus attention on the nature of statutory and constitutional constraints on political parties (Kirchheimer, 1961; Gordon, 1987; Tomuschat, 1992; Fox and Nolte, 2000; Sajó, 2004; Brems, 2006a and 2006b; Issacharoff, 2007; Rosenblum, 2007; Bligh, 2013). Political philosophers have explored the appropriateness of

limiting democratic rights and liberties, with work on political tolerance and freedom of expression of particular relevance (Rawls, 1971; Waldron, 1981; Scanlon, 2003; Quong, 2004, Kirshner, 2014; Malik, 2008). Political scientists have reflected more systematically on the effects of party bans, than on explanations for them (Tilly, 2005; Minkenberg, 2006; Koopmans, 2005; Husbands, 2002; Casal Bértoa and Bourne, 2017).

In order to address the scarcity of operationalizable theoretical statements about why democracies ban political parties in the existing literature, it was necessary to employ a complex research design involving two stages of hypothesis formation and testing, which I spell out in more detail in Chapter 1. The first step involved developing hypotheses from underdeveloped but insightful arguments about observed empirical regularities in single and ‘small n’ case studies about the conditions under which democracies ban parties. I then tested these hypotheses in a ‘crucial’ case study (Eckstein, 1979) of party bans in Spain, and more specifically the proscription of Herri Batasuna and its successors in 2003 (Bourne, 2015). Further empirical analysis of the case permitted formulation of additional hypotheses principally drawn from the fields of security studies and new institutionalism.

The hypotheses that emerged from this study and which, in the second step of the research design, I now examine in this book are:

H1. Democracies ban anti-system parties if these parties have been ‘securitized’ as an existential threat.

To paraphrase Buzan *et al.* (1998, 21), ‘securitization’ in this context is the process by which a party is presented and accepted as an existential threat to democratic institutions and values of a political community or the territorial integrity of the state, a threat requiring emergency measures outside the normal bounds of political practice.

H2. Democracies ban anti-system parties if veto players prefer proscription.

Veto players are defined as ‘actors whose agreement is required for a change in the status quo’ (Tsebelis, 2002, 17) and must be taken into account given that party ban decisions typically have major political and constitutional significance and usually involve the principal public authorities of the state.

H3. Democracies ban anti-system parties if they do not unambiguously reject violence.

12 Introduction

Today, few parties openly espouse the violent overthrow of the democratic political order. However, some anti-system parties seek to directly or indirectly legitimize the violent actions of others, or as in the case of the political wing of a terrorist group, exist to represent insurgents in the electoral arena.

H4. Democracies ban anti-system parties if alternative forms of marginalization are not effective.

Alternatives I examine in the book are the marginalization of anti-system parties through the electoral system and collusion by mainstream parties to keep anti-system parties out of government office. Alternatives may also include a wide range of other measures identified in Downs' (2012) and Capocchia's (2005) studies, such as criminalization of offensive behaviours and speech acts, collaboration with anti-system parties or civil education.

H5. Democracies ban anti-system parties if partisan veto-players do not need to cooperate with them to win and maintain office and achieve policy goals.

This hypothesis probes the incentives generated in the context of democratic competition on the decisions of partisan party-ban-veto-players to ban parties. It assumes that mainstream parties avoid banning anti-system parties if they think it will damage their chance of obtaining or maintaining hold of political office or achieving policy goals when collaborating with other parties is necessary.

The principal objective of this book is to test these hypotheses in additional case studies described earlier. These cases were selected to permit what Yin describes as 'literal' and 'theoretical' replication of the findings of existing research (2003, 47). Additional case studies selected on the expectation that they would replicate the findings of the first Herri Batasuna and successors party ban study (literal replication) were (1) the *banning* of Sinn Féin (1956), Republican Clubs (1967) and the Socialist Reich Party (1952). Additional case studies expected to produce contrasting results but for reasons predicted by the findings of the 2003 Herri Batasuna and successors case study (theoretical replication) were (2) the *legalization of formerly banned parties* Bildu (2011), Sortu (2012), Republican Clubs (1973) and Sinn Féin (1974) and (3) the two NPD *failed party ban* cases of 2003 and 2017. In the legalization cases, it was expected that each of the conditions under which parties are banned would no longer hold, while in the failed party ban cases it was expected that at least one of the conditions under which parties are banned would no longer hold. I employ a mixed methods approach to data analysis comprising process tracing and discourse analysis, as

well as the quantification of electoral system effects and coalition predictions. The range of methods employed follows from the nature of the hypotheses examined and acknowledges strengths and weaknesses entailed by different methods (George and Bennett, 2005). I draw on secondary literature about the parties studied and state responses to anti-system parties and movements; constitutional frameworks and legislation; election results and data on practices of government formation; newspaper articles, court rulings, government documents, parliamentary debates and, where possible, government archives.

Structure of the book and findings

In Chapter 1, I present a theoretical framework for explaining why some democracies ban anti-system parties while others do not. It begins with an analysis of the problematic legacy for the study of party bans of the paradigmatic concept of ‘militant democracy’. The chapter then discusses the two-stage research design for hypothesis formation and testing employed for the study and criteria for case selection. This is followed by a discussion of the theoretical underpinnings of the five hypotheses, their operationalization and theoretical expectations regarding relationships between variables. As a prelude to case study analysis, Chapter 2 briefly describes for each of the three country case studies legal rules for banning parties and provides an overview of parties subject to party ban proceedings.

The next three chapters present the results of party ban case studies in Spain (Chapter 3), the United Kingdom (Chapter 4) and Germany (Chapter 5). They address hypotheses related to securitization, veto-players and anti-system party orientation to violence for each type of party ban where relevant (bans, failed bans, legalization of banned parties). Chapter 6 addresses constraints imposed by electoral systems on anti-system parties and more specifically whether electoral rules may provide a substitute for party bans. Chapter 7 addresses party ban decisions in light of government formation processes, in particular the effectiveness of the *cordon sanitaire* as an alternative to proscription and the impact of mainstream parties’ office- and policy-seeking goals on incentives for banning anti-system parties.

On the basis of the empirical research presented in the book, I conclude that party bans are likely to occur when (1) the ambiguity of an anti-system party about the appropriateness of political violence (2) facilitates a securitization of that party as an existential threat and identification of the party ban as a solution to that threat, and (3) this is accepted by party-ban-veto-players. On the other hand, a party ban initiative is likely to fail if veto players cannot agree it is appropriate to ban the party. Legalization of banned parties is likely to occur when (1) veto players accept (2) a desecuritization of anti-system parties as an existential threat and, consequently, the inappropriateness of a party ban. In contrast, (1) the availability or otherwise of effective alternatives to party bans or (2) incentives of partisan party-ban-veto-players to cooperate with, rather than ban, anti-system parties, do not emerge as important explanations for party ban or legalization decisions.

These conclusions suggest that democratic communities are likely to respond to the dilemmas posed by anti-system parties and strategies of democratic defence predominantly through recourse to security discourses. Sufficient consensus must emerge that the party poses a serious threat to democratic values or institutions of the state in order to justify the grave act of banning a party. The ban, moreover, is likely to remain an exceptional measure targeting parties unwilling to embrace non-violent political methods. On the other hand, the malleability of securitization discourses creates opportunities for unscrupulous political actors to mobilize security arguments to justify banning parties that represent unpopular minorities or which serve as political rivals. These complex challenges have emerged intermittently over the post-World War II period and are likely to continue to do so in an era where populist parties and movements question core principles and values of the liberal democratic model, if not the legitimacy of liberal democracy itself.

References

- Akten zur Auswärtigen Politik der Bundesrepublik Deutschland (1951a). Gespräch des Bundeskanzlers Adenauer mit dem britischen Außenminister Morrison Geheim 19. Mai 1951, München: Institut für Zeitgeschichte, pp. 266282.
- Akten zur Auswärtigen Politik der Bundesrepublik Deutschland (1951b). Gespräch des Bundeskanzlers Adenauer mit dem amerikanischen Hohen Kommissar McCloy Geheim 5. Juli, München: Institut für Zeitgeschichte, pp. 379386.
- Akten zur Auswärtigen Politik der Bundesrepublik Deutschland (1951c). Gespräch des Bundeskanzlers Adenauer mit den Außenministern Acheson, Eden und Schuman in Paris 22. November, München: Institut für Zeitgeschichte, pp. 631636.
- British government (1973a). Brief on Proscription of Sinn Fin, 2 May, National Archives, Kew (UK) CJ 4/643.
- British government (1973b). Sinn Fin, 3 May, National Archives, Kew (UK) CJ 4/862.
- British government (1974a). Deproscription of Proscribed organisations, 6 March, National Archives, Kew (UK) CJ 4/643.
- British government (1974b). Deproscription Order, 8 May, National Archives, Kew (UK) CJ 4/862.
- British government (1974c). Brief for the Debate on the deproscription of the Ulster Volunteer Force and Sinn Fin, 9 May, National Archives, Kew (UK) CJ 4/643.
- British government (1974d). Brief for the Debate on the deproscription of the Ulster Volunteer Force and Sinn Fin, 14 May, National Archives, Kew (UK) CJ 4/862.
- British government (1975a). Proscription of PSF, 18 December, National Archives, Kew (UK) CJ 4/1919.
- British government (1975b). Note for the Record, Proscription of UVF, 8 October, National Archives, Kew (UK).
- British government (1977). Background Note, attached to correspondence from R. A. Nielson to Mr Walker on Proscription of various organisations, 30 April, The National Archives, Kew (UK) CJ 4/1919.
- British government (1978a). Proscription of Sinn Fin and Others, 19 October, National Archives, Kew (UK) CJ 4/4815.
- British government (1978b). Case Against PSF, 5 December, National Archives, Kew (UK) CJ 4/4815.
- British government (1979a). Republican Clubs The Workers Party, 8 January, National Archives, Kew (UK) CJ 4/3323.
- British government (1979b). Sinn Fin and the EEC, 7 February, National Archives, Kew (UK) CJ 4/4815.
- 240 British government (1982). Secretary of States Interview on the Panorama Programme on Gerry Adams, 22 November, National Archives, Kew (UK) CJ 4/4815.
- British government (1983a). Proscription of Sinn Fin, 19 August, National Archives, Kew (UK) CJ 4/4815.
- British government (1983b). Handling of Representations from Sinn Fin, 9 December, National Archives, Kew (UK) CJ 4/4815.
- British government (1983c). Sinn Fin, 19 December, National Archives, Kew (UK) CJ 4/4815.
- British government (1983d). Radio Ulster News Summary, 21 December, National Archives, Kew (UK) CJ 4/4815.
- British government (1983e). Proscription of Sinn Fin, 21 December, National Archives, Kew (UK) CJ 4/4815.
- British government (1983f). Note for the Record, Cabinet Office Meeting, 22 December, National Archives, Kew (UK) CJ 4/4815.
- British government (1983g). Proscription of Sinn Fin etc. Note for the Record, 23 December, National Archives, Kew (UK) CJ 4/4815.
- Boletn Oficial de las Cortes Generales (2012). Serie D, nm 44, 28 February, p. 45.
- Bundesministerium des Innern (BMI, Federal Interior Ministry) (1951). Beschl. der Bundesregierung vom Sozialistische Reichspartei (draft), 2 May, Bundesarchiv B/141/207.
- Bundesregierung (1951). Beschl. der Bundesregierung vom 4. Mai 1951, Gemeinsames Ministerialblatt, 8 May, no. 11, p. 111.
- Bundesrat (2012). Antrag auf Entscheidung des Bundesrates über die Einleitung eines Verfahrens zur Feststellung der Verfassungswidrigkeit der Nationaldemokratischen Partei Deutschlands (NPD), Drucksache 770/12, 12 December.
- Dorls, F. (1950). Letter to Federal President Theodor Heuss, Bonn, September 21, Bundesarchiv B/141/207.
- Imperial Grand Black Chapter of the British Commonwealth (1968). Letter to NI Minister of Home Affairs, 29 March, PRONI HA/32/2/13.

Loyal Orange Lodge Institution of Ireland (1968). Letter to the NI Minister of Home Affairs, 15 February , PRONI HA/32/2/13.

NI Ministry Home Affairs (1956a). Irish Republican Army and Other Subversive Activities, Belfast, 27 September , PRONI HO/5/3.

NI Ministry Home Affairs (1956b). Visit of the Honourable T.M O'Neill to the Home Secretary on 4th October 1956, File note, 5 October , PRONI HO/5/3.

NI Ministry for Home Affairs (1958). Some of the Resolutions put forward by Cumann for Adoption at the Ard Feis in Dublin on 15th/16th November 1958, File note, PRONI HA/32/2/13.

NI Ministry Home Affairs (1959). A Summary of Events Affecting Sinn Fin, 12 December, 1956 to 18 August, 1959, File note, PRONI HA/32/2/13.

NI Ministry of Home Affairs (1967). Republican Clubs in Northern Ireland, 21 March , PRONI CAB/9/B/304/1.

NI Office (1983). The legal status of Sinn Fin: Note by the Northern Ireland Office, 19 August , National Archives, Kew (UK) CJ 4/4815.

Mason, R (1977). Letter, 27 April , National Archives, Kew (UK) CJ 4/1919.

Ministerio del Interior (2003). Terrorismo Urbano 2003, www.interior.gob.es/documents/10180/1209881/Terrorismo+urbano.pdf/eb04808d-7689-4e18-afb9-3e8a817f0687, retrieved 11 April 2017 .

Mhlenfeld, L (1951). Letter to Federal Minister of the Interior, 3 April , Bundesarchiv B 141/207.

241 Royal Ulster Constabulary (RUC) Inspector General (1958). Letter to R F R Dunbar 29 December , PRONI HA/32/2/13.

RUC Inspector General (1967a). Meeting of Protest Against Ministerial Ban on Republican Clubs, PRONI CAB/9/B/304/1.

RUC Inspector General (1967b). Republican Clubs, Report for NI Ministry Home Affairs, PRONI HA/32/2/13.

RUC Inspector general (1967c). Republican Clubs in Northern Ireland, attached to letter from H. Black to R. M. North , Home Office, Whitehall, London, 21 March , PRONI CAB/9/B/304/1.

Ulster Constitutional Defence Committee (1967). Letter to the NI Minister of Home Affairs from Ulster Constitutional Defence Committee, 11 November , PRONI HA/32/2/13.

USOHCG (United States Office of the High Commissioner for Germany) (1951). The radical right. Information Bulletin, pp. 6568.

Kabinettsprotokolle , 1951a, Kabinettsitzung am 24. April 1951 , no. 143, Innerpolitische Lage und Wahlen.

Kabinettsprotokolle , 1951b, Kabinettsitzung am 4. Mai 1951 , no. 145, Verhalten der SRP.

Kabinettsprotokolle , 1951c, Kabinettsitzung am 8. Mai 1951 , no. 146, Wahl in Niedersachsen und SRP.

Kabinettsprotokolle , 1951d, Kabinettsitzung am 9. Oktober 1951 , no. 178, SRP und KPD.

Kabinettsprotokolle , 1951e, Kabinettsitzung am 12. Oktober 1951 , no. 179, Prfung der Frage der Einbringung der Verfassungsklage gegen SRP und KPD.

CDU/CSU (2000). Verfassungswidrigkeit der Nationaldemokratischen Partei Deutschlands, Drucksache 14/4883, Bundestag, 5 December .

CDU/CSU and FDP (2013). Rechtsextremismus entschlossen bekmpfen, Drucksache 17/13225, Bundestag, 24 April .

Die Linke (2013). Antrag der Fraktion Die Linke, NPD verbieten, Drucksache 17/13231, Bundestag, 24 April .

FDP (2000). Fr eine wirksame und nachhaltige Bekmpfung des Rechtsextremismus deshalb gegen ein NPD-Verbot, Drucksache 14/4888, Bundestag, 6 December .

Greens (2013). Rechtsextremismus umfassend bekmpfen, Drucksache 17/13240, Bundestag, 24 April .

Sinn Fin (1956). Statement, Dublin, 12 December 1956 , PRONI HA/32/2/13.

SPD (1951). Sozialdemokratischer Pressdienst, Zu Spat und zu wenig, 4 May 1951 , Bundesarchiv B/141/207.

SPD (2013). Antrag der Fraktion der SPD Antrag auf Entscheidung des Deutschen Bundestages ber die Einleitung eines Verfahrens zur Feststellung der Verfassungswidrigkeit der Nationaldemokratischen Partei Deutschlands, Drucksache 17/13227, Bundestag, 23 April .

BVerfG, Urteil des Ersten Senats vom 23 . Oktober 19521 BvB V51 (SRP ban).

BVerfG, Urteil des Ersten Senats vom 17 . August 19561 BvB 2/51 (KPD ban).

BVerfG, Beschluss des Zweiten Senats vom 18 . Mrz 20032 BvB 1/01 (NPD I ruling).

242 BVerfG, Urteil des Zweiten Senats vom 17 . Januar 20172 BvB 1/13 (NPD II ruling).

European Commission of Human Rights (1957) Decision on request No 250/57 presented by the Communist Party of Germany, 20 July .

ECtHR (2016) Nationaldemokratische Partei Deutschlands (NPD) v. Germany, 4 October .

ECtHR (2009) HB and Batasuna v. Spain, judgement of 30 June .

ECtHR (2002) Yazar, Karata, Aksoy and the Peoples Labour Party (HEP) v. Turkey, judgement of 9 April .

ECtHR (2003) Judgement of the ECtHR, Refah Partisi (The Welfare Party) and Others v. Turkey, 13 February 2003 , 102.

Sentencia Tribunal Supremo , de 27 marzo 2003 (HB and successors ban).

Sentencia Tribunal Constitucional 5/2004 (Batasuna) and 6/2004 (Herri Batasuna) de 16 de enero (HB and successors ban).

Sentencia Tribunal Supremo , 1 mayo de 2011 (Bildu ban).

Sentencia Tribunal Constitucional 62/2011 de 5 de mayo (Bildu legalization).

Auto del Tribunal Supremo , de 30 de marzo de 2011 (Sortu ban).

Sentencia Tribunal Constitucional 138/2012 , de 20 de junio (Sortu legalization).

McEldowney v Forde, HL , 18 June 1969 (on Republican Clubs).

Belfast Newsletter (1956). Ban on Sinn Fin: Raid by Belfast Police, 31 December .

Belfast Telegraph (1956a). Eire Promises Action to Curb Raids on Ulster, 15 December .

Belfast Telegraph (1956b). Civic Guards Watch on Terrorists, 15 December .

Belfast Telegraph (1956c). Ulster People are Queens Men, 18 December .

Belfast Telegraph (1956d). Renewed Threat, 18 December .

Belfast Telegraph (1956e). Terror Campaign can only Destroy the Hopes of Unity, 18 December .

Belfast Telegraph (1956f). Depots in Dublin to Assist the Gunmen, 18 December .

Belfast Telegraph (1956g). RAF Fly in Guards for Airfields here, 18 December .

Belfast Telegraph (1956h). Eden Gives Pledge to Defend Ulster, 19 December .

Belfast Telegraph (1956i). Eden Asked. Has Eire Taken Any Action yet, 19 December .

Belfast Telegraph (1956j). Watchword is No Surrender, December 19 .

Belfast Telegraph (1956k). Premier says he is Proud of Ulster People, 22 December .

Belfast Telegraph (1956l). Ulster People will not be Ruled by Terrorists M.P., 22 December .

Belfast Telegraph (1956m). Eire Govt. Connivance in Raids, 22 December .

Belfast Telegraph (1956n). Derry Bishop makes Plea for Restraint, 27 December .

Belfast Telegraph (1956o). Sinn Fin Now Outlawed, 29 December .

Belfast Telegraph (1956p). Lessons of Derrylin, 31 December .

Belfast Telegraph (1967a). Republican Clubs Go on Despite Ban, 20 March .

Belfast Telegraph (1967b). Republican Club Ban: More Men are Held, 20 March .

Belfast Telegraph (1967c). Young Unionists back Craig, 20 March .

Belfast Telegraph (1967d). Detained Men were Suspects Says Minister, 21 March .

Belfast Telegraph (1967e). Republican Club Ban a Criminal Blunder: Lennon, 22 March .

Belfast Telegraph (1967f). Put Special Powers Act into Storage Warnock, 23 March .

Belfast Telegraph (1967g). 82 MPs Attack Ban on Republican Clubs, 23 March .

Belfast Telegraph (1967h). No Bar on Republican Candidates, 23 March .

243 Belfast Telegraph (1983). Tighten Laws, 23 December .

Deutsche Welle (2013). Neo-Nazi Murder Spree Shocks Germany, 13 April .

El Correo (2016). Gobierno y PNV se alejan del PP vasco tras su oferta de colaboracin, 20 April .

El Diario Vasco (2015). El parlamento vasco aprueba la primera ley de vivienda de Euskadi, 18 June .

El Diario Vasco (2016). Podemos rechaza un pacto con EH Bildu y PNV, 26 March .

El Mundo (2001a). La posible ilegalizacin de Batasuna, 20 November .

El Mundo (2001b). El Supremo la considero ajustada a derecho, 22 November .

El Mundo (2002a). Patxi Lpez parte como favorito, 23 March .

El Mundo (2002b). Ha conseguido el 57% de los votos, 24 March .

El Mundo (2002c). No quiero un apao en la ley de partidos, 20 April .

El Mundo (2002d). El PP abandona la Comisin de Seguridad al no admitirse el apoyo a la ilegalizacin de Batasuna, 22 April .

El Mundo (2002e). Acebes pide rapidez, 14 May .

El Mundo (2002f). El Congreso aprueba la Ley de Partidos con el voto favorable de una mayora abrumadora, 5 June .

El Mundo (2002g). ETA mata a la hija de un guardia civil y a un transente en Santa Pola con un coche bomba, 5 August .

El Mundo (2002h). Reacciones al atentado de Santa Pola, 5 August .

El Mundo (2002i). Aznar: Hasta aqu hemos llegado, 6 August .

El Mundo (2002j). Reunin de la Junta de Portavoces, 8 August .

El Mundo (2002k). Ley de Partidos Polticos, 10 August .

El Mundo (2002l). Acuerdo entre PP y PSOE, 11 August .

El Mundo (2002m). Pide al CiU un discurso propio, 11 August .

El Mundo (2002n). Augura un otoo negro y duro, 12 August .

El Mundo (2002o). El Vicepresidente Primero del Gobierno, Mariano Rajoy, cree que podra estar resuelta este ao el PNV, 13 August .

El Mundo (2002p). El PNV no pedir la ilegalizacin de Batasuna porque la ilegal es ETA, 13 August .

El Mundo (2002q). Negociacin de las transferencias, 14 August .

El Mundo (2002r). Comunicado de la Banda Terrorista, 15 August .

El Mundo (2002s). Instan a PNY (sic) y EA a modificar su voto, 16 August .

El Mundo (2002t). Ilegalizacin de Batasuna, 18 August .

El Mundo (2002u). El PSOE considera un deber promover la ilegalizacin de Batasuna, 19 August .

El Mundo (2002v). El PP dice que CiU e IU forman sociedades politicas con EA y PNV, 19 August .

El Mundo (2002w). Convocatoria del Pleno del Congreso, 20 August .

El Mundo (2002x). Informe de los Servicios Jurdicos del Estado, 22 August .

El Mundo (2002y). PP y PSOE incluin las amenazas de Otegi al Gobierno vasco en su propuesta para ilegalizar Batasuna, 23 August .

El Mundo (2002z). El PSOE, Ante el conflict vasco, 25 August .

El Mundo (2002aa). Arzalluz califica la ilegalizacin de Batasuna de trampa politica al electorado, 30 August .

El Mundo (2002ab). Niega que la ilegalizacin provoque atentados, 5 September .

El Mundo (2002ac). El PNV teme una espiral de enfrentamineto institucional si Villar denuncia a Azkarraga, 5 September .

El Mundo (2002ad). Pidieron una tregua de ETA en Catalua, 10 September .

244 El Mundo (2002ae). Aznar: Que la mesa de un parlamento declare nula la decisin de un juez es un esperpento, 29 September .

El Mundo (2002af). Ibarretxe: Hemos respondido a las barbaridades del Gobierno y de Garzn cumpliendo la ley, 22 September .

El Mundo (2002ag). La AVT cree que antes hay que ilegalizar a Batasuna, 23 November .

El Mundo (2003a). Proceso de ilegalizacin, 12 January .

El Mundo (2003b). Proceso de ilegalizacin de la coalicin, 10 February .

El Mundo (2003c). Otegi dice que la ilegalizacin de Batasuna abortara el proceso de paz y de autodeterminacin, 22 March .

El Mundo (2004). El parlamento vasco aprueba el Plan Ibarretxe gracias a Batasuna, 31 December .

El Mundo (2011a). Urkullu tiene previsto hablar con Zapatero y le gustara hacerlo con Rajoy sobre Sortu, 10 February .

El Mundo (2011b). Patxi Lpez cree que la legalizacin de Sortu sera una buena noticia, 10 February .

El Mundo (2011c). Patxi Lpez dice que ojal Sortu se legalice, pero que no convocar elecciones, 11 February .

El Mundo (2011d). El PP califica de repugnante el hecho de que Odn Elorza le vincule al franquismo, 13 February .

El Mundo (2011e). Patxi Lpez advierte de que no habr alfombra roja para Sortu, 16 February .

El Mundo (2011f). Juregui: Si no han roto definitivamente con ETA no pueden ser legalizados, 17 February .

El Mundo (2011g). Rajoy aboga por ilegalizar Sortu para no tirar por la borda aos de trabajo, 17 February .

El Mundo (2011h). Rodrguez Zapatero, ante los medios tras la cumbre hispanopolaca, 10 March .

El Mundo (2011i). Caamao asegura que el Gobierno vigilar para que Sortu no use las listas de EA, 24 March .

El Mundo (2011j). Joseba Egibar afirma que Sortu no es Batasuna porque es una ruptura total, 26 March .

El Mundo (2011k). El PP ha pedido al Gobierno que impugne la candidatura de Bildu, 25 April .

El Mundo (2011l). Urkullu avisa al Gobierno de que impugnar Bildu cuestionara el apoyo del PNV, 29 April .

El Mundo (2011m). UPyD retira su apoyo a Lpez por haber hecho campaa a favor de la legalizacin, 6 May .

El Mundo (2011n). La AVT pide la ilegalizacin de Bildu y Sortu por los sucesos de Ondarroa, 16 May .

El Mundo (2011o). Lokarri insta a Lpez a iniciar el dilogo entre partidos para la paz, 3 June .

El Mundo (2011p). El PP considera que el comunicado da pistas sobre lo que representa Bildu, 12 July .

El Mundo (2011q). El Foro de Ermua pide la ilegalizacin de Bildu y exige explicaciones al Gobierno, 14 July .

El Mundo (2011r). Juregui dice que con los informes del Gobierno no se puede ilegalizar a Bildu, 20 July .

El Mundo (2011s). El PP de Elorrio pedir a la Fiscala que se retire el acta de una concejal de Bildu, 6 August .

245 El Mundo (2011t). Conde-Pumpido: Sortu no debe ser legal mientras permanezca la sombra de ETA, 15 August .

El Mundo (2011u). El PSE avisa a Bildu de que podra ser ilegalizada si no cumple con la democracia, 28 August .

El Mundo (2011v). Basagoiti afirma que la culpa de que Sortu no sea legal la tiene ETA, 20 September .

El Mundo (2012). Aguirre dice que el resultado de EH Bildu muestra con toda su crudeza el grave error del TC, 22 October .

El Mundo (2013). Basagoiti pide no tratar a Sortu como demcratas mientras no se arrepientan, 25 February .

El Mundo (2015). La AVT pide a los partidos reeditar el pacto antiterrorista de 2000, 27 October .

El Pas (2005). Ibarretxe ser lehendakari gracias a los votos de EHAK, 23 June .

El Pas (2008). El supremo ilegaliza ANV y acuerda su disolucin, 16 September .

El Pas (2013). El PNV facilita de Nuevo a Garitano la aprobacin de los presupuestos, 28 November .

El Pas (2015). As estan las negociaciones para el pacto en las comunidades, 18 June .

Frankfurter Allgemeine Zeitung (FAZ) (1951a). Feinde der demokratischen Ordnung, 17 November .

FAZ (1951b). Verfassungsklage gegen die Radikalen, 17 November .

FAZ (1952a). Eindeutige Beweise, 8 July .

FAZ (1952b). Die Sozialistische Reichspartei verfassungswidrig, 24 October .

FAZ (2000a). Lnder-Interessen, 29 October .

FAZ (2000b). Gesetzesnderung vor einem Antrag auf NPD-Verbot? 2 November .

FAZ (2000c). DVU steht als Reserve bereit, 2 November .

FAZ (2000d). Persilschein fr die REPS, 2 November .

FAZ (2000e). Nach NPD-Verbot kein Radikaler weniger, 2 November .

FAZ (2000f). Koch warnt vor bereilung, 2 November .

FAZ (2000g). Baden-Wrttemberg wird sich enthalten, 3 November .

FAZ (2000h). Die Bedenken berwiegen, 8 November .

FAZ (2000i). Kabinett beschliet Verbotsantrag gegen die NPD, 9 November .

FAZ (2000j). Seltsame Verkehrung, 9 November .

FAZ (2000k). Leitkultur Unwort des Jahres, 27 November 2000 .

FAZ (2000l). Union will keinen eigenen NPD-Verbotsantrag des Bundestags, 1 December .

FAZ (2000m). Schwarzer Riese im roten Saarland, 3 December .

FAZ (2000n). Innenausschu fr NPD-Verbotsantrag, 7 December .

FAZ (2000o). Der Bundestag beschliet eigenen NPD-Verbotsantrag, 9 December .

FAZ (2001a). Vogt: NPD will Grundordnung beseitigen, 30 January .

FAZ (2001b). Bange Antragsteller, 1 February .

FAZ (2001c). Die NPD hat eine aktiv-kmpferische, aggressive Grundhaltung, 1 February .

FAZ (2001d). Wir wollen die absolute Macht in Deutschland, 1 February .

FAZ (2001e). Schily ist zuversichtlich, da die NPD verboten wird, 1 February .

FAZ (2001f). Rechtsextreme Gruppierung verboten, 6 June .

FAZ (2003a). Verzweiflung, 13 March .

FAZ (2003b). Das konkrete Vorhaben, 19 March .

FAZ (2003c). Richter sind keine Feldjger, 2 April 2003 .

FAZ (2012a). Merkel will Datenauswertung abwarten, 13 August .

FAZ (2012b). Bundesregierung warnt vor NPD-Verbotsverfahren, 13 August .

FAZ (2012c). Debatte ber Verbot der NPD, 27 August .

246 FAZ (2012d). War ein NSU-Tatverdchtiger V-Mann?, 26 September .

FAZ (2012e). Innenminister Friedrich warnt vor Verbotsantrag gegen NPD, 1 October .

FAZ (2012f). Braune Kreide fressen, 1 December .

FAZ (2012g). Lammert gegen eigenen NPD-Verbotsantrag des Bundestags, 6 December .

FAZ (2012h). Union und FDP warten ab, 7 December .

FAZ (2012i). Methoden von gestern, 8 December .

FAZ (2012j). Wer gackert, muss auch legen, 8 December .

FAZ (2012k). NPD: Wer vom Parteiverbot spricht, darf ber die Freiheit nicht schweigen, 12 December .

FAZ (2012l). Streit um Haltung zu NPD-Verbot, 14 December .

FAZ (2012m). Bundesrat beschliet NPD-Verbotsantrag, 15 December .

FAZ (2013a). Regierung stellt keinen Antrag auf NPD-Verbot, 18 March .

FAZ (2013b). Kritik an Haltung der Regierung, 18 March .

FAZ (2013c). Zweifel bei der Unionsfraktion, 19 March .

FAZ (2013d). Wohl auch kein NPD-Verbotsantrag des Bundestags, 20 March .

FAZ (2013e). Im Gesprch: Dieter Graumann, Prsident des Zentralrats der Juden, 13 November .

FAZ (2013f). Die Abgeordneten kriegen nicht frei, 2 April .

FAZ (2013g). Rhein und Hahn bekrftigen Zweifel an NPD-Verbot, 3 December .

FAZ (2013h). Kanzlerin Merkel hofft auf Erfolg des Verbotsantrags, 12 December .

Frankfurter Allgemeine Sonntagszeitung (2000). Material gegen NPD reicht, 12 November .

Frankfurter Rundschau (1951). Halbe Manahmen halbe Wahrheiten, 7 Mai .

Irish News (1956). Eight Men Held in Republic, 20 December .

Irish News (1967a). Banning of the Republican Clubs Lashed by M.P.s, 17 March .

Irish News (1967b). Republican Clubs Plan Defiance March in Belfast, 18 March .

Irish News (1967c). Ban Protests go to U.N. and Wilson, 20 March .

Irish News (1967d). More Arrests Follow Week-end Ban Protests, 21 March .

Irish News (1967e). Unionist Calls for Care with Special Powers, 23 March .

Irish Times (1954). Flaunting Republics Flag in the North, November 8 .

Irish Times (1957). Police Intensify Campaign Against Raiders, 1 January .

Irish Times (1959). Sinn Fin to Contest Elections, 9 September .

Irish Times (1967a). Strong Attack on Republican Ban, 17 March .

Irish Times (1967b). Stormont Query About Clubs Ban, 21 March .

Irish Times (1967c). Craig Repeats Threat to Republican Clubs, 22 March .

Irish Times (1967d). Warnock and OConnor Seen as Apostles of Moderation, 23 March .

Irish Times (1967e). Police Fail to Find Source of Letter Read by O'Neill, 10 May .

Irish Times (1967f). Minister Asked to Clarify Ban, 16 November .

Irish Times (1983). British Cabinet Holds off on Sinn Fin Ban, 23 December .

Manchester Guardian (1957). Irish Government Takes Emergency Powers, 9 July .

Noticias de Navarra (2015). Urkullu ve difcil un pacto entre PNV y EH Bildu tras las elecciones, 22 April .

Spiegel Online (2012a). Merkel bekrftigt Zweifel an NPD-Verbotsverfahren, 31 March .

Spiegel Online (2012b). Lnder untersttzen NPD-Verbotsantrag, 6 December .

Sddeutsche Zeitung (SZ) (1951a). Rechts-Radikalisierung in Niedersachsen, 8 May .

SZ (1951b). Nach der Niedersachsen Wahl, 9 May .

SZ (1951c). Adenauer warnt vor unsachlicher Opposition, 10 May .

SZ (1951d). Vor der Regierungsbildung in Niedersachsen, 10 May .

The Guardian (1983). Incitement Option on Sinn Fin, 23 December .

The Observer (1956). Two Parties Banned in Northern Ireland, 30 December .

247 The Times (1918). Sinn Fin Proclaimed, 4 July , p. 7.

The Times (1919). Sinn Fin. Suppression all over Ireland. New Proclamation, 27 November , p. 14.

Ahedo Gurrutxaga, I. , Ibarra Gell, P. , Letamendia Belzunce, F. , Moure Pein, L. , Riplada Crespo, J. and Zubiaga Garate, M. (1999). La autodeterminacin en Euskal Herria: Actores colectivos, territorialidad y cambio poltico. In: M. Gmez Uranga , I. Lasagabaster , F. Letamendia and R. Zallo , eds., Propuestas para un nuevo escenario. Bilbao: Manu Robles-Arangiz Institutua, pp. 32170.

Alonso, R. (2010). Escenarios ante el final del terrorismo: Qu poltica Antiterrorista frente a ETA y Batasuna? Cuadernos de pensamiento poltico, 26, pp. 3558.

- Alonso, R. (2013). The Madrid bombings and negotiations with ETA: A case study of the impact of terrorism on Spanish politics. *Terrorism and Political Violence*, 25 (1), pp. 113136.
- Alonso, R. (2016). El final del terrorismo? Los procesos de cese de la violencia en Pas Vasco (ETA) e Irlanda del Norte (IRA). *Tiempo devorado: revista de historia actual*, 3 (1), pp. 537.
- Art, D. (2007). Reacting to the radical right: Lessons from Germany and Austria. *Party Politics*, 13 (3), pp. 331349.
- Atkinson, G. (1993). Germany: Nationalism, Nazism and violence. In: T. Bjrgo and R. Witte , eds., *Racist violence in Europe*. Basingstoke: Macmillan, pp. 154166.
- Auerback, C. (1954). The communist control act of 1954: A proposed legal-political theory of free speech. *University of Chicago Law Review*, 23 (2), pp. 173220.
- Avils, J. (2010). El Terrorismo en Espaa: De ETA a Al Qaeda. Madrid: Arco Libros.
- Avineri, S. (2004). Introduction. In: A. Saj , ed., *Militant Democracy*. Utrecht: Eleven International Publishing, pp. 114.
- Axelrod, R. (1970). *Conflict of interest: A theory of divergent goals with applications to politics*. Chicago: Markham Publishing Company.
- Backes, U. (2006). Limits of political freedom in democratic constitutional states: A comparative study on Germany, France and the USA. *Totalitarismus und Demokratie*, 3 (2), pp. 265282.
- Backes, U. (2010). *Political extremes: A conceptual history from antiquity to the present*. Abingdon: Routledge.
- Backes, U. and Mudde, C. (2000). Germany: Extremism without successful parties. *Parliamentary Affairs*, 53, pp. 457468.
- Bakker, R. , Edwards, E. , Hooghe, L. , Jolly, S. , Marks, G. , Polk, J. , Rovny, J. , Steenbergen, M. and Vachudova, M. (2015). 2014 Chapel Hill Expert Survey. Version 2015(1). Chapel Hill, NC: University of North Carolina. Available at: chesdata.eu.
- Bale, T. (2003). Cinderella and her ugly sisters: The mainstream and extreme right in Europes bipolarising party systems. *West European Politics*, 26 (3), pp. 6790.
- Bale, T. (2007). Are bans on political parties bound to turn out badly? A comparative investigation of three intolerant democracies: Turkey, Spain and Belgium. *Comparative European Politics*, 5 (2), pp. 141157.
- Bale, T. , Green-Pedersen, C. , Krouwel, A. , Luther, K. and Sitter, N. (2010). If you cant beat them join them? Explaining social democratic responses to the challenge from the populist radical right in Western Europe. *Political Studies*, 58, pp. 410426.
- 248 Balzacq, T. (2005). The three faces of securitization. *European Journal of International Relations*, 11 (2), pp. 121201.
- Balzacq, T. (2011). *Securitization theory*. Oxford: Routledge.
- Banzaf, J. (1964). Weighted voting doesnt work: A mathematical analysis. *Rutgers Law Review*, 19 (2), pp. 317343.
- Beimenbetov, S. (2014). A comparative analysis of defensive democracy: A cross national assessment of formal-legal defensiveness in 8 advanced European democracies. Unpublished PhD thesis submitted to the University of Exeter, UK.
- Benavente, M. and Manso, T. (2014). Combatting the terrorism of ETA with the penal model. *Crime, Law and Social Change*, 62, pp. 269288.
- Betz, H. and Welsh, H. (1995). The PDS in the new German party system. *German Politics*, 4 (3), pp. 92111.
- Bew, J. , Frampton, M. and Gurruchaga, I. (2009). *Talking to Terrorists*. London: C. Hurst and Co.
- Bew, P. , Gibbon, P. and Patterson, H. (1979). *The State in Northern Ireland: 192172*. Manchester: Manchester University Press.
- Blais, A. and Carty, R. (1991). The psychological impact of electoral laws: Measuring Duverggers elusive factor. *British Journal of Political Science*, 21 (1), pp. 7993.
- Blanco, R. (1990). *Los partidos politicos, temas clave de la constitucion espaola*. Madrid: Technos.
- Blanco, R. (2004). La nueva ley de partidos y la defensa del estado. In: L. Lpez and E. Espn , eds., *La defensa del estado*. Valencia: Tirant lo blanch.
- Bleich, E. (2011). *The freedom to be racist*. Oxford: Oxford University Press.
- Bleich, E. and Lambert, F. (2013). Why are racist associations free in some states and banned in others? Evidence from 10 liberal democracies. *West European Politics*, 36 (1), pp. 122149.
- Bligh, G. (2013). Defending democracy: A new understanding of the party-banning phenomenon. *Vanderbilt Journal of Transnational Law*, 46, pp. 13211379.
- Bogdanor, V. (1999). *Devolution in the United Kingdom*. Oxford: Oxford University Press.
- Bogdanor, V. (2008). A hung parliament: A political problem, not a constitutional one. In A. Brazier and S. Kalitowski , eds., *No Overall Control? The impact of a hung parliament on British Politics*. London: Hansard Society, pp. 1526.

- Botsch, G. (2012). From skinhead-subculture to radical right movement: The development of a national opposition in East Germany. *Contemporary European History*, 21 (4), pp. 553-573.
- Bourne, A. (2010). Political parties and terrorism: Why ban Batasuna? In: *Elections, Public Opinion and Parties Annual Conference*. University of Exeter.
- Bourne, A. (2012a). Democratization and the proscription of political parties. *Democratization*, 19 (5), pp. 1065-1085.
- Bourne, A. (2012b). The proscription of parties and the problem with militant democracy. *Journal of Comparative Law*, 7 (1), pp. 196-213.
- Bourne, A. (2014). Security or tolerance? The proscription of political parties in democratic states. In: *European Consortium for Political Research, Joint Sessions, Salamanca*, pp. 1015.
- Bourne, A. (2015). Why ban Batasuna? Terrorism, political parties and democracy. *Comparative European Politics*, 13, pp. 325-344.
- Bourne, A. (2018). Securitization and the proscription of terrorist organizations in Spain. *Terrorism and Political Violence*, 30 (2), pp. 318-335.
- 249 Bourne, A. and Casal Brtoa, F. (2017). Mapping militant democracy: Variation in party ban practices in European democracies (1945-2015). *European Constitutional Law Review*, 13 (2), pp. 221-247.
- Bowyer Bell, J. (1970). *The secret army: The IRA 1916-1970*. New York: John Day Company.
- Bruninger, T. and Debus, M. (2012). *Parteienwettbewerb in den deutschen Bundesländern*. Springer: Wiesbaden.
- Braunthal, G. (1990). *Political loyalty and public service in West Germany: The 1972 decree against radicals and its consequences*. Amherst: University of Massachusetts Press.
- Braunthal, G. (2009). *Right-wing extremism in contemporary Germany*. Basingstoke: Palgrave Macmillan.
- Brazier, A. (2008). Parliamentary procedure without a commons majority. In: A. Brazier and S. Kalitowski, eds., *No overall control? The impact of a hung parliament on British politics*. London: Hansard Society, pp. 273-6.
- Brems, E. (2006a). Freedom of political association and the question of party closures. In: W. Sadurski, ed., *Political rights under stress in 21st century Europe*. Oxford: Oxford University Press, pp. 120-195.
- Brems, E. (2006b). Belgium: The Vlaams Block political party convicted indirectly of racism. *International Journal of Constitutional Law*, 4 (4), pp. 702-711.
- Brinkmann, G. (1983). Militant democracy and radicals in the West German civil service. *The Modern Law Review*, 46 (5), pp. 584-600.
- Brunner, G. (2002). The treatment of anti-constitutional parties in Eastern Europe. In: F. Feldbrugge and W. Simons, eds., *Human rights in Russia and Eastern Europe*. London: Kluwer, pp. 15-34.
- Budge, I. and Laver, M. (1986). Office seeking and policy pursuit in coalition theory. *Legislative Studies Quarterly*, 11 (4), 485-506.
- Budge, I., Robertson, D. and Hearl, D. (1987). *Ideology, strategy and party change: A spatial analysis of postwar election programmes in 19 democracies*. Cambridge: Cambridge University Press.
- Bundesamt für Verfassungsschutz (2015). *Rightwing extremism: Signs, symbols and banned organisations*. Kln: Bundesamt für Verfassungsschutz.
- Buzan, B., Wæver, O. and de Wilde, J. (1998). *Security: A new framework for analysis*. Boulder: Lynne Rienner.
- Caballero, J. (2011). Sentencia del Tribunal Constitucional sobre Bildu, o la consumada invasión del ámbito jurisdiccional reservado al Poder Judicial. *Diario La Ley*, 7650, pp. 15.
- Caiani, M., della Porta, D. and Wagemann, C. (2012). *Mobilizing on the extreme right: Germany, Italy and the United States*. Oxford: Oxford University Press.
- Cameron, J. (1969). *Disturbances in Northern Ireland: Report of the Commission appointed by the Governor of Northern Ireland*. Cmd. 532. Belfast: Her Majesty's Stationery Office.
- Cancio Meli, M. (2010). *Los delitos de terrorismo: Estructura típica e injusto*. Madrid: Reus.
- Cancio Meli, M. (2011). Terrorism and criminal law. *New Criminal Law Review*, 1, pp. 108-122.
- Capoccia, G. (2001). Defending democracy: Strategies of reaction to political extremism in interwar Europe. *European Journal of Political Research*, 39 (4), pp. 431-460.
- Capoccia, G. (2002a). Anti-system parties: A conceptual reassessment. *Journal of Theoretical Politics*, 14 (1), pp. 93-5.
- 250 Capoccia, G. (2002b). The political consequences of electoral law: The German system at fifty. *West European Politics*, 25 (3), pp. 171-202.
- Capoccia, G. (2005). *Defending democracy: Reactions to extremism in interwar Europe*. Baltimore: Johns Hopkins University Press.

- Capoccia, G. (2011). Repression, incorporation, lustration, education: How democracies react to their enemies: Towards a theoretical framework for comparative analysis of defence of democracy. In: ECPR Joint Sessions of Workshop. Grenoble.
- Capoccia, G. (2013). Militant democracy: The institutional bases of democratic self-preservation. *Annual Review of Law and Social Sciences*, 9, pp. 207226.
- Carr, R. and Fusi, J. (1981). *Spain: From dictatorship to democracy*. London: George Allen and Unwin.
- Carstairs, A. (1980). *A short history of electoral systems in Western Europe*. London: George Allen and Unwin.
- Carter, E. (2005). *The extreme right in Western Europe: Success or failure?* Manchester: Manchester University Press.
- Casal Brtoa, F. (2016). Database on WHO GOVERNS in Europe and beyond, PSGo. Available at: whogoverns.eu.
- Casal Brtoa, F. and Bourne, A. (2017). Prescribing democracy? Party proscription and party system stability in Germany, Spain and Turkey. *European Journal of Political Research*, 56 (2), pp. 440465.
- Casquete, J. (2004). Prohibicin para proteger la constitucion? *Libre Pensamiento*, 45, pp. 4247.
- Casquete, J. (2009). *En el nombre de Euskal Herria*. Madrid: Tecnos.
- Catal i Bas, A. (2013). Sortu en la encrucijada: A propsito de la sentencia del Tribunal de Estrasburgo EAE-ANV c. Espaa, de 15 de enero de 2013. In: *Corts Valencianes , Igualdad i democracia: El gnero como categoria de anlysis juridico*. Valencia: Litolema, pp. 171182.
- Celep, . (2014). The political causes of party closures in Turkey. *Parliamentary Affairs*, 67, pp. 371390.
- Cerny, K. (2004). The origins of the Bonn Republic. In: J. Sperling , ed., *Germany at fifty-five*. Manchester: Manchester University Press.
- Charmaz, K. (2006). *Constructing grounded theory*. London: Sage.
- Coakley, J. (2003). Constitutional innovation and political change in twentieth century Ireland. In: J. Coakley , ed., *Changing shades of orange and green: Redefining the union and the nation in contemporary Ireland*. Dublin: University College Dublin Press.
- Coakley, J. (2009). The political consequences of the electoral system in Northern Ireland. *Irish Political Studies*, 24 (3), pp. 253284.
- Cohen-Almagor, R. (1997). Disqualification of political parties in Israel: 19881996. *Emory International Law Review*, 11, pp. 67109.
- Collier, D. and Levitsky, S. (1997). Democracy with adjectives: Conceptual innovation in comparative research. *World Politics*, 49, pp. 430451.
- Coogan, T. (2000). *The IRA*. New York: St Martins Press.
- Corcuera, J. , Tajadura, J. and Vrgala, E. (2008). *La ilegalizacin de partidos polticos en las democracias occidentales*. Madrid: Dykinson.
- Cowley, P. (2008). Its the trajectory stupid: Backbench behavior in a hung parliament. In: A. Brazier and S. Kalitowski , eds., *No overall control? The impact of a hung parliament on British politics*. London: Hansard Society, pp. 3742.
- Cunningham, M. (2001). *British government policy in Northern Ireland 19692000*. Manchester: Manchester University Press.
- 251 Dalton, R. (2008). The quantity and the quality of party systems: Party system polarization, its measurement, and its consequences. *Comparative Politics*, 41 (7), pp. 899920.
- Danks, C. (2009). *Politics Russia*. Harlow: Pearson.
- Darby, J. (1976). *Conflict in Northern Ireland*. Dublin: Gill and Macmillan.
- de la Granja, J. (2003). *El siglo de Euskadi*. Madrid: Tecnos.
- de Lange, S. (2007). From pariah to power broker: The radical right and government in Western Europe. In: P. Delwit and P. Poirier , eds., *The extreme right parties and power in Europe*. Brussels: Editions de lUniversit de Bruxelles, pp. 2139.
- de Mendizbal, R. (2011). El caso Bildu: Dos grandes tribunals enfrentados. *Diario La Ley*, 7653, pp. 111.
- de Otto Pardo, I. (1985). *Defensa de la constitucin y partidos polticos*. Madrid: Centro de Estudios Constitucionales.
- de Swaan, A. (1973). *Coalition theories and cabinet formation*. Amsterdam: Elsevier Scientific Publishing Company.
- Debus, M. (2008). Party competition and government formation in multilevel settings: Evidence from Germany. *Government and Opposition*, 43 (4), pp. 505538.
- Decker, F. and Hartleb, F. (2007). Populism on difficult terrain: The right- and left-wing challenger parties in the Federal Republic of Germany. *German Politics*, 16 (4), pp. 434454.
- Decker, F. and Miliopoulos, L. (2009). From a five to a six party system? Prospects of the right-wing extremist NPD. *German Politics and Society*, 27 (2), pp. 92107.

- Degenhardt, H. (1983). *Political dissent: An international guide to dissent, extra-parliamentary, guerilla and illegal political movements*. London: Longman.
- Dixon, P. (1995). *A house divided cannot stand: Britain, bipartanship and Northern Ireland*. *Contemporary Record*, 9 (1), pp. 147187.
- Dixon, P. (2001). *British policy towards Northern Ireland 19692000: Continuity tactical adjustment and consistent inconsistencies*. *British Journal of Politics and International Relations*, 3 (3), pp. 340386.
- Dixon, P. (2008). *Northern Ireland: The politics of war and peace*, 2nd ed. Basingstoke: Palgrave Macmillan.
- Domnguez, F. (2006). *El enfrentamiento de ETA con la democracia*. In A. Elorza , ed., *La Historia de ETA*. Madrid: Temas de Hoy, pp. 273372.
- Domnguez, F. (2012). *La Agonia de ETA*. Madrid: La esfera de los libros.
- Donohue, L. (1998). *Regulating Northern Ireland: The Special Powers Acts, 19221972*. *The Historical Journal*, 41 (4), pp. 10891120.
- Donohue, L. (2001). *Counter-terrorist law and emergency powers in the United Kingdom, 19222000*. Dublin: Irish Academic Press.
- Downs, W. (2002). *How effective is the cordon sanitaire? Lessons from efforts to contain the fair right in Belgium, France, Denmark and Norway*. *Journal of Conflict and Political Violence*, 4 (1), pp. 3251.
- Downs, W. (2012). *Political extremism in democracies: Combatting intolerance*. Basingstoke: Palgrave Macmillan.
- Duverger, M. (1954). *Political parties*. London: Methuen.
- Dyson, K. (1975). *Anti-communism in the Federal Republic of Germany: The case of the Berufsverbot*. *Parliamentary Affairs*, 28 (1), pp. 5167.
- Dyzenhaus, D. (2004). *Constituting the enemy: A response to Carl Schmitt*. In: A. Saj , ed., *Militant Democracy*. Utrecht: Eleven International Publishing, pp. 1445.
- Eatwell, R. (2000). *The extreme right and British exceptionalism: The primacy of politics*. In: P. Hainsworth , ed., *The politics of the extreme right: From the margins to the mainstream*. London: Pinter, pp. 172192.
- 252 Eckstein, H. (1979). *Case study and theory in political science*. In: F. Greenstein and N. Polsby , eds., *Handbook of political science*. Reading: Addison-Wesley, pp. 79139.
- Elliot, S. and Flakes, W. (1999). *Northern Ireland: A political directory 19681999*. Belfast: Blackstaff Press.
- English, R. (2004). *Armed struggle: The history of the IRA*. Oxford: Oxford University Press.
- English, R. (2009). *Terrorism: How to respond*. Oxford: Oxford University Press.
- Erk, J. (2005). *From Vlaams Block to Vlaams Belang: The Belgian far-right renames itself*. *West European Politics*, 28 (3), pp. 493502.
- Esparza, M. (2004). *La ilegalizacin de Batasuna*. Navarra: Aranzadi.
- Eusko Alkartasuna and La Izquierda Abertzale (2010). *Bases de un acuerdo estratgico entre fuerzas politcas independentistas, Euskal Herria*. Available at: http://gara.naiz.eus/agiriak/20100620_euskalduna.pdf [Accessed 18 April 2017].
- Eusko Alkartasuna , La Izquierda Abertzale and Alternatiba (2011). *Acuerdo por el cambio politico y social entre independentistas y soberanistas de izquierda, Euskal Herria Ezkerretik*. Available at: www.euskoalkartasuna.eus/upload/documentacion/eu/EuskalHerriaEzkerretik.pdf [Accessed 18 April 2017].
- Farrell, D. (2011). *Electoral systems: A comparative introduction*. Basingstoke: Palgrave Macmillan.
- Farrell, M. (1976). *Northern Ireland: The orange state*. London: Pluto Press.
- Federal Ministry of the Interior (2014). *The Federal Public Service: An attractive and modern employer*. Berlin: Federal Ministry of the Interior.
- Feeney, B. (2003). *Sinn Fin: A hundred turbulent years*. Dublin: OBrian Press.
- Feofanov, Y. (1993). *The establishment of the Constitutional Court in Russia and the communist party case*. *Review of Central and East European Law*, 6, pp. 623637.
- Fernndez, G. and Lpez, R. (2012). *Sangre, votos, manifestaciones*. Madrid: Tecnos.
- Fernndez Herndez, A. (2008). *Ley de partidos politcos y derecho penal*. Valencia: Tirant lo blanch.
- Ferreres, V. (2004). *The new regulation of political parties in Spain, and the decision to outlaw Batasuna*. In: A. Saj , ed., *Militant democracy*. Utrecht: Eleven International Publishing, pp. 133156.
- Field, B. (2009). *Minority government and legislative politics in a multilevel state: Spain under Zapatero*. *South European Society and Politics*, 14 (4), pp. 417434.
- Field, B. (2014). *Minority parliamentary government and multilevel politics: Spains system of mutual back scratching*. *Comparative Politics*, 46 (3), pp. 293312.

- Finn, J. (1990). *Constitutions in crisis: Political violence and the rule of law*. Cary, NC: Oxford University Press.
- Fisher, S. (1974). *Minor parties of the Federal Republic of Germany: Towards a comparative theory of minor parties*. The Hague: Martinus Nijhoff.
- Fitzpatrick, D. (1998). *The two Irelands, 1912-1939*. Oxford: Oxford University Press.
- Flemming, L. (2003). Das gescheiterte NPD-Verbotsverfahren: Wie aus dem Aufstand der Anstndigen der Aufstand der Unfhigen wurde. In: U. Backes and E. Jesse , eds., *Jahrbuch Extremismus und Demokratie 15*. Baden-Baden: Nomos Verlag.
- Flynn, B. (2009). *Soldiers of folly: The IRA border campaign: 1956-72*. Cork: The Collins Press.
- Fox, G. and Nolte, G. (2000). Intolerant democracies. In: G. Fox and B. Roth , eds., *Democratic Governance and International Law*. Cambridge: Cambridge University Press, pp. 389-435.
- Franz, P. (1982). Unconstitutional and outlawed political parties: A German-American comparison. *Boston College International and Comparative Law Review*, 5 (1), pp. 518-9.
- Frei, N. (2002). *Adenauer's Germany and the Nazi past: The politics of amnesty and integration*. New York: Columbia University Press.
- Gallagher, M. and Mitchell, P. (2005). *The Politics of electoral systems*. Oxford: Oxford University Press.
- Gamsen, W. and Meyer, D. (1996). Framing political opportunity. In: D. McAdam , J. McCarthy and M. Zald , eds., *Comparative perspectives on social movements*. Cambridge: Cambridge University Press, pp. 275-290.
- Ganez, V. (2004). History, politics and the constitution: Ethnic conflict and constitutional adjudication in postcommunist Bulgaria. *Slavic Review*, 63 (1), pp. 66-89.
- Gapper, S. (2003). The rise and fall of Germany's Party of Democratic Socialism. *German Politics*, 12 (2), pp. 65-85.
- Garamendia, A. (2011). La disolucin de formaciones polticas en Espaa: El caso Sortu. *Revista Mexicana de Derecho Constitucional*, 25, pp. 317-331.
- George, A. and Bennett, A. (2005). *Case studies and theory development in the social sciences*. Cambridge: MIT Press.
- Geys, B. , Heyndels, B. and Vermeir, J. (2006). Explaining the formation of minimum coalitions: Anti-system parties and anti-pact rules. *European Journal of Political Research*, 45 (6), pp. 957-984.
- Gil, A. (2015). La expansin de los delitos de terrorismo en Espaa a travs del delito de pertinencia a organizacin terrorista. In: K. Ambos , E. Malarino and C. Steiner , eds., *Terrorismo y derecho penal*. Berlin: Konrad Adenauer Stiftung, pp. 331-364.
- Glaessner, G. (2005). *German democracy: From post World War II to the present day*. Oxford: Berg.
- Glees, A. (1996). *Reinventing Germany: German political development since 1945*. Oxford: Berg.
- Gonzlez, J. and Fernndez, A. (2008). Sobre el concepto jurdico penal de terrorismo. *Teora y derecho*, 3, pp. 345-8.
- Gordon, A. (1987). Limits on extremist political parties: A comparison of Israeli jurisprudence with that of the United States and West Germany. *Hastings International and Comparative Law Review*, 10, p. 347.
- Grtemaker, M. (2004). Germany between the superpowers 1948-69. In: D. Junker , P. Gassert and W. Mausbach , eds., *The United States and Germany in the era of the Cold War: Vol. 1, 1945-1968*. Cambridge: Cambridge University Press, pp. 111-117.
- Grabow, K. (2016). PEGIDA and the Alternative fr Deutschland: Two sides of the same coin? *European View*, 15, pp. 173-181.
- Grimm, R. (2015). The rise of the German eurosceptic party Alternative fr Deutschland, between ordoliberal critique and popular anxiety. *International Political Science Review*, 36 (3), pp. 264-278.
- Gney, A. and Bakan, F. (2008). Party dissolutions and democratic consolidation: The Turkish case. *South European Politics and Society*, 13 (3), pp. 263-281.
- Gunther, R. (1989). Electoral laws, party systems and elites: The case of Spain. *The American Political Science Review*, 83 (3), pp. 835-857.
- Gunther, R. and Montero, J. (2009). *The politics of Spain*. Cambridge: Cambridge University Press.
- Gunther, R. , Montero, J. and Botella, J. (2004). *Democracy in modern Spain*. New Haven: Yale University Press.
- Hainsworth, P. (2008). *The extreme right in Western Europe*. London: Routledge.
- Hall, P. and Taylor, R. (1998). Political science and the three new institutionalisms. *Political Studies*, 44, pp. 936-957.

- Hanley, B. (2002). *The IRA 1926-1936*. Dublin: Four Courts Press.
- 254 Hanschmann, F. (2001). Federal Constitutional Court to review NPD party ban motion. *German Law Review*, 2, pp. 104105.
- Hansen, L. (2012). Reconstructing desecuritization: The normative-political in the Copenhagen School and directions for how to apply it. *Review of International Studies*, 38 (3), pp. 525-546.
- Hartmann, C. and Kemmerzell, J. (2010). Understanding variation in party bans in Africa. *Democratization*, 17 (4), pp. 642-665.
- Harvey, P. (2004). *Militant democracy and the European Convention on Human Rights*. *European Law Review*, 29, 407-420.
- Hay, C. (2002). *Political analysis*. Basingstoke: Palgrave Macmillan.
- Heinrich, G. and Schoon, S. (2014). Die NPD in Mecklenburg-Vorpommern. In: M. Koschar, C. Nestler and C. Scheele, eds., *Politik in Mecklenburg-Vorpommern*. Wiesbaden: Springer.
- Heller, W. (2002). Regional parties and national politics in Europe: Spains estado de las autonomas, 1993 to 2000. *Comparative Political Studies*, 35 (6), pp. 657-685.
- Henkel, M. and Lembcke, O. (2001). Die Dilemmata des Parteiverbotes: Probleme der wehrhaften Demokratie im Umgang mit dem Rechtsextremismus. *Zeitschrift für Parlamentsfragen*, 32 (3), pp. 572-587.
- Hinarejos Parga, A. (2004). La prohibicin de los partidos politicos como mecanismo de defensa del Estado. In: L. Lopez Guerra and E. Espinosa Templado, eds., *Defensa del estado: Actas del I Congreso de la Asociacin de constitucionalistas de Espaa*. Valencia: Tirant lo blanch, pp. 97-130.
- Hopkins, J. (2005). Spain: Proportional representation with majoritarian outcomes. In: M. Gallagher and P. Mitchell, eds., *The politics of electoral systems*. Oxford: Oxford University Press, pp. 375-395.
- Hornsteiner, M. and Saalfeld, T. (2014). Parties and the party system. In: S. Padgett, W. Paterson and R. Zohlnhfer, eds., *Developments in German politics*. Basingstoke: Palgrave Macmillan.
- Hough, D. and Jeffery, C. (2006). Germany: An erosion of Federal-Länder linkages? In D. Hough and C. Jeffery, eds., *Devolution and electoral politics*. Manchester: Manchester University Press, pp. 119-139.
- Huber, J. and Inglehart, R. (1995). Expert interpretations of party space and party location in 42 societies. *Party Politics*, 1 (1), pp. 73-111.
- Huntington, S. (1991). *The third wave: Democratization in the late twentieth century*. Norman: University of Oklahoma Press.
- Husbands, C. (2002). Combatting the extreme right with the instruments of the constitutional state: Lessons from experiences in Western Europe. *Journal für Konflikt- und Gewaltforschung*, 4 (1), pp. 52-73.
- Huysmans, J. (2011). Whats in an act? On security speech acts and little security nothings. *Security Dialogue*, 42 (45), pp. 371-383.
- Hyde-Price, A. (1992). Uncertainties of security policy. In: G. Smith, W. Paterson, P. Merkl and S. Padgett, eds., *Developments in German Politics*. London: Macmillan.
- Ibarra, Pedro. (1987). *La evolucin estratgica de ETA*. San Sebastin: Kriselu.
- Iglesias Brez, M. (2008). *La ilegalizacin de partidos politicos en el ordenamiento jurdico espool*. Granada: Editorial Comares.
- Iglesias Brez, M. (2011). El caso Bildu. *Teora y Realidad Constitucional*, 28, pp. 555-578.
- Iglesias Brez, M. (2013). Sentencia Tribunal Constitucional no138/2012 de 20 de junio. *Ars Iuris Salmanticensis*, 1 (1), pp. 239-242.
- 255 Ignazi, P. (2003). *Extreme right parties in Western Europe*. Oxford: Oxford University Press.
- Immerzeel, T., Lubbers, M. and Coff, H. (2010). Expert judgement survey of European political parties 2010. *DANS*. doi: 10.17026/dans-zny-parg.
- Irvin, C. (1999). *Militant nationalism: Between movement and party in Ireland and the Basque Country*. Minneapolis: University of Minnesota Press.
- Issacharoff, S. (2007). Fragile democracies. *Harvard Law Review*, 6 (120), pp. 1407-1567.
- James, P. (1988). The Bavarian electoral system. *Electoral Studies*, 7 (1), pp. 33-39.
- Juregui, G. (2006). ETA: Orgenes y evolucin ideolgica y politica. In: A. Elorza, ed., *La Historia de ETA*. Madrid: Temas de Hoy, pp. 173-262.
- Jesse, E. (1997). SPD and PDS relationships. *German Politics*, 6 (3), pp. 89-102.
- Jesse, E. (2001). Soll die Nationaldemokratische Partei Deutschlands verboten werden? Der Parteiverbotsantrag war unzweckmig, ein Parteiverbot ist rechtmig. *Politische Vierteljahresschrift*, 24, pp. 683-697.
- Jesse, E., Schubert, T. and Thieme, T. (2013). *Politik in Sachsen*. Wiesbaden: Springer.

- Jmenez, J. (1981). La intervencin estatal del pluralismo. *Revista Espaola de Derecho Constitucional*, 1 (1), p. 161.
- Kailitz, S. (2000). Aktuelle Entwicklungen im deutschen Rechtsextremismus. *Zukunftsforum Politik*, 16, Sankt Augustin: Konrad-Adenauer-Stiftung.
- Karl, T. and Schmitter, P. (1991). Modes of transition in Latin America, Southern and Eastern Europe. *International Social Science Journal*, 128, pp. 269284.
- Karvonen, L. (2007). Legislation on political parties: A global comparison. *Party Politics*, 13 (4), pp. 437455.
- Kemmerzell, J. (2010). Why there is no party ban in the South African Constitution. *Democratization*, 17 (4), pp. 687708.
- Kersten, J. (2004). The right-wing network and the role of extremist youth in unified Germany. In: A. Fenner and E. Weitz , eds., *Fascism and neofacism: Critical writings on the radical right in Europe*. Basingstoke: Palgrave Macmillan, pp. 175188.
- Kestel, L. and Godmer, L. (2004). Institutional inclusion and exclusion of extreme right parties. In: R. Eatwell and C. Mudde , eds., *Western Democracies and the New Extreme Right Challenge*. London: Routledge, pp. 133149.
- Kirchheimer, O. (1961). *Political justice: The use of legal procedure for political ends*. New Jersey: Princeton University Press.
- Kirchheimer, O. (1966). *Germany: The vanishing opposition*. In: R. Dahl , ed., *Political oppositions in Western Europe*. New Haven and London: Yale University Press.
- Kirshner, A. (2014). *A theory of militant democracy: The ethics of combatting political extremism*. New Haven and London: Yale University Press.
- Klamt, M. (2007). Militant democracy and the democratic dilemma: Different ways of protecting democratic institutions. In: F. Bruinsma and D. Nelken , eds., *Explorations in legal cultures*. London: Reed Business, pp. 133159.
- Klingemann, H. and Volkens, A. (1992). Coalition governments in the Federal Republic of Germany: Does policy matter? In: I. Budge and M. Laver , eds., *Party policy and government coalitions*. Basingstoke: St. Martins Press, pp. 189222.
- Klingemann, H. , Volkens, A. , Bara, J. , Budge, I. , and McDonald, M. (2006). *Mapping policy preferences II: Estimates for parties, electors and governments in Eastern Europe, the European Union and the OECD, 19902003*. Oxford: Oxford University Press.
- Knight, R. (2007). Denazification and integration in the Austrian province of Carinthia. *Journal of Modern History*, 79, pp. 572612.
- 256 Knutsen, O. (1998). Expert judgements of the left-right location of political parties: A comparative longitudinal study. *West European Politics*, 21 (2), pp. 6394.
- Koak, M. and rc, E. (2003). Dissolution of political parties in the name of democracy: Cases from Turkey and the European Court of Human Rights. *European Public Law*, 9 (3), pp. 399423.
- Kommers, D. (1976). *Judicial politics in West Germany: A study of the Federal Constitutional Court*. Beverly Hills and London: Sage.
- Kommers, D. (1997). *The constitutional jurisprudence of the Federal Republic of Germany*. Durham, NC: Duke University Press.
- Kommers, D. and Miller, R. (2012). *The constitutional jurisprudence of the Federal Republic of Germany*. Durham, NC and London: Duke University Press.
- Koopmans, R. (2005). Repression and the public sphere: Discursive opportunities for repression in Germany in the 1990s. In: C. Davenport , H. Johnston and C. Mueller , eds., *Repression and mobilization*. Minneapolis: University of Minnesota Press, pp. 5881.
- Kousoulas, D. (1965). *Revolution and defeat: The story of the Greek communist party*. Oxford: Oxford University Press.
- Kriesi, H. (2007). The political context and opportunity. In: D. Snow , S. Soule and H. Kriesi , eds., *The Blackwell companion to social movements*. Malden: Blackwell, pp. 6790.
- Kvistad, G. (1994). Accommodation or cleansing: Germanys state employees from the old regime. *West European Politics*, 17 (4), pp. 5273.
- Kvistad, G. (1999). *The rise and demise of German statism: Loyalty and political membership*. Providence: Berghahn Books.
- Lago, I. and Lago-Peas, S. (2000). El sistema electoral Espaol: Una cuantificatin de sus efectos mecnico y psicolgico. *Revista de Estudios Politicos*, 107, pp. 225250.
- Laver, M. and Hunt, B. (1992). *Policy and party competition*. New York and London: Routledge.
- Laver, M. and Schofield, N. (1998). *Multiparty government: The politics of coalition in Europe*. Ann Arbor: University of Michigan Press.
- Laver, M. , Benoit, K. and Garry J. (2003). Extracting policy positions from political texts using words as data. *The American Political Science Review*, 97 (2), p. 311331.
- Lee, M. (1997). *The beast reawakens*. Boston: Little, Brown and Company.

- Lees, C. (1995). Bringing the PDS into the coalition equation. *German Politics*, 4 (1), pp. 150154.
- Legrand, T. and Jarvis, L. (2016). Legislating for Otherness: Proscription powers and parliamentary discourse. *Review of International Studies*, 42 (03), pp. 558574.
- Libbrecht, L., Maddens, B., Swenden, W. and Fabre, E. (2009). Issue salience in regional party manifestos in Spain. *European Journal of Political Research*, 48 (1), pp. 5879.
- Lieserson, M. (1968). Factions and coalitions in one-party Japan: An interpretation based on theory of games. *American Political Science Review*, 62 (3), pp. 770787.
- Lijphart, A. (1971). Comparative politics and the comparative method. *The American Political Science Review*, 65 (3), pp. 682693.
- Lijphart, A. (1994). Electoral systems and party systems: A study of twenty-seven democracies, 1945-1990. Oxford: Oxford University Press.
- Linz, J. (1978). The breakdown of democratic regimes: Crisis, breakdown and reequilibration. Baltimore: Johns Hopkins University Press.
- Linz, J. (1990). Transitions to democracy. *The Washington Quarterly*, 13 (3), pp. 143164.
- Linz, J. and Stepan, A. (1996). Towards consolidated democracies. *Journal of Democracy*, 7 (2), pp. 1433.
- 257 Llera, F. (1992). Ejercito secreto y movimiento social. *Revista de Estudios Politicos*, 78, pp. 161193.
- Llera, F. (2011). Sortu: El fin de ETA? Claves de la Razn Prctica, 210, pp. 3244.
- Locke, J. (1689). A letter concerning toleration.
- Loewenstein, K. (1937). Militant democracy and fundamental rights II. *The American Political Science Review*, 31 (4), pp. 638658.
- Longford, Lord and McHardy, A. (1981). Ulster. London: Weidenfeld and Nicolson.
- Loss, R. (1973). The Communist Party of Germany (KPD), 1956-1968. *Survey*, 19 (4), pp. 6685.
- Lubbers, M. (2000). Expert judgement survey of Western-European political parties. DANS.
- Lucardie, P. (1988). A red herring in a west European sea? The communist party of West Germany. In: M. Waller and M. Fennema, eds., *Communist parties in Western Europe*. Oxford. Basil Blackwell.
- Macklem, P. (2012). Guarding the perimeter: Militant democracy and religious freedom in Europe. *Constellations*, 19 (4), pp. 575590.
- Maer, L. and Kelly, R. (2017). Hung parliaments. Commons Briefing Paper SN04591. London: House of Commons Library.
- Maillot, A. (2005). *New Sinn Fin*. Oxford: Routledge.
- Mair, P. (1997). Party system change: Approaches and interpretations. Oxford and New York: Clarendon Press.
- Malik, M. (2008). Engaging with extremists. *International Relations*, 22 (1), pp. 85104.
- Malthaner, S. and Waldmann, P. (2003). Terrorism in Germany: Old and new problems. In: M. van Leeuwen, ed., *Confronting terrorism: European experiences, threat perceptions and policies*. The Hague: Kluwer Law International, pp. 111128.
- March, J. and Olsen, J. (1989). *Rediscovering institutions*. New York: The Free Press.
- Mare, M. (2012). Czech militant democracy in action: Dissolution of the Workers Party and the wider context of this act. *East European Politics and Societies*, 26 (1), pp. 3355.
- Martin, L. and Stevenson, R. (2001). Government formation in parliamentary democracies. *American Journal of Political Science*, 45 (1), pp. 3350.
- Massicotte, L. (2003). To create or to copy? Electoral systems in the German Lnder. *German Politics*, 12 (1), pp. 122.
- Mata, J. (1993). *El nacionalismo vasco radical*. Leioa: Universidad del Pas Vasco.
- Mata, J. (2005). Terrorism and nationalist conflict: The weakness of democracy in the Basque Country. In: S. Balfour, ed., *The politics of contemporary Spain*. London: Routledge, pp. 81105.
- McAllister, I. and Nelson, S. (1979). Modern developments in the Northern Ireland party system. *Parliamentary Affairs*, 23 (3), pp. 279316.
- McEvoy, J. (2006). The institutional design of executive formation in Northern Ireland. *Regional and Federal Studies*, 16 (4), pp. 447464.
- McGarry, J. and OLeary, B. (2016). Power-sharing executives: Consociational and centripetal formulae and the case of Northern Ireland. *Ethnopolitics*, 15 (5), pp. 123.
- McGowan, L. (2006). Much more than a phantom menace! Assessing the character, level and threat of neo-Nazi violence in Germany, 1997-2004. *Journal of Contemporary European Studies*, 14 (2), pp. 255272.
- McGowan, L. (2014). Right-wing violence in Germany: Assessing the objectives, personalities and terror trials of the National Socialist underground and the states response to it. *German Politics*, 23 (3), pp. 196212.

- McKinnon, C. (2006). *Toleration*. London: Routledge.
- 258 McWhinney, E. (1957). The German Federal Constitutional Court and the communist party decision. *Indiana Law Journal*, 32 (3), pp. 295312.
- Mees, L. (2003). *Nationalism, violence and democracy*. Basingstoke: Palgrave.
- Merkel, P. (1963). *The origins of the West German Republic*. New York: Oxford University Press.
- Michael, G. and Minkenberg, M. (2007). A continuum for responding to the extreme right: A comparison between the United States and Germany. *Studies in Conflict and Terrorism*, 30 (12), pp. 11091123.
- Minkenberg, M. (1997). The renewal of the radical right: Between modernity and anti-modernity. *Government and Opposition*, 35, pp. 170188.
- Minkenberg, M. (2001). The radical right in public office: Agenda-setting and policy effects. *West European Politics*, 24 (4), pp. 121.
- Minkenberg, M. (2006). Repression and reaction: Militant democracy and the radical right in Germany and France, *Patterns of Prejudice*, 40 (1), pp. 2544.
- Mitchell, P. (2005). The United Kingdom: Plurality rule under siege. In: M. Gallagher and P. Mitchell, eds., *The politics of electoral systems*. Oxford: Oxford University Press, pp. 157184.
- Moloney, E. (1991). *A secret history of the IRA*. New York and London: W. W. Norton and Co.
- Montilla, J. (2003). Algunos cambios en la concepcin de los partidos: Comentario a la STC 48/2003, sobre la Ley Orgnica 6/2002, de partidos polticos. *Teora y Realidad Constitucional*, 1213, pp. 559585.
- Mouffe, C. (2004). The limits of liberal pluralism: Towards an agonistic multipolar order. In: A. Saj, ed., *Militant democracy*. Utrecht: Eleven International Publishing, pp. 6979.
- Mudde, C. (2000). *Ideology of the extreme right*. Manchester: Manchester University Press.
- Mudde, C. (2004). Defending democracy and the extreme right. In: R. Eatwell and C. Mudde, eds., *Western democracies and the extreme right challenge*. London: Routledge, pp. 108132.
- Mller, W. (2005). Parties and the institutional framework. In: K. Luther and F. Mller-Rommel, eds., *Political parties in the new Europe*. Oxford: Oxford University Press, pp. 249292.
- Mller, W. and Strm, K. (1999). *Policy, office or votes?* Cambridge: Cambridge University Press.
- Muro, D. (2008). *Ethnicity and violence*. London: Routledge.
- Murphy, W. (1993). Excluding political parties: Problems for democratic and constitutional theory. In: P. Kirchhof and D. Kommers, eds., *Germany and its Basic Law*. Baden Baden: Nomos Verlagsgesellschaft.
- Murua, I. (2017). No more bullets for ETA: The loss of internal support as a key factor in the end of the Basque groups campaign. *Critical Studies on Terrorism*, 10 (1), pp. 93114.
- Nagle, J. (1970). *The National Democratic Party: Right radicalism in the Federal Republic of Germany*. Berkeley, Los Angeles and London: University of California Press.
- Narvez, A. (2011). Sentencia del Tribunal Supremo (Sala Especial del artculo 61 LOPJ) de 1 de mayo de 2011: Caso Bildu. *Diario La Ley*, 7650, pp. 17.
- Navot, S. (2008). Fighting terrorism in the political arena: The banning of political parties. *Party Politics*, 14 (6), pp. 745762.
- Newsinger, J. (1991). Ulster and the downfall of the Labour government 197479. *Race and Class*, 23 (2), pp. 4557.
- Niesen, P. (2002). Anti-extremism, negative republicanism, civil society: Three paradigms for banning political parties. *German Law Journal*, 3 (7), pp. 249286.
- 259 Niesen, P. (2012). Banning the former ruling party. *Constellations*, 19 (4), pp. 540561.
- Norris, P. (2005). *Radical right: Voters and parties in the electoral market*. New York: Cambridge University Press.
- Norton, P. (2008). The perils of a hung parliament. In: A. Brazier and S. Kalitowski, eds., *No overall control? The impact of a hung parliament on British politics*. London: Hansard Society, pp. 109112.
- Office for the Protection of the Constitution (2014). *Annual report on the protection of the constitution: Facts and trends*. Berlin: Federal Ministry of the Interior.
- OLeary, B. (1998). The implications for political accommodation in Northern Ireland of reforming the electoral systems for the Westminster Parliament. *Representation*, 35 (23), pp. 106113.
- OLeary, B., Grofman, B. and Elklit, J. (2005). Divisor methods for sequential policy allocation in multi-party executive bodies: Evidence from Northern Ireland and Denmark. *American Journal of Political Science*, 49 (1), pp. 198211.
- Oliver Araujo, J. (2011). Los sistemas electorales autonmicos. *Con(Textos)*, A/15. Catalonia: Institut dEstudis Autonmics.
- Oate Rubalcaba, P. and Ocaa Lara, F. (2000). Elecciones de 2000 y sistema de partidos en Espaa: Cunto cambio electoral? *Revista de Estudios Polticos*, 110, pp. 297336.
- Paterson, W. (1992). Gulliver unbound: The changing context of foreign policy. In G. Smith, W. Paterson, P. Merkel and S. Padgett, eds., *Developments in German politics*. Basingstoke:

- Macmillan, pp. 137152.
- Patterson, H. (1997). *The politics of illusion: A political history of the IRA*. London: Serif.
- Patterson, H. (2006). *Ireland since 1939: The persistence of conflict*, 1st edition 2002. Dublin: Penguin Ireland.
- Patton, D. (2006). Germanys left party. PDS and the vacuum thesis: From regional milieu party to left alternative? *Journal of Communist Studies and Transition Politics*, 22 (2), pp. 206227.
- Pedahzur, A. (2004). The defending democracy and the extreme right: A comparative analysis. In: R. Eatwell and C. Mudde , eds., *Western democracies and the new extreme right challenge*. London: Routledge, pp. 108132.
- Penads, A. and Santiuste, S. (2013). La desigualdad en el sistema electoral español y el premio a la localización del voto. *Revista Española de Ciencia Política*, 32, pp. 89116.
- Prez Castaños, S. (2013). Sistema electoral del Pas Vasco: Posibles cambios y reestructuración de la gobernabilidad. *Revista de Investigaciones Políticas y Sociológicas*, 12 (3), pp. 4162.
- Prez Medina, A. (2011). Impugnación de Sortu: El veto judicial más ajustado. *Iuris: Actualidad y práctica del derecho*, 160, pp. 68.
- Prez-Nievas, S. and Mata Lpez, T. (2013). The 2012 Basque Country regional election: Back to nationalist rule in the context of economic crisis. In: XI Conference of the AECPA (Spanish Association of Political Science). Seville: AECPA.
- Prez Royo, J. (2002). El derecho de Batasuna a no condenar. *El Pas*, 20 August .
- Prez Sola, N. (2009). La necesidad social imperiosa de la disolución de los partidos políticos. *Revista de Estudios Jurídicos*, 9, pp. 165200.
- Pfersmann, O. (2004). Shaping militant democracy: Legal limits to democratic stability. In: A. Saj , ed., *Militant democracy*. Utrecht: Eleven International Publishing, pp. 4868.
- Pohl, C. (2006). European states dealing with extremist political parties: Prohibition of political parties as an instrument of repressive state policy. In: G. Besier , F. Piombo and K. Stoklowska , eds., *Fascism, communism and the consolidation of democracy*. Berlin: Lit Verlag, pp. 95111.
- 260 Popper, K. (1966). *The open society and its enemies*. London: Routledge.
- Preston, P. (1987). *The triumph of democracy in Spain*. London: Routledge.
- Pringle, D. (1980). Electoral systems and political manipulation: A case study of Northern Ireland in the 1920s. *The Economic and Social Review*, 11 (3), pp. 187205.
- Probst, U. (1981). *The communist parties in the Federal Republic of Germany*. Frankfurt: Haag and Herchen Verlag.
- Pulzer, P. (1983). Germany. In: V. Bogdanor and D. Butler , eds., *Democracy and elections: Electoral systems and their political consequences*. Cambridge: Cambridge University Press.
- Pyne, P. (1969). The third Sinn Fin party: 192326. *The Economic and Social Review*, 1 (1), pp. 2950.
- Quong, J. (2004). The rights of unreasonable citizens. *The Journal of Political Philosophy*, 13 (3), pp. 314335.
- Rae, D. (1971). *Political consequences of electoral laws*. New Haven: Yale University Press.
- Rasmussen, J. (1991). They also serve: Small parties in the British political system. In: F. Mller-Rommel and G. Pridham , *Small parties in Western Europe*. London and Beverly Hills: Sage.
- Rawls, J. (1971). *A theory of justice*. Oxford: Oxford University Press.
- Ray, L. (1999). Measuring party orientations toward European integration: Results from an expert survey. *European Journal of Political Research*, 36 (2), pp. 283306.
- Reinares, F. (2003). Democratization and state responses to protracted terrorism in Spain. In: M. van Leeuwen , ed., *Confronting terrorism: European experiences, threat perceptions and policies*. The Hague: Kluwer Law International, pp. 5770.
- Rensmann, L. (2006). From high hopes to on-going defeat: The new rights political mobilization and its national electoral failure in Germany. *German Politics and Society*, 24 (1), pp. 6792.
- Rensmann, T. (2003). Procedural fairness in a militant democracy: The uprising of the decent fails before the Federal Constitutional Court. *German Law Journal*, 4 (11), pp. 11171136.
- Riker, W. (1962). *The theory of political coalitions*. New Haven and London: Yale University Press.
- Roberts, G. (2006). *German electoral politics*. Manchester: Manchester University Press.
- Roberts, G. (2009). *German politics today*. Manchester: Manchester University Press.
- Robinson, C. (2010). *Electoral systems and voting in Britain*. Edinburgh: Edinburgh University Press.
- Rodríguez-Vergara, . (2010). Batasuna ante el Tribunal Europeo de Derechos Humanos. *Revista de Derecho Comunitario Europeo*, 35, pp. 195221.
- Roe, P. (2012). Is securitization a negative concept? Revisiting the normative debate over normal versus extraordinary politics. *Security Dialogue*, 43 (3), pp. 249266.
- Rosenblum, N. (2007). Multiculturalism and the anti-discrimination principle. *Law and Ethics of Human Rights*, 1 (1), pp. 159.

- Ross, C. (1996). Nationalism and party competition in the Basque Country and Catalonia. *West European Politics*, 19 (3), pp. 488506.
- Rossiter, D. , Johnston, R. , Pattie, C. , Dorling, D. , MacAllister, I. and Tunstall, H. (1999). Changing biases in the operation of the UKs electoral system, 195097. *British Journal of Politics and International Relations*, 1 (2), pp. 133164.
- Rummens, S. and Abts, K. (2010). Defending democracy: The concentric containment of political extremism. *Political Studies*, 58 (4), pp. 649665.
- Saalfeld, T. (2003). Germany: Stable parties, chancellor democracy and the art of informal settlement. In: W. Mller and K. Strm , eds., *Coalition Governments in Western Europe*. Oxford: Oxford University Press, pp. 3285.
- 261 Saalfeld, T. (2010). Coalition governance under Chancellor Merkels grand coalition: A comparison of the cabinets Merkel I and Merkel II. *German Politics and Society*, 28 (3), pp. 28102.
- Sez, I. (2001). *El movimiento de Liberacin Nacional Vasco*. Bilbao: Descle Brouwer.
- Saj, A. (2004). *Militant democracy*. Utrecht: Eleven International Publishing.
- Saj, A. (2012). From militant democracy to the preventive state. *Cardozo Law Review*, 27 (5), pp. 22552295.
- Sartori, G. (1970). Concept misformation in comparative politics. *The American Political Science Review*, 64 (4), pp. 10331053.
- Sartori, G. (1976). *Parties and party systems: A framework for analysis*. Cambridge: Cambridge University Press.
- Sartori, G. (1991). Comparing and miscomparing. *Journal of Theoretical Politics*, 3 (3), pp. 243257.
- Sartori, G. (2001). The party effects of the electoral system. In: L. Diamond and R. Gunther , eds., *Political Parties and Democracy*. Baltimore: Johns Hopkins University Press, pp. 90107.
- Scanlon, T. (2003). *The difficulty of tolerance*. Cambridge: Cambridge University Press.
- Schain, M. (2006). The extreme-right and immigration policy-making: Measuring direct and indirect effects. *West European Politics*, 29 (2), pp. 270289.
- Schedler, A. (1996). Anti-political establishment parties. *Party Politics*, 2 (3), pp. 291312.
- Schmidt, V. (2008). Discursive institutionalism: The explanatory power of ideas and discourse. *Annual Review of Political Science*, 11, pp. 303326.
- Schmitt-Beck, R. (2017). The Alternative fr Deutschland in the electorate: Between single-issue and right-wing populist party. *German Politics*, 26 (1), pp. 124148.
- Schumpeter, J. (1947). *Capitalism, socialism and democracy*. London: George Allen and Unwin.
- Sills, P. (1970). The uncertainty of special powers. *The Modern Law Review*, 33 (3), pp. 327330.
- Smith, J. (2006). Ever reliable friends? The Conservative Party and Ulster unionism in the twentieth century. *The English Historical Review*, 121 (490), pp. 70103.
- Steenbergen, M. and Marks, G. (2007). Evaluating expert judgments. *European Journal of Political Research*, 46 (3), pp. 347366.
- tefuriuc, I. (2013). *Government formation in multi-level settings: Party strategy and institutional constraints*. Basingstoke: Palgrave Macmillan.
- Stss, R. (1991). *Politics against democracy: Right-wing extremism in West Germany*. New York: Berg.
- Stritzel, H. (2007). Towards a theory of securitization. *European Journal of International Relations*, 13 (3), pp. 357383.
- Strm, K. (1984). Minority government in parliamentary democracies: The rationality of non-winning cabinet solutions. *Comparative Political Studies*, 17 (2), pp. 199227.
- Sutton, M. (2017). An index of deaths from the conflict in Northern Ireland. *Conflict in Northern Ireland (CAIN) database* . Available at: <http://cain.ulst.ac.uk/sutton/index.html> [Accessed 1 December 2017].
- Taagepera, R. (1998). Effective magnitude and effective threshold. *Electoral Studies*, 17 (4), pp. 393404.
- Taagepera, R. (2002). Nationwide threshold of representation. *Electoral Studies*, 21, pp. 393401.
- Taagepera, R. and Shugart, M. (1989). *Seats and votes: The effects and determinants of electoral systems*. New Haven: Yale University Press.
- 262 Tajadura, J. and Vrgala, E. (2008). Espaa. In: J. Corcuera , J. Tajadura and E. Vrgala , eds., *La legalizacin de partidos polticos en las democracias occidentales*. Madrid: Dykinson.
- Tannahill, R. (1987). *The communist parties of Western Europe*. Westport: Greenwood Press.
- Tardi, G. (2004). Political parties right to engage in politics: Variations on a theme of democracy. In: A. Saj , ed., *Militant democracy*. Utrecht: Eleven International Publishing, pp. 17111.

- Tetens, T. (1961). *The new Germany and the old Nazis*. London: Secker and Warburg.
- Thiel, M. (2009). *The militant democracy principle in modern democracies*. Farnham: Ashgate.
- Thompson, W. (1996). *The Party of Democratic Socialism in the new Germany*. *Communist and Post-Communist Studies*, 29 (4), pp. 435-452.
- Tilly, C. (2005). Repression, mobilization and explanation. In: C. Davenport , H. Johnston and C. Mueller , eds., *Repression and Mobilization*. Minneapolis: University of Minnesota Press.
- Todd, J. (1987). Two traditions of unionist political culture. *Irish Political Studies*, 2 (1), pp. 126.
- Tomuschat, C. (1992). Democratic pluralism: The right to political opposition. In: A. Rosas and J. Helgesen , eds., *The strength of diversity*. Dordrecht: Nijhoff Publishers, pp. 2748.
- Tonge, J. (2006). *Northern Ireland*. Cambridge: Polity Press.
- Tsebelis, G. (2002). *Veto players*. Princeton: Princeton University Press.
- Turano, L. (2003). Spain: Banning political parties as a response to Basque terrorism. *International Journal of Constitutional Law*, 1 (4), pp. 730-740.
- United States Office of the High Commissioner for Germany (1951). *The radical right*. *Information Bulletin*, pp. 65-68.
- Van Amersfoort, H. and Mansvelt Beck, J. (2000). Institutional plurality: A way out of the Basque conflict? *Journal of Ethnic and Migration Studies*, 26 (3), pp. 449-467.
- van Donselaar, J. (2003). Patterns of response to the extreme right in Western Europe. In: P. Merkl and L. Weinberg , eds., *Rightwing extremism in the 21st century*. London: Routledge, pp. 222-291.
- van Spanje, J. (2010). Parties beyond the pale: Why some political parties are ostracized by their competitors while others are not. *Comparative European Politics*, 8 (3), pp. 354-383.
- van Spanje, J. and van der Brug, W. (2007). The party as pariah: The exclusion of anti-immigration parties and its effect on their ideological positions. *West European Politics*, 30 (5), pp. 1022-1040.
- Vidal, C. (2009). Spain. In: M. Thiel , ed., *The militant democracy principle in modern democracies*. Farnham: Ashgate, pp. 243-262.
- Vrgala, E. (2003). La STS de 27 de marzo de 2003 de ilegalizacin de Batasuna: El Estado de Derecho penetra en Euskadi. *Teora y Realidad Constitucional*, 1213, pp. 609-629.
- Vrgala, E. (2008). Alemania. In: J. Corcuera , J. Tajadura and E. Vrgala , eds., *La ilegalizacin de partidos polticos en las democracias occidentales*. Madrid: Dykinson, pp. 119-136.
- Volkens, A. , Lehmann, P. , Matthie, T. , Merz, N. , Regel, S. and Werner, A. (2015). *The manifesto project dataset: Codebook*. Version 2015a. Berlin: Wissenschaftszentrum Berlin fr Sozialforschung (WZB).
- Von Beyme, K. (1985). *Political parties in western democracies*. Farnham: Gower.
- Von Schmertzling, W. (1957). *Outlawing the Communist Party*. New York: The Bookmailer.
- 263 Vuori, J. (2008). Illocutionary logic and strands of securitization. *European Journal of International Relations*, 14 (1), pp. 65-99.
- Wver, O. (1995). *Securitization and desecuritization*. In: R. Lipschultz , ed., *On security*. New York: Columbia University Press, pp. 46-86.
- Waldman, E. (1985). Germany: Federal Republic of Germany. In: R. Staar , ed., *1985 yearbook on international communist affairs*. Stanford: Hoover Institution Press.
- Waldron, J. (1981). A right to do wrong. *Ethics*, 92 (1), pp. 21-39.
- Walker, C. (1986). *The prevention of terrorism in British law*. Manchester: Manchester University Press.
- Walker, G. (2004). *A history of the Ulster Unionist Party: Protest, pragmatism and pessimism*. Manchester: Manchester University Press.
- Walker, G. and Mulvenna, G. (2015). Northern Ireland representation at Westminster: Constitutional conundrums and political manoeuvres. *Parliamentary History*, 34 (2), pp. 237-255.
- Ware, A. (1996). *Political parties and the party system*. Oxford: Oxford University Press.
- Warwick, P. (2000). Policy horizons in West European parliamentary systems. *European Journal of Political Research*, 38, pp. 376-1.
- Watts, M. (2001). Aggressive youth cultures and hate crimes. *American Behavioural Scientist*, 45 (4), pp. 600-615.
- Weber, R. and Huser, I. (2008). *A portrait of the German south west*. Stuttgart: Landeszentrale fr politische Bildung.
- Weinberg, L. , Pedahzur, A. and Perlinger, A. (2009). *Political parties and terrorist groups*. London: Routledge.
- White, J. (2006). What is a political party? In: R. Katz and W. Crotty , eds., *Handbook of party politics*. London: Sage, pp. 5-15.
- Whitfield, T. (2014). *Endgame for ETA: Elusive peace in the Basque Country*. London: C. Hurst and Company.

- Whittaker, D. (2003). *The terrorism reader*. 2nd edition. London: Routledge.
- Whyte, J. (1983). How much discrimination was there under the Unionist regime, 1921-1968? In: T. Gallagher and J. O'Connell, eds., *Contemporary Irish Studies*. Manchester: Manchester University Press, pp. 135.
- Wiggers, R. (2004). From supreme authority to reserved rights and responsibilities. In: D. Junker, P. Gassert and W. Mausbach, eds., *The United States and Germany in the era of the Cold War: Vol. 1, 1945-1968*. Cambridge: Cambridge University Press, pp. 103-110.
- Wilkinson, P. (2002). *Terrorism versus democracy*. London: Frank Cass.
- Williams, C. (2000). *Adenauer: The father of the new Germany*. London: Little, Brown and Company.
- Williams, M. (2003). Words, images, enemies: Securitization and international politics. *International Studies Quarterly*, 47, pp. 511-531.
- Wise, J. (1998). Dissent and militant democracy: The German constitution and the banning of the Free German Workers Party. *The University of Chicago Law School Roundtable*, 5 (1), pp. 301-343.
- Yin, R. (2003). *Case study research: Design and methods*. 3rd edition. London: Sage.
- Zabalo, J. and Saratxo, M. (2015). ETA ceasefire: Armed struggle vs. political practice in Basque nationalism. *Ethnicities*, 15 (3), pp. 362-384.
- Zimmermann, E. and Saalfeld, T. (1993). Three waves of West German right-wing extremism. In: P. Merkel and L. Weinberg, eds., *Encounters with the contemporary radical right*. Boulder: Westview Press, pp. 50-74.