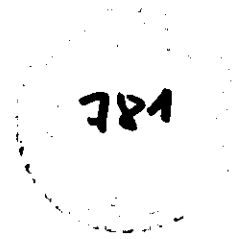


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**AN ANALITICAL MODEL FOR THE POLITICAL LEGITIMACY OF
LEGISLATIVE DECISIONS. THE CASE OF BASQUE COUNTRY AND
CATALONIAN PARLIAMENTS (1987-1992)**

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AN ANALITICAL MODEL FOR THE POLITICAL LEGITIMACY OF LEGISLATIVE DECISIONS. THE CASE OF THE BASQUE COUNTRY AND CATALONIAN PARLIAMENTS (1987-1992).

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This paper has two objectives. Firstly, to offer an analytical scheme for the analysis of political legitimacy from the perspective of political theory. This allows for comparative studies on the legitimacy of various types of decisions within the same political system (legislative, executive, judicial, partisan, etc), as well as studies on legitimacy of the same type of decision in different political systems (states, regions-länder, etc). Secondly, the paper shows the application of the analitical scheme to the case of the legislative decisions of two Spanish "regional" parliaments, Basque Country (1987-1991) and Catalonia (1988-1992). The analytical results show that the theoretical scheme fulfils the linguistic and formal requirements and represents a good basis for future comparative studies of political legitimacy

I. A conceptual scheme for the analysis of legislative legitimacy

Political *legitimation* is a relational and practical question, which has been deficiently thought through abstract categories like the strict opposition between "consensual" and "anomic" societies, or through focusing only on proceduramental mechanisms. ("The choice is between one type of *nomos* and another ... and there is always a degree of anomie inherent in any given *nomos*, produced by an existing *nomos*", Luckmann 1987:130). Political legitimation is always a gradual, unfinished and incomplete process. Both, a "legitimate" political power, and a political power which rejects legitimacy have no meaning. Political *legitimacy*, for its part, is constructed principally through language. And even if we do not agree about the theoretical "foundation" of liberal democracies,

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we cannot avoid establishing "rational" reasonings about them and within them through the language. A language that points out "reasons, virtues, and interests" once any transcendental premodern reference is overcome (Offe-Preuss 1991). And, in fact, there are linguistic reasons, based on the abstract and universalistic character of ethical language for the existence of practical deficits of legitimation (Pitkin 1972).

At times, within the social sciences sphere, methodological pluralism is no more than an acknowledgement of the impossibility to explain a subject of study from one analytical perspective only. Political legitimacy is one of these subjects. So, S. Weatherford (1992), for example, classifies the analytical perspectives on legitimacy into two groups: A *macro* perspective which focuses on the characteristics of political systems, and a *micro* perspective which focuses on the attitudes and behaviours of citizens in relation to these systems. Each one of these perspectives normally uses theoretical and methodological references which are not really connected with each other. Different questions arise from these perspectives, and both use different empirical data in their analysis. It seems as if once we are certain about the multidimensional character of political legitimacy, we must accept partial explanations which are not connected to each other. It is almost as if it were impossible to fill the existing emptiness between the discussion on political *legitimacy* and the empirical *legitimation* processes (1).

Within the legitimacy and legitimation spheres both theoretical and empirical questions are involved which should be clarified in order to obtain a more informative perspective. There are some problems with traditional or standard measures of legitimation, but I think that the most decisive issue is the conceptual one (Easton 1976). Therefore, bearing in mind the necessity to maintain the distinction between the spheres of legitimacy and legitimation, the following scheme focuses on theoretical concerns within the sphere of legitimacy. Three linguistic aspects, as well as three formal requirements (Reyes 1990) should be included in order to make the analytical model operative:

A) Linguistic aspects. The model must consider the different types of normative sentences, as well as the ethical and functional values or objectives used in the concrete legitimation processes. On the other hand, I consider different kinds of reasonings included in the

justification of legislative decisions. So, the proposal involves four different types of normative sentences:

- 1) Legal normative sentences
- 2) Descriptive legitimacy sentences
- 3) Prescriptive normative (deontological and teleological) sentences based on values, principles, and objectives
- 4) Prescriptive normative sentences based on instrumental criteria

Moreover, there is a distinction between the different types of values, objectives, and criteria provided within the last two kinds of prescriptive sentences. So, "normativity" has a wider meaning than "prescriptivity" in this paper (Moulines 1983).

B) Formal requirements. The analytical scheme must attain the three classical formal requirements of typologies:

- a) *Exhaustivity* : All the relevant elements in the legitimacy justifications must be included in the scheme
- b) *Exclusivity* : The same elements must not appear under different sections
- c) *Simplicity* : There must be no empty sections in the scheme

1. Legal normative sentences.

These belong to section 1.1 within the legitimacy sphere (see note 1). Either explicitly or implicitly the majority of legislative decisions use constitutional references. This "weberian" sphere of legitimacy is so generalised in liberal democracies that we could frequently skip it in comparative studies. (We will not consider this kind of sentence in the following application, except those that contain references to European or international norms as legitimacy elements, because of its newness in the young Spanish democracy)

2. Descriptive legitimacy sentences.

These consist of those justifications based on "facts" (on what are presented as "facts"), or on theoretical or empirical knowledge which are both loaded with implicit intentional legitimacy sense. In these sentences we can sometimes find a sharp contrast between the

locutionary, illocutionary, and even the perlocutionary uses of language (Skinner 1980). These sentences are divided into two criteria:

2.1 According to the content of the sentences:

- a) Sentences about "reality" (ontological sentences)
- b) Sentences which appeal to scientific or philosophical knowledge (gnoseological sentences)
- c) Sentences based on practical experience

2.2 According to the linguistic reference of the sentence:

- a) The whole community of reference according to the political power considered ($x=C$) (A state, an autonomous region, an international organization like EEC, etc)
- b) When the reach of the sentence is more or less than that of a whole community ($x>C$, $x<C$)

The analysis of descriptive sentences is established through a matrix where the columns are formed by the first criteria and the rows by the second one. The nine possible intersections allows us to quantify different aspects involved in the legitimatory use of "naturalist" reasonings (ontological sentences); or to know up until what point "science and technology as ideology" plays a role as a legitimatory element of legislative decisions (gnoseological sentences); or whether or not the most linguistic references are universal, or are based on the particular realities of the political power considered (scheme 1).

3. *Prescriptive normative sentences based on values, principles, and objectives*

This is the most complex aspect of my proposal. Below are two kinds of criteria for the analysis of these sentences:

3.1 Firstly, the sentences are classified according to *impartial* or *partial* arguments. The former are those which use a kind of reasoning that either refers to specific objectives within the collectivity of reference, or refers to general objectives but does not contrast them with other specific or "general interest". In contrast, the latter are those which are based either on the specific objectives of a concrete group or on the specific objectives of the whole community in relation to other communities (i.e a group-relative justification that gives special attention to the interests of a region or *land* facing the state or other regions or *länder* ; the interests of "national" workers or companies facing "foreign competition")(Stocker 1992, Parfit 1984)(2). Within these two types of sentences I distinguish between those which

are directed (at least) towards the whole community ($x \in G, G \supset C$), and to those which refer to a specific group within it ($x \in P, P \subset C$).

The thing to do with this first criteria is to clarify the ambiguity which is present in the abstract language of political decision-making. This ambiguity is based on the *universal* tendency of the language used in legitimacy processes and the *particular* character of a specific political power (a state, a region, etc) which is the source of this language. Schematically, as follows:

TYPES OF ARGUMENT OBJECT REGULATED	PARTIAL	IMPARTIAL
PARTICULAR $\bigwedge x \in P$ $P \subset C$	DEFENDS THE OBJECTIVES OF A PARTICULAR COLLECTIVE WITHIN THE COMMUNITY AS OPPOSED TO OTHER PARTICULAR COLLECTIVITIES FROM OTHER COLLECTIVITIES.	DEFENDS THE OBJECTIVES OF A PARTICULAR COLLECTIVE WITHIN THE COMMUNITY AS FAR AS ARE DESIRABLE OR CONVENIENT FOR THE "GENERAL INTEREST" OF THE COMMUNITY.
GENERAL $\bigwedge x \in G$ $G \supset C$	DEFENDS THE OBJECTIVES OF ALL THE INDIVIDUALS OF THE COMMUNITY (C) AS OPPOSED TO OTHER COMMUNITIES.	DEFENDS THE OBJECTIVES OF ALL THE INDIVIDUALS OF A COMMUNITY (C) AS FAR AS ARE DESIRABLE OR CONVENIENT FOR AN UNIVERSALLY ORIENTATED "GENERAL INTEREST".

3.2 Secondly, I will consider different values, principles, and objectives which are grouped into diverse normative political traditions. I think there is an irreducible heterogeneity in the theoretical concepts involved in political legitimacy: there are several kinds of action, each one endowed with its own internal logic, and there are different types of patterns of action. On the other hand, in liberal democracies there is no agreement on a substantive conception of justice. Therefore, I will consider six basic normative traditions in my

proposal: liberal-protective, democratic-participative, socio-economic (welfare), ecological, "cultural-national", and technical-functional.

The first three are connected with Marshall's classical scheme about the evolution of the rule of law in western societies: from liberal to social rights including the strict democratic or "political" ones (Marshall 1964). This process involves ethical considerations as well as organizational principles. On the other hand, I prefer to talk about the new ecological issues that surfaced in western policies in the early eighties than to talk about a so called "postmaterialist" dimension which, according to my point of view, mixes different values and objectives that belong to different normative traditions (according to conceptual and historical patterns)(Trump1991,Inglehart1990). The cultural-national tradition refers to those objectives and "collective values" linked to the community of reference (state, region, etc) in order to protect or develop them (this is a legitimacy dimension usually surprisingly marginalised in the analysis of political legitimacy). Finally, the technical-functional one involves the normativity linked to the "three E's" usually associated with Economics (effectiveness, efficiency, and cost-benefit equity), in contrast with the "three P's" associated with Politics (participation, predictability, procedural due process)(Nagel S 1987). I think that it is convenient to separate this kind of normativity according to its finalistic or instrumental use (in this section I consider only the finalistic one).

The interrelation of these two criteria allows for a comparative analysis between the different traditions that appear in the "conflicts of Modernity" within diverse communities: the conflict between different values underlying normative agreements, the conflicts between ethical and functional, or between theoretical and practical normativity (Taylor 1989: 498-499). (Again, the analytical matrix of this section is shown in scheme 2)

4. Prescriptive normative sentences based on instrumental criteria

These consist of those sentences which are based more on the *how* of a concrete political decision than on its *what* and *why* . Firstly, I include the distinction between theoretical principles and criteria used in legitimacy sentences, and the organisational entities proposed by legislative decisions. Secondly and principally, the criteria involved in legislative decisions can be distinguished into three steps: the

formation of legislative policies, their legal processing, and their political-administrative implementation (Fischer-Forester 1987). My intention here is simply to establish an ordered scheme about the different ways of legitimising the phases of the legislative decision. We know that the most decisive in welfare democracies is usually the third one. But we should not forget to consider whether or not the two former are used as legitimacy ways (scheme 3).

In order to facilitate comparative studies with other European legislations I introduce the concept of legitimacy density (LD) as the coefficient between the number of legitimacy references and the number of legislative decisions. What I understand by "legitimacy references" are all the linguistic contents used with an explicit legitimacy intention (a sentence can include several legitimacy references). Obviously, this LD can be subdivided further according to the specific types of sentences, or to some particular criteria within them. The concept also applies to other possible comparisons with other kinds of political decisions (executive, judicial, etc) within the same political system. Moreover, once is calculated a "weight" LD of the legislative decisions of a particular political power, we will be able to establish a "global" weight LD from the LD of different political powers which allows new comparisons on a larger scale (e.g. the LD of several regional or state political decisions) . Briefly,

LD=Legitimacy density

NoL=Number of legislative decisions

(C)_i= Particular Community of reference (state, region, etc)

$$\text{Global LD} = \sum [\text{LD}(\text{C})_i \times \text{NoL}(\text{C})_i] / \sum \text{NoL}(\text{C})_i$$

According to the to the type of legitimacy sentences we can obtain different particular LD:

d=descriptive sentences

p.v.=prescriptive sentences based on values and objectives

p.i.=prescriptive instrumental sentences

$$\text{LD}(\text{d,pv,pt}) = \sum [\text{LD}(\text{d, pv,pt})(\text{C})_i \times \text{NoL}(\text{C})_i] / \sum \text{NoL}(\text{C})_i$$

And within the LD(pv) we can establish the particular contribution of the different prescriptive traditions mentioned previously:

(pv)_i=different prescriptive sentences according to the particular normative traditions

$$LD(pv)_i = \sum [LD(pv)_i \times NoL(pv)_i] / \sum NoL(pv)_i$$

(I establish these coefficients in the following applied case)

II. The legislative process of the legislative decisions of two Spanish Autonomous Communities: The Basque Country (1987-1991) and Catalonia (1988-1992)

As you know, Spain is a state with a weak liberal-democratic tradition. In fact, the present time is the longest democratic period in Spanish contemporary history. This characteristic can produce a greater number of difficulties than in other liberal democracies when it comes to distinguishing between the delegitimation of a concrete government and the delegitimation of the political system. The 1978 Constitution allowed, for the first time ever, a decentralised regional organization through out the whole territory, which involves federal features (Schultze 1992, González Encinar 1992). This organization grants political autonomy on some executive and legislative concerns to the political institutions of the regions, which have their own parliaments, governments, and administration (Nohlen-González Encinar 1992). These are the two general outlines that must be born in mind in this section.

The two regions chosen are the two collectivities with the most awareness of their own self-identity. These two identities can be assessed according to several indicators: language, customs, traditions, history, election results, etc. We are focusing on two collectivities with "national" trends, which are structured as two of the seventeen regions or "autonomous communities" (AC's) of the present Spanish political system. (Both collectivities had regional political institutons in the Second Spanish Republic in the thirties). However, there are differences between them. Among these I will mention two:

1) Whilst the citizens of both communities display a greater degree of reluctance than other Spanish citizens as far as political institutions are concerned, their traditional cultural traits are more "communitarian" in the Basque collectivity as opposed to the more "liberal" characteristic of the Catalan collectivity (4)

2) Since the 60's there have been three important cleavages in the Basque political life: the socio-economic, national, and armed violence, while in Catalonia only the first two cleavages have been significant within the same period (5).

II.1 A note regarding the legislative decision-making in the Basque Country and Catalonia

Basing my classification on a previous study about the legitimacy process of the Catalan Parliament (1980-1988) (Requejo 1989), I have grouped the legislative decisions of both Spanish AC's into five different blocks:

Block 1: Culture, education-universities, environment

Block 2: Health and welfare services, town planning and public works

Block 3: Territorial policy, institutional and administrative development

Block 4: Civil law, associations

Block 5: Economy, general budgets.

Without going into details about the legislative decision-making of both AC's (6), I would like to highlight two characteristics due to their possible influence on legitimacy processes. Firstly, the number of laws in Catalonia are higher than in the Basque Country (82 versus 45) (tables 0.1 and 0.2). A main reason for this contrast is that whilst the Catalan government has remained in power without experiencing any crisis (7), the Basque Country government has experienced instability, specially during the last stage of the legislative period (8). Secondly, the number of laws that have an explicit legitimacy intention are, once again, higher in Catalonia (89.02%) than in Euskadi (64.45%) (tables 0.3 and 0.4). The reason for this last contrast is linked to the larger number of "technical" laws passed in the last AC.

II.2 Results of the application of the previous analytical scheme to the Basque and Catalanian legislative decisions

In order to analyse the previous mentioned legislative blocks, I have formulated what they seem four "intuitive" hypotheses, one for each type of normative sentences contained within the analytical scheme (9).

1) Legal normative sentences (only international references)

Hypothesis 1. Both parliaments will try to obtain legitimacy for their legislative decisions through the homologation of the patterns used in other EEC countries. This will be more relevant in the decisions of blocks 1 and 2.

The hypothesis 1 is confirmed only in the case of the Basque Country, and even so, partially. Quantitatively, the number of international references is scarce in the legislative decisions of both AC's (6/32 in the Basque Country, and 12/71 in Catalonia). This implies a *legitimatory density* of 0,19 and 0,17 respectively (even discounting the budgetary laws and legislatives decrees)(table 1). In the case of the Basque Country the international references are concentrated, in effect, in blocks 1 and 2. In Catalonia they are more disperse, but the biggest LD is found in block 5 (economy). In this AC the content of references tends to emulate, it is said, some specific international norms, specially those from EEC countries. This is contrasted with the Basque decisions which bear in mind the "principles" of certain international entities, and not necessarily ones from the European Community. In terms of subjects, the Basque references concentrate more on the environment and culture, whilst the Catalanian ones, being more disperse, concentrate more on health and social services, economy, and the environment.

2) Legitimatory descriptive sentences

Hypothesis 2

2.1 Both parliaments will justify their legislative decisions through ontological sentences about both particular and national aspects of their communities (General references will be excluded from these sentences)

2.2 Should the object described have a wider reach than that of AC, the number of ontological sentences will decrease whilst those of the gnoseological type will increase.

2.3 References to knowledge based on practical experience will only be relevant in the case of laws that reform previous legislative decisions.

2.1 The hypothesis is met. Both autonomous parliaments justify their legislative decisions by means of ontological sentences about "facts" of the AC, considering it as a whole or some of its particular aspects. (Here, "C", the community of reference of the previous scheme = AC, "autonomous community"). However, there is also a constant presence of ontological sentences regarding broader realities, specially in the case of the Basque Country decisions. The ontological sentences within the descriptive ones are more numerous: 84.44% in the Basque Country, and 68.85% in Catalonia (table 2.1), but they do not represent a high LD (0.85 and 0.52, respectively)(tables 2.4, 2.6).

2.2 The hypothesis should be rejected. Not only do gnoseological sentences not increase in number when referring to larger realities than that of the AC ($x > AC$), but they are also scarce, disperse, and semantically vague in all the legislative blocks. As a whole they only represent 8.89% of the descriptive sentences in the Basque decisions, and 9.84% in the Catalanian ones (LD=0.09 and LD=0.07 respectively)(tables 2.4, 2.5). We cannot speak about justifications in neither of the two parliaments, nor can we speak about justifications based on the "scientific knowledge of reality" in any legislative block (table 2.2).

2.3 The hypothesis is met. Practically all the sentences about knowledge based on practical experience are used in the moment of justifying the revision of previous norms. The absence of these sentences in both AC's when referring to general colectivities ($x > AC$) is remarkable. They represent only 6.67% of legitimatory descriptive sentences in the Basque Country (LD=0.09), whilst in Catalonia they represent 21.31% (LD=0.16) (table 2.1 and 2.2).

3. Prescriptive sentences based on values, principles, and objectives

Hypothesis 3

3.1 In both AC's the most frequently employed reasonings will fundamentally be those of an impartial-general and impartial-particular character. Partial-general reasonings will also be used when referring to "national-cultural" values or objectives.

3.2 The most frequently used legitimacy values and principles in the Basque Country will be those of national, democratic, and social character, whilst in Catalonia they will be national, liberal, and social.

3.1 Only the first part of the hypothesis is confirmed. The arguments used the most in legislative decisions are, in effect, those of an impartial-general and impartial-particular character. We can assess this in all the legislative blocks of both AC's. However, the impartial-particular reasonings have a much scarcer presence in all the different types of values and objectives, specially in the Basque Country. Therefore, the most concrete characteristic of the Catalonian legitimations is maintained, like we saw in the descriptive sentences. The second part of the hypothesis must be rejected. No reasonings of a partial character (general or particular) appear in either of the two AC's (There is an exception in the Basque Country with the objective of avoiding the immigrants from other communities benefitting from the "social salary" of this AC).

3.2 This hypothesis must be rejected. Firstly, the values of a "national" kind are very scarce (three explicit references in Catalonia and one in the Basque Country). Therefore we see how the nationalist cleavage is hardly reflected in the decisions of either of the two AC's. Secondly, in spite of the fact that the type of values and objectives obviously depend on the regulated subject, we can observe how in the case of the Basque Country, the most used values (with a LD > 0.5) are those of a socio-economic and democratic-participative type (they especially appear in blocks 2,3,4), followed by those of a technical-functional type (blocks 3 and 5)(table 3.1). In Catalonia, with the same minimal figure of density, the values and objectives most present are those of a social-economic type (they appear in all the legislative blocks, and profusely in blocks 2,3,4), as well as those of a technical-functional type (blocks 2 and 3)(table 3.2). It is worthwhile highlighting the greater presence of ecological values and objectives in the Catalonian decisions while, in contrast, those of a liberal-protective type are

scarce and even less present than in the Basque Country (table 3.3). Globally, the Basque decisions present a slightly bigger legitimacy density (2.38 as opposed to 1.99)(For the concrete values and objectives involved in each type of normative traditions, see note 9)

Both parliaments reflect the change in western democracies from liberal to social values. So, legitimacy values change within the same political system (Weil 1989). However, the dominant presence of socio-economic and technical values can imply a general crisis of trust when the objectives of economic and social policies are not reached in an economic recession. This applies specially to a country with a weak democratic culture like Spain. In this case the discredit of policies (and political parties) could be closer to the discredit of politics than in other liberal democracies.

4. Prescriptive sentences based on instrumental criteria

Hypothesis 4

4.1 The participative formulation of policies will act as a legitimacy factor more in the Basque legislative decisions than in the Catalan ones (coherent with hypothesis 3.2)

4.2 The criteria for legislative decision-making will be more important in terms of relative figures in Catalonia than in the Basque Country.

4.3 The criteria for the political-administrative implementation will present the same features in both AC's. Among them the most important will be: the interadministrative coordination (specially with local power), the simplification and rationalization of the policies, and the inclusion of private management techniques.

4.1 The hypothesis is rejected (consistent with point 3.2). Although in the Basque legislative decisions references to "social participation" and "public debate" appear in the formulation of policies, these are always dispersed and very generic (except for some references to consulting and assessing functions). The global legitimacy density of this section is only 0.16 in the Basque Country. With reference to the Catalan decisions, these references have even less importance: legitimacy density=0.02 (table 4)

4.2 The hypothesis is confirmed, although neither of the two AC's obtain a legitimacy density higher than 0.5. The criteria for legal processing appears in all the legislative blocks in Catalonia. The most common among them are those that clarify and simplify the legislation in order

to avoid ambiguity, as well as adjusting it to new economic and legal realities. The presence of political-administrative criteria is less in Basque decisions (specially in blocks 1,2,5), although when they appear they are the same as those of the Catalanian ones. The legitimacy density is 0.27 in the Basque Country and 0.44 in Catalonia (table 4)

4.3 The hypothesis is also met. The implementation criteria are those which are most used within the instrumental normative sentences. The most common among them are: i) the coordination between: i1) the different public administrations (it appears in all the blocks in both AC's), i2) between the implementation of different administrative departments, i3) between the administration and "civil society" organizations (The Basque Country, blocks 2 and 3; Catalonia, blocks 1,3,4,5); ii) the rationalization-deconcentration of public management (3; 2,3,4); and iii) the establishing of a set of sanctions (1,2; 2,5) and economic and tax incentives (1,2; 1,2). References to the inclusion of private management techniques are only found in the Catalanian decisions (blocks 2,5). The legitimacy densities in this section are 0.96 in the Basque Country and 0.82 in Catalonia (table 4).

II.3 Conclusions about the applied case

1) The formal requirements of *exhaustivity* and *simplicity* are met in the analytical scheme proposed. Regarding the third requirement, *exclusivity*, we can assess that some values, principles, or objectives (section 1.3) could be placed in more than one normative tradition. However, it is possible to place them with ease when the general content of the legislative decision is considered.

2) Broadly speaking, it is possible to observe that of the different predominant cleavages in the political life of both communities, three in the Basque Country and two in Catalonia, only the socio-economic one has a relevant presence in the legitimacy of legislative decisions. In spite of its decisive importance in the arena of daily confrontation between the principal actors of the political system, the national cleavage occupies a much lesser position in the legislative decisions of both AC's. With reference to the Basque Country, the armed violence cleavage is not explicitly reflected in these decisions. The Basque decisions reflect a "functional", "socio-economic", and "democratic" will, whilst the Catalanian ones reflect a more technical and social attitude with explicit references to the economic market. "Liberal", "ecological" and "cultural-national" are the less reflected normative political traditions in the legislative decisions of both AC's. In any

case, there is a clearer link between the Basque decisions and the "republican" approach to democracy than in the Catalanian decisions, which combine economic "liberal" references, with republican cultural rather than political ones (Manin 1987, Ferrarotti 1987). However, the existence of some Basque references that point out the fact that the "social" intervention of the state should avoid citizen's attitudes towards dependency or clientelism is remarkable.

So, the threefold division in the classical approaches to political legitimacy among the authorities, the political system, and the community does not work very well in these legislative decisions. The three levels appear mixed in the different types of normative values and criteria. (This is a partial conclusion which can be connected with what was assessed by a previous study about the determinants of support for and opposition to the Francoism and liberal-democratic systems after the Spanish transition. The result was that "The Franquist system remains more polarizing than does the democratic system; the constituencies of the democratic regime are considerable broader and more heterogeneous", McDonough-Barnes-LópezPina 1986:735)

3) A slightly higher global legitimacy density is observed in the Basque legislative decisions (4.93 as opposed to 4.19). This difference is mainly placed in the prescriptive sentences based on values and objectives (2.38 versus 1.99), and in the descriptive sentences (1 versus 0.74). In terms of the legislative blocks the density is always higher in the Basque Country, except in block 5 (economy). The legislative decisions of block 2 have the highest legitimacy density in both AC's (table 5).

4) As a methodological conclusion we can try to establish an empirical formula which involves the different legitimacy criteria seen in the previous section. This formula, still empirically undeveloped, can permit comparative studies with other European or Spanish legislations, or with other Basque or Catalanian political decisions (executive, judicial, etc). We can establish a "weight" figure of the legitimacy density of the legislative decisions of both AC's:

LD=Legitimatory density
NoL=Number of legislative decisions
AC=Autonomous Community
BC=Basque Country
Ct=Catalonia

$$A) \text{ Global LD} = \sum [\text{LD}(\text{AC})_i \times \text{NoL}(\text{AC})_i] / \sum \text{NoL}(\text{AC})_i$$

In our case,

$$\text{LD Basque Country (BC)} = 4.93 - 0.19 = 4.74$$

$$\text{LD Catalonia (Ct)} = 4.19 - 0.17 = 4.02$$

$$\text{Global LD} = (4.74 \times 45) + (4.02 \times 82) / 45 + 82 = 4.28$$

(This is the provisional weight figure for the LD of the two Spanish AC's)

B) According to the type of sentence:

d=descriptive sentences

p.v.=prescriptive sentences based on values and objectives

p.i.=prescriptive instrumental sentences

$$\text{LD}(d,pv,pt) = \sum [\text{LD}(d, pv, pt)(\text{AC})_i \times \text{NoL}(\text{AC})_i] / \sum \text{NoL}(\text{AC})_i$$

In our case,

$$\text{LD}(d) = (1 \times 45) + (0.74 \times 82) / 45 + 82 = 0.832$$

$$\text{LD}(p.v) = (2.38 \times 45) + (1.99 \times 82) / 45 + 82 = 2.13$$

$$\text{LD}(p.i) = (1.36 \times 45) + (1.28 \times 82) / 45 + 82 = 1.31$$

Within the LD(pv) we can establish the particular contribution of the different prescriptive traditions:

$$\text{LD}(pv)_i = \sum \text{LD}(pv)_i \times \text{NoL}(pv)_i / \sum \text{NoL}(pv)_i$$

The final results obtained are:

$$1. \text{LD liberal-protective} = 0.12$$

$$2. \text{LD democratic-particip} = 0.31$$

$$3. \text{LD socio-economic} = 0.66$$

$$4. \text{LD ecological} = 0.17$$

$$5. \text{LD cultural-national} = 0.31$$

$$6. \text{LD technical-functional} = 0.56$$

Only the socio-economic and technical-functional values and objectives have a global legitimacy density higher than 0.5.

C) According to the legislative blocks:

$$LD(n) = \frac{\sum LD(n)_i \times NoL(n)_i}{\sum NoL(n)_i}$$

(n)_i = legislative block (n=1,2,3,4,5)

$$LD1 = (44.03 + 68.96) / 6 + 17 = 4.91$$

$$LD2 = (51 + 67.99) / 6 + 13 = 6.26$$

$$LD3 = (64 + 100.08) / 10 + 24 = 4.83$$

$$LD4 = (26.01 + 53.06) / 3 + 14 = 4.65$$

$$LD5 = (25.08 + 38.85) / 19 + 15 = 1.88$$

III. Final comment

A theory of democracy needs to be reminded of the information provided by the processes of legitimation. Ekstein formulated his well-known "explicative" conception about the *congruence* between the models of authority within a political system and its society some decades ago. More recently, Habermas, in a more normative way, has tried to show a *congruence* between his communicative conception and Kohlberg's theory of moral reasoning (in spite of Kohlberg's support for Rawls's kantian normativism. Kohlberg 1981). As is known, Habermas integrated Kohlberg's levels 5 and 6 into the same level within the *postconventional* sphere of moral reasoning: the social perspective of both is presided by principles which would orientate individuals towards the "principles of justice". Habermas, however, formulated the existence of a superior level where the same idea of justice would be oriented towards the "procedimental foundation of norms", presumably organised through some kind of inconcrete "participative" democracy (Habermas 1983, 1987).

Without entering into a criticism of this point I would like to show up the fact that in the analitical scheme proposed in the first section of this paper, the prescriptive sentences based on values, principles and objectives use different levels of reasoning according to Kohlberg's and Habermas's typology. So, while impartial-general and impartial-particular reasonings would be situated in the postconventional sphere, those of a partial character would be placed in the conventional one (and some in the pre-conventional one). In the analysis of legislative decisions I have only found arguments of the first kind in contrast with

what we can see in other political arenas. This leads me to the obvious conclusion that legislative decisions use a more "developed" discourse, according with Kohlberg's patterns, than those used in the legitimation in other political arenas. However, I think that only an empirical analysis of the practical degree of legitimation through empirical indices (Weatherford 1992) will tell us whether or not that greater degree of development is proportional to its legitimacy efficiency (or to its lack of it).

Unlike Habermas, it is one thing to say that individual identity is constructed through the language, and it is another thing to identify the subject with her/his linguistic constitution (Warren 1992). In fact, it is also an empirical question to establish what kind of "rationality" is more relevant in the different acts of speech involved in legitimacy issues. I think we need a more pragmatic political theory based on the different components of the self in western societies (Walzer 1983). Components that are endowed with their own logic, which represents an structural limit for the "evolution" of liberal democracies and for their legitimation. The intention of this paper has been to contribute to this kind of political theory. I think that the analysis of legitimacy of political decisions from a political theory perspective represents a fruitful theoretical arena when it comes to linking the discussion about some normative conceptions with the empirical processes of legitimation (Barker 1990). Paradoxically, it seems that there is now a coincidence between the consolidation of the legitimacy of liberal democracies as political systems and the increasing erosion of the legitimation of their governments in the 90's (I think this is the only "legitimation crisis" in western political systems).

NOTES

(1) On the other hand, the increase of specialisation has crystallised into different university departments, research centres, and groups of professionals who analyse political legitimacy from some unconnected academic traditions, specially constitutional law, moral philosophy, political philosophy, sociology, and political science. The first three usually stress the macro epistemological position of an impartial observer who is capable of deciding

on the legitimacy of a political system or of some policies using external legal or ethical patterns (Olivas 1991, Heins 1990, Lübke 1990, Connolly 1984). In contrast, the epistemological interest of the the two last academic traditions tends to be more explicative than prescriptive (Weatherford 1992, Weil 1989, McDonough-Barnes-López Pina 1986). They are more concerned with the internal processes of legitimation of a collective than with external standards of the evaluation of legitimacy of a political system. Their questions are more oriented towards explaining why a certain political system has won or lost legitimacy rather than explaining why such a system is more or less legitimated than an alternative one. However, in order to answer the first *why* we will often need the reasons which appeared in response to the second *why* (Beetham 1991, Held 1989:ch4). Having reviewed Beetham, I say that a contemporary political system is legitimated "to the extend that":

1. Sphere of legitimacy

1.1 Political power has been acquired and is exercised through decisions implemented in accordance with legal rules which define organisational principles, decision-making norms, and collective objectives

1.2 a The above principles, norms, and objectives can be justified in relation to the values, beliefs, and knowledge shared mainly by institutions, political actors (including the press) and citizens

1.2 b The set of incentives and sanctions of the political system can be justified according to the same terms in 1.2 a

2. Sphere of legitimation

2.1 The institutions and main political actors (including the press) display supportive attitudes and behaviour towards the principles, norms and objectives of the political system (the same applies to the set of incentives and sanctions)

2.2 Citizens display supportive attitudes and behaviour towards the principles, norms and objectives of the political system (the same applies to the set of incentive and sanctions) (plane of politics)

2.3 Citizens display supportive attitudes and behaviour towards the decisions of the main political actors, specially those who rule the main political institutions (plane of policies).

This general (and attempted) characterization follows from what D.Beetham establishes, although I distinguish between the legitimacy and legitimation spheres, as well as between the level of the political actors and that of citizens within of the last one. The analytical scheme proposed in this paper specially focuses on the sphere 1.2 a) (As criticism of Weber's work, see also Matheson 1987, Campbell 1986)

(2) This contrast between partial and impartial reasonings is related to the distinction between *agent-neutral* and *agent-relative* justifications that are found in some contemporary ethical-analytical approaches (Parfit 1984, Nagel 1986, Stocker 1992)

(3) This point is developed in Requejo 1990

(4) Percentage of the Basque, Catalan, Spanish, and European population that assert their trust in several institutions:

	Catalonia	Basq C	Spain	Europe*
The Church	39	47	52	49
The Armed Forces	30	17	42	52
The Educational System	61	60	61	55
The Legal System	44	40	45	50
The Press	55	52	51	34
Unions	35	42	39	33
The Police	51	28	57	67
Parliament	55	30	42	43
Civil Servants	34	27	36	39
Large Enterprises	50	37	48	50
The Health Services	38	43	39	51
The European Community	50	43	51	57
NATO	20	12	23	45
<i>Sample</i>	<i>1064</i>	<i>2127</i>	<i>2637</i>	<i>15540</i>

Political attitudes of the Basque, Catalanian, Spanish and European population:

	Catalonia	Basq C	Spain	Europe*
Sign a petition				
Has done so	17	37	18	49
Could do so	43	29	32	28
Will never do so	27	20	31	16
Don't know/answer	13	14	19	6
Back boycotts				
Has done so	3	12	4	9
Could do so	27	29	20	33
Will never do so	54	40	57	48
Don't know/answer	15	18	19	9
Participate in authorised demonstrations				
Has done so	14	40	19	23
Could do so	42	29	35	35
Will never do so	31	20	33	36
Don't know/answer	13	10	14	6
Participate in illegal strikes				
Has done so	4	13	4	6
Could do so	21	23	15	17
Will never do so	64	47	65	69
Don't know/answer	12	17	16	8
Sit in in factories or buildings				
Has done so	1	6	2	4
Could do so	19	23	14	15
Will never do so	65	53	67	74
Don't know/answer	15	19	17	8

*Study developed in 17 European States and three minor communities (Basque Country, Catalonia, Flanders). Source: *European Value Systems Study Group* (1990). F.A.Orizo

(1991): *El sistema de valores dels catalans*, Barcelona ICEM; J.Elzo (coor)(1992):
¿Somos los vascos diferentes? Euskalerrria en la Encuesta Europea de valores, Bilbao,
Deiker-Univ Deusto-Gobierno Vasco.

A study about the political culture of Spaniards in (Montero-Torcal 1990). For the postmaterialist values (Abramsom-Inglehart 1992, Trump 1991, Inglehart 1990)

(5) In the Basque Country the presence of E.T.A. (founded in 1959) has been backed by a secessionist popular movement (Herri Batasuna) which has supported the use of armed violence since the period of Spanish transition (HB was born in 1978). The electoral support for this movement has remained between 15% and 20% in the different elections in the Basque Country (general, autonomous and local). In contrast, in Catalonia the presence of violent groups with nationalist leanings has always been negligible and discontinued, and died out in the beginning of the 90's. On the other hand, the Catalonian independist party ERC (Republicain Left of Catalonia) acts within the limits of legality and explicitly rejects the use of violence. This party has about 8% of electoral support (1992), having increased its votes after overcoming several internal crisis.

(6) Although the legislative decisions of both AC's represents round 25% of the global Spanish autonomous decisions, they make up 50% of the political conflictivity with the central power (in number of conflicts brought before the Spanish Constitutional Court). This conflictivity has decreased substancially since 1988. (I have taken under consideration the prefaces of all the legislative decisions in the periods analysed, and the rest of the law if it was necessary).

(7) The governing coalition in Catalonia (Convergència i Unió) is an electoral coalition too. It has been in power since the first regional election in 1980. Its political orientation is nationalist and center-right. It has had absolute majority in the Catalonian Parliament during the last two legislative periods.

(8) The governing coalition in the Basque Government consisted of three parties which competed between them in the elections (PNV, PSOE, and EE). At present the EE, a small nationalist and left wing party has joined with the socialist one (PSOE). The PNV's political orientation is similar to the CiU's in Catalonia: nationalist and center-right. The governing coalition was different during 1991 (PNV-EE-EA)(EA is a national radical party which broke away from the PNV). The legislative production was insignificant : five laws. The former governing coalition (PNV-PSOE-EE) was reestablished at the end of 1991 (The legislative production of this year belongs to the fourth legislative period in this AC).

(9) I have only included the conclusions and not the analysis of the forty legislative blocks (five of each AC within the four different types of normatives sentences) in order to restrict the paper to a reasonable length. Whoever is interested can apply for it from the paper's author)

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TABLE 0.1

BASQUE COUNTRY

Legislative Decisions

LEGISL. BLOCKS	YEAR LEGISL. AREAS	1987 3rd LEGIS. PERIOD			1988			1989			1990			1991 4th LEGIS. PERIOD		
		LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.
1	CULTURE	-	-	-	5	1	-	-	-	-	7	1	-	-	-	-
	EDUCATION	-	-	-	10,13	2	-	-	-	-	-	-	-	-	-	-
	UNIVERSITIES	-	-	0	-	-	3	-	-	1	-	-	-	-	-	-
	ENVIRONMENT	-	-	-	-	-	-	1,5	2	-	-	-	-	-	-	-
2	HEALTH AND	-	-	1	7,15	2	2	-	-	1	2	-	-	-	-	-
	SOCIAL SERVICES	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	URBAN PLANNING	9	1	-	-	-	-	2,9	2	-	-	-	-	-	1	-
	AND PUBLIC WORKS	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	TERRITORIAL POLICY	-	-	2	-	-	4	-	-	-	1,4	2	-	-	-	-
	INSTITUT. DEVELOP.	1	1	-	1	1	-	-	-	5	1	3	-	-	-	-
	ADMIN. DEVELOPMENT	8	1	-	2,11,14	3	-	6	1	-	-	-	-	-	-	-
	CIVIL LAW	-	-	0	8	1	-	-	-	-	-	-	-	-	-	-
4	ASSOCIATIONS	-	-	0	3	1	2	-	-	-	6	1	1	-	-	-
	ECONOMY	10	1	8	6,12	2	6	7,3	2	3	1	1	-	-	2	-
5	BUDGETORY LEG.	2,3,4,5, 6,7,11	7	-	4,8,9,17	4	-	4,10	2	-	-	-	-	-	2	-
	TOTAL			11			17			10		7		45		12,86

*1 Legislative Time Index - 3,5 a. (1991 Excluded)

TABLE 0.2

CATALONIA

Legislative Decisions

LEGISL. BLOCKS	YEAR LEGISL. AREAS	1988 ^{*1}						1989						1990						1991						LEGISLAT. AVERAGE 3rd LEGIS.	
		3rd LEGIS. PERIOD			LEG. BL.			LEG. BL.			LEG. BL.			LEG. BL.			LEG. BL.			LEG. BL.							
		LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.	LAWS	No LAWS	LEG. BL.		
1	CULTURE	-	-	-	8	1	-	10,17	2	-	-	10,17	2	-	-	-	-	-	-	-	-	-	-	3	-	-	4,81
	EDUCATION	-	-	-	-	-	11	1	-	-	11	1	-	-	-	3,11,12,34	6	-	-	-	-	-	-	7	-	-	-
	UNIVERSITIES	-	-	0	-	-	7	1	2	-	-	19,22	2	5	-	35,36	2+1	-	-	-	-	-	-	5+1	-	-	15+1
	EDUCATION	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2,17	2+1	-	-	-	-	-	-	5+1	-	-	-
2	HEALTH AND	12	1	1	-	-	15	1	-	0	-	15	1	-	-	10,20,24,31	7	-	-	-	-	-	-	9	-	-	3,9
	SOCIAL SERVICES	-	-	1	-	-	-	-	-	-	-	-	-	-	-	37,38,39	-	-	-	-	-	-	-	-	-	-	-
	URBAN PLANNING	-	-	-	-	-	-	-	-	-	-	4,5,12	3+1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	AND PUBLIC WORKS	-	-	-	-	-	-	-	-	-	-	Leg. Decr.1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
3	TERRITORIAL POLICY	-	-	-	-	-	-	-	-	-	-	3,16	2	-	-	26,27	2	-	-	-	-	-	-	4	-	-	7,21
	INSTITUT. DEVELOP.	-	-	-	12	1	-	-	-	-	-	-	-	-	-	15	1	-	-	-	-	-	2	-	-	-	
	ADMIN. DEVELOPMENT	11	1	1	1,5,10,11	5	6	2,18,21	3	5	5	2,18,21	3	5	4,5,8,9,16	8+1	-	-	-	-	-	-	17+1	-	-	23+1	
		-	-	-	13	-	-	13	-	-	-	Leg. Decr.1	-	-	19,21,25	-	-	-	-	-	-	-	-	3+1	-	-	-
4	CIVIL LAW	-	-	-	-	-	-	6,8,13	3	-	-	6,8,13	3	-	-	7,22,29,40	4	-	-	-	-	-	7	-	-	4,2	
	ASSOCIATIONS	-	-	0	3,4	2	2	7	1	2	2	7	1	4	6,13,18,28	4	-	-	-	-	-	4	-	-	14		
	ECONOMY	-	-	1	2,6	2+1	3+1	1	1	1	1	1	1	4	1,23,30,33	4	-	-	-	-	-	7+1	-	-	4,5		
5	BUDGETORY LEG.	13	1	3	9	1	9,14,20	3	13+1	13+1	9,14,20	3	22+1	22+1	14,32	2	-	-	-	-	-	-	7	-	-	24,62	
	TOTAL			3																							

*1 3rd Legis. Period: From Law 11/88.

*2 Legislative Time Index: 3,33 a.

TABLE 0.3								
NUMBER OF LAWS WITHOUT AN EXPLICIT LEGITIMATORY REASONING.								
REASONING.			TOTAL 3rd LEGISLATIVE PERIOD					
LEGISLAT. BLOCKS	BASQUE COUNTRY	%	CATALONIA					
			LAWS	%	LEGISLATIVE DECREE	%	TOTAL CATALONIA	%
1	0 / 7	0	0 / 15	0	1 / 1	100	1 / 16	6,25
2	1 / 6	16,66	0 / 12	0	1 / 1	100	1 / 13	7,69
3	1 / 10	10	0 / 23	0	0 / 1	0	0 / 24	0
4	0 / 3	0	2 / 7	28,57	.	.	2 / 7	28,57
5	14 / 19	73,68	4 / 14	28,57	1 / 1	100	5 / 15	33,33
TOTAL	16 / 45	35,55	6 / 78	7,69	3 / 4	75	9 / 82	10,98

TABLE 0.4							
3rd LEGISLATIVE PERIOD							
LAWS WITH EXPLICIT LEGITIMATORY NORMATIVITY				LAWS WITHOUT EXPLICIT LEGITIMATORY NORMATIVITY			
BASQUE COUNT.	%	CATALONIA	%	BASQUE COUNT.	%	CATALONIA	%
29 / 45	64,45	73 / 82	89,02	16 / 45	35,55	9 / 82	10,98

TABLE 1				
LEGAL NORMATIVE SENTENCES *				
LEGISLATIVE	BASQUE COUNTRY	LEGITIM. DENSITY	CATALONIA	LEGITIM. DENSITY
1	3 / 7	0,43	2 / 15	0,13
2	2 / 6	0,33	4 / 12	0,33
3	1 / 10	0,10	2 / 23	0,09
4	0 / 3	0	1 / 14	0,07
5	0 / 6	0	3 / 7	0,43
TOTAL	6 / 32	0,19	12 / 71	0,17

* BUDGETARY LAWS AND LEGISLATIVES DECREES ARE EXCLUDED.

TABLE 2.1

SENTENCES	ONTOLOGICAL										GNOSEOLOGICAL										PRACTICAL EXPERIENCE															
	BASQUE COUNTRY					CATALONIA					BASQUE COUNTRY					CATALONIA					BASQUE COUNTRY					CATALONIA										
	1	2	3	4	5	TOTAL	1	2	3	4	5	TOTAL	1	2	3	4	5	TOTAL	1	2	3	4	5	TOTAL	1	2	3	4	5	TOTAL						
AC	5	0	0	2	0	7	3	0	5	5	1	14	0	0	0	0	0	0	0	0	0	3	0	3	0	0	0	0	0	0	2	0	3	0	2	7
X < AC	3	0	5	0	2	10	3	7	5	2	4	21	0	3	0	1	0	4	1	0	1	0	0	2	0	1	1	0	1	3	1	3	2	0	0	6
X > AC	1	9	5	6	0	21	2	1	1	2	1	7	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	9	9	10	8	2	38	8	8	11	9	6	42	0	3	0	1	0	4	1	0	1	4	0	6	0	1	1	0	1	3	3	3	5	0	2	13

TABLE 2.2

ABSOLUTE DISTRIBUTION OF LEGITIMATORY DESCRIPTIVE SENTENCES (I)											
SENTENC.	ONTOLOGICAL		GNOSEOLOGICAL					PRACT. EXPERIENCE		TOTAL	
AC	BASQUE.C. CATALONIA		BASQUE.C. CATALONIA		BASQUE.C. CATALONIA			BASQUE.C. CATALONIA		BASQUE.C. CATALONIA	
	38	42	4	6	3	13	45	61			
TOTAL	80		10					16		106	

TABLE 2.3

ABSOLUTE DISTRIBUTION OF LEGITIMATORY DESCRIPTIVE SENTENCES (II)											
SENTENC.	X < AC		X = AC					X > AC		TOTAL	
AC	BASQUE.C. CATALONIA		BASQUE.C. CATALONIA		BASQUE.C. CATALONIA			BASQUE.C. CATALONIA		BASQUE.C. CATALONIA	
	7	24	17	29	21	8	45	61			
TOTAL	31		46					29		106	

TABLE 2.4								
BASQUE COUNTRY: LEGITIMATORY DENSITY OF DESCRIPTIVE SENTENCES (I)								
No OF LEGITIMATORY DESCRIPTIVE SENTENCES								
No OF LEGISLATIVE DECISIONS								
LEGIS. BLOCKS \ SENTENCES	ONTOLOGICAL	LEGITM. DENSITY	GNOSEOLOGICAL	LEGITM. DENSITY	PRACTICAL EXPERIENCE	LEGITM. DENSITY	TOTAL	LEGITM. DENSITY
1	9 / 7	1,29	0 / 7	0	0 / 7	0	9 / 7	1,29
2	9 / 6	1,5	3 / 6	0,5	1 / 6	0,17	13 / 6	2,17
3	10 / 10	1	0 / 10	0	1 / 10	0,1	11 / 10	1,1
4	8 / 3	2,66	1 / 3	0,33	0 / 3	0	9 / 3	3
5	2 / 19	0,11	0 / 19	0	1 / 19	0,05	3 / 19	0,16
TOTAL	38 / 45	0,84	4 / 45	0,09	3 / 45	0,07	45 / 45	1

TABLE 2.5								
BASQUE COUNTRY: LEGITIMATORY DENSITY OF DESCRIPTIVE SENTENCES (II)								
LEGIS. BLOCKS \ SENTENCES	X < AC	LEGITM. DENSITY	X = AC	LEGITM. DENSITY	X > AC	LEGITM. DENSITY	TOTAL	LEGITM. DENSITY
1	5 / 7	0,71	3 / 7	0,43	1 / 7	0,14	9 / 7	1,29
2	0 / 6	0	4 / 6	0,66	9 / 6	1,5	13 / 6	2,17
3	0 / 10	0	6 / 10	0,6	5 / 10	0,5	11 / 10	1,1
4	2 / 3	0,66	1 / 3	0,33	6 / 3	2	9 / 3	3
5	0 / 19	0	3 / 19	0,16	0 / 19	0	3 / 19	0,16
TOTAL	7 / 45	0,16	17 / 45	0,37	21 / 45	0,47	45 / 45	1

TABLE 2.6								
CATALONIA: LEGITIMATORY DENSITY OF DESCRIPTIVE SENTENCES (I)								
LEGIS. BLOCKS. \ SENTENCES	ONTOLOGICAL	LEGITM. DENSITY	GNOSEOLOGICAL	LEGITM. DENSITY	PRACTICAL EXPERIENCE	LEGITM. DENSITY	TOTAL	LEGITM. DENSITY
1	8 / 16	0,5	1 / 16	0,62	3 / 16	0,19	12 / 16	0,75
2	8 / 13	0,62	0 / 13	0	3 / 13	0,23	11 / 13	0,85
3	11 / 24	0,46	1 / 24	0,04	5 / 24	0,21	17 / 24	0,71
4	9 / 14	0,64	4 / 14	0,29	0 / 14	0	13 / 14	0,93
5	6 / 15	0,4	0 / 15	0	2 / 15	0,13	8 / 15	0,53
TOTAL	42 / 82	0,51	6 / 82	0,07	13 / 82	0,16	61 / 82	0,74

TABLE 2.7								
CATALONIA: LEGITIMATORY DENSITY OF DESCRIPTIVE SENTENCES (II)								
LEGIS. BLOCKS. \ SENTENCES	X < AC	LEGITM. DENSITY	X = AC	LEGITM. DENSITY	X > AC	LEGITM. DENSITY	TOTAL	LEGITM. DENSITY
1	5 / 16	0,31	5 / 16	0,31	2 / 16	0,125	12 / 16	0,75
2	0 / 13	0	10 / 13	0,77	1 / 13	0,08	11 / 13	0,85
3	8 / 24	0,33	8 / 24	0,33	1 / 24	0,04	17 / 24	0,71
4	8 / 14	0,57	2 / 14	0,14	3 / 14	0,21	13 / 14	0,93
5	3 / 15	0,2	4 / 15	0,27	1 / 15	0,07	8 / 15	0,53
TOTAL	24 / 82	0,29	29 / 82	0,35	8 / 82	0,1	61 / 82	0,74

LEGISLATIVE BLOCKS	LIBERAL PROTECTIVE		DEMOCRATIC PARTICIPATIVE		SOCIO-ECONOMIC		ECOLOGICAL		CULTURAL NATIONAL		TECHNICAL FUNCTIONAL		OTHERS	TOTAL	LEGITIM. DENSITY
1	2 / 7	0,29	4 / 7	0,57	0 / 7	0	2 / 7	0,29	14 / 7	2	2 / 7	0,29	0	24 / 7	3,43
2	1 / 6	0,17	0 / 6	0	16 / 6	2,67	0 / 6	0	1 / 6	0,17	2 / 6	0,33	0	20 / 6	3,33
3	3 / 10	0,33	13 / 10	1,3	8 / 10	0,8	1 / 10	0,1	3 / 10	0,33	11 / 10	1,1	0	39 / 10	3,9
4	3 / 3	1	7 / 3	2,33	4 / 3	1,33	0 / 3	0	0 / 3	0	0 / 3	0	0	14 / 3	4,67
5	1 / 19	0,53	1 / 19	0,53	0 / 19	0	0 / 19	0	0 / 19	0	8 / 19	0,42	0	10 / 19	0,53
TOTAL	10 / 45	0,22	25 / 45	0,56	28 / 45	0,62	3 / 45	0,07	18 / 45	0,4	23 / 45	0,51	0	107 / 45	2,38

LEGISLATIVE BLOCKS	LIBERAL PROTECTIVE		DEMOCRATIC PARTICIPATIVE		SOCIO-ECONOMIC		ECOLOGICAL		CULTURAL NATIONAL		TECHNICAL FUNCTIONAL		OTHERS	TOTAL	LEGITIM. DENSITY
1	0 / 16	0	2 / 16	0,125	4 / 16	0,25	12 / 16	0,75	13 / 16	0,81	5 / 16	0,31	1	36 / 16	2,25
2	1 / 13	0,08	3 / 13	0,23	21 / 13	1,62	0 / 13	0	0 / 13	0	7 / 13	0,54	0	32 / 13	2,46
3	3 / 24	0,125	5 / 24	0,21	15 / 24	0,625	6 / 24	0,25	7 / 24	0,29	23 / 24	0,96	0	59 / 24	2,46
4	2 / 14	0,14	4 / 14	0,29	10 / 14	0,71	0 / 14	0	0 / 14	0	6 / 14	0,43	2	22 / 14	1,57
5	0 / 15	0	0 / 15	0	6 / 15	0,4	0 / 15	0	1 / 15	0,67	7 / 15	0,47	0	14 / 15	0,93
TOTAL	6 / 82	0,07	14 / 82	0,17	56 / 82	0,68	18 / 82	0,22	21 / 82	0,26	48 / 82	0,59	3	163 / 82	1,99

	BASQUE C.	CATALONIA
LIBER. PROTECT.	0,22	0,07
DEM. PARTICIP.	0,56	0,17
SOCIO-ECON.	0,62	0,68
ECOLOGICAL	0,07	0,22
CULT. NATIONAL	0,4	0,26
TECHN. FUNCTIONAL	0,51	0,59
TOTAL	2,38	1,99

TABLE 4

INSTRUMENTAL PRESCRIPTIVE SENTENCES

LEGISLATIVE BLOCKS	POLICY FORMATION			LEGAL PROCESSING			POL.-ADM. IMPLEMENTATION			TOTAL			LEGIT. DENS.			
	BASQUE COUNTRY	LEGIT. DENSITY	CATA-LONIA	BASQUE COUNTRY	LEGIT. DENSITY	CATA-LONIA	BASQUE COUNTRY	LEGIT. DENSITY	CATA-LONIA	BASQUE COUNTRY	LEGIT. DENSITY	CATA-LONIA	BASQUE COUNTRY	CATA-LONIA	BASQUE COUNTRY	CATA-LONIA
1	3 / 7	0,43	2 / 16	0,125	1 / 7	0,14	4 / 16	0,25	7 / 7	1	15 / 16	0,94	11 / 7	21 / 16	1,57	1,31
2	0 / 6	0	0 / 13	0	1 / 6	0,16	5 / 13	0,38	20 / 6	3,33	20 / 13	1,54	21 / 6	25 / 13	3,5	1,92
3	3 / 10	0,3	0 / 24	0	4 / 10	0,4	6 / 24	0,25	7 / 10	0,7	18 / 24	0,75	14 / 10	24 / 24	1,4	1
4	0 / 3	0	0 / 14	0	1 / 3	0,33	13 / 14	0,93	2 / 3	0,66	5 / 14	0,36	3 / 3	18 / 14	1	1,29
5	1 / 19	0,05	0 / 15	0	5 / 19	0,26	8 / 15	0,53	6 / 19	0,32	9 / 15	0,6	12 / 19	17 / 15	0,63	1,13
TOTAL	7 / 45	0,16	2 / 82	0,02	12 / 45	0,27	36 / 82	0,44	42 / 45	0,93	67 / 82	0,82	61 / 45	105 / 82	1,36	1,28

TABLE 5

GLOBAL LEGITIMATORY DENSITY

LEGISLATIVE BLOCKS	LEGITIMATORY DENSITY					TOTAL WEIGHTED				
	1	2	3	4	5	1	2	3	4	5
LEGAL SENTENCES (International References)	0,43	0,33	0,10	0	0	0,19	0,33	0,87	0,07	0,43
DESCRIPTIVE SENTENCES	1,29	2,17	1,1	3	0,16	1	0,85	0,71	0,93	0,53
PRESCRIPTIVE SENTENCES (Values/Objectives)	3,43	3,33	3,9	4,67	0,53	2,38	2,46	2,46	1,57	0,93
INSTRUMENTAL PRESCRIPTIVE SENTENCES	1,57	3,5	1,4	1	0,63	1,36	1,92	1	1,29	1,13
TOTAL	6,72	8,83	6,5	8,67	1,32	4,93	5,56	5,04	3,86	3,02

		PRESCRIPTIVE/NORMATIVITY SENTENCES							
		Lib lim. protect.	Dem. Part.	Socio-Econ	Ecolog.	Cultural	National	Techn-Functional	Others
IMPARTIAL SENTENCES/ REASONINGS	Part								
	Grat								
PARTIAL SENTENCES/ REASONINGS	Part								
	Grat								

SENTENCE	PRESCRIPTIVE/NORMATIVITY SENTENCES		
	ONTOLOGICAL	GNOSEOLOGICAL	PRACTICAL EXPERIENCE
SENTENCE over X Y < AC			
SENTENCE X = AC			
SENTENCE X > AC			

THEORETICAL PRINCIPLES AND CRITERIA	PRESCRIPTIVE/NORMATIVITY SENTENCES		
	Formation of Policies	Legal Processing	Political Administrative Implementation
ORGANIZATIONAL ENTITIES			