

Temas

Azurtza Sorrondegi, Itziar. La participación de los ciudadanos en la Planificación Urbanística: análisis jurídico y práctico. En concreto, los *Núcleos de Intervención Participativa*. (Orig. eu). In: *Eleria*. 2, 5-30

Campos Rubio, Arantza. ¿Tienen las sociedades sin Estado Derecho? El problema de la existencia del Derecho en las sociedades sin Estado, desde el punto de vista de la Teoría General del Derecho. (Orig. eu). In: *Eleria*. 2, 31-46

Derecho lingüístico

Prieto Etxano, Eunate. La nueva Ley del Catalán: presente y futuro. (Orig. eu). In: *Eleria*. 2, 47-56

Jurisprudencia

Agoues Mendizabal, Carmen. Sentencia del Tribunal Constitucional 61/1997, de 20 de marzo, sobre la Ley del Suelo. (Orig. eu). In: *Eleria*. 2, 57-64

Etxeberría Guridi, Patxi. El artículo 380 del Código Penal y la Sentencia dictada por el Tribunal Constitucional sobre su constitucionalidad el 2 de octubre de 1997. (Orig. eu). In: *Eleria*. 2, 65-74

Euskara jurídico

Trebiño Barruetabeña, Imanol. Efemérides: los hitos del trayecto del jurista vasco. (Orig. eu). In: *Eleria*. 2, 75-78

Entrevistas

Bayo Delgado, Joaquín. Magistrado y Juez Decano de Barcelona. (Orig. eu). In: *Eleria*. 2, 79-81

Zorrilla Ruiz, Manuel M. Presidente del Tribunal Superior de Justicia del País Vasco. (Orig. eu). In: *Eleria*. 2, 82-84

Crónica

Otxoa Crespo, Isabel. La renuncia del trabajador a una relación laboral indefinida. Comentario de la jurisprudencia del Tribunal Supremo. (Orig. eu). In: *Eleria*. 2, 85-90

Opinión

Tapia, Jaime. El futuro del euskara en la Administración de Justicia.

Etxabe, Jon. ¿Qué hay de nuevo sobre el euskara en la Administración de Justicia?

Azkarate, Lore. Traducción de los modelos de impresos de los Juzgados.

Noticias. Varia. Bibliografía. Tesis doctorales. Futuras Leyes. (Orig. eu). In: *Eleria*. 2

Imágenes

Salcedo Izu, Joaquín. Historia y Derecho en los grabados del "Ensayo de Bibliografía Navarra" de A. Pérez Goyena.

Sujets

Azurtza Sorrondegi, Itziar. La participation des citoyens au Plan d'Urbanisation: analyse juridique et pratique. Plus spécialement, les *Noyaux d'Intervention Participative*. (Orig. eu). In: *Eleria*. 2, 5-30

Campos Rubio, Arantza. Ont-elles Droit les sociétés sans Etat? Le problème de l'existence du Droit dans les sociétés sans Etat, d'après la Théorie Générale du Droit. (Orig. eu). In: *Eleria*. 2, 31-46

Droit linguistique

Prieto Etxano, Eunate. La nouvelle Loi du Catalan: présent et futur. (Orig. eu). In: *Eleria*. 2, 47-56

Commentaires de Jurisprudence

Agoues Mendizabal, Carmen. Sentence de le Tribunal Constitutionnel 61/1997, du 20 mars, sur la Loi du Sol. (Orig. eu). In: *Eleria*. 2, 57-64

Etxeberría Guridi, Patxi. L'article 380 du Code Pénal et la Sentence prononcée par le Tribunal Constitutionnel sur sa constitutionnalité le 2 octobre 1997. (Orig. eu). In: *Eleria*. 2, 65-74

Basque juridique

Trebiño Barruetabeña, Imanol. Éphéméride. Les limits du trajet de le législateur basque. (Orig. eu). In: *Eleria*. 2, 75-78

Entrevues

Avec **Joaquín Bayo Delgado**, Magistrat et Juge Doyen de Barcelone, et avec **Manuel M. Zorrilla Ruiz**, Président de le Tribunal Supérieur de Justice du Pays Basque.

Chronique

Otxoa Crespo, Isabel. La renoncement du travailleur à une relation laborale indéfinie. Commentaire de la jurisprudence de la Cour Suprême. (Orig. eu). In: *Eleria*. 2, 85-90

Opinion

Tapia, Jaime. Le futur de le basque dans l'Administration de Justice.

Etxabe, Jon. ¿Quoi de neuf à propos de le basque dans l'Administration de Justice?

Azkarate, Lore. Traduire en basque les modèles des imprimés des Tribunaux.

Nouvelles. Divers. Bibliographie. Thèses doctoraux. Futures lois. (Orig. eu). In: *Eleria*. 2, 97-107

Images

Salcedo Izu, Joaquín. Histoire et Droit dans les gravures de "Ensayo de Bibliografía Navarra", par A. Pérez Goyena.

Subjects

Azurtza Sorrondegi, Itziar (Zumalakarregi hiribidea 9, 6. ezk. 20008 Donostia): Hiritarren partaidetza hirigintza plangintzan: azterketa juridikoa eta praktikoa. Bereziki *Interbentzio Gune Partehartzailak (NIP)* (Participation of the citizenry in Urban Planning: legal and practical study. Mainly as refers to the *Participative Intervention Nuclei*) (Orig. eu) In: *Eleria*. 2, 5-30
This article analyzes the way in which the participation of the citizenry is envisaged in urban planning, as a rule, within the legal framework and what this implies in terms of urban planning. Participation is converted into a fundamental cornerstone in that it provides planning with the deepest democratic legitimation. The law regulates the processing of the public information for this purpose. However, the crux of the issue is as follows: does this period of public information attain its proposed legal objective? This study covers the initial approval of the General Plan for San Sebastián and its period of subsequent public information as well as the Participative Intervention Nuclei used in various other town councils.

Campos Rubio, Arantza (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Sarriena auzoa z/g. 48940 Leioa): Estatu gabeko gizarteek Zuzenbiderik al dute? Zuzenbide Teoria Orokorren ikuspuntutik, Estatu gabeko gizarteetan Zuzenbide existentziaren arazoa (Do stateless societies have a Law? The problem of the existence of a Law in stateless societies is raised in terms of the General Theory of Law) (Orig. eu) In: *Eleria*. 2, 31-46
This article attempts to answer to a given issue. In our Theory of Law we lack the concepts and criteria (legality, legitimacy, sovereignty, validity and efficiency) to assert that stateless societies will necessarily be societies without Law. It is increasingly untenable to assert that the normative system has prevailed by means of the use of the force and is, therefore, obligatory and is to be obeyed. Nowadays, this is not the most adequate way to respond to certain human groups which are united because they have an important link in common.

Linguistic Law

Prieto Etxano, Eunat (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Manuel de Lardizabal 2. 20009 Donostia): Katalanaren Lege berria: orainaldia eta etorkizuna (The new Law of the Catalan language: present and future) (Orig. eu) In: *Eleria*, 2, 47-56

The new Law of the Catalan language was approved in December of 1997 in the Parliament of Catalonia by a decision taken by the majority of its deputies. The principal challenge of the law is to strengthen the use of Catalan in all the social areas; however, the means to be employed to this end obtain have raised numerous polemics, of a political nature at the very least. This article covers the changes that the Law of the Catalan language can provide to society in the near future, and it also outlines certain problems that these provisions could raise in everyday practice.

Trials and Courts

Agoues Mendizabal, Carmen (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Manuel de Lardizabal 2. 20009 Donostia): Auzitegi Konstituzionalaren Epaia 61/1997, martxoaren 20koa, Lurzoru Legeari buruzkoa (Sentence 61/1997 in the Constitutional Court dated 20th March, on the Law regulating Real Estate) (Orig. eu) In: *Eleria*. 2, 57-64
In the words of the Constitutional Court, the authorities responsible in matters of town planning, that is to say, the autonomous regions, are who determine where, when and how human settlements are located and developed, respecting the principles established in the Constitution. However, it leaves it in the hands of the State to fix the basic conditions which must be complied with the regulation of urban property, in order to guarantee the equality of all the Spanish citizens. In this way, town planning, which according to the Constitution is the exclusive responsibility of the autonomous regions, becomes a shared responsibility.

Etxeberria Guridi, Patxi (Euskal Herriko Unibertsitatea. Zuzenbide Fakultatea. Manuel de Lardizabal 2. 20009 Donostia): Kode Penaleko 380. artikulua eta bere konstituzionaltasunari buruz Auzitegi Konstituzionalak emandako Epaia (1997ko urriaren 2koa) (Article 380 of the Penal Code and the Sentence pronounced by the Constitutional Court on its constitutionality (dated 2nd October 1997)) (Orig. eu) In: *Eleria*. 2, 65-74
Article 380 defines as a crime the refusal to submit to tests ordered to determine the effects in drivers of alcohol or other drugs. Several questions regarding the constitutionality of this law were presented, arguing that it violated the rights to not declare against oneself and to not declare oneself guilty. The Constitutional Court, interpreting these rights in a very strict sense, sentenced that article 380 is constitutional.

The Juridical basque

Trebiño Barruetaña, Imanol (Eusko Jaurlaritzaren Biblioteka Nagusia. Wellington-eko dukea 2. 01010 Vitoria-Gasteiz): Efemerideak. Legelari euskaldunaren ibileraren mugarriak (Anniversary: Main moments of the use of the Basque Language in Law matters through the History) (Orig. eu) In: *Eleria*. 2, 75-78

Interviews

To **Joaquín Bayo Delgado** justice and dean judge in Barcelona, and **Manuel M. Zorrilla Ruiz**, Chief Justice of the High Court of Justice of the Basque Country. (Orig. es). In: *Eleria*. 2, 79-84

Columns

Otxoa Crespo, Isabel (Lan Harremanen Eskola. Lan eta Gizarte Segurantzako Zuzenbide Saila. Leioako Campusa. 48940 Leioa): Langilearen uko egitea mugagabeko lan harremanari. Auzitegi Gorenaren jurisprudentziaren iruzkina (The worker's waiver of an indefinite job relation. A commentary of the Supreme Court's jurisprudence) (Orig. eu) In: *Eleria*. 2, 85-90
The worker that has subscribed several temporary contracts, frequently takes his employer to Court upon completion of the last of such contracts arguing the indefinite character of this labour relationship. The basis of the claim can be a legal defect in any of the previous contracts. This article analyzes the developments in the judicial precedents on the topic and also the consequences that may be observed in the application of undefined contracts for employment promotion as regulated by Royal Decree 8/1997.

Opinion.

Tapia, Jaime. The future of the Basque in Justice Administration.
Etxabe, Jon. Any news about the Basque in Justice Administration?
Azkarate, Lore. Translating to Basque the form models of the Courts.

News. News items. Bibliography. Doctoral thesis. Future Laws. (Orig. eu). In: *Eleria*. 2, 97-107

Images

Salcedo Izu, Joaquín. History and Law in the engravings of "Ensayo de Bibliografía Navarra" by A. Pérez Goyena.