



ISSIRFA

*Istituto di Studi sui Sistemi
Regionali Federali
e sulle Autonomie
"Massimo Severo Giannini"
Institute for the Study of
Regionalism, Federalism and Self-
Government*

EDITORIAL

Prof. Stelio Mangiameli – Director of the ISSiRFA



The local Elections on June 2016 and its Repercussions on the National politics.

In June, in Italy elections were held in 1,363 Municipalities, of which 1,175 belong to ordinary Regions and 188 to special Regions.

The rules on expenditure containment of local bodies will be applied from newly elected Mayors, Governments and Councils of the Municipalities in the ordinary Regions. These rules will provide for a reduction in the number of municipal Councils and local governments.

These elections were very important for the high number of municipalities involved, and above all for the twenty-six Provinces,

including some regional capitals, such as Bologna, Cagliari, Milan, Naples, Rome, Turin and Trieste.

The consequences of the election results on the national scale were therefore inevitable. The voting behaviour of citizens who voted in June leads to national political considerations. In this regard it can be said that voters gave a strong signal of change. At the same time it showed the Italian interpretation of the two-round electoral system (similar to that of the new electoral law for the Chamber of Deputies). In fact, the local elections of June showed that Italian electorate in second round ballots prefers voting by contrast and not by proxim.

The consideration of this political behaviour has opened a broad discussion in the Italian political scene on the need to change once again the national electoral law. This issue is really important especially in view of the constitutional referendum which should complete the constitutional reform process that changes the structure of Parliament and its

functioning. It should be with a single Chamber (that of Deputies) directly elected by the citizen body and able to express the confidence vote to the government. The

other Chamber, the Senate of the Republic, would be composed of representatives of the Regions and local authorities and would represent the territorial institutions.

Books

Scritti in onore di Antonio D'Atena, volumi I-IV, Milano, Giuffrè, 2015



On 16 June 2016 The Italian National Research Council hosted the presentation of

the *Scritti* (papers) in honour of Antonio D'Atena, former director of ISSIRFA and professor emeritus of Constitutional Law at the Tor Vergata University of Rome.

The *Scritti* are a collection of 124 papers, gathered in four volumes, written by scholars with expertise in different fields but most of the papers are about topics that were addressed by Antonio D'Atena in his vast scientific works.

The idea of promoting the *Scritti* came about in 2012 by ISSIRFA and by authoritative professors from different European Universities.

Fabrizio Tuzi, *Pubblica Amministrazione: dall'egoismo alla competizione. Manuale per una sopravvivenza operosa*, Rubbettino Editore, 2016.



This book launches the series “**Institutions, Autonomy, Europe**” in collaboration with the publisher Rubbettino. The goal of the series is to face the current issues of our

political and institutional system critically and proactively, taking into account the evolutions of international and European processes.

The first book of the series concerns the matter of public administration, long neglected, even though a large amount of essays has highlighted the cultural backwardness of the PA in our country.

The book can be summarized in eight keywords: personal interest, evaluation, employment, reform, spending, privilege, decentralization and competition; each of them is analyzed in a specific chapter.

The book thinks and suggests on public administration in simple and open language starting from the skeptical theories of the “Public choice” by James Buchanan and Gordon Tullock. Particular attention is paid to the issue of the reform of public administration, being aware that doesn't exist the “Reform” (with a capital r) but the change is a continuing job. The proposals

do not aim to the perfectionism but to pragmatic improvements. The matter isn't tackled with ideological approach but in a quantitative way by adopting the principles of Popper's realistic reformism

("piecemeal"). The real effect of every reform action is played in the last detail of his implementation.

Antonino Iacoviello (ed.), Governance europea tra Lisbona e fiscal Compact, Giuffrè, 2016.



This publication presents the Proceedings of the Conference: **“European Governance between Lisbon and Fiscal Compact. The effects of European economic and political integration on the national legal order”**, held in Rome on 29 and 30 October 2014.

Part one is dedicated to institutional contributions, to the presentation of the Commentary to the Treaty of the European Union edited by Herman-Josef Blanke and Stelio Mangiameli, and to the panel discussion on the theme, “Economic governance and

representation from the Fiscal Compact to the Blueprint”.

Part two includes the reports presented at the two working sessions.

The Conference was promoted by the Institute with the patronage of the Ministry for Foreign Affairs and the Conference of Presidents of the Legislative Assemblies of the Regions and of the Autonomous Provinces; it was included among the parallel events of the European Semester of the Italian Presidency of the Council of the European Union.

While what emerges from the analysis is the picture of a European Union that is experiencing great difficulties in an extremely challenging socio-economic context, it appears to be quite clear that political unification is the royal road to overcome the crisis that is no longer only an economic crisis.

In a nutshell, *the European Union needs to be reformed in order for it to go on existing; it must become more democratic and politically more significant than the very national States that uphold it* (Mangiameli).

Political unification, with an adequate degree of democratic participation in the decision making process, also through the involvement of national parliaments in European organization and the strengthening of the role of the European Parliament would improve the people's perception of Europe which is by far the most urgent challenge.

International activities

On 3rd May last, the National Research Council (CNR) hosted a meeting between the director of ISSIRFA-CNR, Stelio Mangiameli, the researchers and technologists of the Institute and the Ambassador of Indonesia, August Parengkuan accompanied by a Delegation of the **Indonesian Council of Representatives of the Regions** led by Senator Benny Rhamdani.

The meeting was promoted by the Embassy upon request of the Indonesian Council within the framework of a fact-finding survey for the reform of the territorial organization of Indonesia.

Director Mangiameli presented the Institute and then Ambassador Parengkuan made an introductory speech in which he illustrated the political and institutional profile of his Country in light of the reforms started in 1998.

Senator Rhamdani then described the Council of Representatives of the Regions and introduced the members of this body who were attending the meeting. He focused on the issue of Special Regions which is a subject of great interest in his Country.

The meeting was organized in the form of questions & answers. The Indonesian delegation asked a number of technical questions to which responses were provided by the ISSIRFA research group.

This exchange of opinions and high level expertise from a legal and political standpoint was the beginning of cooperation between the CNR and the Indonesian Council and the Political Office of the Embassy.



Migration



As regards immigration, cooperation has continued with other CNR-DSU Institutes in the activities carried out for the European Migration Network (EMN). These institutes serve as EMN's national contact point for Italy. In particular, ISSIRFA edited the **Annual Policy Report (APR) 2015**. APRs are important reports providing the Commission and other Member States with yearly updates on the legislation and policies adopted by Italy in the area of immigration and asylum.

OBSERVATORY ON REGIONAL CREDIT MARKETS

ISSIRFA has organized, at its own headquarter, a workshop concerning the **analysis of the main initiatives carried out by the regional financial companies in the credit sector**.

The goal of the meeting was to promote the sharing of experiences, tools and results by the different regions, in order to set up practical proposals aimed also at the improvement of joint initiatives for the socio-economic development of the regions themselves. Representatives of regional financial companies, Bank of Italy, MISE (Ministry for Economic Development), ABI (Italian Banking Association) and ANFIR (National Association of Regional Financial Companies) attended at the workshop.

The results of the meeting have been collected in a book edited by ISSIRFA,

currently in press. At present, the research activities are focused both on the study of the historical, political and economic reasons of the development of the regional financial companies and on their operational models.

A specific analysis is dedicated to the large number of controls to which such companies are subjected. They are both public corporation and financial company and, therefore, this condition involves a complex web of rules, with controls potentially overlapped by different institutions: Court of Auditors, Region and Bank of Italy. At the same time, the role that the Italian regions have attributed to their own financial companies in the implementation of the 2007-2013 programming cycle of the Structural Funds has been analyzed.

The Report on Regions in Italy 2015

edited by

***Stelio Mangiameli and Giulia Napolitano
(Sole24ore)***



The **2015 Report on the Regions in Italy** of Issirfa, edited by Stelio Mangiameli and Giulia Maria Napolitano, was presented on 21st June at the **Senate of the Republic**, Rome, in the presence of the Speaker of the Senate Hon. Pietro Grasso, of the President of the National Research Council, Prof. Massimo Inguscio, of the Undersecretary of State to the Presidency of the Council of Ministers for Regional Affairs, Hon. Gianclaudio Bressa, of the President of the Conference of Presidents of the Legislative Assemblies of the Regions

and Autonomous Provinces, Hon. Franco Iacop.

The Report monitors and analyses the main regional policies in the 2013-2014 period and shows that, in spite of the difficulties caused by the economic crisis, some of the Regions have implemented “sound policies”, which therefore have not been applied uniformly across the national territory: indeed, alongside cases of excellence there are others lagging behind with major problems linked to the lack of resources.

The actions taken in pursuance of the various policies show that in spite of current difficulties there is a strong drive to renewal, a vitality and “survival instinct” that in some cases has turned into the ability to “reinvent models or find new solutions”. As a result of this commitment, the Regions have found solutions that ensure the delivery of essential levels of services that the far-off State seems to have forgotten. The Regions are compelled to continue providing such services, thus acting as a sort of ‘social safety net’ for the people.

<http://www.issirfa.cnr.it/8005,8005.html>

COURSES, LECTURES and PAPERS

- On 11 April 2016 Stelio Mangiameli, Lectio Magistralis, *The legal dogmatic of European Constitutional Law*, within the opening Ceremony of the European Constitutional Law Course of the University of Urbino “Carlo Bo”.
- On 15 April 2016 Stelio Mangiameli, *Local Autonomies and democratic Issue in the Italian Constitutional order*, Lecture within the Seminar of studies in Alghero – 92nd day of the Catholic University, Alghero 8 – 18 April 2016.
- On 22 April 2016 Clelia Losavio, *Food hygiene regulation at European and national level*, Lecture within the Master on Food Law (II edition – academic year 2015/2016), organized at DISTU Department of Tuscia University (Viterbo, Italy).
- Arabia A.G.. Tipicità agroalimentari e patrimonio culturale: il caso della dieta mediterranea, edited on *Agricoltura Istituzioni Mercati*, number 3, 2014, 46-61.
- Stelio Mangiameli. Il Titolo V della Costituzione alla luce della giurisprudenza costituzionale e delle prospettive di riforma, in *Rivista AIC*, n. 2/2016, pp. 1-36 (<http://www.rivistaaic.it/il-titolo-v-della-costituzione-alla-luce-della-giurisprudenza-costituzionale-e-delle-prospettive-di-riforma.html>)
- Laura Ronchetti. Le materie della potestà legislativa esclusiva dello Stato. Uno sguardo a partire dalla giurisprudenza costituzionale, in *Osservatorio costituzionale*, Associazione italiana dei Costituzionalisti, n. 2 /2016, pp. 1-9 (<http://www.osservatorioaic.it/le-materie-della-potest-legislativa-esclusiva-dello-stato-uno-sguardo-a-partire-dalla-giurisprudenza-costituzionale.html>).



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