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Italian Regionalism: A Semi-Federation is Taking Shape – Or is It?

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In Italy the issue of reforming sub-national government has in recent years primarily concerned regional government. Thus on 7 October 2001, Italian voters went to the polls to vote in a referendum on proposals to revise articles of the constitution concerned with relations between the central state and the regions. The reform had been introduced by the centre-left majority one year before in 'double reading'. But according to the Italian Constitution of 1948, if parliament only approves a constitutional revision in the second reading with a simple majority rather than a qualified two-thirds majority, then the proposal may be required to obtain popular approval. In this case 64.2 per cent of those who participated in the referendum approved the amendments, while 35.8 per cent rejected them.

Roughly five years later, on 25–26 June 2006, Italian voters again went to the polls to vote on a constitutional amendment reforming 57 articles of the second part of the Constitution. This part of the Constitution had been partially revised by the previous constitutional referendum. On this occasion, however, the proposed reform, approved by the then centre-right majority without the required qualified majority, was rejected by the voters; 61.3 per cent of those who took part in the referendum voted against whereas 38.7 per cent voted in favour.

These two stories clearly exemplify some of the difficulties Italy has faced (and still faces) in the definition of centre-periphery relations. More specifically, they bring to the fore two problems: first a seemingly never-ending debate on the need for a Constitutional reform in order to make the Italian political system more stable and effective and, second, the difficulty of introducing *bipartisan* federal reforms. Even if a large majority of the political parties agree on the need to undertake fundamental institutional reform and to create a federal state, the same

majority is not able to find general agreement in parliament. At the same time, these two stories allow us to ask a crucial question: why did the 2001 (quasi-federal) reform succeed and the 2006 (quasi-federal) reform fail?

To answer this question, in what follows the evolution of the territorial organization of the Italian state in its unitary nature in the post-World War II period is briefly described. After this the main features of the 2001 and 2006 reforms, their rationales and the role of political actors in these reforms are presented. Finally, more general and theoretical considerations are reviewed, looking at the policy arguments used by the political actors, the strategies adopted, the patterns of conflict developed, and the institutional context facilitating or blocking territorial reforms.

The Italian territorial system

Italy has a territorial system based on municipalities (*comuni*), provinces (*province*) and regions (*regioni*). The former represent local-level institutions and the latter meso-level institutions. In all there are 8,101 municipalities with a population ranging from less than 100 to more than 1,000,000 inhabitants. More specifically 57.1 per cent of the municipalities have fewer than 3,000 inhabitants, and 55.5 per cent of the total population lives in municipalities with fewer than 30,000 inhabitants (see Table 10.1). Municipalities, moreover, are the main institutions of local government insofar as the number of public employees is concerned (80 per cent of the total as compared with 10 per cent each in the regions and provinces). In addition to providing social services and local police protection, municipalities are also responsible for the adoption of regulatory territorial plans and issuing building permits.

The small size of municipalities has raised concerns about the need for optimizing their size, but planners are hampered by the historical resonances of municipalities, the origins of which date back several centuries. While provinces and regions are creations of the central government, municipalities constitute the natural cultural unit for many Italians. Cases of merging or suppressing municipalities are very rare. For this reason, reforms of local government have in recent years mainly focused on how municipal institutions may be made more effective. In 1993, for instance, a reform introduced a semi-parliamentarian system of government, with direct election of the mayor taking place on the same day as, but independently from, elections to the municipal council (see Fabbrini 2001; Baldini 2002). The reform also affirmed the communal council's power

Table 10.1 Distribution of Italian municipalities according to population size, 2001

Population size	Municipalities		Population	
	Number	Per cent	Number	Per cent
Less than 500	846	10.4	258,097	0.5
501–1,000	1,128	13.9	843,374	1.5
1,001–2,000	1,679	20.7	2,457,057	4.3
2,001–3,000	977	12.1	2,392,333	4.2
3,001–4,000	721	8.9	2,473,123	4.3
4,001–5,000	485	6.0	2,166,744	3.8
5,001–10,000	1,153	14.2	8,040,885	14.1
10,001–15,000	448	5.5	5,403,935	9.5
15,001–20,000	191	2.4	3,265,182	5.7
20,001–30,000	181	2.2	4,331,012	7.6
30,001–40,000	111	1.4	3,798,918	6.7
40,001–50,000	43	0.5	1,946,463	3.4
50,001–65,000	52	0.6	2,864,280	5.0
65,001–80,000	23	0.3	1,647,308	2.9
80,001–100,000	21	0.3	1,878,426	3.3
100,001–250,000	29	0.4	4,125,516	7.2
250,001–500,000	7	0.1	2,133,284	3.7
Over 500,000	6	0.1	6,969,807	12.2
Totals	8,101	100	56,995,744	100

Source: Istat (2003)

to dismiss the executive (*giunta*). While promoting the personalization of the electoral campaign, this reform has been particularly relevant for introducing an unprecedented degree of stable, more effective local governments at the municipal level (Baldini and Legnante 2000).

At the provincial level there are at present 107 provinces, and their number will grow in the next few years. It should be noted that the Italian Constitution does not clearly define provinces. Law 142 of 8 June 1990 provides the best definition. This law states that 'Each provincial territory shall correspond to the area in which the majority of social, economic and cultural relations of the resident population take place ... [and] its dimension in terms of area, demographic features, and also existing or potential productive activities shall allow development programming fostering economic, social and cultural re-balancing of the provincial and regional territory'. In recent years the functions of the provinces have grown from psychiatric assistance and limited competencies regarding education (established in 1948) to a range of new functions, such as providing assistance to socially disadvantaged

persons, road construction, environmental control, vocational training and coordination of municipal activities in matters such as transport and territorial planning.

The institutional system of the provinces is similar to that of municipalities, and it was reformed in 1993. Provinces, however, are the level of government to which Italian citizens are least devoted and a debate over their abolition has recently taken place (Brunazzo and Roux 2007). Even so, provinces are an important level with respect to the decentralized administrative services of the state. The main territorial representatives of the national government (the prefects) have their own seats at the provincial level, as do other state agencies such as the tax inspectorates and fire departments.

But it is the third level of government – the regional level – that has been the object of several tentative reform efforts over the last two decades. In particular, the 2001 Constitutional reform promoted by the then centre-left government introduced a model of territorial organization with a federal dimension (Brunazzo and Roux 2004). Then in 2006 the centre-right government approved a new reform, but it was, as already noted, rejected in the subsequent confirmative referendum.

Regions as contended institutions: 1948–2000

The importance of the regional institutions created by the Italian constitution of 1948 should not be underestimated. After all, the united Italy established in 1861 immediately took the shape of a centralized system hostile to territorial specificities, impermeable to autonomist claims, and intolerant of municipal and regional ‘particularisms’ (Ziblatt 2006). It suffices to remember that when unification of Italy was proclaimed, the use of dialects was so widespread that only 10 per cent of all ‘Italian’ citizens spoke the Italian language. A well-known refrain of that period was *‘Fatta l’Italia, dobbiamo fare gli italiani’* (‘We have made Italy, now we have to make Italians’).

In keeping with the Napoleonic model adopted by the Piedmont’s *Risorgimento* elite, which drove the process of national unification, nineteenth-century Italy continued to pursue the strategy of nationalizing the country in a forceful manner. As Putnam (1993:18–19) has noted:

Top local officials were appointed by the national government in Rome. Local political deadlock (or even local dissent from national policy) could lead to years of strong rule by a commissioner appointed by national government. Strong prefects, modeled on the French

system, controlled the personnel and politics of local governments, approving of all local ordinances, budgets, and contracts ... Most areas of public policy, from agriculture to education to urban planning, were administered by field offices of the Roman bureaucracy.

The Fascist regime in the twentieth century took this strategy to its extreme, giving the central state (and the single party that controlled it) the monopoly of public authority.

The Constitution of 1948 set the *ideological premises* for the end of the centralist tradition that had lasted for almost a century but, at the same time, *political conditions* to implement it were lacking. Specifically, in the Constituent Assembly that wrote the Italian Constitution, the two major parties – the Christian Democratic Party (DC) and the Communist Party (PCI) – had opposite views on the need to create regions. The DC aimed at creating regions in order to compensate the potential presence in the government of the anti-system party (as it was at that time perceived), the PCI. The latter was against this view for the opposite reason. From the early 1950s onwards, however, given the PCI's difficulty in winning national political elections, the positions of the two main parties changed. The DC considered devolution a way of incrementing the powers of the PCI, which, being excluded from the national government, would be able to control the regions where support for the PCI was high, namely in central Italy. At the same time, the PCI considered regionalization a potential means to affect national policies while waiting for more successful electoral scores, and looked at the regions as a 'testing ground' for future national alliances (Bull and Newell 2005:156).

For all these reasons, despite the Constitution, Italian territorial organization reflected for a long time a strong centralist belief. But in the 1970s the central state, in keeping with the trend towards administrative decentralization found in many democratic countries, was forced to acknowledge that the exclusive centralized management of economic and social responsibilities was inefficient and uneconomical. Gradually, therefore, Italy acquired the features of a decentralized but unitary state. If we exclude the five regions with a special statute,¹ the remaining 15 ordinary Italian regions created between 1970 and 1972 were administrative institutions charged with implementing policies and decisions set exclusively at the level of the central state.

The difference between ordinary and special regions is extremely important. Statutes relating to special regions have been approved through constitutional law, the change of which requires a specific procedure. These special regions, moreover, have exclusive legislative competencies

in several matters. They were chosen mainly for their proximity to the national borders and because of the presence of significant ethnic minorities or because they are islands. By comparison, the statutes of all other regions are approved by the national parliament as ordinary laws. These regions have only concurrent legislative competencies.

Despite these differences, articles 121 and 122 of the Constitution defined the internal structures of all regions, giving them the possibility of becoming autonomous only in the definition of more detailed questions (see art. 123 of the Constitution). Specifically, the Regional Council (*Consiglio regionale*) exercises the legislative powers of the region as well as the other functions conferred by the Constitution or special legislation. It can also submit bills to the national parliament. The Regional Executive (*Giunta regionale*) is the executive body of the region. The President of the Executive (*Presidente della giunta regionale*) represents the region, is responsible for the decisions of the executive, signs laws and regional statutes and, following instructions of the central government, leads the administrative functions the state has delegated to regions. Until 1999 all regions were based on a parliamentary model: Regional Councils, directly elected by citizens of the region, would appoint the executives and their presidents. For this reason, the latter were responsible to the councils.

Moreover, because their origin in 1970 was due to a mobilization of the left and the PCI, the regions soon were constrained by rigid schemes set down by national policies. Regions were transformed into institutional actors appointed to spend the resources the central state had gathered (Bull and Newell 2005:159). This split between transfer of funds (state-controlled) and expenditure (carried out by the regions), however, gave rise to an unprecedented level of public debt in the 1980s due precisely to the political irresponsibility institutionalized in the budgetary process (Dente 1995). Thus, inasmuch as central supervision of national policies was inefficient and regions were spending more resources to build electoral consensus, administrative decentralization ended up exacerbating rather than solving the problem.

Introducing federalism: The 2001 reform

From the Amato Government (1992–93) and the Ciampi Government (1993–94) onwards, the idea that fiscal federalism would be an effective means of setting the country's finances in order gained ground. The need of having financial order was strictly linked to the Treaty of Maastricht (1992), which set the path toward adoption of the common

European currency, the Euro, fixing at the same time the criteria required to enter the group of EU Member States adopting it. Requirements stipulated by the Treaty of Maastricht were supported by the pro-EU belief of the national political class and Italian public opinion. The idea that Italy, one of the founding Member States of the EU, should not adopt the Euro from its beginning was unthinkable. This European pressure generated a need to make serious and urgent economic reforms in order to reduce the rate of inflation, the annual government deficit, the government debt, and long-term interest rates as well as to stabilize the then national currency, the Lira, anchoring it to the European Monetary System (Dyson and Featherstone 1999:452–85). At the same time EU pressure provided the occasion – a window of opportunity according to Ferrera and Gualmini (1999) – for which the reformist part of the political elite was waiting in order to make the reforms Italy needed to compete in a global and more competitive economy.

Certainly EU pressure was not the only condition contributing to a change of the Italian economic system. The crisis of the First Republic, which collapsed in 1992 under judicial investigation of bribery and corruption, also played an important role. So too did the end of the two ideological blocks represented by the DC and the PCI after the fall of the Berlin Wall. Moreover, the new political class, which was younger and more technically prepared, and an affirmation of new policy styles (the so-called *concentrazione*), further contributed to a change of perspective.

The collapse of the First Republic also served to create pressure for change of the institutional system. In the early 1990s national political actors shared the idea that a new model of democracy was to be adopted because the consensual (*consociativo*) model based on coalitions built around the party occupying the centre of the political spectrum was not sustainable (cf. Fabbrini 2000). Moreover, the crisis of the PCI together with secularization of the Italian society and the higher volatility of Catholic voters (Corbetta and Segatti 2004) opened the doors to the success of new political parties, like the regionalist Northern League (Lega Nord – LN) (Ruzza 2004). If the final goals of the institutional reforms were clear (more stable and effective governments, alternation between centre-right and centre-left coalitions, more modern and less expensive administration, more political competition), however, the ways for achieving them were less clear. For example, if there was a broad and general consensus on the need of introducing a new electoral law based more on majoritarian principles, the appropriate institutional arrangements were nonetheless a matter of tough political debate for quite some time (and still are).

Important with respect to the territorial system was the fact that new laws adopted in 1992 and 1993 initiated a reform of local and regional finances based on the principle of 'accountability of the peripheral governments with respect to both the curbing of expenditure and the levying of own tax revenues' (Baldi 2000:122). The centre-left Prodi Government (1996–98) went even further, persuading regions and local authorities to pledge that they would reduce public debt by 0.1 per cent in exchange for greater financial autonomy (Prodi 1998). But this was not the only significant reform of centre–periphery relations introduced by the Prodi Government. In 1997, parliament approved Law no. 59, better known as the First Bassanini Law from the name of the then Civil Service Minister. This law gave the government a mandate to transfer administrative functions to regions and local authorities in accordance with the principle of subsidiarity enshrined in article 5 of the Treaty of Rome of 1957. Then later in 1997 the parliament approved the Second Bassanini Law on 'Urgent measures to simplify administrative practices and decision-making and control procedures'.

These reforms not only redefined the administrative and financial relationships existing between the centre and the periphery; they also specified the role of the Italian regions and local authorities in development policies (Gilbert 1999). The decree enacting the First Bassanini Law established the State-Regions-Autonomous Provinces Conference consisting of the Prime Minister, the Interior Minister or the Minister for Regional Affairs, the presidents of the Regions, the President of the Union of Italian Provinces (UPI), six Provincial presidents nominated by UPI, the President of the National Association of Italian Communes (ANCI) and 14 mayors. Meetings of the Conference could also be attended by the ministers of the Treasury, Finance, Public Works and Health. One of the body's primary tasks is to meet twice a year to inform the government on the regions' point of view on future European legislation concerning the regions, to express opinions on transposition of EU directives into Italian law, to appoint the representatives of the regions in Brussels, and to express its opinion on the legislation needed to harmonize Italian law with European legislation. Finally, the Conference is also responsible for ensuring that Italy spends EU resources needed for economic and social modernization of the country (Di Cosimo 1998; Brunazzo 2005).

If we keep in mind the distinction between *regionalization* (a process of decentralization supported by the central state to rationalize its activities) and *regionalism* (a process of politicization of the regions), one may say that EU pressure and national political crises have strengthened

tendencies toward the regionalization of unitary or decentralized unitary state systems (Baldi 2003). In this process, European Cohesion Policy has provided strong incentives for the formation of a regional level within unitary national systems or the strengthening of this level in decentralized unitary systems. Brussels has taken the regions to be its direct interlocutors for the implementation and the monitoring of the Cohesion Policy, whereas the national central governments maintained control of their design and budget. But one can also say that European pressure has legitimated the tendency to regionalism, particularly in countries like Italy where this tendency has been justified by the poor performance of the unitary state model, also in its decentralized form, a poor performance made more visible by monetary integration. And in fact monetary integration ended up challenging many features of the functioning of the Italian state. In short, it is unquestionable that both directly (through the Cohesion Policy) and indirectly (through the Maastricht criteria) European pressures for devolution raised a meaningful threat against the unitary state precisely because these were interwoven with the mobilization of influential domestic political actors against it.

Yet even strong European pressure would not have been sufficient without domestic mobilization and contingent factors. As Baldi (2000) has pointed out, the acquisition of power by the Italian regions has also been, to a significant degree, the result of a social (bottom-up) demand for devolution. Political crisis opened space for the rise of new movements, among them the LN, which pressed for a weakening of the ties between the centre and the (northern) regions. Although LN has never precisely defined its institutional project, it is quite clear that its organizational birth and electoral development were crucial factors in making territorial devolution of public power one of the priorities of the national agenda. In fact, the devolution of powers from the centre to the regions continued to be the subject of the political and parliamentary debate throughout the 1990s.

Fiscal and administrative federalism was only one component of the demand for federalist reform of the Italian territorial system. A more structural question relating to federal reform of the state was one of the crucial issues addressed by the two Bicameral Commissions (in 1994 and 1997). These commissions were appointed by parliament to propose a revised text of Part Two of the Constitution (that relative to the organization of governmental, judicial and state powers). For various reasons and at various levels of detail,² the two Commissions failed to achieve their objectives: debate on the proposal put forward by the first

Commission was halted by the early dissolution of the legislature, while the proposal put forward by the second was rejected by the centre-right opposition when it was presented to the general assembly of the Chamber of Deputies.

It should be noted, however, that the federalist model has never enjoyed the full support of Italian parliamentarians or that of the country's main political parties. Bound to a centralist culture, alarmed by the possible abolition of the Senate (with the consequent reduction of parliamentary seats) and backed by an equally centralist administrative class, many Italian national leaders and parliamentarians raised silent resistance against pressures for federal reform, using veto powers that both the unitary state and the consensual organization of the parliamentary system provided. With respect to the latter, it is sufficient to recall that the undifferentiated bicameralism of the Italian parliament, with its internal diffusion of power, gave senators a veto power to stop any undesired institutional change such as the transformation of the Senate into a Chamber of Regions (Vassallo 1998).

Attempts to change the Constitution during the 1990s in Italy show that *procedural* changes in the administrative system, like the two Bassanini Laws, tend to be more successful than *structural* changes in the national territorial system, such as those proposed by the two Bicameral Commissions. Resistance to change, it would seem, is greater when it entails redefinition of power relations (in this case between the peripheral and central institutional actors) than it is when change entails the rationalization of existing power relations (among those institutional actors) (Fabbrini 2000).

Matters changed radically when pressures justified by European integration benefited from an unusually favourable domestic environment in the late 1990s. Two factors in the political environment are of particular note – the mobilization of a new bipartisan regional political class with personal electoral legitimacy, and the need of the governmental majority to negate the challenge of the opposition. Regarding the former, the electoral and institutional reform of municipalities in 1993 (which introduced the direct election of the mayor) and the subsequent electoral and institutional reform of regions culminated in the 1999 reform (which introduced the direct election of the presidents of the regions who soon become authentic *regional governors*), creating new political and institutional actors interested in increasing the powers of the regions. The intent of these actors was to balance their increased political influence with increased powers with which to justify this influence (Fabbrini 2001).

Hence, in the second half of the 1990s, a new cleavage emerged in Italian politics in which national and regional/local elites found themselves confronting one another. Mayors and regional governors, who by virtue of their direct election could claim personal legitimacy, started to challenge national political leaders, none of whom could claim to have been 'personally' elected to govern. Being supported by a broad popular consensus in their municipalities and regions, leaders of the peripheral executives mobilized their political resources and public opinion to lobby parliament and to compete with national leaders. The latter, no longer sustained by nationally rooted political parties, perceived their power position as increasingly weak. Thus, with the crisis of the national ideological parties, territorial groupings in the municipalities and regions provided new venues for access to positions in both the peripheral and national governments.

Regional politics became so central in Italy that when the regional election of 16 April 2000 registered a strong success of centre-right candidates for governors, especially in the Northern regions, the then centre-left national prime minister was obliged to resign, although a new centre-left prime minister replaced him. This electoral defeat, one year before a national parliamentary election, pushed the government majority to introduce a new constitutional law to devolve power to the regions, the intention being to undercut electoral support for the opposition, especially in the more 'federalist' (or, in any case, 'anti-centralist') regions of the North. In remarkably short order (less than six months) the law was passed after two separate readings in each chamber of parliament, an action occurring after the regional election and before the upcoming parliamentary election (13 May 2001).

It was this twofold pressure – applied indirectly by Europe and directly by the local and regional elites and their parliamentary allies – that gave rise at the very end of the 1996–2001 legislative session to the reform of Title V of the Constitution, that is, the part regulating relations between the central state and the regions. The reform had a federalizing aim, pushing the once unitary state (1948–70) and subsequently decentralized unitary Italian state (from 1970 onwards) in the direction of 'something more' than a regional state. The new articles of the constitution enumerate the legislative powers of the centre, identify the concurrent legislative powers of the centre and the regions, and thus leave to the latter 'legislative powers on every matter not explicitly reserved to the state legislation'. Moreover, the power to set up their own *Statuti* (or regional Charters) was granted to the regions, although these statutes lack the dignity of a regional constitution. In sum, the constitutional articles set

in motion a federalizing tendency, but they did not create a federal state. In fact the regions lacked two critical features: (1) autonomous sovereign rights independent of the central state and (2) their own national chamber of representation through which territorial interests might be represented. The latter is true since, much as expected, the Senate has kept its prerogatives of general, not territorial, representation contrary to a federalist imperative that would grant the power of parliamentary representation to the regions as territorial units.

Several scholars have analyzed the strengths and limits of the quasi-federal reform of 2001. Bull (2002) in particular considers the reform relatively coherent in its efforts to redesign the functions of the national and sub-national entities and relations between different institutional levels, since the reform preserves the unity of the nation and the superiority of the state. The reform also explicitly recognizes the principle of social and economic solidarity, as well as that of a minimum level of services for the citizens. This latter aspect is especially relevant for the citizens of the southern (and poorer) regions. The main limit of the reform is that it has not created a Chamber of the regions, a result due to the anticipated resistance with which such a reform would be met, as the centre-left coalition itself recognized. Moreover, several constitutionalists have observed that the list of the matters submitted to concurrent legislation at both levels is too long and confused. At first sight it seems that the state has the right to set the general principles and legislative parameters that should guide regional legislative autonomy. Yet the number of conflicts between state and regions has increased during recent years, revealing how state and regional interest interpret their tasks and prerogatives differently.

Regardless of the merit of the reform, the Italian experience in 2001 shows the success of a reform based on a minimal, mutually acceptable content. This story is particularly different from the federal reform, the so called 'devolution', which the centre-left government approved in 2006, but which was rejected by the referendum held later in the same year.

Failure of a reform: The 2006 attempt

Given the limits of the reform carried out by the centre-left government, the new centre-right government that came into power in 2001 proposed a new federal reform. By the end of 2001, a few months after the electoral victory of the *Casa delle Libertà* (House of Freedoms),³ Umberto Bossi, the minister of 'institutional reform and devolution' and leader

of the LN (Lega Nord), issued an initial proposal of devolution which was intended to complete article 117 of the Constitution by providing regions with 'exclusive legislative competence for the following matters: (a) health; (b) education, except the autonomy of schools; (c) definition of the elements of education programs referring to the areas of interest of the regions; and (d) local police'. The aim of this project was that of 'making Lega Nord happy and let it perceive it reached a target it had tried to reach for a long time, especially before administrative elections due later that year' (Vassallo 2005:142–3).

LN was not adamantly against the 2001 reform, but it thought that this reform was not very ambitious. LN nevertheless found it expedient to support the new proposal because it considered federalism the reason for its own existence, and could therefore show its voters that a deep change was taking place, although this change had just started.

In fact the entire centre-right coalition had to back the devolution proposal since it had to justify the electoral pact with LN, a party that seven years before had caused the fall of the first centre-right government. Moreover, for his part, Bossi needed devolution to justify LN support for a coalition whose members he had previously defined as 'Fascists', 'Christian democrats' (which in Bossi's words sounds like 'old style and corrupted politicians') and 'Golpists'. In reality, of course, the government was deeply divided on the text of Bossi's speech. This reform missed relevant points that the 2001 Constitutional amendments failed to tackle. Bossi's rhetoric of radical change, furthermore, was difficult to accept for parties that have always supported national unity, such as AN (*Alleanza Nazionale* – National Alliance).

For this reason, parliament amended the initial proposal, at least from the symbolic point of view, in order to make it less controversial. For example, parliament modified the proposal to grant regions exclusive competence on local police matters. Parliament also amended and lengthened the text of the proposal, changing 57 articles of the Constitution, including those relating to the election of the Senate, and introducing premiership as a system of government. With these changes, the proposal was approved by the Senate on 25 March 2004 in the first reading (S2544) and by the House of Deputies (again in the first reading) on 15 October 2004 (C4862).

Several points of the document approved by the House show that parliament was cautious in endorsing a real 'federal' perspective. In C4862, for example, regions are in charge of 'general norms on health matters', safety of employment, large transportation networks, the institutional organization of capital, norms on communication,

professional associations and the national energy network. Moreover, parliament introduced the notion of national interest, which gives the national government the opportunity to refer to this principle against any regional law and to ask parliament to abolish the law in any case that a region resists this principle. Document C4862 similarly goes beyond the idea of 'variable geometry' federalism, which gives regions the possibility to exercise competences in a limited number of matters that the Constitution considers as exclusive state competence. Finally, a temporary norm (*norma transitoria*) states that in 2011 a large election of the House, Senate and regional councils and presidents will all take place, a measure seeking to nationalize voting behaviour.

The project does not appear ambitious on the matter of federalism, but the proposal can still be considered relevant since it tackles – albeit with several limits according to Vassallo (2005) – the issue of the reform of the government system. It introduces premiership and the end of perfect bicameralism whereby the House and the Senate have equal rights; it changes the electoral system and composition of the Senate, a chamber that was supposed to represent the regions; it changes the powers of the President of the Republic; and it changes the way the members of the Constitutional Court and of the 'Consiglio Superiore della Magistratura' (the body of judges' self-government) are appointed.

The reform of the centre-right government ended up in a package deal, where each author could achieve one of his aims. Giovanni Sartori defined this reform as a cattle market, where every party secured at least one 'cow' (Sartori 2006:54–5 and 60), while Bull (2006:10) points out that the reform package offered:

devolution for the LN; the premiership and safeguards against governments being toppled before the end of the legislature for FI; the reintroduction of the principle of the national interest, an aspect of 'presidentialism' to the executive, and the possibility of Fini becoming either Prime Minister or President for his loyalty for AN; and the possibility of going back to proportionality in the reformed electoral system for UDC.

As legislative studies have shown, however, this approach to achieving an agreement does not necessarily lead to success. On the contrary, as Tsebelis (2002) stresses, the more distant policy preferences of veto players are (in this case, government parties and the two Chambers, both of which were against powers of limitation), the less is their ability to agree on changes of the status quo (namely the Constitution).

After the final approval of the Senate on 23 March 2005, those who were against the reform started to mobilize. Before the end of the three months required by the Constitution, signatures of at least one-fifth of the senators and deputies and of 800,000 citizens were gathered calling for a referendum, although signatures of only one-fifth of the members of one Chamber and of 500,000 citizens were required. As opposed to what happened in 2001, when the referendum took place before political elections, in 2006 it was organized less than two months after the very narrow victory of the Prodi centre-left government. This led the centre-right opposition to consider a possible confirmation of the reform as an instrument to contribute to the fall of the weak government, while it pushed centre-left voters to mobilize in order to stress their confidence in the newly elected government. Such a politicization contributed to an increase in turnout but, at the same time, did not allow many Italians to realize the reason why they were called to vote. Using Bull's words:

Following the national elections (April), local elections (May) and (parliamentary) election of the President [of the Republic] (May), the referendum was, in many ways, an electoral appointment too far, as was evidenced in a lacklustre campaign and a relative absence of media attention. This was ironic because, in many ways, this could be regarded as the most significant vote Italians had been called on to make for many years. Whether they voted for or against the reforms, the outcome would have a significant bearing on the political debate, the two coalitions, and the future constitutional reforms.

(Bull 2006:1)

The outcome of the referendum is not altogether surprising. The small consensus the centre-right coalition had built in parliament lacked popular support. Also regions, lead by right-wing councils, were against the reform, since they were afraid that a competitive federalism favouring the richest regions would take place. Moreover, the weaknesses of a reform aimed at making all the coalition parties happy contributed to the fact that most Italian scholars of Constitutional law criticized it. These scholars published a book that was relevant for the political debate prior to the referendum. In this book, edited by the former minister Franco Bassanini (2004) and titled '*Costituzione: una riforma sbagliata*' ('Constitution: A Wrong Reform'), 60 of the major scholars of Constitutional law heavily criticized the reform. A detailed analysis by

De Sio (2006) shows that 'at the national level, the "no faction" won over the "yes faction" with a difference of 22.6 percentage points, while a much smaller difference (4.1 points) exists between the "no faction" and the "yes faction" in the last political elections' (De Sio 2006:690). Therefore one can understand why the centre-right coalition failed in mobilizing its own voters, except for voters in three regions, Lombardia, Veneto and Friuli-Venezia Giulia, where LN and FI were stronger.

Assessment and conclusions

Much as in other European countries, the debate about the appropriate organization of sub-national governments has been central to Italian political life for at least the last 15 years. This debate has followed a period in which the Italian territorial structure had remained largely unaltered. In fact, even if the 1948 Constitution had set the ideological premises for a regionalized territorial system, the political conditions in favour of administrative and political decentralization were first evident in the 1970s, and the question of a federal reform seriously entered the political agenda only in the mid-1990s. Since then, Italy has gone through two important administrative reforms (the two Bassanini Laws of 1997) and a constitutional reform introducing a federal territorial system (without the creation of a Chamber of the Regions) in 2001. In 2006, a second constitutional reform, where federalism played an important role, failed, without halting the debate over the need for devolving more powers from the central state to the regions.

The policy arguments used to promote these reforms can be summarized in one word: modernization, that is to say, the need to make Italian public administration more effective and efficient. In recent years, modernization in Italy has been considered synonymous with political 'normality'. Reforms were presented as partial but feasible solutions to the political crises besetting the country at the beginning of the 1990s and thereby making Italy less politically 'exceptional'. In addition a second argument was used for the 2001 reform – namely Europeanization. The Italian decision to join the first group of countries entering the Common Currency created pressure toward a more efficient economic system, based on regional authorities that would be more responsible and accountable for public expenditures. Europeanization has at the same time been the cause for the territorial reform and the 'window of opportunity' that political elites used in order to pursue necessary reforms. But in 2006 the argument of the 'requirements from Brussels' could not be

used for two reasons: first, Italy had already entered European Union and, second, there was notable Euroscepticism within the centre-right coalition ruling the government at that time.

Centre-left and centre-right coalitions used different strategies in promoting their reforms. Different procedures of decision-making were used in order to accommodate the interests of stakeholders affected by policy initiatives. The centre-left coalition proposed a reform based on the notion of the minimum acceptable content, whereas the centre-right coalition proposed a package deal by which each party could pursue a specific aim. The first strategy proved successful because the reform, even if imperfect and not ambitious, was still acceptable even for the parties that were against it in parliament. This aspect is even more important if one considers that a constitutional reform approved without qualified majority needs to be approved through a referendum. The second strategy was unsuccessful for the opposite reason. The reform was so ambitious and inconsistent that it polarized much more the political forces and public opinion. Moreover, the centre-left coalition proposed a reform based on an incremental approach. The 2001 reform was considered a first step of a comprehensive reform of the political and institutional system. By comparison, the 2006 reform was presented as final, ambitious and comprehensive, promoting the change of both the territorial and governmental systems.

For all these reasons, the two reforms created different patterns of conflict. Even if a general and widespread political agreement about the need of reforms with a federal dimension existed, political parties have used reforms (and the related referendums) as a way of delegitimizing their political adversaries. The reforms did not divide the parties along their ideological position (right vs. left), but mainly along their position in government (government vs. opposition). Thus parties in the opposition were against the 2001 reform even if they shared many of the government's views and objectives.

Between 2001 and 2006 two new cleavages emerged. The first was that between local authorities and national authorities. While the 2001 reform did not mobilize the regions against the proposed reform, the 2006 reform triggered opposition even among the regions ruled by centre-right governments. The second cleavage was that between the northern regions (which strongly supported federalism) and the southern regions (which were more in favour of centralization).

As far as the institutional structures are concerned, in the two reforms one may see the consociational features of the Italian polity. Both the institutional settings and the behaviour of political actors have fostered

the need of a bargaining and open decision-making style. For instance, use of the referendum as an instrument for achieving the final approval of a constitutional reform fosters the need for proposals that are shared by the main political actors and stakeholders or, at least, that are not strongly opposed by them. These consociational features require the adoption of any possible instrument of consultation of the main stakeholders in order to prevent veto points.

Certainly the failed reform of 2006 reduced the possibility of having a new federal reform approved in a short time (Vassallo 2006). All of the parties are aware, however, of the need to complete the federal reform of 2001. This debate is therefore destined to continue.

Notes

1. Regions with special statutes are Sicilia, Sardegna, Valle d'Aosta, Friuli-Venezia Giulia and Trentino-Alto Adige (comprising the two autonomous provinces of Trento and Bolzano and Friuli-Venezia Giulia). These regions have many similarities with Spanish regions.
2. The second Commission proposed a quasi-federal structure for the Italian state; quasi-federal because the constitutional distribution of powers between the centre and the regions was not reflected by a Chamber of the Regions at the national level.
3. The main parties of the House of Freedom were: *Forza Italia* (Force Italy), *Alleanza nazionale* (National Alliance), *Lega Nord* (Northern League) and *Unione democratica di centro* (Democratic Union of the Centre).