



Department of Political Science

Bachelor in Political Science

Thesis in Institutions of Public Law

English abstract

**BY “THE SENATE OF THE REPUBLIC” TO “THE SENATE OF
LOCAL GOVERNMENT”**

the future of the Italian Senate

Supervisor:

Prof. Gian Candido De Martin

Candidate:

Ludovica Chiappini

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ABSTRACT

The legal and political debate, relating to the future of the Italian Senate, is not perfectly clear. The absence of the coordination of ideas, between the entities complicates the discussion further.

Nevertheless, it could prove useful to highlight the important points of the debate to achieve a clearer understanding of the situation. Indeed, it is believed that a functional analysis should be conducted as to the origins and causes of the argument. Being aware of this would be the first step in the process of better understanding the events.

The main issue, regarding the Italian Senate, is its reform. Since the beginning, the diffused dissatisfaction to the structure and functions of the second branch of the Parliament, provided by the Constitution during 1948, could be considered a permanent question.

Nonetheless, it is essential drawing attention to the strict connection among the theme of the Italian Senate revision and the significant transformation of the bilateral system in Italy.

The above explanations justify the organization of this work. The thesis begins illustrating the reasons behind the choice of the bilateralism asset and the origin of the Italian Senate during the work sessions for the draft of the Constitution.

It continues analyzing the more relevant proposals of revision during the Italian Republic up to the most recent project of reformation which concerns the evolution of the Senate as an assembly that should represent regional and local interests.

The first chapter focuses on the explanations in favor of a bilateralism decision, regarding the international context. In succession, it concentrates the attention on the Italian situation, describing the process which has led to the establishment of the system in force.

The analysis proceeds pointing out the fundamental steps which brought to the definition of Italian Senate. In particular, the work reveals that the concept of a Senate, as a regional assembly, has already existed in the draft of the Constitution. However, according to the hostile idea of a federal state, the fulfillment of the project failed.

To conclude, the first section of the work examines the vain attempts for the revision of the Senate immediately after the establishment of the Italian Constitution.

The second chapter evaluates the new prospects of reform due to the endorsement of the constitutional law n. 3 in the 2001 which modified an important part of the Constitution.

The core of this revision concerned the transformation of the State structure in order to reinforce the authority of the Regions and local entities in the process of promulgating law.

Furthermore, according to the strict relation between the structure of State and the composition of the Senate, the new law assumed the modification of the Senate, as an assembly which should have represented the interests of the new relevant bodies.

However, it is illustrated the complex process in order to fulfill the regulations provided. Especially, the analysis focuses on the debate relating to the failure of an important article of this law which supposed a

mechanism for a deeper integration of the Regions in the Parliament. Moreover, it yields the attention on the legal views asserted by the experts of the theme.

In closing, the thesis examines the two reforms in the following period, immediately after the 2001 and tries to explain the reasons of their failure.

Finally, in the third chapter, the research is dedicated to the latest projects of revision dealing with the compelling necessity to achieve an agreement for the structure of the Italian Senate according to the political, institutional and social changes.

Eventually, the work focuses the attention on the current political debate about the programmatic lines of the Government in force and the last decisions taken about the future of the second assembly.

Moreover, it is underlined the actual political view of the legislator which gives the priority to the institutional reforms compared to others important issues. Primarily, the institutional reforms enable to reach stability and concerts in the decisions in order to achieve, at a later stage, others relevant purposes.

To sum up, the aim of this work is to facilitate the understanding of the complex discussion about the revision of bicameral system in Italy and the second assembly of the Parliament. This issue could be considered one of the most controversial topic in the field of institutional reforms.

In order to retrace the events objectively, the paper restricts the search to the description of the contents of the projects of law. It tries to expose the outstanding phases following a logical and chronological order.

Sometimes, it compares the temporary solutions reached in order to have a clearer overview.

The objective of the thesis is to be more impartial as possible. This leads to avoid value judgments in favor of one opinion or another. The work abstains from political considerations referring to the factions.

Certifying the institutional stalemate of Italian system, the purpose of the composition is not to investigate on the responsibilities of the current situation. However, it focuses on the attempts of solution.

The permanent feature in the work, which is possible to deduce from the analysis of the long debate since its origin, is a general awareness to an impellent constitutional revision in order to beat the inefficiency of the Parliament and to reach an higher level of integration between the national, regional and local interests.