

## **IV. ANALYTIC SUMMARY**



**Cano Bueso, Juan** (Universidad de Almería): La reforma de los Estatutos y el acomodo de las nacionalidades a la Constitución del Estado (The reformation of the Statutes and the adaptation of nationalities to the State Constitution). (orig. es).

In *Iura Vasconiae*, 7, 13-33.

Abstract: The Board of the Eight Legislature of the Parliament has led to regional reform of the Constitution of the State from very different political philosophies. Whilst Catalonia, Andalusia, Aragon, the Balearic Islands, Castile-Leon and Valencia have updated their Statutes of Autonomy by handing over to Legislative Power, Euskadi has had to fend for the progression of its self-government on the basis of the Additional Provision I of the Constitution. Regulatory rationality and historical legitimacy, very different understandings in political culture, serve, in constitutional practice, for the purposes of studying self-government in depth, and with that, to facilitate the accommodation of nationalities to the democratic Constitution of the State.

Keywords: Constitution of Spain. The reformation of the Statutes of Autonomy. Self-government. Nationalities. Catalonia. Andalusia. Aragon. Balearic Islands. Castile-Leon. Valencia. Euskadi.

**Herrero de Miñón, Miguel** (Consejo de Estado): El derecho constitucional de la plurinacionalidad (Plurinationality's Constitutional Law). (orig. es).

In *Iura Vasconiae*, 7, 35-51.

Abstract: The theme of our time is a reevaluation of identities. If modernity was characterised by hegemony of the subject, what comes next, call it what you will, post modernity or another less prostituted form of it, is characterised by the individual wanting to identify themselves through belonging to something that transcends them: the group. Comparative practice and concrete realization of international law on human rights proves it as such. One's rights include, as a fundamental principle, the right to identity outside the sphere of which it falls short of reality. What indeed is freedom of conscience without the possibility of identifying oneself with a religious denomination or freedom of expression and education if one cannot exercise one's right to use one's own language, not preserved as a relic but as a normal means of communication in a particular community, or the right to effective participation in public affairs beyond actual *demos*?

Experience shows that poles of identification are manifold, from gender ethnicity through religion, language, sexual orientation and many more. But amongst all of them national identity holds particular importance which must be distinguished from other partially similar identifiers such as their ethnic group,

whether it be historical or a product of recent immigration and of course, the so-called new minorities or core social groups.

Keywords: Constitutional Law. Constitution of Spain. Statutes of Autonomy. Plurinationality. Nationalities. Identity.

**Aparicio Pérez, Miguel Ángel** (Universidad de Barcelona): Reforma estatutaria y mutación constitucional (Statute reform and constitutional change). (orig. es).

In *Iura Vasconiae*, 7, 55-96.

Abstract: There is a constitutional model originating from political decentralization with two types of autonomous territories: the so-called historical territories recognised by the second transitional provision of the Constitution (Catalonia, Galicia and the Basque Country) along with those established in accordance with Article 151 of the same; and those set up in accordance with Articles 143 and 144. Said model was eliminated by the 1981 and 1992 political agreements. Current Catalan statutory reform has pursued, unsuccessfully, to steer itself towards this original model.

Keywords: Catalonia. The reformation of the Statutes of Autonomy. Statute of Autonomy. Constitution of Spain. Historical territories. Self-government.

**Aierdi, Xabier and Retortillo, Alfredo** (Universidad del País Vasco/Euskal Herriko Unibertsitatea): Estática y dinámica en las actitudes políticas y los resultados electorales de la Comunidad Autónoma Vasca desde 1977 (Statics and dynamics political attitudes and the electoral results in the Basque Autonomous Community since 1977). (orig. es).

In *Iura Vasconiae*, 7, 99-116.

Abstract: Data from social and electoral surveys and polls, as well as data from electoral research will throw light upon those which are the electoral niches, the relationship they maintain with the social, political and identity niches, to conclude as a good social analyst said «Euskadi could be a country to build but not to be discovered» and «there are no political regions to be conquered».

Keywords: Autonomous Community of the Basque Country. Political attitudes. Electoral results. 1977-2010. Sociology. Identity.

**Ayerdi Echeverri, Peio** (Universidad Pública de Navarra/Nafarroako Unibertsitate Publikoa): Actitudes políticas y resultados electorales de Navarra desde 1977 (Political attitudes and the electoral results in Autonomous Community of Navarre since 1977). (orig. es).

In *Iura Vasconiae*, 7, 117-159.

Abstract: The aim of this paper is to present sociological information on the evolution of Navarre political life in recent decades, in addition to their socio-political spaces and their party systems. Firstly, general elections will be discussed and then the local Navarre elections will be considered more thoroughly or what are in fact the elections to the Parliament of Navarre. Next, the institutionalization of Navarre political life in its Parliament and Government. Then, we will enter into the analysis of electoral geography in the last 2007 elections. Later, we shall analyse the social basis of the various electorates such as the *Mark of being from Navarre*, religiousness, age groups, social class, ideological self-placement and lastly the feeling of identity. To finish various polls are interpreted and some advance predictions for the 2011 elections are put forward.

Keywords: Autonomous Community of Navarre. Political attitudes. Electoral results. 1977-2007. Sociology. Identity.

**Jauréguiberry, Francis** (Université de Pau et des Pays de l' Adour): Désir d'identité et revendication institutionnelle en Pays Basque français (Identities hopes and institutional request in French-Basque Country). (orig. fr).

In *Iura Vasconiae*, 7, 161-173.

Abstract: Man's hypermodern life nowadays denotes a sense of curiosity and open-mindedness, through which man contemplates living life as intensely as possible in a globalized world. With the convergence of multiple networks, their memberships, knowledge, experience and visits proliferate. However, in a world in which everything is scattered, fragmented and accelerated, man also requires a point to which he is rooted, an intangible identity and a social and historical fidelity. Identity behaviours in the French-Basque Country arise from said logic of rootedness in addition to a simple logic of natural reproduction.

Keywords: French-Basque Country. Identity. Hypermodernity. Globalization. Identity. Sociology.

**Itçaina, Xabier** (Université de Bordeaux): La construction politique du territoire en Pays Basque nord : vers un agenda de recherche (Territory's political construction in French-Basque Country: towards an investigation planning). (orig. fr).

In *Iura Vasconiae*, 7, 175-201.

Abstract: This paper will deal with contemporary regional dynamics in the French Basque Country and two complementary points of view will be discussed. The first point shall be the institutionalization of the region which has manifested from the early 90's through a unique process based on the represen-

tation and mediation between civil society actors, elected officials and administration representatives. The second focuses on some of the demonstrations originating in the civil society (especially in the agricultural sector); demonstrations pursuing sectorial and regional interests.

Keywords: French-Basque Country. Regional dynamics. Institutionalization of the region. Civil society's demonstrations. Identity. Sociology.

**Gallastegui Zulaica, M<sup>a</sup> Carmen and Gallastegui Zulaica, Inmaculada** (Universidad del País Vasco / Euskal Herriko Unibertsitatea): Del hierro a la burbuja pasando por el titanio (From iron to the bubble passing through titanium). (orig. es).

In *Iura Vasconiae*, 7, 203-229.

Abstract: In this paper we analyse the development of the economy of the BAC over four decades. During this long period of time there have been three far-reaching economic crises, more than a decade of sustained prosperity, an increase and improvement in welfare and major demographic changes. The current period, with an increase in the rate of unemployment, reductions in the GDP growth rates and declines in the level of prices, calls for well designed actions directed towards a model of growth which, amongst other things, and as priority, provides sufficient and sought after jobs to the working population.

Keywords: Autonomous Community of the Basque Country. Economy. Economic crises. Welfare state. Employment. Demography. GDP.

**Los Arcos León, Blas** (Universidad Pública de Navarra / Nafarroako Unibertsitate Publikoa): Evolución de la economía de navarra en el período 1960-2007 (Evolution of Navarre's Economy from 1960 to 2007). (orig. es).

In *Iura Vasconiae*, 7, 231-255.

Abstract: In this paper Navarre's economic development during the period 1960-2007 is dealt with, reflecting significant transformations which have radically changed the economic and social structure of the region. Three stages allowing for explanation and grouping of similar economic and social circumstances are differentiated between. Specifically the years from 1960-1975 marked by vigorous economic development, the 1975-1985 period which severely impacts the energy crisis and the years 1985-2007 a period during which opening up to foreign countries is intensified and significant flows of foreign emigration appear.

Keywords: Navarre. Economy. 1960-2007. Economic development. Opening up to foreign countries. Foreign emigration.

**Larrazabal Basañez, Santiago** (Universidad de Deusto/Deustuko Unibertsitatea): Propuesta de cambio del marco normativo en la Comunidad Autónoma Vasca (Proposed changes to the regulatory framework in the Basque Autonomous Community). (orig. es).

In *Iura Vasconiae*, 7, 257-282.

Abstract: My intervention in the Symposium, entitled *Proposals for policy change in the Basque Autonomous Community* is based on the current political situation in Euskadi, taking into account its complexity and the existing impasse regarding a possible reform of the Gernika Statute of Autonomy. Through this paper I will try to suggest ways that might allow a minimum consensus between the different political sensitivities that coexist in Euskadi with the objective, at least, of updating some contents of the 1979 Statute of Autonomy that require change, given that it has been thirty years since this was passed. The intervention focuses on possible ways to achieve this minimum consensus for reform and points to the issues requiring urgent modification, suggesting both changes with regard to the relationship between State and Autonomous Region, including the challenges of internal organisation of the Autonomous Community in the segmentation of the core Central Institutions- Historical Territories- Municipalities.

Keywords: Autonomous Community of the Basque Country. Gernika Statute of Autonomy. The reformation of the Statute of Autonomy. Central Institutions. Historical Territories. Municipalities.

**Alli Aranguren, Juan Cruz** (Universidad Pública de Navarra/Nafarroako Unibertsitate Publikoa): Propuestas de cambio normativo en la Comunidad Foral de Navarra (Proposed changes in the regulatory framework in the Foral Community of Navarre). (orig. es).

In *Iura Vasconiae*, 7, 283-335.

Abstract: After the proposal known as Plan Ibarretxe and the reform of the Statute of Autonomy of Catalonia, the fifth stage of change in the Statutes of Autonomy was initiated. In late 2003 this was reflected in Navarre with the creation of a study Paper for the reform of LORAFNA. He developed his work during his term of office without giving rise to any practical results or proposals, although there are some common points of a lesser order. Its usefulness has been that of getting to understand the profound differences that exist, with respect to the institutional theory and regime of the Foral Community, between the constitutional parties and the Basque nationalists.

Keywords: Autonomous Community of Navarre. LORAFNA. The reformation of the Statute of Autonomy. Political attitudes. Self-government.

**Edward, John** (Ex-representante del Parlamento Europeo en Escocia): Plurinational societies and constitutional change. Scotland – socio-economic and socio-political aspects (Sociedades plurinacionales y cambio constitucional. Escocia. Aspectos socio-económicos y socio-políticos.). (orig. en).

In *Iura Vasconiae*, 7, 339-353.

Abstract: This paper intends to set forth the socio-economic, cultural, and political context Scotland finds itself in at the present time, as a result of historic development through which it has forged itself as a Nation, with its own distinctive characteristics which are evolving over time and the challenges of globalization and modern, complex societies yet which preserve some features and a mix of specific cultural values.

Keywords: Scotland. Sociology. Economy. Culture. Politics. Nation. Globalization.

**Ezeizabarrena, Xabier** (Universidad del País Vasco/Euskal Herriko Unibertsitatea): Scottish devolution & Basque Historical titles (Transferencias escocesas y Derechos históricos vascos). (orig. en).

In *Iura Vasconiae*, 7, 355-383.

Abstract: This paper will resume certain legal and political comparative sources and reflections on Basque Historical rights and Scottish Devolution within both «constitutional» cases, in order to establish a brief comparative approach. It will underline the potentials of these frameworks to develop the concept of co-sovereignty through mutual «constitutional» recognition with the UK and Spain and even towards the EU. In the Basque case it is therefore important to consider, if only briefly, some historical data concerning the legal framework that explains and presents the problem of Historical Rights in the different territorial contexts of Euskal Herria.

Keywords: Scotland. United Kingdom. European Union. Autonomous Community of Navarre. Constitutional Law. Historical rights.

**Romano, Andrea** (Universidad de Mesina): Lo Statuto Regionale Siciliano di autonomia speciale nel contesto dell'evoluzione politico-istituzionale dello Stato taliano (The unique regional Sicilian Statute in the Italian State's political institutional development's context). (orig. it).

In *Iura Vasconiae*, 7, 387-404.

Abstract: After a complicated experience with requests for independence, in 1946 Sicily obtained a special regional autonomy statute, elevated to constitutional rule in 1947 by the Republican Constitution. The Sicilian Statute, inspired



by the 1932 Statute of Catalonia, through mediation of the jurist G. Ambrosini and gathering their historical peculiarities, acknowledged the island's special powers of autonomy, that differentiated it from other regions holding «normal» statute, just as the same 1947 Constitution acknowledged it. The amendment to Title V of the Constitution carried out in 2001, which envisages an extensive devolution of powers to the regions designing a sort of semifederal state, undermines the special Sicilian autonomy, necessitating a debate on the limits and scope of the same.

Keywords: Italy. Sicily. Statute of Autonomy. 1932 Statute of Catalonia. 1947 Republican Constitution. Title V of the Constitution. Semifederal state.

**Brouillet, Eugénie** (Universidad Laval. Quebec): Processus de reconnaissance et acceptation de la pluralité nationale dans le constitutionalisme canadien actuel. (Process of recognition of national pluralism in contemporary Canadian constitutionalism). (orig. fr).

In *Iura Vasconiae*, 7, 407-427.

Abstract: This paper offers an overview of the Accord and Agreement systems in the provinces of the Basque Country and Navarre. The most important aspects are their inclusion in the constitutional framework, the differences between these systems and the funding arrangements in the other autonomous communities, taxation in the Basque provinces and Navarre, and the challenges and repercussions arising from European harmonisation. In the case of the Basque Country, the paper defines the specific relationship between the historic territories and the autonomous community, how this affects the funding of both, the restrictions contained in the current legislation for the Accord and Agreement and how this affects taxation. The paper also examines the mechanisms for contributing to the state and the cash flows between the latter and the Basque Country and Navarre.

Keywords: Funding of the autonomous communities. Systems in the Basque Country and Navarre. Economic agreement. Economic accord. Globalised taxation. Autonomous Community of Navarre. Autonomous Community of the Basque Country.

**Gagnon, Alain-G.** (Universidad de Quebec): Analyse du Fédéralisme canadien d'une perspective politologique (Analysis of the federal theory in Canada from an politologic point of view). (orig. fr).

In *Iura Vasconiae*, 7, 429-447

Abstract: Two traditions of federalism have been developed in Canada: one essentially based on a mononational/territorial focus, and another based on

a plurinational understanding of the *politeya*. Both sides have been said to undermine each other's legitimacy, to the respective advantage of integrationist/centralist Canadians on the one hand and, on the other, of separatist/sovereignist Quebecers. The literature on Canadian federalism has, often times, ignored scholarly works done by Quebec experts on the subject. As a result, it is largely made of a body of literature that has been produced by English-speaking Canadians for English-speaking Canadians. It comes as no surprise, then, that Quebec specialists' understandings of federalism are largely neglected, when not simply ignored, in most textbooks pertaining to Canadian federalism. For Quebec specialists of federalism, one way to correct this tendency has been to mine the field of comparative federalism to better contextualize their own works and to give added depth to their research. As their works have acquired recognition at the international level, so has their impact started to be felt in Canada.

Keywords: Politology. Canada. Quebec. Supreme Court of Canada. Federalism. Self-determination.

**Sauca Cano, José María** (Universidad Carlos III): Aportaciones de la comisión Bouchard-Taylor al modelo intercultural de Quebec (Bouchard-Taylor Commission's contributions to the intercultural case of Quebec). (orig. es).

In *Iura Vasconiae*, 7, 449-476.

Abstract: Contemporary Canada completes the typology of expressions of pluralism of identity: nations, indigenous peoples, recent immigrants, multiplicity of languages, religious diversity, polilegality, etc. Management of this complexity has been characterised by calmly developing and permanent recourse to democratic processes. The idea of plural citizenship has been at the centre of gravity in these processes but the justificatory support of the same is not univocal and after its wording different theoretical visions coexist.

Keywords: Bouchard-Taylor Commission. Canada. Quebec. Federalism. Interculturality.

**Bengoetxea Caballero, Joxerramon** (Universidad del País Vasco/Euskal Herriko Unibertsitatea): Las Regiones Constitucionales Autónomas. Un estatus especial en la Unión Europea (Autonomous Constitutional Regions. European Union's particular status). (orig. es).

In *Iura Vasconiae*, 7, 479-507

Abstract: EU regional «blindness» has been linked to the dominant interpretation of the principle of institutional or constitutional autonomy according to which each Member State is free to structure itself as it sees fit as long as it

complies with its EU obligations, without the Community institutions having any legal authority to interpellation with respect to the said state organization. Arguments that sought to justify any possible breaches of Community law by Member States on the basis of their complex internal constitutional structures have been strongly rejected, the corollary of this principle of constitutional autonomy, the principles of character and responsibility of States in international law: it is the whole State that is responsible for any non-compliance attributable to any of its bodies.

This initial blindness has been transformed through case law, without awaiting the entry into force of the Lisbon Treaty, amidst growing sensitivity to infra-state entities, especially toward constitutionally autonomous regions, which has led to a new interpretation of the principle of institutional or constitutional autonomy. Under this new concept, the EU respects the constitutional organization of the Member States, including regional or local autonomy and precisely to be able to respect the organization the EU is obliged to «see it». This sensitivity towards internal diversity requires an attitude of *acknowledgement* and respect on the part of the Community institutions, and an attitude of Community loyalty on the part of the constitutionally autonomous regions: respect for Community law, non-discrimination...

On requiring the Union to respect «equality of Member States before the Treaties as well as their national identities, inherent in the fundamental political and constitutional structures thereof, also with regard to local and regional autonomy», the Lisbon Treaty may lead to the recognition of a new status or European institute: the status of the «constitutional autonomous regions», a new wording of the special status that at that time Alain Lamassoure demanded for certain European regions.

Keywords: European Union. Member States. Lisbon Treaty. Constitutional autonomous regions. Principle of constitutional autonomy. Community law.

**Churruca Arellano, Juan de** (Universidad de Deusto/Deustuko Unibertsitatea): Estrabón y el País Vasco, II: El valle medio del Ebro y los Pirineos Occidentales, y la administración romana (Strabo and the Basque Country, II: Ebro's middle valley and western Pyrenees, and romane administration). (orig. es).

In *Iura Vasconiae*, 7, 511-578

Abstract: This paper has the descriptions made in Strabo's *Geographia* books about basque regions. There are notes about texts and the translations; the author analyses the subject matter of the book describing the different people

who lived in present Basque Country land. The last part analyses the romane administration in this land.

Keywords: Strabo. Geography. Historiography. Sources. Basque Country.