



Community administration as cultural policy: Empowering citizens in Eltzia

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Abstract

In the town of Oñati (Basque Country, Spain) we find the community project of Eltzia: a public initiative aimed at enriching local cultural life through the articulation of its creative people. Eltzia is enlightening for having a model of organisation that can be related to the Basque Country's cooperative movement, but also for showing the benefits

We would like to thank the participants of the workshop *The policy of cultural rights: socio-legal perspectives on cultural diversity* carried out in the Oñati International Institute for the Sociology of Law (IISL) in July 20-21, 2017, for their interest in the experience of Eltzia. Their ideas and questions became seeds of this article. We also want to thank Leire Kortabarria for her wonderful work in *Oñati Socio-Legal Series* and the reviewers of this article, whose ideas have helped to bring forward the scholarly value of the Eltzia experience. Finally, we want to acknowledge the work of Ben Wray, who collaborated in the edition of this article and has dealt brilliantly with a multilingual and collective writing process.

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of popular participation in culture policymaking. This research explores Eltzia as an example of democratization of cultural policy through the involvement of citizens; an expression of cultural rights that engages with how law is interpreted. Eltzia emerged from a municipal initiative and its creation was influenced by the participation of the local groups and a private company providing mediation services in social processes of community development. The analysis will focus on the contributions that are drawn from Eltzia in relation to the fields of cultural policy and socio-legal studies.

Key words

Cultural policy; sociology of law; Basque Country; local creativity; participatory process; social democracy

Resumen

El proyecto comunitario de Eltzia se desarrolla en Oñati (País Vasco, España): se trata de una iniciativa pública que tiene por objetivo enriquecer la vida cultural local a partir de la articulación de las personas con intereses creativos. Eltzia es ilustrador de un modelo de organización que se puede relacionar con el movimiento de cooperativas del País Vasco, pero que también muestra los beneficios de la participación popular en los procesos de diseño de política pública. Esta investigación explora Eltzia como un ejemplo de la democratización de la política cultural a través de la participación ciudadana; una expresión de derechos culturales que atiende a los procesos de interpretación del derecho. Eltzia surge de una iniciativa municipal y su creación fue influenciada por la participación de grupos locales y una compañía privada dedicada a los servicios de mediación en procesos sociales de desarrollo comunitario. El análisis se enfocará en las contribuciones que se derivan de Eltzia en relación con los campos de la política cultural y los estudios socio-jurídicos.

Palabras clave

Política cultural; sociología del derecho; País Vasco; creatividad local; procesos participativos; democracia social

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1. Introduction

In the town of Oñati, within the province of Gipuzkoa in the Basque Country (Spain), we find the community project of Eltzia. This is a popular and public initiative aimed at enriching the cultural life in town through the articulation of its creative community. Until Eltzia was created in 2014, the majority of groups belonging to the local cultural sector such as music, dance or theatre collectives worked separately in different places. Additionally, some others struggled to find a suitable venue. Following a citizen's petition, the council of Oñati decided to facilitate a better place and renovate the building of the old Business School owned by the University of Mondragon (Mondragon Unibertsitatea in Basque) – commonly known as ETEO (Escuela Técnica Empresarial de Oñati) –. Today, all the local culture agents are gathered under one same roof. The relocation of this creative community seeks to foster collaboration among the many different groups so as to generate new and stronger initiatives. Eltzia should not be considered just as the building that hosts these groups, but rather as a collective project embodied by the majority of Oñati's cultural actors who are committed to collaborative work and social responsibility. These particularities, indeed, are very much related to the Basque identity.

Oñati has a population of 11,000 people approximately and boasts a very rich and varied cultural activity considering its small size. Eltzia's contribution goes far beyond its role in the town's cultural landscape. If we have a look at its structure and organisational development, Eltzia is not only enlightening for having a model of organisation very similar to the Basque Country's cooperative movement, but also as it shows the benefits of popular participation within the public cultural policy. The Basque Autonomous Community is one of the most prosperous territories in Spain thanks to its high level of manufacture industry and successful cooperative's business model. Mondragon Corporation (Mondragon, Gipuzkoa, 1956), for instance, is the strongest federation of worker cooperatives in Europe with a renowned social economy model and participatory decision-making structure (Sperry 1985, Hoover 1992, Alzelay and Terradillos 2012, Zelik 2017). Moreover, such collective forms of development as well as ownership are not limited to their cooperatives. *Auzolana* (communal work) is strongly rooted in the Basque nature, as the Basque Country has been historically the home of numerous community initiatives evidencing the positive results of popular participation in the social, economic and cultural life (Mitzeltorena 2011). This research work seeks to explore the Eltzia experience as a relevant example of democratization of cultural policy, through the involvement of different local cultural actors; that is, an expression of cultural rights that engages with how law is conceived and lived.

The contribution of Eltzia on the policy of culture is no coincidence since the whole project is closely connected to the local administration. As we shall explain, Eltzia emerged from a municipal initiative but its creation was also influenced by the participation of several actors – members of local cultural groups and a private company called Bagara that provides mediating services in social participatory processes for local community development –. Thanks to their participation, the purposes of Eltzia went further: they were able to design an organisational system to assure the independence of the different collectives within decision-making processes. Moreover, the participatory experience has determined its current success. Eltzia is an effervescent

cultural project in permanent evolution, developed by many very different people, with ever changing rhythms and necessities, and it keeps a firm step in a path of contribution to the cultural landscape for the interests and needs of Oñati's society.

Nevertheless, Eltzia is not only a case worth studying because of its relevant insights into the possibilities of collective management and citizen's participation in cultural policy, but also because of the way it reflects the very unique historical and political context of the Basque Country. As Zelik (2017) suggests, the left wing often fails in building government practices that reflect their commitment to socially constructed agendas. Paradoxically, the left governments in the Basque Country have given evidences of real alternatives, which somehow might be derived from the Basque struggle and *The Long Walk to a Democratic Scenario* well explained by Urko Aiartza and Julen Zabalo (2010, pp. 27-41). The experience and results of Eltzia's cultural project opens a debate on the practices of public policies and their real effects. Eltzia is an example of successful collaborative work between institutions and grassroots organizations aimed at strengthening as well as engaging the local cultural community. Its inclusive way of functioning defined by independent, equal and participatory decision-making processes, brings us to question whether traditional public policies could be enhanced through citizen-centred dynamics. That is, including the different cultural agents not only as mere components or consumers of the cultural sector, but also as fundamental agents of decision-making, which is essential to the practice of cultural rights (Holder 2008). This research will shed lights on the positive impact of the creative community as active subjects of cultural policy.

This article will begin with our methodological approach to the local cultural experience in Oñati and will introduce how Eltzia became an element of academic concern for the study of law and cultural policy. Afterwards, we will present contextual information and explain the background of the project in order to understand how Eltzia has been conceived and developed, as well as account for its current organisational structure. At this point, it will also be explained why this is a good case study in the articulation of local state actors and policy makers towards a process of democratization of cultural policy. Thus, the analysis will go through the contributions that are drawn from this particular case in relation to the fields of cultural policy and socio-legal studies.

2. Bringing Eltzia to the academic discussion

The concern that guides this scholarly intervention into Eltzia's project derives from the workshop *The policy of cultural rights: socio-legal perspectives on cultural diversity* carried out in the Oñati International Institute for the Sociology of Law (IISL) in July 20-21 2017. In general terms, the purpose of the academic meeting was to analyse the policy of cultural rights and diversity with contributions from different geographical contexts – United States of America, Canada, China, Australia, Mexico, Italy, Colombia, among others –. The two-day gathering gave us a good opportunity to understand culture policy from two main interrelated perspectives: the legal precepts and how these are later translated into concrete experiences. The IISL was itself conceived as an opportunity to provide an institutional setting to the international community of researchers interested in non-dogmatic views of law, but also to bring those researchers into contact with the Basque Country itself, in a time were the stigma of the persecution of the Francoist regime was still quite substantial in Spain and around the world (Ibarra

2014). We were meeting in the building where the first university of the Basque country was located and our intention for the workshop was to honour this and bring the Basque experience to the discussion.

The project of Eltzia was presented within the workshop program by Mirari Sagarzazu and Ekain Muñoz, two of the four authors of this article as well as current members of Eltzia. In addition, a visit tour to the building was organised with all the participants of the workshop. The Eltzia experience not only provided the participants a closer insight of the Basque context, but also showed evidence of a real and innovative approach to the management of cultural resources through local collective organisations; as we shall see, independently though articulated with the local administration of Oñati. This way, all the experts involved in the workshop discussed the particular case of Eltzia from perspectives of the sociology of law, cultural policy and media studies. It was effectively the beginning of a longer conversation.

From then on, a collaborative methodology has been developed among the authors of this paper: Mirari Sagarzazu Sacristan and Ekain Muñoz Oñatibia, and the organizers of the workshop Lucero Ibarra Rojas and Miren Manias-Muñoz – both working on the fields of sociology of law and cultural policy –. Collaborative methodologies have been gathering strength in several contexts, namely work in indigenous environments in Latin America (i.e. Leyva and Speed 2008), to highlight the production of knowledge in the interaction between actors and to challenge the perspective in which the social actors' knowledge is denied validity; especially in the contexts of indigenous peoples and the epistemic aspects of colonization. However, we believe the claim can be taken further, as it is an argument for the knowledge that can be found in the everyday practices of people. Furthermore, this agenda is also concurrent with a classical aim of law and society that is to find law as it is lived beyond formal rules, but which remains often understudied beyond the classical institutions of law (like courthouses) (Brigham and Marusek 2017). Thus, the aim of this joint action has been to create a discussion related to the working lines of the two-day meeting in Oñati by bringing the original case of Eltzia into the academic debate.

In order to achieve this, the collaboration began with the draft document presented and discussed during the workshop. The contributions of the participants of the workshop were discussed as well as the authors' own input to engage in a later conversation over the possible outline of this research work. In these conversations¹ the main aspects to be covered were decided and a second draft developed from a scholarly oriented perspective collectively refined and with results gathered in the article we now present. Thus, this research work is not a mere academic analysis with a limited scholarly perspective outside of Eltzia. The reader will find forthcoming the grassroots view of the cultural project through the personal experience of the participants, as well as a scholarly engagement by academics that are not creative actors - including a foreign view on the Basque Country. Indeed, this article resumes a conversation that involves different perspectives and interests. The authors will also try to bring their own expertise in relation to Eltzia as well as to the town of Oñati, and even to the Basque Country, in

¹ A similar collaborative methodological approach developed from a conversation between authors with different backgrounds can also be found in the article that discusses the case of the Fogata Kejtsitani in México (Ibarra *et al.* 2019, in this issue of *Oñati Socio-Legal Series*).

order to highlight a scholarly analysis based on and informed by the practical experience of the participants.

While the workshop was generally focused on cultural policy, the discussion and later conversation deepened the understanding and meaning of Eltzia to the effective practice of cultural rights. Afterwards, in a conversation over the origins of the project, it was explored in full detail what the agenda of this article should be as well as its organisation and its evolution as a learning process. What particularly took our attention was how relations with the local authorities have been developed and how the interaction with the space the participants occupy is defined by the certain rules determining the use of the building. The intention of this research is not to completely transform the framing and meaning of Eltzia into a scholarly agenda, but rather to give evidence of why this particular experience shows us a successful process of democratization in cultural policy and how it can contribute to the academic discussion.

3. Eltzia in the cultural landscape of Oñati

The story of Eltzia is relatively young. The culture building had been an educational centre. In 1960, Arrasate's² centre of professional training extended its services to Oñati. By the 1970s, the Technical School of Business (ETEO) was set in the current building of Eltzia. After two decades, in the 1990s, the University of Mondragon was officially recognised. The study program in Oñati became formalised as higher education and the building turned into the new Faculty of Business (Universia 2010). In 2010, as part of the 50th anniversary, a new university building was inaugurated to accommodate the same Business School in town while leaving the old infrastructure totally empty.

Eltzia started in 2013, in response to the council's call for a participatory process to develop a local cultural project occupying the Business School's old building. The initiative was launched as part of a political campaign from the left-wing party EH Bildu that responded to the complaints of several arts groups, music bands and local collectives regarding the poor condition of their work spaces. Indeed, many creative endeavours were being developed in quite precarious conditions in the streets, bars and other premises. The cultural landscape in the Basque Country is also relevant because it has been a historical mechanism of resistance. One must bear in mind that during the Francoist dictatorial regime, every cultural expression of Basques became illegal (Browne 2015). During this period, the use of Basque language was forbidden and the far-reaching consequences in the society are still visible today.³ In fact, the processes of criminalization and political persecution of the Basques are closely linked to the development of the Basque radical rock movement (Lahusen 1993, Del Amo 2016). Since the early 1980s, the Basque Country has undergone a process of national identity recovery based on language with the consequent success expressed in the wider normalisation of Euskera (Basque) in most aspects (Ortega *et al.* 2016, Eusko Jaurlaritza-Gobierno Vasco *et al.* 2016), but especially thanks to the protection and promotion of it

² Arrasate – “Mondragón” in Spanish – is the Gipuzkoan town about 16 km far from Oñati and is the centre of several of the Basque collective endeavours – including the University of Mondragon –. Although the names in both languages are officially recognised, we will use “Arrasate” as it is the original name.

³ A wider account of Basque history would exceed the purpose of this article. However, a good read is the book *The Basque History of the World* (1999) by Mark Kurlansky.

through public policies on cultural production in Basque-language since the early 2000s (Eusko Jaurlaritz-Gobierno Vasco 2003, 2005). The recovery of Basque-language film production is an example of that (Manias-Muñoz 2016). These policies respond to the consideration that, even though there is an implementation of different schemes of bilingual education, the recovery of a language and the identity it expresses depends on how they play in popular culture, the public sphere and even in domestic interactions (Echeverria 2013). For instance, cooperatives have committees dedicated to the promotion of Euskera at the work place. Thus, it is no surprise that the recovery and promotion of Basque cultural expressions is central to the concerns of local governments. The needs of the local creative groups in this context of cultural revival were the trigger for Eltzia and so the council decided to make use of this huge empty space falling in to disuse.

EH Bildu won the elections so, in order to run the process at the beginning, the governing body hired Bagara: a private and partly public funded company dedicated to promoting community or auto-governing transformative processes. Bagara was in charge of keeping Eltzia's different agents in contact and also did a survey to map the creative agents that were active in town. Eltzia was then conceived as a mixed group: the council, Bagara and the local cultural actors. All together they developed the name of Eltzia as well as set the roots for the collective organisation. This way, Bagara was the intermediary between the council and the local culture sector at the start of the project. During autumn 2013 thirteen groups moved in to the Eltzia facilities, which were not yet altered from when the Business School was using the building. As the project developed and the groups strengthened their organisation, the mediator company was removed.

This shift responded to the different aspects of how the project had unfolded. On the one hand, before this change happened, the important decisions were already taken in the assembly. And on the other hand, Bagara's mission was just to enable people's participation – although sometimes they made decisions above the assembly causing disagreements on the project –. In short, as the collective participation grew, Bagara's role became less and less necessary.

Eltzia's project responded to two wide aims. First, to provide space for already established creative groups; second – and of no less importance – to increase synergies among the participants so new projects could emerge from bringing different (and disconnected) associations together. As a matter of fact, gathering several cultural agents in the same building was part of the municipal strategy, and the cultural life in Oñati was enhanced with new collaborative initiatives. The project has been an important step forward to the local administration, but it has been even more so to the Eltzia community: the number of participants has significantly increased since it began.

Due to the success of the project, the city council initiated the restoration of the building in 2015. These works have been finished in 2017 resulting in a much wider, organised, diverse and healthy project. When we carried out the workshop, Eltzia had as many as 23 different groups making use of Eltzia facilities, and more soon joined. Each organisation conducts very different activities, from theatre to marquetry. The building currently hosts an amateur drama school, an amateur group of photography, more than 15 local music bands that show how relevant music is still in the region, an organic vegetable producer and group of consumers that also relate to the dynamics of

cooperative production, a Bertolarism school -improvised Basque poetry singing-, several painters and carvers, a children's leisure activity team, etc. All these groups taking part in Eltzia are organized into five basic categories:

- Creativity: This category includes groups working on artistic creations (except music which has its own category). Photography, painting, sculpting and poetry are some of the examples.
- Music: The several bands that take part in Eltzia's project are within this category.
- Body: This includes all the groups that are focussed on the body as the main tool for activity, such as dancing or Yoga.
- Grassroots organisations: This category includes groups of activists such as a feminist organisation called Andraitz.
- Neighbourhood: This includes several groups that organise social engaging activities to increase the bonds among neighbourhoods as well as to strengthen the social fabric of the community; for instance, the retired people's group or the group of parents who have created a space seeking the interaction among children and parents.

The project is run thanks to the teamwork and cooperation of all the members accommodated in the *house of culture*, together with the municipality of Oñati. Currently, since Bagara's exit from the project, a council's civil participation technician⁴ is in charge of managing the communication between the local authorities and the cultural agents of Eltzia. At first, it was the culture technician who attended the meetings regarding the project. However, in 2015, the council decided to create a specific job position to promote people's participation within the majority of institutional processes including Eltzia. It is something enlightening; just as other ways in which the citizen's participation has been enabled in Oñati is. Every neighbourhood has a specific budget for general improvement purposes and it is the job of the civil technician to intermediate between the members of the neighbourhood and the town council. In the case of Eltzia, the meetings with the council are held twice a year (in June and November).

Internally, Eltzia's organisation is almost entirely independent from the local administration and it is structured in different levels. The users of the building are responsible for the daily management of the activities as well as the cleaning work. To organise this job there is a Coordinating Group integrated by three people and three subgroups (communication, maintenance and activities), for which all the groups have to appoint representatives and provide resources.

The people involved in these tasks are not elected; rather the composition of the coordinators' group is done through a rotation system so that each person is involved in every task at some point. This is fundamental for the project. Eltzia, as we mentioned in the introduction to this article, is not the name of a building but of a collective project. It is by being part of these commissions that its members realise what Eltzia really entails/means. It is very comfortable to make use of a space as a mere user and then just go back home. However, when a person gets to know all the work that is required to keep such a project up, his or her perspective and commitment changes. It is through collective work that solidarity and community is built. Of course, this also requires an active participation of Eltzia members, something that is often challenging for collective

⁴ A culture technician is an employee of the municipality who has the responsibility to act as a liaison between the local administration and cultural groups.

projects, as it demands time away from the everyday activities and even the cultural activity that they perform in Eltzia.

Regarding the general organisation, every agent involved in Eltzia has its voice and right to vote through an assembly system; however, the assignment of responsibilities and votes requires meeting specific conditions. In the beginning, the specificities were less proportional to the size of the group so, no matter the number of members they had, everyone was asked for the same duties. With the arrival of larger groups it was decided that responsibilities should be determined according to the level of use. There are three parameters that determine the votes and responsibilities of a group:

- Participants: While some groups, such as a dance company, can represent a lot of people, some others, such as music bands, can be small. This has an impact not only on the level of their contribution, but also on the number of votes they can get. Therefore, this is an important factor in order to avoid too much power being held in a minority of groups through the one-person one-vote system.
- Use frequency: While some groups may gather a few times a week, others may only do it every now and then – once a month or so –, meaning that their responsibility is different. Paying attention to the time spent by each group in the building and how their use can affect the facilities is another of Eltzia's guidelines.
- Whether or not they have their own space: The building itself has certain spaces that are of common use. For example, meeting rooms that are available on a common schedule basis and supervised by the users themselves, who also will clean them afterwards. However, some groups require special working conditions. The group of photography Ilunpetan, for instance, needs a dark room for the film developing process and has higher demands than others. While some groups can work in small rooms, some others necessarily require bigger spaces. Thus, this is taken into account when the tasks and votes are assigned.

According to these parameters, all the local culture groups are divided into small, medium and large size groups. In the case of any agent using the building sporadically or of an activity carried out by a single person, these can be united in a mixed group. This way, cleaning responsibilities can be shared in the common calendar. This classification also helps to better represent larger groups able to provide more people and those who use the building more often. In exchange, these groups also get more votes in the assemblies: small groups have one vote, medium groups have two and large groups three. While this system gives more votes to larger groups, it also prevents them from dominating the organisation system – as could happen if each person had a vote.

Another aspect to consider is related to Eltzia's financial needs. Currently, the city council has the responsibility for covering the costs of the physical maintenance such as light and water expenses. The local authority also provides funding for communication expenses. When any expense is under 300 euros, the coordinating group makes its own decision. If the expense were over this amount, the assembly would have to approve the cost first.

If anything needs to be fixed which belongs to a particular group, its members will deal with it themselves. Nevertheless, if it is of collective use the maintenance group will have to sort it out. In the past there have been issues related to electricity, which can be dangerous for a non-qualified person to deal with. In such cases it is the city council that intervenes. This is also due to the fact that the local authority is the legal owner of the

building, so if an accident happens it entails municipal responsibility. Therefore, the people in Eltzia are absolutely forbidden to deal with potentially dangerous situations.

It is important to note that all the groups in Eltzia are non-profitable. There are several initiatives in Oñati meant for start-up companies and Eltzia's aim is only to promote the work of non-professionals in the local cultural community. This does not mean that groups in Eltzia cannot obtain money through their activity, but any income must be spent in the continuation of the activity rather than in individual accumulation. Eltzia is not designed for the promotion of professionals; instead it is a space for the cultural actors of the town in order to allow them to participate in any cultural activity even if they are not experts. Moreover, these groups are also asked to organise activities that benefit the rest of the social life in Oñati; so participants are also meant to have a forum, as a way to further democratize the cultural environment. An example of this is the exhibition that the photography group Ilunpetan has started to run recently, where the photographs are accompanied by poems written by the group of bertsolaries in Eltzia. Regardless of the level of skills, every person is most welcome to join the centre and share their cultural activity with the rest of the people living in town.

4. Learning from Eltzia: How can a community experience change perspectives on law and cultural policy?

What Eltzia brings to the academic discussion is the particular way of creating and organising a local creative space by establishing rights as well as obligations to all its users. Regulation is closely connected to the level of use each group or member makes of the building. Eltzia also widens significantly the scope of the project and participation of the different actors – individuals; groups; creators; consumers; etc. who can also be involved in the production and dissemination of culture. These two elements are particularly interesting for those scholars working on cultural policy.

4.1. Questions on cultural policy and community participation

When we talk about access to culture, an important question is: "Who sets the cultural agenda?" Indeed, without necessarily intending to do so, Eltzia can be framed in the context of participatory governance as it shares the process of cultural policymaking with its creative agents. Why should a few experts of the local governing body be deciding what cultural expressions have to be promoted through public resources? Do only officially recognized creators merit the right to develop their creative work in institutional places?

The main obstacle for the introduction of participatory cultural agendas lies in the communication among the actors involved. In Eltzia each group has its own programme because, although there have been attempts to coordinate all the events in the same calendar, the Communication team has found it impossible due to the big number of activities and the busy agendas of the participants. This has become a big difficulty for the purpose of creating a communication system that enhances the work of existing groups and enables the creation of shared projects. Additionally, the council of Oñati is not used to negotiating their cultural offer. The local government generally sets its budget and agenda on its own, so there is little sharing culture with any external agent. Though projects like Eltzia are clear steps to change that.

Actually, this is not a specific characteristic of this case study. Some argue that public policy design is a technical job process that cannot be developed and sometimes even understood by the common citizen, which has been traditionally essential to the legitimation of public administration. Moreover, academic qualification as well as basic technical knowledge, which are quite strange territories for the general society, are relevant for bureaucratic work in structures presented by authors like Weber (2010) whose theories seem to be popular in several regions of Latin America (Buchely 2014). Other explorations into the relationship between public servants and common citizens indicate, however, that the state vs. civil society distinction is not clear enough in practice (Lipsky 1983). Although public administration is mainly considered a sphere of privileged decision-making where only a few are allowed to participate, people that actually partake in that sphere change constantly as public administration tends to transition through different governments. In the same sense, a person can work in the public administration without this meaning that their view is always internal and foreign to the common citizen experience.

Some other more recent authors believe that perspectives on public governance are changing (Birchall 2001, Mansuri and Rao 2013). The case of Oñati is an example of this. Eltzia has opened a new path for the interaction of the local authority and the citizens. In this context, its cultural actors have developed the adequate working conditions from which to found their opinion as valid when it comes to suggest any activity for the local cultural agenda. For example, the council organises a series of concerts every year and Eltzia now includes other music bands that can also bring an informed opinion into the decisions expressed in the agenda.

Communal work or mutual aid has not been an uncommon practice in the Basque Country (Mitxelorena 2011). For instance, in the early 1930s there was an urgent need to make the Basque society literate. Pairing this to the prohibition of using the language in public areas during the civil war and the later 45-year dictatorial regime, Basques were pushed to create secret popular schools either side of the border (Euskaltzaindia 2011). These primary and secondary educational centres are called *Ikastolas* and pupils are taught only in Basque. Originally they were run with no money and in particular houses, such as the popular one created by Elbira Zipitria in Donostia in 1946. The efforts of bilingual education in the Basque Country have been central in recovering the local identity. As Begoña Echeverria notes, the right wing political party in Spain was advocating against bilingual education even while she did her research in 1997 (Echeverria 2013). Eltzia's experience of democratization of policy decision-making processes can be analogue to other experiences of participatory budgeting that is not either uncommon in the Basque Country as the Biscayan municipalities of Barakaldo and Santurtzi have both implemented these kinds of strategies for projects to be developed by the local administration (Europa Press 2017, 2018). The notion of participatory budgeting was first experienced in Porto Alegre (Brazil) as a form of active citizenship and undertaken in other parts of the world; though not without complications such as the reinforcement of political patronage (Picciotto 2013, p. 640). Countries like India and China can also evidence successful participatory experiences within decentralized governance models (Mansuri and Rao 2013).

One of the most interesting aspects of the Basque context in relation to the state has to do with how it is conceived in its various levels. The Westphalian notion of the nation-state that emerged in the XVII century was key to creating a territorial division in Europe, recognising a specific group of people in a given territory under the rule of government, and to be respected by other nation-states (Anderson 1983). The Basque Country is currently divided into two jurisdictions or states: the Spanish and the French. Its territory has been that of a struggle of negotiation, but also of the fight for autonomy and defence of its national culture; most threatened by the dictatorial regime led by Francisco Franco from 1939 to 1975 (Browne 2015, pp. 26-36). Nevertheless, the complex relationship between the Basques Country and the Spanish and French states is not resolved yet due to the lack of a clear cut with the past, among other things (Álvarez 2017); and neither is the situation of the language and cultural development in both sides of the border (Martinez 2018, Torrealdai 2018).

This, in turn, makes for an interesting comprehension of the idea of the state. In political terms, the state is enacted in the act of government, which means that all authorities represent the state, be they federal or municipal (Abrams 1988). However, in the external legal culture⁵ of Basques, the word state makes reference to the Spanish state. That is, to an external force that often needs to be resisted, but not necessarily to the local governing authorities or structures. This was evident when we approached Eltzia's expectations regarding the state, as its connection with the public administration is not related to the (Spanish) state but rather to a local government; and they tend to be conceived as two separate political authorities regarding functions and organization. This view also contests the view of sovereignty as monopolised by the state. Sovereignty, as the source of authority based on the role of the state, is in fact exercised and understood differently in everyday practices of law-obeying (Brigham and Marusek 2017); but in this case, we can see a practice of sovereignty that is conceived separately from the state to whom the administration formally belongs to. Perhaps this because the Basque Country is set in particular conditions of autonomy. Indeed, due to the Statues of Gernika in 1979 and the privileges of Navarre were approved in 1981, the Basque Autonomous Community and Nafarroa have achieved certain level of autonomy⁶ with effects in matter of culture, education and tax among others. Therefore, even if the Basque autonomies are encased within the political structure of the Spanish state, this autonomy and the continuous need of resistance could be the ground for the previous understanding.

In this context, even if the way Eltzia participants conceive their relationship with public bodies does not represent the general view on the role of the Spanish state, there is a complicated balance between support and independence that marks Eltzia as a project of citizens. As we have explained, Eltzia's organisation is from the bottom-up and based on popular participation. Most of its structure is designed so that every decision-making process and function are as autonomous as possible; but this structure keeps the local government as the owner of the building as well as responsible for part of its maintenance. In addition, the local cultural groups also make use of other public resources such as the movie theatre or the squares, which also require further

⁵ External legal culture is understood as the "ideas, attitudes, opinions and expectations with regard to the legal system" (Friedman in Nelken 2005, p. 203) held by non-legal experts.

⁶ On the one hand it is the Basque Autonomous Community, which is formed by the provinces of Gipuzkoa, Bizkaia and Alava, and Nafarroa on the other.

coordination efforts as resources are limited in Oñati and the many cultural initiatives should not cause conflict. This understanding should not be mistaken by thinking that Eltzia's members consider they receive a favourable treatment by the council. Eltzia's model of independence recognises the local government as the main body in charge of providing physical resources to the cultural hub that helps to enrich the cultural life in Oñati and beyond. In fact, the level and form of government support to Eltzia are always negotiated among participants, the coordination group and the participation technician.

This interaction between Eltzia's participants and the local government also represents a particular kind of interaction between organic and induced participation in a governance model. As Mansuri and Rao (2013) explain, the participation of citizens in public administration issues tends to have historically been organic, as it develops from social movements that in fact tend to oppose government led processes and are led by highly motivated charismatic leaders. As the authors explain, social movements "engage in a process of creative destruction. First, they imagine a world in which social and political relationships are more equitably arranged – or at least restructured in a manner congruent with the interests of the movement – they articulate their vision of this world to expand their influence. Then, they mobilize citizens who believe in this vision to fight for the cause, often at considerable personal cost" (Mansuri and Rao 2013, pp. 31-32). On the other hand, induced participation is promoted by the state through policy and implemented through an incorporation of bureaucratic procedures that tend to impact much wider sectors than those articulated by organic participation. Induced participation can present itself as decentralization or community-driven development and, although it is not the most common way of citizen participation, it has increased through decentralized government models.

Mansuri and Rao indicate that there is often an overlap of the two kinds of participations, and place the following as the key issue: "can policy interventions harness the capacity of citizens to help themselves and improve the quality of government and the functioning of markets?" (Mansuri and Rao 2013, p. 32). The municipality pushed forward the project of Eltzia, but it has been taken over by the citizens. Something that has been also considered by the council is the process of supporting Eltzia's project as a way to increase popular participation in other future projects. A good part of Eltzia's success lies in the way the local authorities have encouraged the project without hindering its internal independence and in the way the citizens have understood the responsibility of the local authorities without dismissing their own responsibility and potential to carry on and develop the project. This has the potential of overcoming issues that are common to other initiatives led by citizens, such as the funding issues that appear over time or the over-bureaucratization that tends to be the *way* of the state. Eltzia, however, still faces the challenge of exhaustion of human resources. Along its trajectory, Eltzia has had different leaderships, at the beginning from workers of the municipality or of Bagara, later on different people within the participants have taken more visible roles in leadership; but there are times when there has been no reference person to lead. The project runs smoother when there is a charismatic leader, but those leaders have also to deal with the demands of their jobs and personal life when they are working in Eltzia only in a voluntary but still very committed basis. This entails a much more intricate and dynamic interaction between state induced and organic participation.

The intense overlapping of the two forms of participation in how the local administration interacts with Eltzia may also relate to how the Basques conceive the state and its disengagement from the local authority that we explored earlier. Organic participation is set on a country's trajectory of internal conflict, but the political construction of the Basque Country is quite peculiar. In 2011, the Spanish political landscape was turning significantly to the right wing, as the Partido Popular's candidate Mariano Rajoy became Prime Minister with a massive win for his political party in the country; this only excluded the provinces of Gipuzkoa and Vizcaya in the Basque Country, Catalunya and the city of Seville.⁷ EH Bildu was created only in 2011, after the Supreme Court rejected the registration of the political party Sortu. It represents the non-traditional Basque nationalists and independence supporters called *abertzale*⁸ that has had a long history of struggle fighting for the Basque Country's independence. In that very year, EH Bildu became a force to be reckon with in the Basque Country; they also won the elections in Oñati the following year. In many ways, the processes of civil resistance to the state have found an institutional framework in the local governments of Basque Country (Zelik 2017). This can be linked to both the way citizens do not understand the local government as part of the state – the Spanish state and the French state – and to the local government agents' acceptance of citizen-led projects. Perhaps the irony in this case is not that “the government is creating institutions structure to resist failures in government” (Mansuri and Rao 2013, p. 33), but rather that the government agents' trajectory in relation to the historical relation among the Basque Country and the Spanish and French states shapes the identity and *modus operandi* of local institutions, bringing them closer to social movements.

4.2. Questions on diversity and the meaning of the law

The Eltzia project is significant as well as an original and innovative way to make use of public spaces. As we have discussed, in 2015 Eltzia initiated a reform process to make the building more suitable for the cultural activities that were being carried out there. The main aim of the architectural change was to respond to the needs of all the different groups through the minimum transformation of the structure of the building itself. The Coordinators of this process surveyed the local groups in Eltzia to identify their needs and make sure that the architects in charge of the renovation duly met them.

The essences of this project are its users and their interaction with the physical space. Without the group of people who run and keep Eltzia alive there would be no cultural project. The active participation of current users in the maintenance and cleaning of the *cultural house* is important because it produces in the members a sense of belonging to a specific community or common project, as individuals can develop stronger feelings of protectiveness. At the same time, when sharing responsibilities, it is known by everyone that in the case of one person misbehaving some other person will take care of it; and vice versa.

⁷ A map of the results can be found here: https://es.wikipedia.org/wiki/Elecciones_generales_de_Espa%C3%B1a_de_2011#/media/File:Elecciones_generales_esp%C3%B1olas_de_2011_-_distribuci%C3%B3n_del_voto.svg

⁸ An account of the *abertzale* left wing can be found in Zelik (2017).

This logic is particularly interesting in relation to how we understand property. The notion of property has been so naturalised that it is seldom discussed beyond its configuration as private property (Picciotto 2013). Indeed, Eltzia agents do not necessarily believe they are implementing a form of property. Although different social sciences have dealt with the notion of property and highlighted diverse social processes embedded in it (Alfonso 2019). From a socio-legal perspective, property is more commonly understood as the dynamic social interactions that are established towards an object in relation to ownership, exploitation and potential of exclusion (Carruthers and Ariovich 2004). The notion of property is an expression of the right to stop others from making use of a specific resource and this has been expressed in different ways according to different cultures.

Stuart Banner (2009), for example, writes about the different notions of property between the Maori and British at the time of colonisation. Among other differences, the British understood a property to be a piece of land including a quasi-exclusive right to use the resources within it – although, in fact, all regulations on property have its limits; and for the Maori, property was expressed as an exploitation right over specific resources –. While one person would have the right to cut trees, some other would have the right to fish. However, the notion of property is also ethically based on the tragedy of the commons (Hardin 1968); this theory suggests that when resources are left in the hands of collective people, they will only seek short-term benefits through maximising exploitation and will not care about preservation. Hence, resources are limited and wasted away. As a remedy to this tragedy, guaranteeing exclusive rights to the owner will make her have a vested interest in both exploitation and preservation.

In this context, what the experience of Eltzia brings is a different way of addressing the tragedy of the commons through its denial. The building itself is a common resource to all the participants and legally belongs to the *state*. Precisely, the sense of ownership is derived from the acts of use and conservation. Hence, for the Eltzia participants the space is their property because they use and take care of it. This is a collective form of property in which the rules that mediate the access of participants are not based on the possibility of exclusion but rather on the shared responsibility of conservation. As a matter of fact, as we explained in the categorisation of the groups, the level of use of the space responds both to the rights and responsibilities that each group of voters has in Eltzia.

The experience of collective ownership and development is not uncommon in Basque Country, as is shown by the Mondragon Corporation of worker cooperatives in the valley of Debagoiena (Altuna 2008). As we indicated at the beginning of this article, the Basque Country is widely known for its cooperative movement. Mondragon Corporation is perhaps the most famous, but not the only case, in which different cooperatives cluster together to expand their structure. The building now occupied by Eltzia was in fact connected with the cooperative movement that began in 1943 with the establishment of a technical school by Fr. José María Arizmendieta (Hoover 1992). The first cooperative was established in 1956 with Ulgor, by five young engineers who were students of Arizmendieta, and would later become Fagor, a well-known company mainly of home appliances. But cooperatives in the Basque Country have a much wider range nowadays. Mondragon Corporation includes, among many businesses, a

university (which still has a campus in Oñati) in which students become part of the cooperative, a bank and even a supermarket where buyers can be part of the cooperative.

In cooperatives the workers (members) are the owners of the corporation who create specific structures towards the protection of all the employees. This model of organisation has been also an exemplary case of social responsibility where even the need to consider proper working conditions for women was recognised early compared to other companies (Hacker and Elcorobarrutia 1987). Cooperatives have also fared quite well in the context of economic recession while committing to the protection of employment as workers are indeed the owners of the corporation. This ownership is fundamental to understand also the commitment that cooperatives make to environmental matters and even their investment in cultural issues such as the promotion of Euskera. The cooperative is not just a workplace where decisions are made in a sphere that can be separated from the actual community where a factory is located; it can't be. Because the owners are the workers and their families constitute the local community, the process of decision-making cannot be extricated from the interests of said community. This is also linked with Eltzia as many of its participants are also cooperative members, so they are already familiar with and involved in collective projects of shared work and responsibility. The many examples of collective development and social economies in the Basque country are the reason why authors like Zelik (2017) highlight the potential of the Basque context to challenge the capitalist narrative that promotes the belief that only independent and selfish individualism can foster economic prosperity.

The kind of collective ownership that cooperatives represent is inscribed in legal texts, however, to understand Eltzia's practice as a form of property, one has to see law as it is produced in everyday practices. There has been an "... endless discussion as to whether law consists in institutions or in rules, in procedures or in concepts, in decisions or in codes, in processes or in forms, and whether it is therefore a category like work, which exists just about anywhere one finds human society, or one like counter-point, which does not" (Geertz 1983, p. 168). However, as we explained in the methodology section, our intention is precisely to see how these practices ground legal expressions decentred from state practices. This agenda is not new for law and society scholarship, but it also joins in a growing interest in the way collective use of common goods does not unavoidably lead to tragedy when community processes of rulemaking are enabled, which is central to the work that earned Elinor Ostrom (1990) her Nobel prize.

The shared experience of ownership in Eltzia does not mean that spaces do not have any exclusive use at all; rather, there are much more complex rules for the use of the building. The use that a group can make of a specific space is itself incompatible with the use of another at the same time; and, certainly, some spaces are only intended for particular activities. For instance, the rehearsal studio for music bands, the dance hall and the kids space that a group of parents have created for indoor activities. These spaces have particularities that have been designed for a specific group of people and are incompatible with any other use. Even in these situations, the space still belongs to a group on the basis of their need and that group has to make sure they handle and undertake shared responsibilities in the correct way.

Even if it has been indicated that the community of users are the basis of Eltzia's cultural project, in Oñati some people still believe that the building is all that the project is about and that it is for the disposal of whoever wants to use it. However, this is far from the reality. Eltzia is a project embodied by people, who assume different roles and responsibilities for the collective development within a shared project. From local music bands to group of parents; as well as photographers, poets, dancers, feminist associations, etc. They all have a common will: to develop and share their own cultural activity with the wider cultural mosaic of Oñati. Thus, the building only represents the physical infrastructure for the working project that grows and moves forward based on the view that selfishness has limits, and that many more things can be done if people see that solidarity and shared work can make things happen. Eltzia participants know that the collective work they put into the project today is an investment in a future with a richer cultural environment. From the Eltzia experience, the problem of expecting others to organise activities on ones behalf is that nothing would get done if everyone stuck to that attitude.

These convictions were introduced in the Eltzia organisation structure through collective regulation and practice, which are now supervised by the Coordinating group. Indeed, the work of coordinators is particularly essential to manage the course of everyone's behaviour: the stronger the coordination is the better the experience all members behave. This way, their leadership on the development of cultural activities also favours the legitimacy of the coordinating group.

One could think that Eltzia does not reflect any real property scenario – as the building is still owned by the council and since state defence of private property is a key element of the notion of property, especially in capitalist societies (Carruthers and Ariovich 2004), putting much less emphasis on collective forms of property. Indeed, law does tend to consider any affront to private property rights as a crime. Nevertheless, as Carruthers and Ariovich (2004) suggest, there are diverse practices of property that can be observed in experiences developed separately from formal institutions. These practices of property do not necessarily represent an opposition to legal and formal dispositions, but rather express different forms of property that often interact with legality without being illegal (Alfonso 2019). Eltzia's organisation model effectively constitutes property, understood as “rules that constrain and enable, and they locate decision-making power over assets” (Carruthers and Ariovich 2004, p. 24). Within these practices of property analysed in Eltzia, compliance is not dependant on the legal structure of the state, but rather on the voluntary commitment that responds to the high level of legitimacy achieved by the organisation body and the rules agreed to in the corresponding assemblies.

This cooperative logic for work development can also be identified in other experiences of the territory of the Basque Country; for instance, within the internationally recognised gastronomic societies. The Basque Country has a strong traditional food culture and gastronomic societies are spaces equipped with a kitchen and a large dining hall where its members cook and share their own-cooked meals – sometimes their friends are also welcome –. These spaces are important gathering places for social interaction, as people will celebrate different occasions like birthdays or just organise dinners there for family and friends; people also cook together there, making that into a social activity. In

addition to this, members get an infrastructure and even better prices in some produce because the gastronomic society works like a cooperative restaurant and has suppliers that give them bulk purchasing prices and then members only pay for what they consume. Just like in Eltzia, the members are responsible for the maintenance of the space – although not for the cleaning as a person from outside is usually hired to do this job –. Gastronomic societies belong to all its members and no one has the exclusive ownership of the current physical space. Therefore, the members need to come up with a common plan and calendar in order to organise the space and proper running of all the activities; one of the most important things is to make sure they get enough provisions. For these aims, they would look after each other and make decisions collectively so that every single person feels involved in the society as if it was a personal project.

This Basque cultural tradition or social behaviour may be behind the reason why everyone must take part in the coordinating work as well as in assemblies of Eltzia. In other words, it is a form of making an individual part of a bigger community project. The notion of community in the Basque Country is always linked to the ability to self-organise (Zelik 2017) and Eltzia is a living project embodied by those who join and believe in this model of work.

5. Final Thoughts

Recent research on the state of Basque culture provides evidence of existing cultural activity, although production is unarticulated, lacks of enough public support as well as visibility what make the sector rather invisible for the general home audience (Jakín 2018). Home audience is small and there might be too many projects that can actually be organised and developed through public policies at a municipal level. This may be one of the biggest reasons to explain Oñati Council's interest in strengthening a cultural group that already had a very active agenda promoting local cultural activities. Eltzia's project offers a remedy to this problem by providing communication means to the different cultural agents. Eltzia is not only a way to direct and gather synergies as well as strengthening the cultural life of the local community under the same roof, but also to make sure all these agents work towards a common aim and feel the project as their own. The interaction between agents is also what makes Eltzia a living project, since everyone can bring or discuss new ideas. This fact introduces a certain level of contingency to the project: it will never work exactly the same way, thus, changing and evolving continuously.

While many actors can come together in Eltzia, it should be noted that the particular characteristics of the project also put limits to the potential of centralising Oñati's cultural activity. First, the building itself has limited space and resources. In addition, Eltzia's commitment to give a space to non-profit initiatives means that professional cultural actors may not find a place in the project. Indeed, Eltzia is not about making it the centre of the cultural life in town, neither is it denying the relevant and legitimate place of those agents who make a living out of their creative work. Rather, Eltzia is meant to give a place to non-common and non-expert cultural agents that want to develop activities to enrich their lives and that of the community. These agents are easier to overlook in the design of cultural policy.

Even though Eltzia is not yet central to the cultural life of Oñati it has had a quick growth. Its coordinators considered spreading information boards outside the building, but the location of the building itself becomes a challenge as it is situated on the outskirts of town. While the size of Oñati does not make it difficult to attend the activities in the building, Eltzia is not at a central location to walk by. The project was also featured in the local magazine *Kontzejupetik* and the daily newspaper *El Diario Vasco*, but they have been unable to produce enough content for future articles. At the beginning of the project the council hired an external company for the media management; however, results were disappointing. The communication team has tried to address this problem with the help of other group members but coming up with a wider public outreach strategy remains a difficulty. In general, communication among groups is a continuous challenge for the project.

In this sense, Eltzia's contribution is much more relevant in promoting further diversity in the Oñati cultural agenda. It is still a young project and a learning experience for those involved. Many of these groups, for example, are formed by amateur people who learn from each other along with its development. They make instances in which everyone can learn but also teach. Certainly, what is unique is that all these diverse agents are learning together a way to organise themselves. Cooperatives in the Basque Country have a long tradition of collaboration and self-organisation as a way to face the uncertainty of an adverse government and economic crisis, but the experience of Eltzia extends the logic of cooperation and shared work to many other fields and people who are not necessarily working within the cooperative sector. Eltzia's participants cover a wide range of ages, from little kids to elderly retirees, meaning a variety of lifestyles, interests and concerns are included. Additionally, some groups run community projects and social activism. Regardless of their activity, what the members learn together is a participatory form of interaction through which they can conceive and construct their own future.

In terms of cultural policy, beyond the challenges that remain for this project, Eltzia is already a successful example of the potential of empowering citizens in order to take on new initiatives with the extra support of a public governing body. Eltzia has been particularly positive in creating adequate conditions for the articulation of the Oñati cultural community. Around 40% of the local groups that participate in the project are of new creation and have tended to be very active in the organisation processes. All the public investment that the municipality has placed in Eltzia has not only provided better working conditions for the existing cultural agents that were suffering from poor resources, but also has benefited other people who may not have been involved in any collective project previously. One of the most admirable aspects of the cooperative system, as it is lived in the Basque Country, is the way it can "raise citizens to the level of active protagonists of their own destiny"⁹ (Monzon in Altzelai and Terradillos 2012, p. 17), and a similar statement can be made regarding Eltzia. In short, the council's support to Eltzia has created a specific space for its citizens in order to make them active members of the local cultural activity rather than mere consumers. However, thanks to the project's organisational structure, Eltzia also involves ways to nurture the social fabric of the town.

⁹ Authors' translation.

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